

MONTEREY COUNTY PLANNING COMMISSION

Meeting: September 14, 2011 Time: 9:00 A.M.	Agenda Item No.: 1
Project Description: Combined Development Permit consisting of: 1) Coastal Administrative Permit to allow for the demolition of an existing 3,914 square foot one-story single family dwelling and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot three-car attached garage, removal of 13,661 square feet of existing hardscape (patios, pathways, terraces, parking areas, driveway) and construction of 7,666 new hardscape, new fence and gate at front property line and approximately 3,150 cubic yards of grading (2,650 cut/500 fill); 2) Coastal Development Permit for development within 750 feet of known archaeological resources; 3) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; 4) Coastal Development Permit for development on slope greater than 30%; 5) Coastal Development Permit to allow the removal of one 15-inch Monterey pine tree; 6) Coastal Development Permit to allow the construction of a 544 square foot attached caretaker unit; and 6) Design Approval (colors and materials to consist of: earthtone stucco and natural color slate, stone, bronze, copper and wood for the exterior finishes).	
Project Location: 3184 17 Mile Drive, Pebble Beach	APN: 008-491-015-000
Planning File Number: PLN100579	Owner: Mark J. Byrne Agent: Anatoly Ostretsov, IDG
Planning Area: Del Monte Forest Land Use Plan	Flagged and staked: Yes
Zoning Designation: "LDR/2-D (CZ)" [Low Density Residential, 2 acres per unit with Design Control overlay (Coastal Zone)]	
CEQA Action: Mitigated Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit C**) to:

- 1) Adopt a Mitigated Negative Declaration;
- 2) Approve PLN100579, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**); and
- 3) Adopt a Mitigation Monitoring and Reporting Plan.

PROJECT OVERVIEW:

The project site is a 1.5 acre parcel located at 3184 17 Mile Drive, within the Pebble Beach Planning Area of the Del Monte Forest. The property is a gently sloping, developed residential lot in a residential area, with the Pacific Ocean to the west, 17 Mile Drive to the east and residential uses to the north and south. The parcel is also located within the mapped indigenous Monterey cypress habitat area within the Del Monte Forest, and Monterey cypress habitat is present on the property.

The applicant proposes to demolish the existing single family dwelling and hardscape and to construct a new two-story single family dwelling with a basement, attached garage and a caretaker unit in the same footprint. Other proposed site improvements include a new paved driveway and motorcourt, guest parking areas, a terrace, a patio, fencing and an entry gate. Development of the project will require approximately 3,150 cubic yards of grading (2,650 cut/500 fill) and the removal of one Monterey pine tree. The applicant has prepared and submitted a Cypress Habitat Restoration Plan (LJB110138) to address the removal and rehabilitation of existing hardscape elements on the site.

The project site is also located within an area that is rich in archaeological resources. Because the project is located within 750 feet of a known archaeological resource and because culturally affected soils exist on the property, the project requires a Coastal Development Permit.

This project is being heard by the Planning Commission because it is visible from 17 Mile Drive, a designated scenic area, and because the project includes a Coastal Development Permit for development on a parcel with a positive archaeological report and a Coastal Development Permit for development within 100 feet of environmentally sensitive habitat. A more detailed discussion of the project is attached as **Exhibit B**.

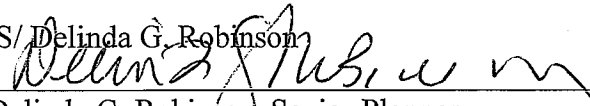
OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Pebble Beach Community Services District (Fire District)
- Parks Department
- California Coastal Commission

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

The Del Monte Forest Land Use Advisory Committee (LUAC) heard the project at a public hearing on January 6, 2011. The LUAC recommended approval of the project by a 6-0 vote.

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

/s/ Delinda G. Robinson

Delinda G. Robinson, Senior Planner
(831) 755-5198, robinsond@co.monterey.ca.us
September 6, 2011

cc: Front Counter Copy; Planning Commission; Pebble Beach Community Services District; Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; Delinda Robinson, Project Planner; Carol Allen, Senior Secretary; Mark J. Byrne, Owner; Anatoly Ostretsov, Agent; Planning File PLN100579

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Discussion
	Exhibit C	Draft Resolution, including:
		• Conditions of Approval and Mitigation Monitoring and Reporting Program
		• Site Plan, Floor Plan and Elevations
	Exhibit D	Vicinity Map
	Exhibit E	Del Monte Forest Land Use Advisory Committee Minutes
	Exhibit F	Justification Letter for Caretaker Unit
	Exhibit G	Mitigated Negative Declaration

This report was reviewed by Laura Lawrence,  Planning Services Manager

EXHIBIT A

Project Information for PLN100579

Project Information:

Project Name: BYRNE MARK J TR ET AL
Location: 3184 17 MILE DR PEBBLE BEACH
Permit Type: Combined Development Permit
Environmental Status: Mitigated Negative Declaration
Final Action Deadline (884): 10/10/2011
Existing Structures (sf): 3914
Coverage Allowed: 15%
Proposed Structures (sf): 15583
Coverage Proposed: 12.7%
Total Sq. Ft.: 19497
Height Allowed: 30'
Tree Removal: 1 MTRY PINE
Height Proposed: 29.5'
Water Source: PUBLIC
FAR Allowed: 17.5%
Water Purveyor: CAL AM
FAR Proposed: 17.49%
Sewage Disposal (method): SEWER
Lot Size: 65343
Sewer District: PBCSD
Grading (cubic yds.): 3150

Parcel Information:

Primary APN: 008-491-015-000
Seismic Hazard Zone: UNDETERMINED
Applicable Plan: Del Monte Forest LUP
Erosion Hazard Zone: Moderate
Advisory Committee: Del Monte Forest Advisory Committee
Fire Hazard Zone: High
Zoning: LDR/2-D(CZ)
Flood Hazard Zone: undefined
Land Use Designation: RES- 1 UNIT/2 ACRES
Archaeological Sensitivity: high
Coastal Zone: Del Monte Forest
Viewshed: 17 MILE DRIVE
Fire District: Pebble Beach CSD
Special Setbacks on Parcel: undefined

Reports on Project Parcel:

Soils Report #: LIB110022
Biological Report #: LIB110139
Geologic Report #: LIB110022
Forest Management Rpt. #: LIB110021
Archaeological Report #: LIB110019
Traffic Report #: n/a

EXHIBIT B DISCUSSION

Project Description

The subject property is located at 3184 17 Mile Drive, Pebble Beach, within the Del Monte Forest Land Use Plan area. The property slopes gently down from 17 Mile Drive on the east, becoming slightly steeper on the western third of the parcel, with the coastal bluff at the western property line. The forest on the property includes a representation of all age classes of Monterey cypress and Monterey pines. The understory species are a mixture of grasses, small shrubs and many volunteer Monterey pines and Monterey cypress on the eastern portion of the parcel. Ice plant is growing in large sections of the western side of the parcel. The property's land use designation is Low Density Residential, with similar designations within the vicinity and the well-established neighborhood has few vacant lots.

The applicant proposes to demolish the existing 3,914 square foot one-story residence with basement and remove approximately 13,661 square feet of existing hardscape and to construct a new 14,123 square foot three-level single family dwelling with a 1,046 square foot attached garage, 7,300 square feet of new hardscape, an approximately 240 linear foot fence and entry gate, and a 400 square foot utility area. The project will require approximately 3,150 cubic yards of grading (2,650 cut/500 fill), primarily for the excavation of the basement. The project proposes to remove 13,661 square feet of hardscape and 3,914 square feet of structural coverage (residence) and to construct 7,666 square feet of new hardscape and 8,310 square feet of structural coverage. This will result in a net reduction in total site coverage of 1,599 square feet. The new residence will be located within essentially the same footprint as the existing residence. The driveway and entry gate will be relocated to the north of the existing driveway, in a location that has a better sight distance and which will allow the entry gate to be further into the property so that vehicles can completely exit the road before stopping for the gate. The project also includes the construction of a 544 square foot attached caretaker unit.

Project Issues

Environmentally Sensitive Habitat Areas and Tree Removal

The property is located within the mapped indigenous Monterey cypress habitat area within the Del Monte Forest, and Monterey cypress habitat is present on the property. This environmentally sensitive habitat is specifically protected by Del Monte Forest Land Use Plan (LUP) Policy No. 21, which requires that: "Land uses on existing legal lots of record supporting indigenous Monterey Cypress habitat shall be compatible with the objective of protecting this environmentally sensitive coastal resource. Improvements such as structures and driveways shall be carefully sited and designed to avoid potential damage or degradation of the microhabitat of these trees." The project has been designed to avoid impacts to the native Monterey cypress. The applicant has prepared and submitted a Cypress Habitat Restoration Plan (CHRP) (LIB110138) to address the removal and rehabilitation of the existing hardscape elements on the site, including pathways, patio areas and portions of the existing driveway. The CHRP also includes eradication and control of exotic vegetation (primarily ice plant) on the site. Implementation of the CHRP would result in restoration of these areas to native Monterey cypress habitat. Conditions requiring completion and monitoring of restoration activities in accordance with the CHRP, and the standard condition requiring tree protection during construction have been incorporated into Exhibit 1 (Condition Nos. 8 and 10). No Monterey cypress are proposed for removal but two Monterey pines will be removed; one 15-inch Monterey pine, which is growing in the footprint of the proposed new driveway, and one 11-inch dead and hazardous Monterey pine. The project is conditioned (Condition No. 11) to require replacement at a 1:1 ratio with Monterey pines of local genetic stock as recommended in The BYRNE (PLN100579)

Forest Management Plan (LIB110021) prepared for the project. Also pursuant to LUP policy, a condition requiring dedication of a Scenic and Conservation Easement over all areas of the property that are not approved for development has been incorporated (Condition No. 7).

30 Percent Slope

Pursuant to Section 20.64.230, in order to approve development on slopes of 30% or more, the Appropriate Authority must find, in addition to other necessary findings, based on substantial evidence, that: a) there is no feasible alternative which would allow development to occur on slopes of less than 30%; or b) that the proposed development better achieves the goals, policies and objectives of the Monterey County Local Coastal Program than other development alternatives. The project includes the removal of most of the existing hardscape, including stone terraces and paths to the west of the residence and restoration of those areas. This area includes a landscaped steep slope that was created when the terraces and paths were originally installed. The project will remove invasive non-native plants and restore the natural grades and native Monterey cypress habitat in this area. The Policy Guidance Statement for Environmentally Sensitive Habitat Areas in the LUP states: "The environmentally sensitive habitat areas of the Del Monte Forest Area are unique, limited, and fragile resources, which are important to the enrichment of residents and visitors alike. Accordingly, they shall be protected, maintained, and, where possible, enhanced and *restored* in accordance with the policies of this LUP and the associated policies and maintenance standards of the OSAC Plan." The implementation of the Cypress Habitat Restoration Plan for this project is consistent with the intent of this section of the LUP.

Visual Resources

The project site borders 17 Mile Drive, a designated scenic roadway, and the existing structure is visible from 17 Mile Drive. The property is also visible from Point Lobos State Reserve, as identified on the LUP Visual Resources Map (LUP Figure 2C). The project, as proposed, would increase the height and mass of the structure, but due to existing tree screening and the incorporation of the design into the site topography, the additional mass and height will not increase the visibility from Point Lobos State Reserve or 17 Mile Drive. All areas not within the area approved for development will be placed into a conservation and scenic easement to ensure that the trees remain in place. The project has been designed to be consistent with LUP Policy 59, which requires that: "New development, including ancillary structures such as fences constructed between 17 Mile Drive and the sea (Pacific Grove Gate to Carmel Gate portion) shall be designed and sited to minimize obstructions of views from the road to the sea." There are views of the sea across the property from 17 Mile Drive to the south and north of the existing residence, but the view over the existing residence includes only sky. From the east elevation (the view from 17 Mile Drive), the proposed height will increase by approximately 14 feet (from 16 feet to 30 feet). However, this height increase will not impact ocean views over the residence because currently there is no view of the ocean over the residence. As originally proposed, the residence would have been wider from north to south, which would have impacted the existing views of the sea. The project was re-designed to eliminate the elements of the home that would have encroached into the views of the sea around the home. Visual simulations prepared for the project confirm that potential impacts to views will be minimal.

The applicant proposes to use earthtone stucco and natural color slate, stone, bronze, copper and wood for the exterior finishes. These proposed finishes will blend well with the surrounding natural environment. Some additional lighting sources would occur as a result of the expanded residence and caretaker unit. However, the proposed project will be required to comply with County General Plan Policy 26.1.20, which requires that "All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range

visibility is reduced, and offsite glare is fully controlled.” Additionally, the standard condition requiring the preparation of an exterior lighting plan, subject to the review and approval of the RMA-Planning Department has been incorporated into **Exhibit 1**.

Cultural Resources

The project site is located within an area of high archaeological sensitivity, and the project includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource. The archaeological reconnaissance conducted for the project located a previously unrecorded archaeological midden on the western margin of the parcel. The midden deposit appeared to be shallow and limited in areal extent. No surface evidence of cultural resources was noted around the existing house or in the upper part of the parcel during the reconnaissance.

The proposed construction will occur within the existing developed footprint and above the elevation of the archaeological deposit. Therefore, it is unlikely that impacts to the resource area will occur. However, due to the close proximity to the midden deposit and the potential for incidental impacts during demolition and construction, two mitigation measures requiring a qualified archaeological monitor during initial earthwork and protection of the archaeological site with protective fencing during demolition and construction are required.

Environmental Review

An Initial Study/Mitigated Negative Declaration was prepared for the project and circulated from June 9, 2011 through July 8, 2011. The Initial Study (IS) identified potential impacts to aesthetics, biological resources, cultural resources, and greenhouse gas emissions. Mitigations were recommended to reduce potential impacts to cultural resources to a less than significant level. As mitigated, the project was found to have a less than significant impact on the environment. No comments from the public were received during the 30 day comment period.

Recommendation

Based on resource information contained in the Del Monte Forest Land Use Plan, the Del Monte Forest Coastal Implementation Plan, the Monterey County Zoning Ordinance (Title 20), the Monterey County Geographic Information System, application materials and site visits, staff finds that there are no unresolved issues with this project. The project is consistent with the Del Monte Forest Land Use Plan, The Del Monte Forest Coastal Implementation Plan and Title 20. Staff recommends that the Planning Commission adopt the Mitigated Negative Declaration along with the Mitigation Monitoring and Reporting Plan and approve the Byrne project, PLN100579.

EXHIBIT C

DRAFT RESOLUTION

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

In the matter of the application of:

MARK J. BYRNE (PLN100579)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- 1) Adopting a Mitigated Negative Declaration; Approving Combined Development Permit consisting of: 1) Coastal Administrative Permit to allow for the demolition of an existing 3,914 square foot single family dwelling and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot three-car attached garage, removal of 13,661 square feet of existing hardscape (patios, pathways, terraces, parking areas, driveway) and construction of 7,666 new hardscape, new fence and gate at front property line and approximately 3,150 cubic yards of grading (2,650 cut/500 fill; 2) Coastal Development Permit for development within 750 feet of known archaeological resources; 3) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; 4) Coastal Development Permit for development on slope greater than 30%; 5) Coastal Development Permit to allow the removal of one 15-inch Monterey pine tree; 6) Coastal Development Permit to allow the construction of a 544 square foot attached caretaker unit; and 6) Design Approval (colors and materials to consist of: earthtone stucco and natural color slate, stone, bronze, copper and wood for the exterior finishes); and
- 2) Adopting a Mitigation Monitoring and Reporting Plan

[PLN100579, Mark J. Byrne, 3184 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-491-015-000)]

The Byrne application (PLN100579) came on for public hearing before the Monterey County Planning Commission on September 14, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
- EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 1982 Monterey County General Plan;
 - Del Monte Forest Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 5;
 - Monterey County Zoning Ordinance (Title 20)
- 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 3184 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-491-015-000), Del Monte Forest Land Use Plan. The parcel is zoned "LDR/2-D(CZ)" [Low Density Residential, 2 acres per unit with Design Control overlay (Coastal Zone)], which allows one single family dwelling as a Principal Allowed Use subject to a Coastal Administrative Permit in each case and an caretaker unit subject to a Coastal Development Permit in each case. Therefore, the project is an allowed land use for this site.
- c) The project consists of a Combined Development Permit. Entitlements include: A Coastal Administrative Permit to allow the demolition of an existing single family residence and the construction of a new single family residence in the essentially the same footprint; a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; a Coastal Development Permit for development within 750 feet of a known archaeological resource; a Coastal Development Permit for development on slope greater than 30 percent; a Coastal Development Permit for tree removal (one 15-inch Monterey pine); a Coastal Development Permit to allow the construction of an caretaker unit; and Design Approval(colors and materials to consist of: earthtone stucco and natural color slate, stone, bronze, copper and wood for the exterior finishes). Staff has confirmed that the proposed project meets the development standards for the Low Density Residential zoning district.
- d) The project planner conducted a site inspection on November 9, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- e) Environmentally Sensitive Habitat (ESHA) – The project includes a Coastal Development Permit to allow development within 100 feet of ESHA. The project is consistent with the policies and regulations of the LUP and CIP pertaining to ESHA. See Finding 10.
- f) Archaeological resources – The subject property is located within a "high" archaeological sensitivity area and the Monterey County Geographic Information System (GIS) indicates that the proposed development is located within 750 feet of a known archaeological resource. Pursuant to Section 20.147.080 of the Coastal Implementation Plan Part 5, a Coastal Development Permit is required. An archaeological survey was required for the proposed project. The

project avoids impacts to archaeological resources in accordance with the applicable goals and policies of the Del Monte Forest Land Use Plan. (See Finding 5, Evidence g).

- g) 30% Slope - Development on slopes that exceeds 30% is prohibited unless there is no feasible alternative that would allow development to occur on slopes of less than 30/25%, or the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives. (See Finding 8)
- h) Caretaker unit - The Byrne project meets the regulations, standards and circumstances for a caretaker unit. (See Finding 7)
- i) The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because the project is subject to CEQA review and includes a Design Approval that will be heard by the Planning Commission. The LUAC heard the project at a public hearing on January 6, 2011 and recommended approval of the project by a vote of 6 to 0.
- j) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100579.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Pebble Beach Community Services District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to Aesthetics, Biological Resources and Archaeological Resources. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - “Biological Resources Report (Revised)(LIB110139), prepared by Jeffrey B. Froke, PhD, Pebble Beach, CA, February 19, 2011.
 - “Cypress Habitat Restoration Plan” (LIB110138), prepared by Frank Ono, Pacific Grove CA, February 19, 2011.
 - “Forest Management Plan” (LIB110021), prepared by Forest City Consulting (Matt Horowitz), Carmel, CA, December 2, 2010.
 - “Geotechnical and Geologic Hazards Report” (LIB110022), prepared by Grice Engineering, Inc., Salinas, CA, November 2010.
 - “Preliminary Archaeological Reconnaissance” (LIB110023), prepared by Archaeological Consulting, Salinas, CA, February 22, 2010.
 - “Plan Review Letter” (LIB110019), prepared by Archaeological

Consulting, Salinas, CA, November 1, 2010.

- c) Staff conducted a site inspection on November 9, 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 PLN100579.

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 Public Works, Environmental Health Bureau, Water Resources Agency and the Pebble Beach Community Services District (Fire). 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. Sewer service is currently provided to the property by the Pebble Beach Community Services District and the Carmel Area Wastewater District. The project will utilize that same connection. Water service is provided by the California American Water Company. The proposed project will require 54.6 more fixture units than the existing residence. The applicant has purchased 55 fixture units from the Pebble Beach Company.
 - c) Preceding findings and supporting evidence for PLN100579.

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 November 9, 2010 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100579.

5. **FINDING:** **CEQA Mitigated Negative Declaration** - On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
 - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN100579).
 - c) The Initial Study identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN100579).
 - d) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval.
 - e) The Draft Mitigated Negative Declaration ("MND") for PLN100579 was prepared in accordance with CEQA and circulated for public review from June 9, 2011 through July 8, 2011 (SCH#: 20110610252).
 - f) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetics, biological resources, cultural resources and greenhouse gas emissions.
 - g) A previously unrecorded archaeological site exists on the subject property. The proposed construction will occur within the existing developed footprint and above the elevation of the archaeological deposit. Therefore, it is unlikely that impacts to the resource area will occur. However, due to the close proximity to the midden deposit and the potential for incidental impacts during demolition and construction, mitigation measures requiring a qualified archaeological monitor during initial earthwork and protection of the archaeological site with protective fencing during demolition and construction are required. With the implementation of these mitigation measures which are incorporated into **Exhibit 1** as Condition Nos. 28 & 29, impacts to cultural resources will be less than significant.
 - h) Evidence that has been received and considered includes: the application, technical studies/reports (*see Finding 2/Site Suitability*), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN100579) and are hereby incorporated herein by reference.
 - i) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game (DFG) regulations. All land development projects that are subject to environmental review

are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

The site supports Monterey cypress habitat. For purposes of the Fish and Game Code, the project will have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. State Department of Fish and Game reviewed the MND to comment and recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).

- j) No comments from the public were received during the 30 day review period.
- k) The Monterey County Planning Department, located at 168 W. Alisal, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

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

- EVIDENCE:**
- a) Visual access is required as part of the project. No substantial adverse impact on access, either individually or cumulatively, as described in Section 20.147.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is described as an area where the Local Coastal Program requires public visual access (Figure 16 in the Del Monte Forest Land Use Plan). The project is located on the west side of 17 Mile Drive, between 17 Mile Drive and the sea.
 - c) LUP Policy No. 59 and CIP Section 20.147.130.D.5 require that existing visual access from 17 Mile Drive be permanently protected as an important component of shoreline access and public recreational use.
 - d) The view over the top of the existing residence includes only sky, so the increased height of the proposed residence will not impact that portion of the view. The project was re-designed to eliminate elements of the home that would have encroached into the views of the sea around the home. Visual simulations prepared for the project confirm that potential impacts to views will be minimal.
 - e) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - f) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100579.
 - g) The project planner conducted a site inspection on November 9, 2010.

7. **FINDING:** **CARETAKER UNIT**– The subject project meets the regulations, standards and circumstances for caretaker units in accordance with the applicable goals, policies, and regulations of the applicable area plan and zoning codes.

- EVIDENCE:**
- a) That the establishment of the caretaker unit 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 3).
 - b) The subject property upon which the caretaker unit is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this Title. The proposed 544 square foot caretaker unit will be located in the basement level of the new residence. Accessory structures attached to a main structure are subject to the height and setback regulations of the main structure. Staff has confirmed that the proposed residence conforms to all development regulations, including height and setbacks, applicable to main structures in a Low Density Residential District. At 544 square feet, the proposed caretaker unit is less than the maximum square footage allowed for a caretaker unit (850 square feet.)
 - c) That adequate sewage disposal and water supply facilities exist or are readily available, as approved by the Director of Environmental Health (see Finding 3). The Pebble Beach Community Services District and Carmel Area Wastewater District currently provide sewage disposal for the property and will provide sewage disposal for the proposed project. The California American Water Company provides water service to the property and will provide water service for the proposed project. The applicant has purchased sufficient additional water from the Pebble Beach Company for the project.
 - d) The project for a caretaker unit is an allowed use subject to securing a Coastal Development permit in accordance with Section 20.64.030.C and is consistent with the development standards of Section 20.14.060 and the regulations for caretaker units as provided at Section 20.64.030. A condition requires the applicant to record a deed restriction that this unit will be maintained in accordance with these standards (Condition No. 9.)
 - e) That the proposed caretaker unit will not adversely impact traffic conditions in the area. The person providing daily care for the property will live in the unit and thus will not need to drive to and from work each day.
 - f) The caretaker unit project is in conformance with policies of the Del Monte Forest Land Use Plan, specifically Policy 78a, which encourages “the use of caretakers accommodations as an appropriate means of providing affordable housing for caretakers, ranch hands, convalescent help, and domestic employees.”
 - g) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100579.
 - h) Letter of justification for the caretaker unit, dated March 11, 2011. the applicant states that the property owners will need full-time caretakers to maintain the property.
 - i) Caretaker units are subject to the overall build-out limitation in the Del Monte Forest as defined by Table A in the Del Monte Forest Land Use Plan (Section 20.64.030.I). Out of the 1,067 new residential units allowed until buildout, 778 are remaining. Therefore, staff has

determined that adequate density exists in the Del Monte Forest area for the proposed project.

8. **FINDING: DEVELOPMENT ON SLOPE** – The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and Del Monte Forest Land Use Plan and the Monterey County Zoning Ordinance (Title 20) than other development alternatives.

- EVIDENCE:**
- a) In accordance with the applicable policies of the Del Monte Forest Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the authority to grant said permit has been met. A Coastal Development Permit is required because the slope where development will occur is steeper than 1 ½ horizontal to 1 vertical.
 - b) The project includes application for development on slopes exceeding 30%. The project includes the removal stone terraces and paths and restoration of the area. The steep slopes were created when the terraces and paths were constructed. The project will restore the natural grades.
 - c) The proposed development better achieves the goals, policies and objectives of the Monterey County Local Coastal Program than other development alternatives. The Policy Guidance Statement for Environmentally Sensitive Habitat Areas in the LUP states: “The environmentally sensitive habitat areas of the Del Monte Forest Area are unique, limited, and fragile resources, which are important to the enrichment of residents and visitors alike. Accordingly, they shall be protected, maintained, and, where possible, enhanced and *restored* in accordance with the policies of this LUP and the associated policies and maintenance standards of the OSAC Plan.” LUP Policy No. 21 requires that land uses on existing legal lots of record supporting indigenous Monterey Cypress habitat be compatible with the objective of protecting this environmentally sensitive coastal resource. The implementation of the Cypress Habitat Restoration Plan will cause restore Monterey Cypress habitat to be restored and is consistent with the intent of this section of the LUP.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100579.
 - e) The project planner conducted a site inspection on November 9, 2010.
 - f) The subject project minimizes development on slopes exceeding 30% in accordance with the applicable goals and policies of the applicable area plan and zoning codes.
 - g) The applicant desires to restore Monterey Cypress habitat on the property.

9. **FINDING: TREE REMOVAL**

- EVIDENCE:**
- a) The subject project minimizes tree removal in accordance with the applicable goals and policies of the Del Monte Forest Land Use Plan and the associated Coastal Implementation Plan.
 - b) The project includes application for the removal of one 15” Monterey pine tree. In accordance with the applicable policies of the Del Monte Forest Land Use Plan and the Monterey County Zoning Ordinance

(Title 20), a Coastal Development Permit is required and the authority to grant said permit has been met.

- c) CIP Section 20.147.050 requires a Coastal Development Permit for the removal of a native tree. The project proposes to remove one 15-inch native Monterey pine.
- d) A Forest Management Plan and supplemental reports was prepared by Matt Horowitz, Forest City Consulting (See Finding 2, Evidence B).
- e) The Forest Management Plan and the Cypress Habitat Restoration Plan (See Finding 2, Evidence b) specify measures for tree protection during construction, including but not limited to: tree protection zones, trunk protection, hand excavation, bridging roots and monitoring by a qualified arborist or forester. Condition No. 8 requires that all development be in accordance with these reports and that the applicant provide evidence prior to occupancy that all development was in accordance with these reports.
- f) The project has been designed and sited to minimize the removal of protected trees to the greatest extent feasible. The tree proposed for removal is located within the footprint of the new driveway. The driveway is being relocated for traffic safety reasons. Other suitable, safe locations for the driveway that were considered would have involved the removal of additional trees.
- g) The removal will not involve a risk of adverse environmental impacts. According to the Forest Management Plan prepared for the project, the tree proposed for removal is in poor condition, with only 55 percent of the living crown being green. As recommended by the arborist and required by the CIP, the tree will be replaced at a 1:1 ratio with a Monterey pine of local genetic stock.
- h) Staff conducted a site inspection on November 9, 2010 to verify that the tree removal is the minimum necessary for the project and to identify any potential adverse environmental impacts related to the proposed tree removal.

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 PLN100579.

10. **FINDING:** **ESHA** – The subject project minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and policies of the applicable area plan and zoning codes.
- EVIDENCE:**
- i) The project includes application for development within 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the Del Monte Forest Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the authority to grant said permit has been met.
 - j) The property is located within the mapped indigenous Monterey cypress habitat area within the Del Monte Forest, and Monterey cypress habitat is present on the property.
 - k) A biological report, dated February 11, 2011 by Jeffrey B. Froke, Ph.D. was submitted (see Finding 2, Evidence b) to identify and address any potential impacts the project may have to biological resources. The report found that the site supports Monterey cypress and Monterey pine,

both species that are classified by the California Native Plant Society as rare or endangered in their native ranges. The ecological communities that support native stands of either or both species are designated as environmentally sensitive habitat in the LUP.

- l) The project includes the demolition of an existing residence, the removal of existing hardscape, the construction of a new residence and the construction of new hardscape, including a relocated driveway. Except for the new driveway and utility area, the new development will be located within the previously developed area.
- m) LUP Policy Guidance Statement, Environmentally Sensitive Habitat Areas values the unique, limited and fragile environmentally sensitive habitat areas of the Del Monte Forest Area and requires that they be protected, maintained, and, where possible, enhanced and restored. A Cypress Habitat Restoration Plan (CHRP), dated February 19, 2011 by Frank Ono was submitted (see Finding 2, Evidence b) by the applicant. This is a plan to restore disturbed areas and to protect the existing indigenous Monterey cypress habitat on the property.
- n) LUP Policy 8: The project has been designed to be compatible with the long term maintenance of the Monterey cypress habitat and to prevent impacts which would significantly degrade the protected habitat. Condition No. 7 requiring dedication of a Conservation and Scenic Easement Deed over those areas of the property not approved for development will ensure long term protection of the habitat.
- o) LUP Policy 14: The project minimizes the removal of indigenous vegetation near ESHA and land disturbance (grading, excavation, paving) is the minimum necessary to accommodate development.
- p) The project planner conducted a site inspection on November 9, 2010 to verify ESHA locations and potential project impacts to ESHA.
- q) 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 PLN100579.
- r) See also Finding No. 9.

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

- EVIDENCE:**
- a) Section 20.86.030 of the Monterey County Zoning Ordinance provides that an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
 - b) Section 20.86.080.A.1 of the Monterey County Zoning Ordinance. The project is subject to appeal by/to the California Coastal Commission because the project is located between the sea and the first through public road paralleling the sea.
 - c) Section 20.86.080.A.2 of the Monterey County Zoning Ordinance. The project is subject to appeal by/to the California Coastal Commission because the project is located within 300 feet of the top of the seaward face of a coastal bluff.
 - d) Section 20.86.080.A.3 of the Monterey County Zoning Ordinance. The project is subject to appeal by/to the California Coastal Commission because the project involves development that is permitted in the underlying zone as a conditional use.

DECISION

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

1. Adopt a Mitigated Negative Declaration;
2. Approve Combined Development Permit consisting of: 1) Coastal Administrative Permit to allow for the demolition of an existing 3,914 square foot single family dwelling and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot three-car attached garage, removal of 13,661 square feet of existing hardscape (patios, pathways, terraces, parking areas, driveway) and construction of 7,666 new hardscape, new fence and gate at front property line and approximately 3,150 cubic yards of grading (2,650 cut/500 fill); 2) Coastal Development Permit for development within 750 feet of known archaeological resources; 3) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; 4) Coastal Development Permit for development on slope greater than 30%; 5) Coastal Development Permit to allow the removal of one 15-inch Monterey pine tree; 6) Coastal Development Permit to allow the construction of a 544 square foot attached caretaker unit; and 6) Design Approval (colors and materials to consist of: earthtone stucco and natural color slate, stone, bronze, copper and wood for the exterior finishes), in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference; and
3. Adopt the attached Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED this 14th day of September, 2011 upon motion of XXXX, seconded by XXXX, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Laura Lawrence, Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 DATE

(Coastal Projects)

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION,

CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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

NOTES

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

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

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

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 08-24-2011

Monterey County Planning Department
DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN100579

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>1. PD001 - SPECIFIC USES ONLY</p> <p>This permit allows a Combined Development Permit consisting of: 1) Coastal Administrative Permit to allow for the demolition of an existing 3,914 sf one-story SFD & the construction of a 14,123 sf three-level SFD with a 1,046 sf three-car attached garage, removal of 13,661 sf of existing hardscape (patios, pathways, terraces, parking areas, driveway) & construction of 7,666 sf new hardscape, new fence and gate at front property line & approximately 3,150 cy of grading (2,650 cut/500 fill); 2) Coastal Development Permit for development within 750' of known archaeological resources; 3) Coastal Development Permit for development within 100' of ESHA; 4) Coastal Development Permit for development on slope >30%; 5) Coastal Development Permit to allow the removal of one 15" Monterey pine; 6) Coastal Development Permit to allow the construction of a 544 sf attached caretaker unit; and 6) Design Approval. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the 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>	Planning	The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.
<p>2. PD002 - NOTICE PERMIT APPROVAL</p>		

Conditions of Approval and/or Mitigation Monitoring Measures

Responsible Department

Compliance or Monitoring Actions to be Performed

The applicant shall record a Permit Approval Notice. This notice shall state "A permit (Resolution _____) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 008-491-015-000 on September 28, 2011. The permit was granted subject to 29 conditions of approval including 2 mitigation measures which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.
(RMA - Planning Department)

Planning

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

3. PD004 - INDEMNIFICATION AGREEMENT

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

Planning

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

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

4. PD006 - MITIGATION MONITORING

The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14 Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement.
(RMA - Planning Department)

Planning

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

1) Enter into agreement with the County to implement a Mitigation Monitoring Program.

2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>5. PD005 - FISH & GAME FEE NEG DEC/EIR Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)</p>	Planning	<p>Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.</p> <p>If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.</p>
<p>6. PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)</p>	Planning	<p>Prior to final inspection, the Owner/Applicant/Geotechnical Consultant shall submit certification by the geotechnical consultant to the RMA-Building Services Department showing project's compliance with the geotechnical report.</p>
<p>7. PD022(B) - EASEMENT-DMF CONSERVATION & SCENIC</p>		

Conditions of Approval and/or Mitigation Monitoring Measures

**Responsible
Department**

**Compliance or Monitoring
Actions to be Performed**

A conservation and scenic easement shall be conveyed to the Del Monte Forest Foundation over those portions of the property where environmentally sensitive habitats, remnant native sand dune habitats, habitats of rare, endangered and sensitive native plants and animals, and visually prominent areas exist. The easement shall be developed in consultation with a certified professional and the Del Monte Forest Foundation. These instruments shall be subject to approval by the County as to form and content, shall provide for enforcement, if need be, by the County or other appropriate agency, and name the County as beneficiary in event the Foundation is unable to adequately manage these easements for the intended purpose of scenic and visual resource protection. An easement deed shall be submitted to the Director of the RMA - Planning Department for review and approval prior to issuance of grading and building permits.

Planning

Prior to final/parcel map or prior to the issuance of grading and building permits, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to the Del Monte Forest Foundation for review and approval.

Prior to final/parcel map or prior to the issuance of grading and building permits, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to the RMA - Planning Department for review and approval.

Prior to final/parcel map, prior to the issuance of grading and building permits, or commencement of use, the Owner/Applicant shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to the RMA-Planning Department.

8. PD016 - NOTICE OF REPORT

Conditions of Approval and/or Mitigation Monitoring Measures

Responsible Department

Compliance or Monitoring Actions to be Performed

Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "The following reports have been prepared for this property:

"Biological Resources Report (Revised)"(LIB110139), prepared by Jeffrey B. Froke, PhD, Pebble Beach, CA, February 19, 2011.

"Cypress Habitat Restoration Plan" (LIB110138), prepared by Frank Ono, Pacific Grove CA, February 19, 2011.

"Forest Management Plan" (LIB110021), prepared by Forest City Consulting (Matt Horowitz), Carmel, CA, December 2, 2010.

"Geotechnical and Geologic Hazards Report" (LIB110022), prepared by Grice Engineering, Inc., Salinas, CA, November 2010.

"Preliminary Archaeological Reconnaissance" (LIB110023), prepared by Archaeological Consulting, Salinas, CA, February 22, 2010.

"Plan Review Letter" (LIB110019), prepared by Archaeological Consulting, Salinas, CA, November 1, 2010.

These reports are on file in the Monterey County RMA - Planning Department. All development shall be in accordance with these reports.

(RMA - Planning Department)

Planning

Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to the RMA - Planning Department.

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

9. PD018(B) - DEED RESTRICTION-CARETAKER UNIT (COASTAL)

Conditions of Approval and/or Mitigation Monitoring Measures

**Responsible
Department**

**Compliance or Monitoring
Actions to be Performed**

The applicant shall record a Deed Restriction stating the regulations applicable to a caretaker unit:

* Only 1 (one) caretaker unit per lot shall be allowed.

* The caretaker shall be employed principally on the lot for purposes of care and protection of persons, plants, animals, equipment, or other facilities on-site or on contiguous lots under same ownership.

* The minimum lot size for establishment of a caretaker unit in areas not served by sewers shall be 2 acres. The minimum lot size for establishment of a caretaker unit in the Carmel Planning Area shall be 40 acres.

* Caretaker units shall not be subject to density requirements of the zoning district in which the lot is located, except in North County. In North County, caretaker units shall not be permitted on lots less than 5 acres if located in an area not served by public sewer systems.

* The maximum floor area for a caretaker unit is 850 square feet.

* A minimum of 1 covered off-street parking space shall be provided for the caretaker unit.

* The caretaker unit shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect.

* Subsequent subdivisions which divide a main residence from a caretaker unit shall not be permitted except where lots created meet minimum lot size and density requirements of the existing zoning.

* Caretaker units are not permitted on any lot less than 10 acres where a senior citizen unit exists. Senior citizen units may be converted to a caretaker unit, subject to a Coastal Administrative Permit.

(RMA - Planning Department)

Planning

Prior to the issuance of grading or building permits, the Owner/Applicant shall submit the signed and notarized document to the Director of RMA-Planning Department for review and signature by the County.

Prior to occupancy or commencement of use, the Owner/Applicant shall submit proof of recordation of the document to the RMA-Planning Department.

10. PD011 - TREE AND ROOT PROTECTION

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)</p>	<p>Planning</p>	<p>Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to the RMA - Planning Department for review and approval.</p> <p>During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.</p> <p>Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to the RMA-Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.</p>
<p>11. PD048 - TREE REPLACEMENT/RELOCATION (NON_STANDARD) Within 60 days of the issuance of a grading or building permit, the applicant shall replace and or relocate each tree approved for removal as follows:</p> <ul style="list-style-type: none"> - Replacement ratio: 1:1 - Other: Trees shall be replaced by either Monterey pine or Monterey cypress trees of local genetic stock. <p>Replacement tree(s) shall be located within the same general location as the tree being removed.</p>	<p>Planning</p>	<p>The Owner/Applicant shall submit evidence of tree replacement to the RMA-Planning Department for review and approval. Evidence shall be a receipt for the purchase of the replacement tree(s) and photos of the replacement tree(s) being planted.</p> <p>Six months after the planting of the replacement tree(s), the Owner/Applicant shall submit evidence demonstrating that the replacement tree(s) are in a healthy, growing condition.</p> <p>One year after the planting of the replacement tree(s), the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree(s) and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.</p>
<p>12. PD003(B) - CULTURAL RESOURCES POSITIVE ARCHAEOLOGICAL REPORT</p>		

Conditions of Approval and/or Mitigation Monitoring Measures

**Responsible
Department**

**Compliance or Monitoring
Actions to be Performed**

If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

Planning

Prior to the issuance of grading or building permits or approval of Subdivision Improvement Plans, whichever occurs first, the Owner/Applicant, per the archaeologist, shall submit the contract with a Registered Professional Archaeologist to the Director of the RMA-Planning Department for approval.

There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the county in which the remain are discovered must be contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American:

- The coroner shall contact the Native American Heritage Commission and the RMA - Planning Department within 24 hours.

- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendant.

- The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, Or

Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:

1. The Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the commission.

2. The descendant identified fails to make a recommendation; or

3. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(RMA - Planning Department)

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final/parcel map.

13. PD041 - HEIGHT VERIFICATION

Conditions of Approval and/or Mitigation Monitoring Measures

**Responsible
Department**

**Compliance or Monitoring
Actions to be Performed**

The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible on-site until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor to the Director of the RMA - Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project.
(RMA - Planning Department and Building Services Department)

Planning

Prior to the issuance of grading or building permits, the Owner/Applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection.

Prior to the foundation pre-pour inspection, the Owner/Applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.

Prior to the final inspection, the Owner/Applicant/Engineer shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.

14. PD035 - UTILITIES UNDERGROUND

All new utility and distribution lines shall be placed underground.
(RMA - Planning Department; Public Works)

Planning

On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.

15. PD012(D) - LANDSCAPE PLAN & MAINTENANCE (MPWMD-SFD ONLY)

Conditions of Approval and/or Mitigation Monitoring Measures

**Responsible
Department**

**Compliance or Monitoring
Actions to be Performed**

The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department)

Planning

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

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit one (1) set landscape plans of approved by the RMA-Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey County Water Resources Agency for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit the RMA-Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/ shall submit an approved water permit from the MPWMD to the RMA-Building Services Department.

Conditions of Approval and/or Mitigation Monitoring Measures

Responsible Department

Compliance or Monitoring Actions to be Performed

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.

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

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

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

Planning

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

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

17. PD007- GRADING WINTER RESTRICTION

No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department.
(RMA - Planning Department and Building Services Department)

Planning

The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

18. PD010 - EROSION CONTROL PLAN

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)</p>	Planning	<p>Prior to the issuance of grading and building permits, the Owner/Applicant shall submit an Erosion Control Plan to the RMA - Planning Department and the RMA - Building Services Department for review and approval.</p> <p>The Owner/Applicant, on an on-going basis, shall comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.</p>
<p>19. PD047 - DEMOLITION/DECONSTRUCTION (MBUAPCD RULE 439) In accordance with Monterey Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards:</p> <ol style="list-style-type: none"> 1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process; 2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building; 3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour. <p>All Air District standards shall be enforced by the Air District. (RMA - Planning Department)</p>	Planning	<p>Prior to the issuance of a demolition permit, if applicable, the Owner/Applicant/Contractor shall incorporate a "Demolition/Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.</p> <p>During demolition, the Owner/Applicant/Contractor shall obtain any required Air District permits and the Air District shall conduct all deconstruction or demolition activities as required by the Air District.</p>
<p>20. WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)</p>	Water	<p>Prior to issuance of any building permits, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.</p>
<p>21. WR1 - DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p>	Water	<p>Prior to issuance of any grading or building permits, the owner/applicant shall submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.</p>
<p>22. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE</p>		

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule. (Public Works)</p>	Pub Works	<p>Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee.</p>
<p>23. PW0044 - CONSTRUCTION MANAGEMENT PLAN The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the Construction/grading phase of the project. (Public Works)</p>	Pub Works	<ol style="list-style-type: none"> 1. Prior to issuance of the Grading Permit or Building Permit Owner/Applicant/ Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval. 2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.
<p>24. FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Pebble Beach Community Services District)</p>	Fire	<ol style="list-style-type: none"> 1. Prior to issuance of grading and/or building permit, Applicant or owner shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. 2. Prior to final building inspection, Applicant or owner shall schedule fire dept. clearance inspection.
<p>25. FIRE008 - GATES</p>		

Conditions of Approval and/or Mitigation Monitoring Measures

**Responsible
Department**

**Compliance or Monitoring
Actions to be Performed**

All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Pebble Beach Community Services District)

Fire

1. Prior to issuance of grading and/or building permit, Applicant or owner shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.
2. Prior to final building inspection, Applicant or owner shall schedule fire dept. clearance inspection

26. FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS -

The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection (Pebble Beach Community Services District)

Fire

1. Prior to issuance of building permit, Applicant shall enumerate as "Fire Dept. Notes" on plans.
2. Prior to framing inspection Applicant shall schedule fire dept. rough sprinkler inspection
3. Prior to final building inspection Applicant shall schedule fire dept. final sprinkler inspection

27. FIRE030-Other Non-Standard Condition

FIRE030 - GENERATOR SIGNAGE (NON-STANDARD)

Signage required that states "This service connection is fed by a secondary emergency generator located at "Stated Location" (Pebble Beach Community Services District)

Fire

1. Prior to final signage must be displayed at main electrical panel.
2. Required by contractor or owner prior to final.

28. MM001 - CULTURAL RESOURCES MONITORING

In order to mitigate potential impacts to cultural resources, a qualified archaeological monitor shall be present during initial earthwork (i.e., grading and excavation). If no cultural materials are found under existing fill, within the proposed footprint or in staging areas, continued monitoring of earthwork may be terminated at the discretion of the monitor. The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. If potentially significant archaeological resources are discovered, work shall be halted in the area of the find until it can be evaluated and, if necessary, data recovery is conducted. The applicant shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan. (RMA-Planning Department)

Planning

Prior to the issuance of a demolition permit, the applicant shall provide to the RMA-Planning Department a copy of the contractual agreement with a qualified archaeologist for review and approval. The applicant or archaeologist shall also submit evidence of on-site monitoring, including archaeologist certification, to the RMA-Planning Department. If additional mitigation measures are determined to be required, they shall be formulated and implemented by the monitoring archaeologist, after review and approval by the RMA-Planning Department. The requirements of this measure shall be included as a note on all grading and building plans.

29. MM002 - CULTURAL RESOURCES PROTECTION

Conditions of Approval and/or Mitigation Monitoring Measures

**Responsible
Department**

**Compliance or Monitoring
Actions to be Performed**

During demolition and construction, the archaeological site shall be protected with exclusionary fencing to minimize the potential for unanticipated impacts to cultural resources. (RMA-Planning Department)

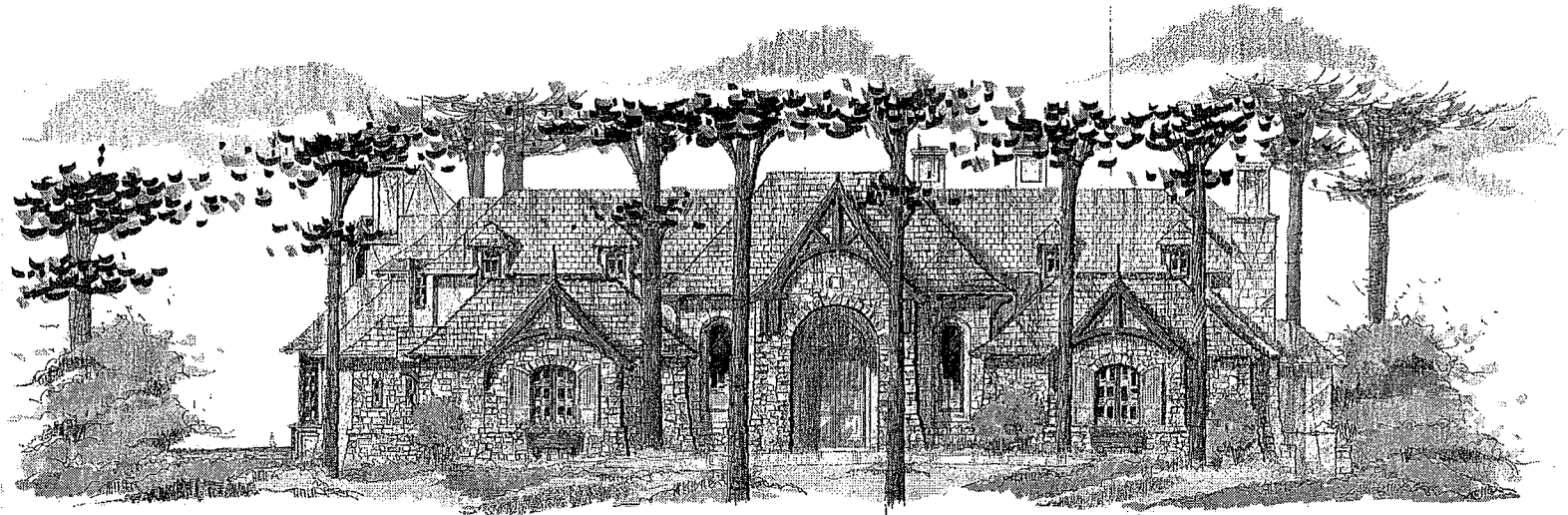
Planning

Prior to the issuance of a demolition permit, the applicant shall submit evidence of exclusionary fencing to the RMA-Planning Department for review and approval. The requirements of this measure shall be included as a note on all grading and building plans.

THE BYRNE RESIDENCE

3184 17 MILE DRIVE

PEBBLE BEACH, CA.



PROPOSED RESIDENCE FOR:
MR. & MRS. MARK BYRNE
APN: 008-461-015
3184 17 MILE DRIVE
PEBBLE BEACH, CA.

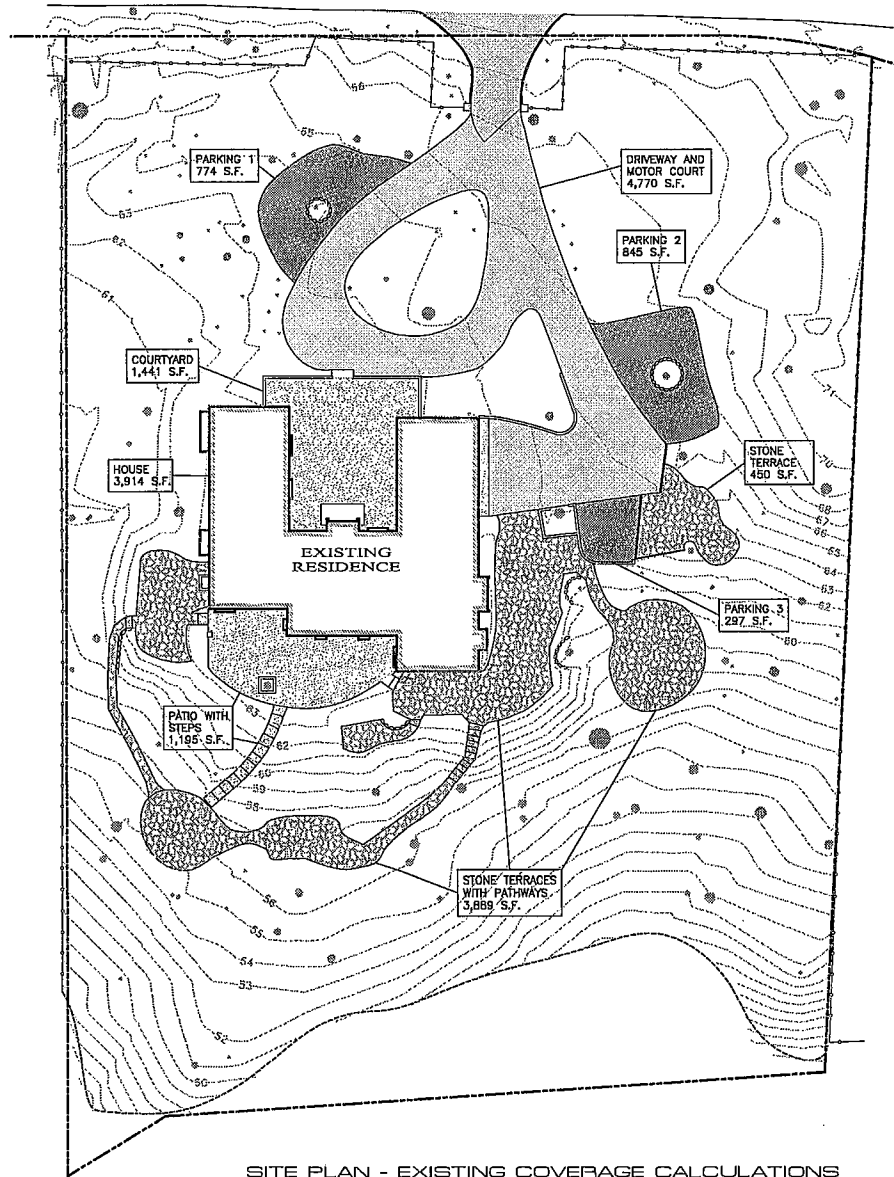
INTERNATIONAL DESIGN GROUP
ARCHITECTURE ■ INTERIOR DESIGN
JUN A. DILLARD, AIA JOHN E. MATTHEWS
701 LIGHTHOUSE AVE
SAN DIEGO, CA 92101

EXHIBIT 2



COVER SHEET
DATE: 12-13-10
PLANNING APPLICATION
REVISIONS:
▲ 01-24-11 PLANNING REG.
▲
▲
SHEET NO. A0.0

17 MILE DRIVE



SITE PLAN - EXISTING COVERAGE CALCULATIONS

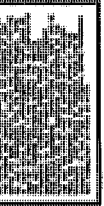
1/16"=1'-0"



(E) COVERAGE CALCULATION

■ EXISTING LOT COVERAGE CALCULATIONS:

	EXISTING	TO BE REMOVED
HOUSE	3,914 S.F.	3,914 S.F.
A/C DRIVEWAY AND MOTOR COURT	4,770 S.F.	4,770 S.F.
PARKING 1	774 S.F.	774 S.F.
PARKING 2	845 S.F.	845 S.F.
PARKING 3	297 S.F.	297 S.F.
COURT YARD	1,441 S.F.	1,441 S.F.
STONE TERRACE	450 S.F.	450 S.F.
PATIO	1,195 S.F.	1,195 S.F.
REAR STONE TERRACES WITH PATHWAYS	3,889 S.F.	3,889 S.F.
TOTAL	17,575 S.F.	17,575 S.F.



PROPOSED RESIDENCE FOR:
MR. & MRS. MARK BYRNE
 APN: 008-491-018
 3184 17 MILE DRIVE
 PEBBLE BEACH, CA.

INTERNATIONAL DESIGN GROUP
 ARCHITECTURE ■ INTERIOR DESIGN
 JOHN E. MATTHEWS
 JUN A. GILLAND, AIA
 721 LIGHTHOUSE AVE ■ PACIFIC GROVE, CA ■ 93950
 PH: (820) 848-1281 ■ FAX: (820) 848-1282 ■ CIVIL ENGINEERING LICENSE NO. 10000

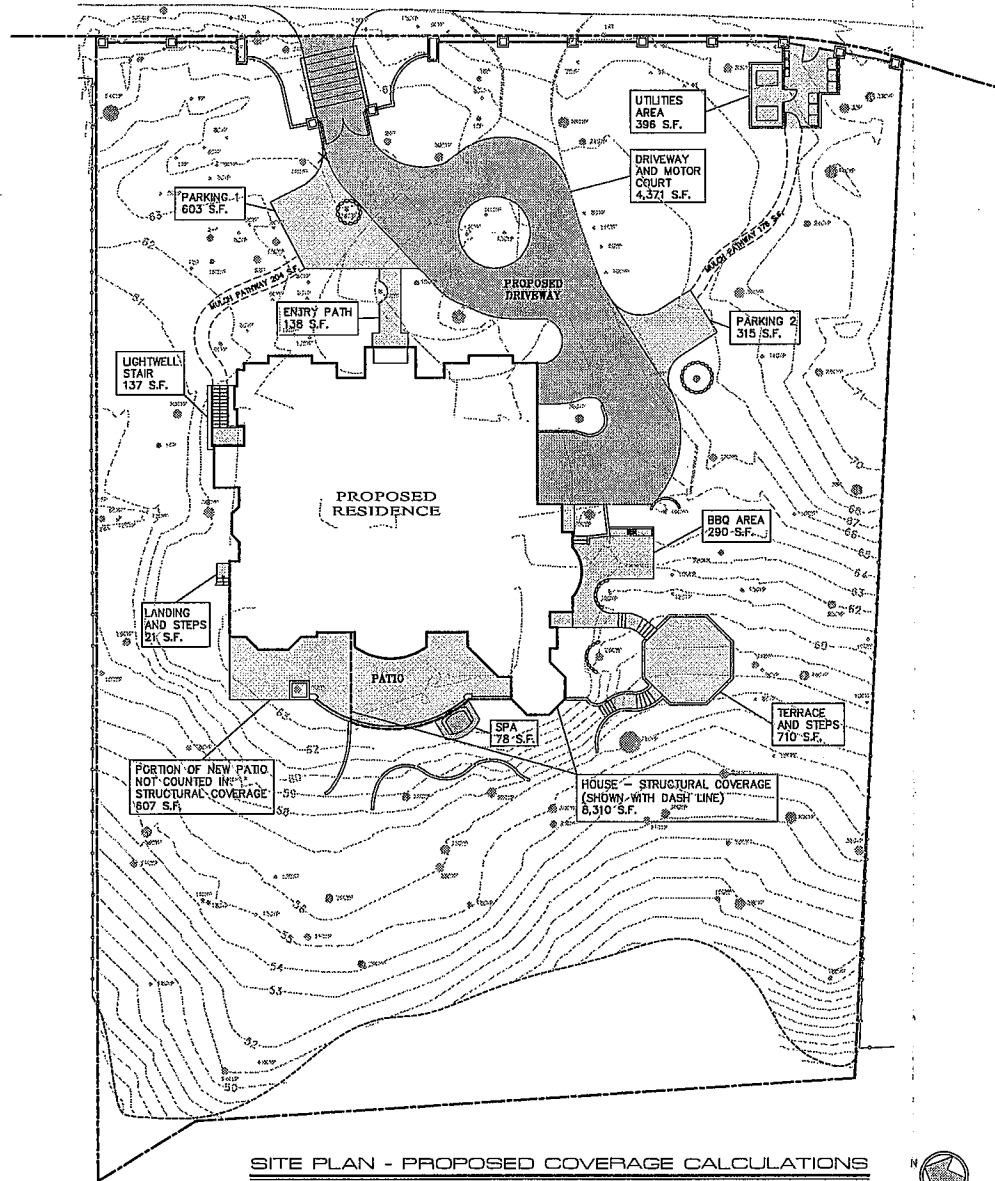
**SITE PLAN
 (E) COVERAGE**

DATE: 12-13-10
 PLANNING APPLICATION

REVISIONS:
 ▲ 01-24-11
 ▲ PLANNING REC
 ▲
 ▲

SHEET NO.
A1.1

17 MILE DRIVE



SITE PLAN - PROPOSED COVERAGE CALCULATIONS

1/16" = 1'-0"

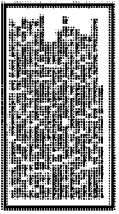


COVERAGE CALCULATION

■ LOT AREA: 65,343 S.F. (1.5 Ac.)
 ■ LOT COVERAGE ALLOWABLE (15%) 9,801 S.F.
 PROPOSED (12.7%) 8,310 S.F.

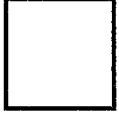
■ PROPOSED LOT COVERAGE CALCULATIONS:

	AREA
HOUSE (STRUCTURAL)	8,310 S.F.
PAVED DRIVEWAY AND MOTOR COURT	4,371 S.F.
PARKING 1	603 S.F.
PARKING 2	315 S.F.
UTILITIES AREA	396 S.F.
ENTRY PATHWAY	138 S.F.
LIGHTWELL STAIR	137 S.F.
BBQ AREA	280 S.F.
SPA	78 S.F.
LANDING AND STEPS	21 S.F.
TERRACE NEXT TO BBQ	710 S.F.
PATIO NOT INCLUDED IN STRUCTURAL COVERAGE	807 S.F.
TOTAL	15,978 S.F.
TOTAL COUNTABLE	8,310 S.F.



PROPOSED RESIDENCE FOR:
 MR. & MRS. MARK BYRNE
 3184 17 MILE DRIVE PEBBLE BEACH, CA.

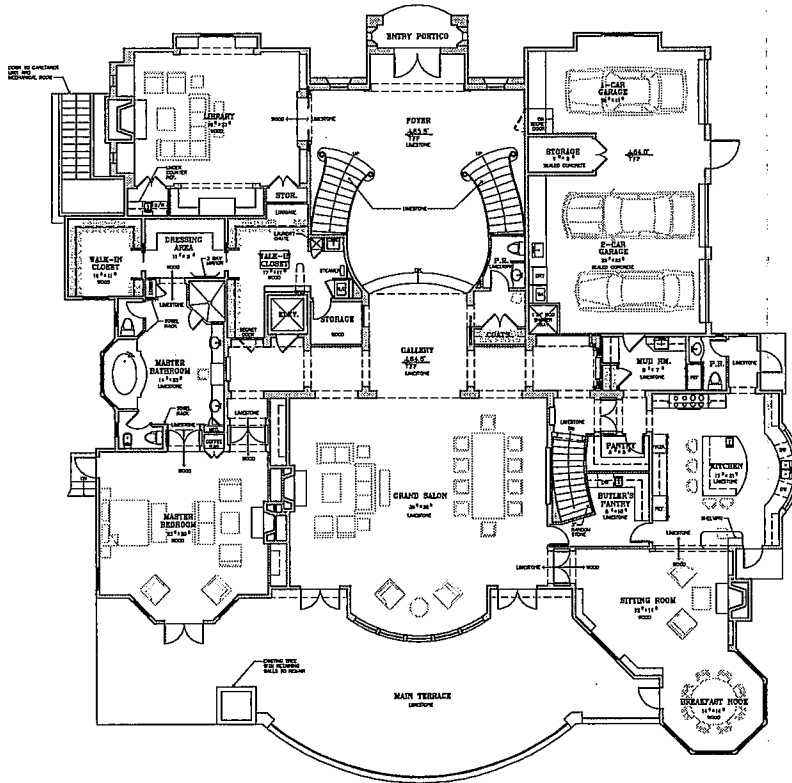
INTERNATIONAL DESIGN GROUP
 ARCHITECTURE ■ INTERIOR DESIGN
 JUN A. GILLAND, AIA JOHN E. MATTHEWS
 721 LICKHOUSE AVE ■ PACIFIC GROVE CA ■ 93950
 PH: (805) 844-1281 FAX: (805) 844-1282



SITE PLAN
 NEW COVERAGE
 DATE: 12-13-10
 PLANNING APPLICATION

REVISIONS:
 Δ 01-24-11 PLANNING REG.
 Δ _____
 Δ _____
 Δ _____

SHEET NO.
A1.2



MAIN LEVEL PLAN

1/8" = 1'-0"



PROPOSED RESIDENCE FOR:
MR. & MRS. MARK BYRNE
 APN: 008-491-015
 3184 17 MILE DRIVE PEBBLE BEACH, CA

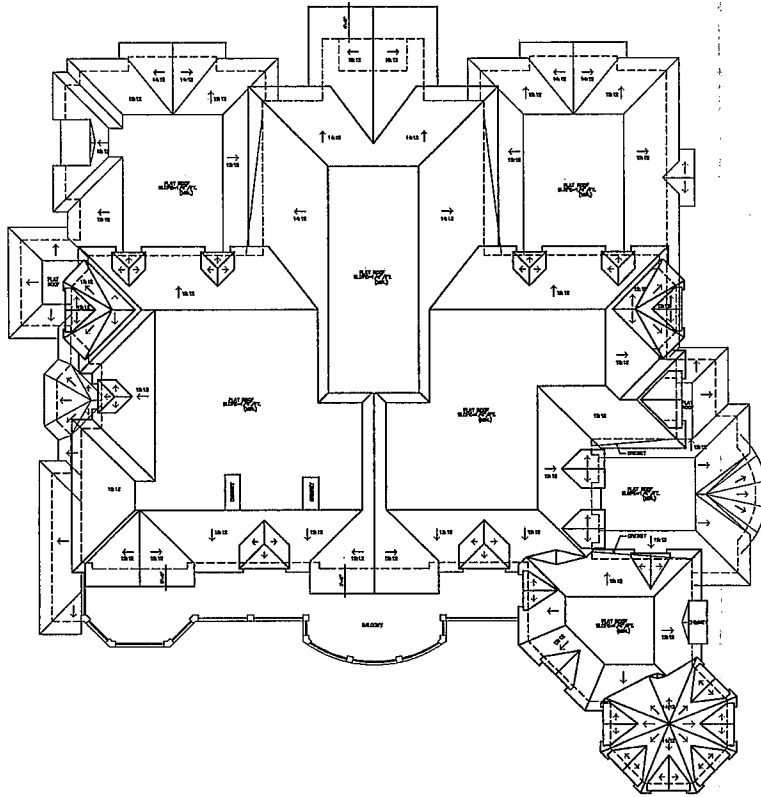
INTERNATIONAL DESIGN GROUP
 ARCHITECTURE ■ INTERIOR DESIGN
 JUN A. SILLAND, AIA JOHN B. MATTHEWS
 701 LIGHTHOUSE AVE ■ PACIFIC GROVE, CA ■ 93950
 PH: (805) 844-1281 FAX: (805) 844-1080



MAIN LEVEL
 PLAN
 DATE: 12-13-10
 PLANNING APPLICATION

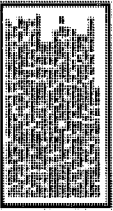
REVISIONS:
 Δ 01-24-11 PLANNING REC.
 Δ _____
 Δ _____
 Δ _____

SHEET NO.
A2.0



ROOF PLAN

1/8"=1'-0"



PROPOSED RESIDENCE FOR:
MR. & MRS. MARK BYRNE
 APR: 008-491-015
 3184 17 MILE DRIVE PEBBLE BEACH, CA

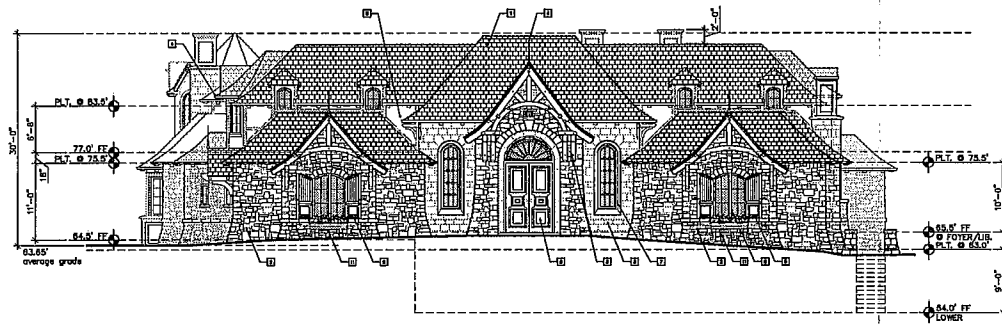
INTERNATIONAL DESIGN GROUP
 ARCHITECTURE ■ INTERIORS DESIGN
 JOHN R. MATTHEWS
 JUN A. SILLARD, AIA
 781 LIGHTHOUSE AVE ■ PACIFIC GROVE, CA ■ 93950
 TEL: (805) 846-1503 ■ FAX: (805) 846-1500 ■ WWW.IDGARCHITECTURE.COM



ROOF PLAN
 DATE: 12-13-10
 PLANNING APPLICATION

REVISIONS:
 Δ 01-24-11
 PLANNING REG.
 Δ _____
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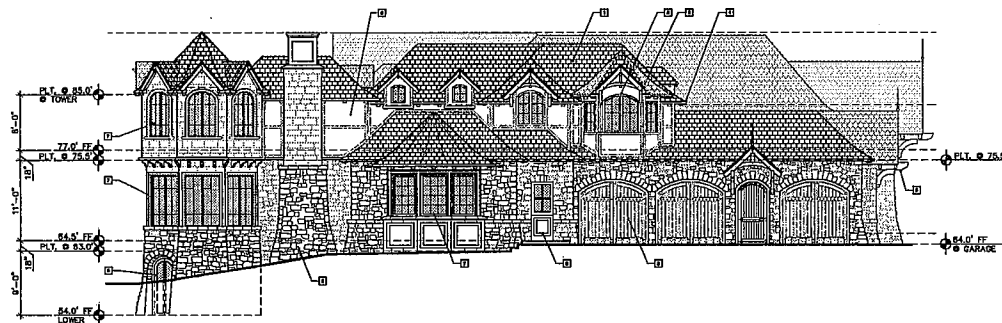
SHEET NO.
A5.0



EAST ELEVATION

1/8"=1'-0"

EXTERIOR FINISH LEGEND	
1	CLASS "A" SLATE ROOF
2	RANDOM STONE VENEER
3	CUT-STONE VENEER, TRIM, POST, MOLDINGS, SURROUNDS, PLINTH, ETC.
4	COPPER- HALF ROUND GUTTER, DOWNSPOUTS, FINALS & FLASHINGS
5	RE-CLAIMED REDWOOD BEAMS, CORBELS, SHUTTERS ETC.
6	CUT STONE SURROUND
7	BRONZE EXTERIOR DOORS & WINDOWS FEATURES
8	PAINTED TEAK EXTERIOR DOORS & WINDOWS
9	EXTERIOR STUCCO- SMOOTH FINISH
10	BRONZE RAILINGS
11	REDWOOD PLANT BOX
12	STONE LINTEL AND CORBEL



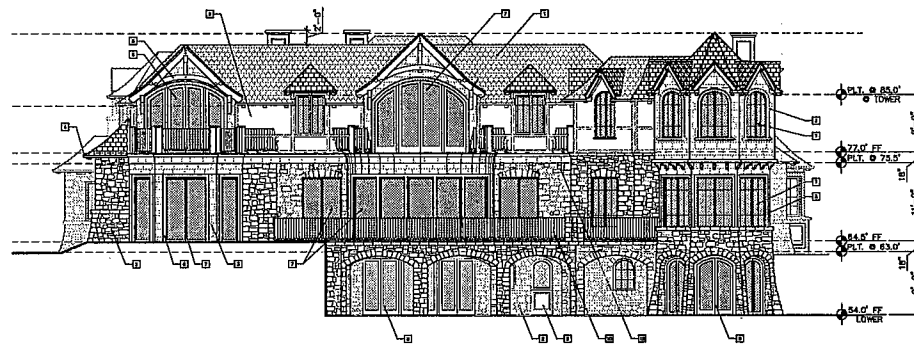
SOUTH ELEVATION

1/8"=1'-0"

PROPOSED RESIDENCE FOR:
MR. & MRS. MARK BYRNE
APN: 008-451-015
3184 17 MILE DRIVE
PEBBLE BEACH, CA.

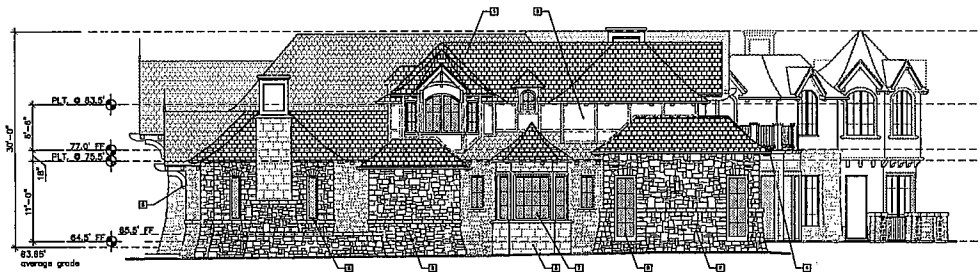
INTERNATIONAL DESIGN GROUP
ARCHITECTURE ■ INTERIOR DESIGN
JUN A. SILLANG, AIA
JOHN E. MATTHAM
781 LIGHTHOUSE AVE ■ PACIFIC GROVE, CA ■ 93950
PH: (805) 848-1281 ■ FAX: (805) 848-1282 ■ WWW.IDGARCH.COM

ELEVATIONS
DATE: 12-13-10
PLANNING APPLICATION
REVISIONS:
▲ 01-24-11 PLANNING REC.
▲
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SHEET NO.
A6.0



WEST ELEVATION

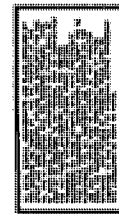
1/8"=1'-0"



NORTH ELEVATION

1/8"=1'-0"

EXTERIOR FINISH LEGEND	
1	CLASS 'X' SLATE ROOF
2	RANDOM STONE VENEER
3	CUT-STONE VENEER, TRIM, POST, MOLDINGS, SURROUNDS, PUNTH, ETC.
4	COPPER- HALF ROUND CUTTER, DOWNSPUTS, TRIMLS & FLASHINGS
5	RE-CLAIMED REDWOOD BEAMS, CORBELS, SHUTTERS ETC.
6	CUT STONE SURROUND
7	BRONZE EXTERIOR DOORS & WINDOW FEATURES
8	PAINTED TEAK EXTERIOR DOORS & WINDOWS
9	EXTERIOR STUCCO- SMOOTH FINISH
10	BRONZE RAILINGS
11	REDWOOD PLANT BOX
12	STONE LINTEL AND CORBEL



PROPOSED RESIDENCE FOR:
MR. & MRS. MARK BYRNE
 APN: 008-491-013
 3184 17 MILE DRIVE PEBBLE BEACH, CA

INTERNATIONAL DESIGN GROUP
 ARCHITECTURE ■ INTERIOR DESIGN
 JUN A. SILLAND, AIA ■ JOHN E. MATTHEWS
 701 LIGHTHOUSE AVE ■ PACIFIC GROVE, CA ■ 93950
 PH: (805) 546-1201 ■ FAX: (805) 546-1200 ■ EMAIL: info@idggroup.com



ELEVATIONS	
DATE:	12-13-10
PLANNING APPLICATION	
REVISIONS:	
△	01-24-11
△	PLANNING REG.
△	
△	
△	

SHEET NO.
A6.1

DEL MONTE FOREST



APPLICANT: BYRNE

APN: 008-491-015-000

FILE # PLN100579

 Water
  2500' Limit
  300' Limit
  City Limits

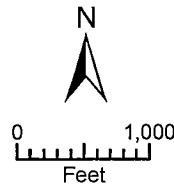


EXHIBIT E

MINUTES

**Del Monte Forest Land Use Advisory Committee
Thursday, January 6, 2011**

1. Meeting called to order by Rod L. Dewar at 3:03 pm

2. Roll Call

Members Present: Rod L. Dewar, Sandi Verbanec, Lori Lietzke, William Connors,
 Sandy Getreu

Members Absent: June Stock, Kim Cancer

3. Approval of Minutes:

A. December 2, 2010 minutes

Motion: Getreu (LUAC Member's Name)

Second: Verbanec (LUAC Member's Name)

Ayes: Dewar, Verbanec, Lietzke, Getreu

Noes: φ

Absent: Stock, Cancer

Abstain: Connors

B. December 16, 2010 minutes

Motion: _____ (LUAC Member's Name)

Second: _____ (LUAC Member's Name)

Ayes: No meeting /
 (No minutes)

Noes: _____

Absent: _____

Abstain: _____

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

None

5. **Scheduled Item(s)**

6. **Other Items:**

A) **Election of Officers:** *Deferred to next meeting*

LUAC member nominated for Chairperson: _____

Motion: _____ (LUAC Member's Name)

Second: _____ (LUAC Member's Name)

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

LUAC member nominated for Secretary: _____

Motion: _____ (LUAC Member's Name)

Second: _____ (LUAC Member's Name)

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

B) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None

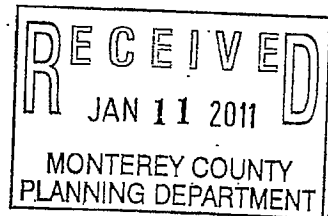
C) Announcements

none

7. Meeting Adjourned: 3:32 pm

Minutes taken by: Lietzke

minutes received via email on



MA

Action by Land Use Advisory Committee Project Referral Sheet

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

Advisory Committee: **Del Monte Forest**

Please submit your recommendations for this application by: **January 6, 2011**

Project Title: BYRNE MARK J TR ET AL

File Number: PLN100579

File Type: ZA

Planner: ROBINSON

Location: 3184 17 MILE DR PEBBLE BEACH

Project Description:

Combined Development Permit consisting of: 1) Coastal Administrative Permit to allow for the demolition of an existing 3,914 square foot single family dwelling and the construction of a 15,585 square foot three-level single family dwelling with attached garage, reconfigured driveway and parking areas, new fence and gate at front property line and approximately 3,150 cubic yards of grading (2,650 cut/500 fill); 2) Coastal Development Permit for development within 750 feet of known archaeological resources; 3) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat; 4) Coastal Development Permit for development on slope greater than 30% and 5) Design Approval. The property is located at 3184 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-491-015-000), Del Monte Forest Land Use Plan, Coastal zone.

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

Jim Suleano, Architect from IDG

Was a County Staff/Representative present at meeting? Liz Gonzalez (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)

ADDITIONAL LUAC COMMENTS

RECOMMENDATION :

Motion by: Verbanac (LUAC Member's Name)

Second by Connors (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: Stodd (present for this item only), Dewar, Verbanac, Getreu,
Lietzke, Connors. ϕ

ABSENT: Caner

ABSTAIN: ϕ

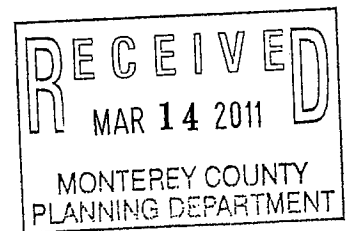


INTERNATIONAL DESIGN GROUP
ARCHITECTURE ■ INTERIOR DESIGN

Date: March 11, 2011
To: Monterey County Planning Department
From: Jun A. Sillano, AIA
IDG, Inc. dba International Design Group
Owner: Mr. and Mrs. Mark Byrne
Parcel: 3184 Seventeen Mile Drive, Pebble Beach
APN: 008-491-015-000
RE: Letter of Justification for Caretaker's Unit

Mr. and Mrs. Mark Byrne are requesting a Caretaker Unit on their 1.5-acre (65,343 square feet) parcel. The Owners will need full-time Caretakers to maintain the property. The Caretaker Unit proposed will adhere to the following regulations:

1. Only one Caretaker Unit per lot to be allowed
2. The Caretaker shall be employed principally on the lot for purposes of care and protection of persons, plants, animals, equipment or other facilities on-site or on contiguous lots under the same ownership
3. Caretaker Units shall not be subject to density requirements of the zoning district in which the lot is located
4. The maximum floor area for the Caretaker Unit is 850 square feet (544 square feet proposed) per coastal zone regulations
5. The Caretaker Unit shall not be separately rented or leased to other than the Caretaker whether compensation is direct or indirect
6. The Applicant shall record a deed restriction as a condition of project approval, stating that the Caretaker Unit shall not be rented to anyone other than the Caretaker



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EXHIBIT G

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

JUN 08 2011

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Byrne
File Number:	PLN100579
Owner:	Byrne, Mark J. and Barbara C.
Project Location:	3184 17-Mile Drive Pebble Beach, Monterey County, California 93953
Primary APN:	008-491-015-000
Project Planner:	Delinda Robinson, Senior Planner
Permit Type:	Combined Development Permit
Project Description:	<p>Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing 3,914 square foot single family dwelling and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot three-car attached garage, removal of 13,661 square feet of existing hardscape (patios, pathways, terraces, parking areas, driveway) and construction of 7,300 square feet of new hardscape, installation of an approximately 240 linear foot fence and entry gate, construction of a 400 square foot utility area, and approximately 3,150 cubic yards of grading (2,650 cut/500 fill); 2) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 3) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; 4) a Coastal Development Permit to allow development on slope greater than 30%; 5) a Coastal Development Permit to allow the construction of a 544 square foot attached accessory dwelling unit; and 6) Design Approval. The property is located at 3184 17-Mile Drive, Pebble Beach (Assessor's Parcel Number 008-491-015-000), Del Monte Forest Land Use Plan, Coastal Zone.</p>

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

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

Decision Making Body:	Monterey County Zoning Administrator
Responsible Agency:	Resource Management Agency - Planning Department
Review Period Begins:	June 9, 2011
Review Period Ends:	July 8, 2011

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

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY - PLANNING DEPARTMENT
168 W. ALISAL STREET 2ND FLOOR, SALINAS, 93901
(831) 775-7505 FAX: (831) 757-9516



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION MONTEREY COUNTY ZONING ADMINISTRATOR

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency - Planning Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Byrne PLN100579) at 3184 17-Mile Drive, Pebble Beach, California (see Project Description below).

The proposed Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency - Planning Department, 168 W. Alisal Street 2nd Floor. The project will be heard before the Monterey County Zoning Administrator on a date to be scheduled. The public hearing will meet in the Board of Supervisor's Chamber at 168 W. Alisal Street, Salinas. Written comments on this proposed Mitigated Negative Declaration will be accepted from June 9 to July 8, 2011. Comments may also be made during the public hearing.

Project Description: Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing 3,914 square foot single family dwelling and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot three-car attached garage, removal of 13,661 square feet of existing hardscape (patios, pathways, terraces, parking areas, driveway) and construction of 7,300 square feet of new hardscape, installation of an approximately 240 linear foot fence and entry gate, construction of a 400 square foot utility area, and approximately 3,150 cubic yards of grading (2,650 cut/500 fill); 2) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 3) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; 4) a Coastal Development Permit to allow development on slope greater than 30%; 5) a Coastal Development Permit to allow the construction of a 544 square foot attached accessory dwelling unit; and 6) Design Approval. The property is located at 3184 17-Mile Drive, Pebble Beach (Assessor's Parcel Number 008-491-015-000), Del Monte Forest Land Use Plan, Coastal Zone.

FOR ADDITIONAL INFORMATION CONTACT:

Delinda Robinson, Senior Planner
Monterey County Resource Management Agency - Planning Department
168 W. Alisal Street 2nd Floor, Salinas, Ca 93901
(831) 755-5198

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

Distribution: (see below)

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

COMMENTS: _____

Return to: Delinda Robinson, Senior Planner
Monterey Co. RMA - Planning Dept.
168 W. Alisal Street 2nd Floor,
Salinas, CA 93901

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

DISTRIBUTION

1. State Clearinghouse (15 copies)—include Notice of Completion
2. California Coastal Commission
3. County Clerk's Office
4. Association of Monterey Bay Area Governments
5. Robert Louis Stevenson School
6. Monterey Bay Unified Air Pollution Control District
7. Pebble Beach Community Services (Fire Protection) District
8. Monterey County Public Works Department
9. Monterey County Water Resources Agency
10. Monterey County Environmental Health Bureau
11. Mark and Barbara Byrne, Owners
12. International Design Group, Agent
13. Monterey County Libraries, Carmel Valley Branch only
14. Property Owners within 300 feet of the project (Notice of Intent only)

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

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

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



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: BYRNE

File No.: PLN100579

Project Location: 3184 17-Mile Drive, Pebble Beach

Name of Property Owners: Mark J. Byrne and Barbara C. Byrne, Trustees of The Mark Byrne and Barbara Byrne Revocable Living Trust

Name of Applicant: International Design Group

Assessor's Parcel Number(s): 008-491-015-000

Acreage of Property: 1.5 acre (Approximately 65,340 square feet)

General Plan Designation: Residential

Zoning District: "LDR/2-D (CZ)" or (Low Density Residential, 2 acres/unit, Design Control District Overlay, Coastal Zone)

Lead Agency: Monterey County Resource Management Agency - Planning Department

Prepared By: Joseph Sidor, Associate Planner

Date Prepared: June 7, 2011

Contact Person: Delinda Robinson, Senior Planner
RobinsonD@co.monterey.ca.us

Phone Number: (831) 755-5198

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The project consists of the demolition of an existing 3,914 square foot one-story single family dwelling and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot three-car attached garage, removal of 13,661 square feet of existing hardscape (patios, pathways, terraces, parking areas, driveway) and construction of approximately 7,300 square feet of new hardscape and a 400 square foot utility area (approximate net reduction of 5,960 square feet of hardscape area), installation of an approximately 240 linear foot fence and entry gate, construction of a 544 square foot attached accessory dwelling unit, and approximately 3,150 cubic yards of grading (2,650 cut/500 fill). The applicant proposes to use earthen stucco, and natural color slate, stone, bronze, copper, and wood for the exterior finishes. These proposed finishes will blend well with the surrounding natural environment. The project site is primarily level, but has adjacent landscaped slope that is greater than 30 percent. The site also contains environmentally sensitive Monterey Cypress habitat. However, the subject development is proposed to be located within the existing footprint of the single family dwelling proposed for demolition and there is no vegetation proposed for removal.

B. Surrounding Land Uses and Environmental Setting:

The project site is located at 3184 17-Mile Drive, within the Pebble Beach Planning Area of the Del Monte Forest, Coastal Zone, Monterey County, California. The parcel is a developed coastal residential lot in a residential area. The parcel overlooks the Pacific Ocean to the west, approximately 2.65 miles west of State Route (SR) 1. The site is bordered by 17-Mile Drive to the east, and residential uses to the north and south.

The property is approximately 1.5 acre (approximately 65,340 square feet) in area, and the proposed building site is relatively level. Landscaping consists primarily of indigenous Monterey cypress habitat, Monterey pine, invasive ice plant, and wood fencing. Existing development includes a one-story, 3,914 square foot single family dwelling accompanied by outdoor patio areas, pathways and driveway/motorcourt. The property is served by the Pebble Beach Community Services District for sewer services. Water service to the existing residence is provided by the California-American (Cal-Am) Water Company. (Source: IX. 1, 6, 7, 8, 9). According to the Del Monte Forest Archeological Resource map, the project site is located within an area of high archaeological sensitivity. Per the archaeological survey prepared for the project, the site is located within 750 feet of a known archaeological resource. See Section VI.5 below for a detailed discussion and proposed mitigation measures.

Visually, the project parcel borders 17-Mile Drive, a designated scenic roadway, and the existing structure is visible from 17-Mile Drive. The property is also visible from Point Lobos State Reserve, as identified on the LUP Visual Resources Map (LUP Figure 2C). The proposed project would not significantly intensify the visual impacts over the existing residential use of the site, and the post-project residence and accessory dwelling unit would be visually compatible

with other structures in the site vicinity. See Section VI.1 (Aesthetics) below for a detailed discussion.

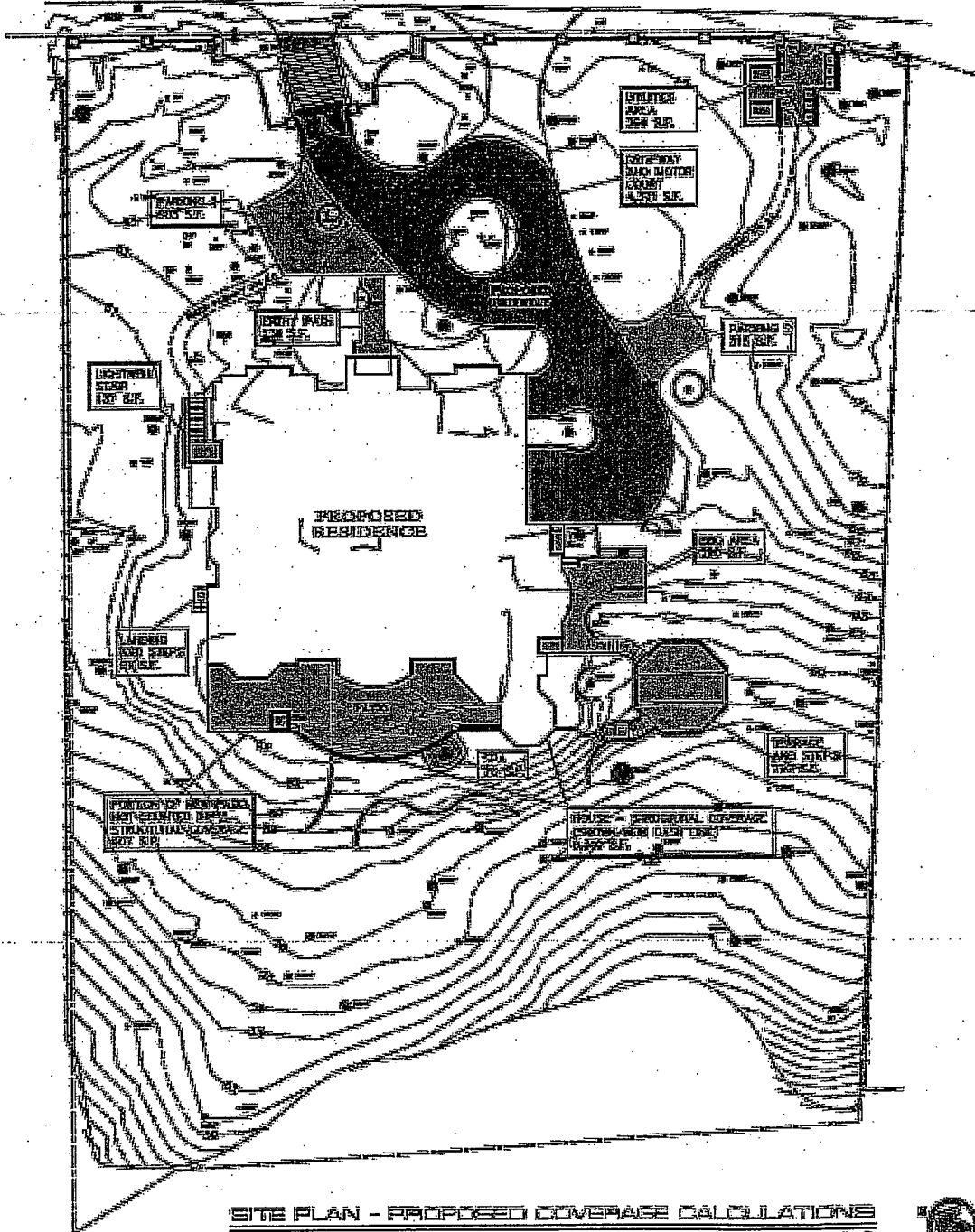
The parcel is also located within the mapped indigenous Monterey cypress habitat area within the Del Monte Forest, and Monterey Cypress habitat is present on the property. No tree removal is proposed, and tree protection measures will be required. The applicant has prepared and submitted a Cypress Habitat Restoration Plan (CHRP) (LJB110138) to address the removal and rehabilitation of existing hardscape elements on the site. See Section VI.4 (Biological Resources) below for a detailed discussion.

C. Other public agencies whose approval is required:

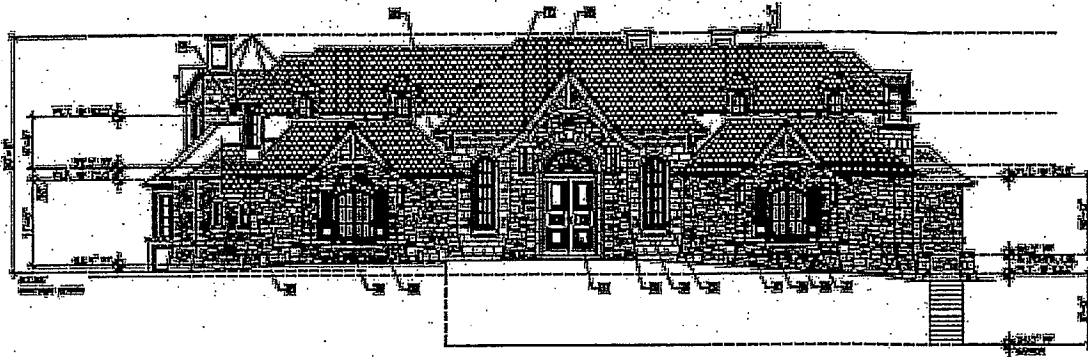
The applicant will require building permits from the Monterey County Building Services Department.

Site Plan (Proposed)

17 MILE DRIVE



Proposed View from 17-Mile Drive



EAST ELEVATION

1/18/05

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

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

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

General Plan/Area Plan. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan. The project consists of the demolition of an existing single family dwelling, and the construction of a new residence with an attached accessory dwelling unit. The property and surrounding area have a residential land use designation, and the adjacent land uses are residential. Therefore, the project is consistent. **CONSISTENT**

2008 Air Quality Management Plan for the Monterey Bay Region (AQMP). Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The proposed project will not increase the population of the area nor generate additional vehicle trips. The Monterey Bay Unified Air Pollution Control District has provided a consistency determination for this project. Therefore, the project will be consistent with the AQMP. **CONSISTENT**

Local Coastal Program-LUP. The proposed project was reviewed for consistency with the Del Monte Forest Land Use Plan (LUP) and the associated Coastal Implementation Plan (CIP), Part 5. Section IV.10 (Land Use and Planning) discusses whether the project physically divides an established community; conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project; or conflicts with any applicable habitat conservation plan or natural community conservation plan. As discussed therein, the proposed project involves the demolition of the existing one-story single family residence and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot three-car attached garage, removal of 13,661 square feet of existing hardscape (patios, pathways, terraces, parking areas, driveway), construction of 7,300 square feet of new hardscape and a 400 square foot utility area, installation of an approximately 240 linear foot fence and entry gate, and approximately 3,150 cubic yards of grading (2,650 cut and 500 fill). The project also includes development within 100 feet of environmentally sensitive habitat (Monterey cypress habitat), development within 750 feet of known archaeological resources, development on slope greater than 30%, and construction of a 544 square foot attached accessory dwelling unit. The property and surrounding area have a residential land use designation, and the adjacent land uses are residential. The project would not physically divide an established community (Source: IX. 1, 3,

6), nor conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site (Source: IX. 7, 8, 9). Section IV.6 (Geology and Soils) addresses development on slope. Sections VI.1 (Aesthetics), VI.4 (Biological Resources), and VI.7 (Greenhouse Gas Emissions) address potential impacts to visual resources, biological resources, and climate change, and include analysis to ensure project consistency with specific LCP policies. Section VI.5 (Cultural Resources) addresses potential impacts to archaeological resources, and includes analysis and mitigation measures to ensure project consistency with specific LCP policies. As proposed, conditioned, and mitigated, the project is consistent with the Del Monte Forest LUP and CIP. **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

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

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

- Check here if this finding is not applicable.

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

EVIDENCE:

- 1) Aesthetics. See Section VI.1 below.
- 2) Agriculture and Forest Resources. PLN100579 (Byrne) involves the demolition of an existing single family dwelling, and the construction of a single family dwelling with an attached garage and an attached accessory dwelling unit. The proposed project would not convert farmland to non-agricultural use, nor is the site under a Williamson Act Contract, as confirmed by County Assessor's records. The project site is located within a residential area and is currently zoned as Low-Density Residential (LDR). There are no agricultural land use designations within the Del Monte Forest. The proposed construction would not conflict with any agricultural uses. The project would also not result in the loss of forest land or conversion of forest land to non-forest use. There would be no impacts to Agriculture and Forest Resources (Source: IX. 1, 3, 8, 9, 14).
- 3) Air Quality. The project area is located within the North Central Coast Air Basin and is subject to the jurisdictional regulations of the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and, to a lesser extent, the California Air Resources Board. The proposed project involves the replacement of existing residential uses within a residential area. The nearest structures to the project site are two residences over 150 feet to the south and over 300 feet to the east. The nearest structure to the north is over 750 feet from the project site. It is anticipated that particulate matter (PM₁₀) would be the primary air pollutant resulting from project construction activities. The project would only result in a significant air quality impact if direct emissions of more than 82 pounds/day (lbs/day) of PM₁₀ were to occur. Construction activities would involve relatively small crews for a small residential project, and would involve limited construction equipment; therefore, the project is not anticipated to emit more than 82 lbs/day of PM₁₀. The project will also not disturb more than 8.1 acres per day, the threshold established by the MBUAPCD above which the project could have a significant impact for PM₁₀. Disturbed areas would be watered or treated with an appropriate dust palliative; therefore, fugitive dust emissions would be limited and impacts from PM₁₀ resulting from fugitive dust emissions are not anticipated. After completion of construction activities, the project will not create any air emissions beyond those associated with normal residential uses. The nearest school to the project site is the Robert Luis Stevenson School, which is located approximately 1.2 miles northeast of the project. Because of the significant distance between the school and the project site, it is not anticipated that the project would impact this sensitive receptor. The two nearest residences could be impacted by PM₁₀ (dust) impacts during construction activities. However, the dust effects would be

localized and limited because there would be a small amount of daily ground disturbance and construction activities associated with the project. Operation of construction vehicles could generate airborne odors (e.g., diesel exhaust); however, such emissions would be localized to the immediate area under construction and would be short in duration. Therefore, the project would not conflict with or obstruct the implementation of the applicable Air Quality Management Plan (identified above in Section III, would not violate any air quality standard or result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment, would not expose sensitive receptors to substantial pollutant concentrations, nor create objectionable odors affecting a substantial number of people (Source: IX. 1, 5, 6, 14). The proposed project will not increase the population of the area nor generate additional vehicle trips, and the Monterey Bay Unified Air Pollution Control District has provided a consistency determination for this project (Source: IX. 13). As noted under Item 16 below, the project would generate a minimal amount of new traffic associated with the proposed accessory dwelling unit. As a result, minimal traffic-related emissions would be generated that would be off-set by reduced round-trip employee traffic from outside the Del Monte Forest. Construction related air quality impacts would be temporary in nature and controlled by standard Conditions of Approval that require watering, erosion control and dust control measures. There would be no impacts to Air Quality.

- 4) Biological Resources. See Section VI.4 below.
- 5) Cultural Resources. See Section VI.5 below.
- 6) Geology and Soils. The Geotechnical and Geologic Hazards Report prepared for the project, based on review of the site and applicable literature, did not observe nor identify any significant, site specific geological hazards (Source: IX. 1, 3, 10). Although the project site would be exposed to ground-shaking from any of the faults that traverse Monterey County, the project would be required to be constructed in accordance with applicable seismic design parameters in the California Building Code. The building site is relatively flat and soil erosion is not an issue (Source: IX. 1, 6, 10, 14). Pursuant to implementation of County ordinances and standard Conditions of Approval, required by the County's grading and erosion control ordinances related to grading and soil erosion prevention, the project would not result in impacts to Geology and Soils.
- 7) Greenhouse Gas Emissions. See Section VI.7 below.
- 8) Hazards and Hazardous Materials. PLN100579 (Byrne) involves residential development that would not involve the transport, use or disposal of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties (Source: IX. 1, 3, 14). The project would not involve stationary operations, create hazardous emissions or handle hazardous materials. The site is not included on a list of hazardous

materials sites, and the site location and scale would have no impact on emergency response or emergency evacuation. The site is not located near an airport or airstrip. The site is located in a residential area and would not be subject to wildland fire hazards. The project would require standard County Conditions of Approval for completion of an asbestos survey and a lead paint survey, and best management practices would be followed for removal if any asbestos or lead paint is found at the site. The Pebble Beach Community Services District (Fire) reviewed the project application and recommended conditions of approval regarding fire safety, including a fire sprinkler system. There would be no impacts from Hazards or Hazardous Materials.

- 9) Hydrology and Water Quality. PLN100579 (Byrne) will not violate any water quality standards or waste discharge requirements. The Cal Am Water Company currently provides and will continue to provide water for the residential uses on the property. The Pebble Beach Community Services District currently provides and will continue to provide wastewater sewer connectivity for the residential uses on the property. The Monterey County Water Resources Agency and Environmental Health Bureau have reviewed the project application and deemed that the project complies with applicable ordinances and regulations (Source: IX. 1). The proposed project would incrementally increase water demand through the addition of an accessory dwelling unit (Source: IX.1). The Monterey County Environmental Health Bureau reviewed the project application, and found the project complete with no conditions. The Water Resources Agency similarly reviewed the project application and recommended Conditions of Approval, including a drainage plan, as required by County ordinances (Source: IX. 1). Site drainage patterns will not change significantly because the new residence will be constructed on the approximate footprint of the existing residence. Also, the approximate 5,960 square foot net reduction in hardscaped area will allow additional permeability and on-site retention of water. Tsunami and flooding vulnerability at Pebble Beach is limited by the topography of the Monterey Peninsula and the spatial nature of the residences in the area. The slope of the land rises quickly from the shore, and thus significant inland inundation is not expected (Source: IX. 1, 3, 14). The project, as proposed and conditioned, would not result in impacts to Hydrology and Water Quality.

- 10) Land Use and Planning. The project would not disrupt, divide, or otherwise have a negative impact upon the existing neighborhood or adjacent properties. The project site is designated for Low Density Residential uses, and the surrounding properties are similarly designated for residential use. Replacement/construction of the residence and accessory dwelling unit on the parcel, in the same general location of the existing structure is consistent with this designation (Source: IX. 1, 3, 4, 6, 14). As designed and conditioned, the proposed project is consistent with applicable Local Coastal Program policies as discussed in Section III. The proposed project would not result in impacts to Land Use Planning.

- 11) Mineral Resources. Based on the Geotechnical and Geologic Hazards Report (LIB110022) prepared for the project, no mineral resources have been identified or would be affected by the project (Source: IX. 1, 10, 14). The project is not within the vicinity of a site being used for aggregate production, and there are no active mining sites located in the project vicinity. There would be no impacts to Mineral Resources.
- 12) Noise. The proposed residence and accessory dwelling unit (PLN100579, Byrne) would not be exposed to noise levels that exceed standards and would not substantially increase ambient noise levels. There would be a temporary increase of noise during construction; however, the parcels in the vicinity are approximately 1.5 acres or larger (Source: IX. 1, 3, 14). The large parcel size and distance between structures would help to minimize potential noise or vibration impacts caused by equipment during construction. The project site is not located in the vicinity of an airport or private airstrip. The nearest airport is approximately 5.5 mile east of the project site (Source: IX. 1, 14). There would be no impact.
- 13) Population and Housing. PLN100579 (Byrne) replaces one single family dwelling with another single family dwelling, and adds one accessory dwelling unit to the site (Source: IX. 1). The project would not induce substantial population in the area, either directly through the construction of the structures within a residential area or indirectly, as no new infrastructure would be extended to the site. The project would not alter the location, distribution, or density of human population in the area in any significant way, or create a demand for additional housing (Source: IX. 1, 2, 3). The project would not result in impacts to Population or Housing.
- 14) Public Services. The proposed project involves the replacement of one single-family residence and the addition of an accessory dwelling unit, which would be served by existing services and utilities. Water service is provided by California American Water, and wastewater service is provided by the Pebble Beach Community Services District (PBCSD) and Carmel Area Wastewater District. Emergency response is provided by PBCSD (fire), and the Monterey County Sheriff's Department. The project would have no measurable effect on existing public services in that the incremental increase in demand would not require expansion of any services to serve the project. County Departments and service providers reviewed the project application and did not identify any impacts (Source: IX. 1). The project would not result in impacts to Public Services.
- 15) Recreation. PLN100579 (Byrne) would result in the construction of an accessory dwelling unit and a replacement single family residence. Due to the small scale of the project, neither would result in an increase in use of existing recreational facilities causing substantial physical deterioration (Source: IX. 1, 3). Parks, trail easements, or other recreational opportunities would not be adversely impacted by

the proposed project (Source: IX. 1, 3, 14). The project would not create significant recreational demands, and would not result in impacts to Recreation.

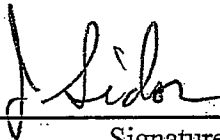
- 16) Transportation and Traffic. PLN100579 (Byrne) involves the replacement of a single family residence and a new accessory dwelling unit located on a relatively low-traffic street (Source: IX. 1, 3, 6). The roadways in the project vicinity are not at degraded levels of service (LOS A or B), and the contribution of traffic from this project would not cause any roadway or intersection level of service to be degraded (Source: IX. 1, 3, 6). Construction-related activities will temporarily increase traffic from trips generated by the individuals on the construction site; however, no adverse impact is expected due to the small scale of the project (Source: IX. 1, 6). The project would generate a minimal amount of new traffic associated with the proposed accessory dwelling unit. However, any new traffic trips generated would be off-set by reduced round-trip employee traffic from outside the Del Monte Forest. The project would not 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: IX. 1, 3, 6, 14). The project would not substantially increase hazards due to a design feature (e.g., there are no sharp curves or dangerous intersections near the project site) or incompatible uses (i.e., the site is zone for residential uses), nor would it result in inadequate emergency access (Source: IX. 1, 3, 6). The project would also not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities (Source: IX. 1, 3, 6). The project would not intensify levels of traffic, and would not result in impacts to Traffic.

- 17) Utilities and Service Systems. The proposed project involves the replacement of a single-family residence and the addition of a caretaker unit that would not exceed wastewater treatment capacity nor create sufficient demand to warrant construction of new wastewater treatment facilities. The Carmel Area Wastewater District (CAWD) treatment facility has a capacity of three million gallons per day, and currently operates at approximately 67% of capacity. Moreover, the Pebble Beach Community Services District (PBCSD) retains rights to one-third of the CAWD treatment facility capacity (or one million gallons per day), and currently uses approximately 50% of that capacity. Similarly, the amount of solid waste generated by the proposed project would not impact the area's solid waste facilities. The Monterey County Water Resources Agency reviewed the project application and recommended standard Conditions of Approval, including water availability certification. The property owner has purchased additional water credits from the Pebble Beach Company to supply water service to the new accessory dwelling unit. Pursuant to implementation of these conditions, there would be no impacts to water service (Source: IX. 1). Utilities such as electricity and phone service are already in place and the construction of an accessory dwelling unit would not create a sufficient demand to warrant the expansion of the current infrastructure (Source: IX. 1). The project would not result in impacts to Utilities and Service Systems.

B. DETERMINATION

On the basis of this initial evaluation:

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



Signature

Joseph Sidor

June 7, 2011

Date

Associate Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

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

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: IX. 1, 3, 6, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX. 1, 3, 6, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: IX. 1, 3, 4, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX. 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

The subject development application, PLN100579 (Byrne), involves the demolition of an existing one-story single family residence and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot attached garage, the construction of a 544 square foot attached accessory dwelling unit, removal of 13,661 square feet of existing hardscape (patios, pathways, terraces, parking areas, driveway) and construction of 7,300 square feet of new hardscape, installation of a 240 linear foot fence and gate, construction of a 400 square foot utility area, and approximately 3,150 cubic yards of grading (2,650 cut and 500 fill) (Source: IX. 1). As proposed, the project meets all setback and site development standards, is a residential project located within a residentially-zoned district, does not require any variances, and would not result in ridgeline development. Additionally, the development of the proposed project would occur within the general location as the existing structure and hardscape.

Aesthetics 1(a, b) – No Impacts and Aesthetics 1(c, d) – Less than Significant. The project parcel borders 17-Mile Drive, a designated scenic roadway, and the existing structure is visible from 17-Mile Drive. The property is also visible from Point Lobos State Reserve, as identified on the LUP Visual Resources Map (LUP Figure 2C). The project, as proposed, would increase the mass and height of the existing structure; however, due to existing tree screening and incorporation of the design into the site topography, the additional mass and height will not significantly obscure ocean views from 17 Mile Drive nor increase visibility from Point Lobos State Reserve (Source: IX. 1, 3, 6). The Lone Cypress, a designated scenic vista, is approximately 0.5 miles to the south of the project site, but the site is not visible from the Lone Cypress (Source: IX. 6). Thus, the project would not result in impacts to a scenic vista or scenic resources.

The proposed project would not significantly intensify the visual impacts over the existing residential use of the site, and the post-project residence and accessory dwelling unit would be visually compatible with other structures in the site vicinity. The applicant proposes to use earthtone stucco, and natural color slate, stone, bronze, copper, and wood for the exterior finishes. These proposed finishes will blend well with the surrounding natural environment. From the east elevation (i.e., the view from 17-Mile Drive), the proposed height will increase by approximately 14 feet (from 16 to 30 feet). This height increase will not obscure ocean views due to the fact that current views above the residence include only sky. Photo simulations prepared by the project applicant, and reviewed by County and Coastal Commission staff, confirm that potential impacts to views will be minimal and less than significant. Some additional lighting sources would occur as a result of the accessory dwelling unit and expanded residence. However, the proposed project would be required to comply with County General Plan Policy 26.1.20, which requires that "All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced, and offsite glare is fully controlled." In addition, a standard County Condition of Approval would require preparation of an Exterior Lighting Plan, subject to review and approval by the Resource Management Agency Planning Department. The proposed design minimizes windows on the north, south, and east sides of the new residence. Therefore, potential impacts from interior lighting on adjacent properties and/or views would be minimized by design. Pursuant to implementation of County Conditions of Approval, the project is consistent with the Del Monte Forest LUP Scenic and Visual Resources policies. Impacts to the existing visual character or quality of the site and its surroundings would be less than significant, and would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project, and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: IX, 1, 3, 6, 7, 8, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Williamson Act contract? (Source: IX. 1, 3, 4, 14)				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: IX. 1, 3, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: IX. 1, 3, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: IX. 1, 3, 6, 7, 8, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.2 above.

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: IX. 1, 5, 6, 13)	<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: IX. 1, 5, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: IX. 1, 5, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: IX. 1, 5, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 1, 5, 6, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: IX. 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.3 above.

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? (Source: IX. 1, 3, 6, 7, 8, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX. 1, 3, 6, 7, 8, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: IX. 1, 3, 6, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX. 1, 3, 6, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 3, 6, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: IX. 1, 3, 6, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The subject development application, PLN100579 (Byrne), involves the demolition of an existing one-story single family residence and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot attached garage, the construction of a 544 square foot attached accessory dwelling unit, removal of 13,661 square feet of existing hardscape (patios, pathways, terraces, parking areas, driveway) and construction of 7,300 square feet of new hardscape, installation of a 240 linear foot fence and gate, construction of a 400 square foot utility area, and approximately 3,150 cubic yards of grading (2,650 cut and 500 fill). (Source: IX.

1). As proposed, the project meets all setback and site development standards, is a residential project located within a residentially-zoned district, and does not require any variances. Additionally, the development of the proposed project would occur within the general location as the existing structure and hardscape.

Biological Resources 4(a) – Less than Significant. Monterey Cypress habitat is located on the property; however, no tree removal is proposed. Tree protection measures also will be required as a standard Condition of Approval. In addition, all proposed residential additions will occur within existing hardscape areas. The applicant has prepared and submitted a Cypress Habitat Restoration Plan (CHRP) (LIB110138) to address the removal and rehabilitation of existing hardscape elements on the site. These elements include pathways, patio areas, and portions of the driveway. Implementation of the CHRP would result in restoration of these areas to native

Monterey cypress habitat and accommodate a minor hardscape addition near 17-Mile Drive for utility purposes. In addition, the revised project includes eradication and control of exotic vegetation (primarily ice plant) on the site. The County will require a standard Condition of Approval to ensure completion and monitoring of restoration activities in accordance with the submitted CHRP. Impacts to Monterey cypress habitat would be less than significant.

Biological Resources 4(b - f) – No Impact. As described above, the parcel is located in a developed residential area and has an existing residence and hardscape areas. The hardscape consists of outdoor patio areas, pathways and driveway/motorcourt. The proposed site does contain Monterey Cypress environmentally sensitive habitat area as mapped in the Del Monte Forest LUP; however, as noted above, no tree removal is proposed and existing trees will be protected during all phases of the project. The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community because all proposed development beyond current structural footprints will occur on existing hardscaped areas. Per the biological report prepared for the project, no sensitive species other than Monterey cypress and pine occur on the site. Also, as designed, the project will not result in the removal of any trees on the parcel nor result in construction within the drip-lines of any Monterey Cypress as required by Del Monte Forest LUP ESHA Policy 21. There would be no impacts.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: IX. 1, 11, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: IX. 1, 11, 12, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: IX. 1, 3, 6, 11, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX. 1, 11, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

The subject development application, PLN100579 (Byrne), involves the demolition of an existing one-story single family residence and the construction of a 14,123 square foot three-level single family dwelling with a 1,046 square foot attached garage, the construction of a 544 square foot attached accessory dwelling unit, removal of 13,661 square feet of existing hardscape (patios,

pathways, terraces, parking areas, driveway) and construction of 7,300 square feet of new hardscape, installation of a 240 linear foot fence and gate, construction of a 400 square foot utility area, and approximately 3,150 cubic yards of grading (2,650 cut and 500 fill) (Source: IX. 1). The proposed development would occur within the general location of the existing structure and hardscape.

Cultural Resources 5(a & c) – No Impact. According to County records, no historical sites are known to be on or in the immediate vicinity of the project area, and the existing residence was constructed in 1973. The project site does not contain historical resources and would not cause a substantial adverse change in a significant historical resource (Source: IX. 1, 3, 11, 14). In addition, no paleontological resources or unique geologic features are identified as associated with this site (Source: IX. 1, 3, 6, 11, 14). No impacts would occur to historical resources, paleontological resources, or unique geologic features.

Cultural Resources 5(b) – Less than Significant with Mitigation Incorporated and 5(d) - Less than Significant. County records identify the project site is within an area of high archeological sensitivity, and the project includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource (Source: IX. 1, 3, 11). An archaeological reconnaissance conducted for the project indicated a previously unrecorded midden site present on the western margin of the property. The midden deposit appeared to be shallow and limited in extent based on surface evidence, less than 20 square feet in area (Source: IX. 11). Examination of the project site and surrounding area during field reconnaissance revealed evidence for potential, but limited, impact to archaeological resources on the parcel. The survey noted no surface evidence of resources around the existing residence or in the eastern area of the parcel. Moreover, the likelihood of encountering human remains is remote given the proximity to the ocean (Source: IX. 11).

The proposed construction will occur within the existing developed footprint and above the elevation of the archaeological resource area. Therefore, impacts to the resource area are not likely to occur. However, due to the close proximity to the midden deposit and the potential for incidental impacts to resources during demolition and construction, mitigation is recommended to reduce the potential for impacts to a less than significant level (Source: IX. 1, 11, 12). With County required Conditions of Approval and Mitigation Measures, potential impacts to archaeological resources would be mitigated to less than significant. The following mitigation measures are required to reduce the potential for impacts to a less than significant level:

Cultural Resources Mitigation Measure No. 1:

A qualified archaeological monitor shall be present during initial earthwork (i.e., grading and excavation). If no cultural materials are found under existing fill, within the proposed footprint, or in staging areas, continued monitoring of earthwork may be terminated at the discretion of the monitor. The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. If potentially significant archaeological resources are discovered, work shall be halted in the area of the find until it can be evaluated and, if necessary, data recovery is conducted. The applicant shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan.

Cultural Resources Monitoring Action No. 1:

Prior to issuance of a demolition permit, the applicant shall provide to the RMA-Planning Department a copy of the contractual agreement with a qualified archaeologist for review and approval. The applicant or archaeologist shall also submit evidence of on-site monitoring, including archaeologist certification, to the RMA – Planning Department. If additional mitigation measures are determined to be required, they shall be formulated and implemented by the monitoring archaeologist, after review and approval by the RMA - Planning Department. The requirements of this measure shall be included as a note on all grading and building plans.

Cultural Resources Mitigation Measure No. 2:

During demolition and construction, the archaeological site shall be protected with exclusionary fencing to minimize the potential for unanticipated impacts to cultural resources.

Cultural Resources Monitoring Action No. 2:

Prior to the issuance of a demolition permit, the applicant shall submit evidence of exclusionary fencing to the RMA-Planning Department for review and approval. The requirements of this measure shall be included as a note on all grading and building plans.

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX. 1, 3, 10, 14) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (Source: IX. 1, 3, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: IX. 1, 3, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: IX. 1, 3, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX. 1, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX. 1, 3, 10, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: IX. 1, 3, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: IX. 1, 3, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.6 above.

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

Discussion/Conclusion/Mitigation:

Greenhouse Gas Emissions 7(a) - Less than Significant. The Office of Planning and Research (OPR) is the state-wide, comprehensive planning agency that is responsible for making policy recommendations and coordinating land use planning efforts. The OPR also coordinates the state-level review of environmental documents pursuant to the CEQA. Currently, the OPR's stance on greenhouse gases (GHG) significance thresholds has been to allow each lead agency to determine their own level of significance. At this time, the Monterey Bay Unified Air Pollution Control District (MBUAPCD) has not finalized specific GHG thresholds of significance. On October 24, 2008, the California Air Resources Board (CARB) released their interim CEQA significance thresholds for GHG impacts dictating that a project would be considered less than significant if it meets minimum performance standards during construction and if the project,

with mitigation, would emit no more than approximately 7,000 million metric tons of carbon dioxide per year during operation.

The primary source of criteria air pollutant and GHG emissions would stem from the use of heavy equipment, including large trucks and earth-movers, during construction of the new residence and attached accessory dwelling unit. However, heavy equipment use is anticipated to be intermittent and limited to demolition, site preparation, and some construction activities. Pollutant emissions resulting from heavy equipment use during construction are not anticipated to exceed significance thresholds established by the CARB for GHG because the duration of use is expected to be very limited. Moreover, once constructed, the project would not create any air emissions beyond those associated with current uses established on the property, and the new residence would likely be more energy efficient than the existing structure. Since the use of the property would not intensify beyond residential uses, the impacts would be less than significant.

Greenhouse Gas Emissions 7(b) – No Impact. As described previously, the project's construction and use emissions are below the applicable GHG significance thresholds established by CARB, and the MBUAPCD has no established GHG thresholds. The project would not conflict with any local or state GHG plans or goals. Therefore, there would be no impacts.

8. HAZARDS AND HAZARDOUS MATERIALS	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX. 1, 3)	<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: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX. 1, 3)	<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: IX. 1, 3, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: IX. 1, 3, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.8 above.

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: IX. 1, 2, 3)	<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: IX. 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? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: IX. 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: IX. 1, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: IX. 1, 14)	<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: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.9 above.

10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: IX. 1, 3, 6, 14)	<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: IX. 1, 3, 4, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.10 above.

11. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX. 1, 10, 14)	<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: IX. 1, 10, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.11 above.

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? (Source: IX. 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: IX. 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? (Source: IX. 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 expose people residing or working in the project area to excessive noise levels? (Source: IX. 1, 3, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX. 1, 3, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.12 above.

13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX. 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: IX. 1, 2, 3)	<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: IX. 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.13 above.

14. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

14. PUBLIC SERVICES

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

Discussion/Conclusion/Mitigation: See Section IV.A.14 above.

15. RECREATION

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: IX. 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.15 above.

16. TRANSPORTATION/TRAFFIC

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with an applicable congestion management program, including, but not limited to level of service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Source: IX. 1, 3, 6)				
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: IX. 1, 3, 6, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX. 1, 3, 6, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: IX. 1, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.16 above.

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: IX. 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: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: IX. 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? (Source: IX. 1)	<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: IX. 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.A.17 above.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: IX. 1, 7, 8, 9, 10, 11, 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: IX. 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX. 1, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

(a) Less than Significant with Mitigation Incorporated. Based upon the analysis throughout this Initial Study, the project may 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. The biological resources analysis above indicates there would be less than significant or no impacts to special-status plants and animals and sensitive natural communities, including environmentally sensitive habitat (ESHA). The cultural resources analysis above indicates that the site does contain a potentially significant cultural, archaeological, or historical resource as defined by the California Environmental Quality Act (CEQA). Therefore, mitigation will be required to reduce potential impacts to a level less than significant.

(b) No Impact. The project involves replacement residential development within a residentially-zoned district. As a result, impacts related to air quality, geology and soils, hazards and

hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems attributable to the project would not result in intensification of the use of the site. As proposed and conditioned, implementation of the project would not result in impacts that are cumulatively considerable.

(c) Less than Significant. The project would generate temporary and/or less than significant impacts to traffic, air quality, and aesthetics. Construction related air quality impacts would be temporary and controlled by standard Conditions of Approval that require watering, erosion control, and dust control measures. A limited amount of new traffic associated with the proposed accessory dwelling unit would generate less than significant traffic-related emissions, which would be off-set by reduced round-trip employee traffic from outside the Del Monte Forest. The project as proposed would have no long-term impacts to air quality. Also, the proposed project would not significantly intensify the visual impact over the existing residential use of the site. Additional lighting sources that would occur as a result of the new accessory dwelling unit and expanded residence would be required to comply with standard County Conditions of Approval. Implementation of the project would result in less than significant impacts to human beings, either directly or indirectly.

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

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

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

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN100579 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application/Plans
2. 1982 Monterey County General Plan
3. Del Monte Forest Land Use Plan and Coastal Implementation Plan (Part 5)
4. Title 20 of the Monterey County Code (Zoning Ordinance)
5. 2008 Air Quality Management Plan (AQMP) for the Monterey Bay Region, Monterey Bay Unified Air Pollution Control District, Revised August 2008. Sixth Revision to the 1991 AQMP for the Monterey Bay Region.
6. Site Visit conducted by the planning staff on May 5, 2011.
7. Biological Resources Report (Revised) (LIB110139), prepared by Jeffrey B. Froke, PhD, Pebble Beach, California, February 11, 2011.
8. Cypress Habitat Restoration Plan (LIB110138), prepared by Frank Ono, Pacific Grove, California, February 19, 2011.
9. Forest Management Plan (LIB110021), prepared by Forest City Consulting (Matt Horowitz), Carmel, California, December 2, 2010.
10. Geotechnical and Geologic Hazards Report (LIB110022), prepared by Grice Engineering, Inc., Salinas, California, November 2010.
11. Preliminary Archaeological Reconnaissance (LIB110023), prepared by Archaeological Consulting, Salinas, California, February 22, 2010.
12. Plan Review Letter (LIB110019), prepared by Archaeological Consulting, Salinas, California, November 1, 2010.
13. Determination of Consistency with the Air Quality Management Plan. Jean Getchell, Supervising Planner, Monterey Bay Unified Air Pollution Control District, May 11, 2011.
14. Monterey County Planning Department GIS System, Property Report for Selected Parcel – APN 008-491-015-000.