

MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 11, 2012 Time: 9:00 A.M. Agenda Item No.: 2	
Project Description: Combined Development Permit consisting of 1) Coastal Development Permit to allow the abandonment of five existing antiquated septic systems (two of which have failed) and the placement of new sewer lines from the subject property to the Carmel Area Wastewater District (CAWD). The project includes grading associated with trenching of approximately 1,404 linear feet for sewer line placement; 2) Coastal Administrative Permit to allow development within 750 feet of a known archaeological resource; and 3) Design Approval for control box.	
Project Location: Riley Ranch Road and Highway 1, 0.17 miles north of the Point Lobo Park entrance.	APN: 243-112-019-000
Planning File Number: PLN110099	Owner: State of California Department of Park and Recreation Agent: Joan Carpenter, California State Parks
Planning Area: Carmel Area Land Use Plan	Flagged and staked: No
Zoning Designation: : RC/D-SpTr (CZ) [Resource Conservation, Design Control District, Special Treatment area within the Coastal Zone]; VSC/D-SpTr (CZ) [Visitor-Serving Commercial, Design Control District, Special Treatment area within the Coastal Zone];	
CEQA Action: Categorically Exempt per Section 15303 (d)	
Department: RMA - Planning Department	

RECOMMENDATION:

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

- 1) Find the project categorically exempt from CEQA, per section 15303 (d) of the CEQA Guidelines; and
- 2) Approve PLN110099, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**)

PROJECT OVERVIEW:

The project proposes the removal of five septic systems (four antiquated systems, one recently renovated system) and replacement with sewage disposal connections to the Carmel Area Wastewater District (CAWD). On April 4, 2011, the CAWD agreed to provide wastewater services without annexation. In order to connect to CAWD, 1,404 linear feet of trenching is required, which include gravity sewage laterals from the residences to a small pump station near the intersection of Highway 1 and Riley Ranch Road, and a short length of pressure force under Highway 1 to a point of connection with the Reserve force main.

The property has five residential units, two of which are considered historically significant. According to an historical review prepared by Matt Bischoff, historian, the dwellings referred to as the "Owl's Nest" (located near the entrance of the property, nearest to the Riley Ranch Road and Highway 1 intersection) and "The Dairy (Foreman's) House" (located furthest away from Highway 1 and the other dwellings on the property) were constructed by A.M Allan between 1878 and 1908. The other dwellings have been altered and no longer possess historic integrity. The project does not propose any development impacts to the existing dwellings.

According to an archaeological review prepared by Rae Schwaderer, archaeologist, no surface evidence of cultural resources was found during field review. Prior records indicate that in 2010

archaeological deposits were discovered during the installation of an emergency septic system. The deposits were not considered significant. The archaeologist recommends a standard condition be added to the approval of the project to ensure protection to resources, if any are discovered during development.

The proposed trenching will be located near existing Willow thicket and Oak, Pine and Cypress trees. According to the Biotic Report prepared by Kathleen Lyons, Plant Ecologist for Biotic Resources Group, impacts were not considered to pose significant impacts to on-site resources. The report makes five recommendations that have been applied to the project as conditions.

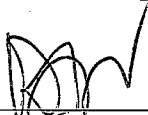
OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Carmel Highlands Fire Protection District
- √ Parks Department

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by the Environmental Health Bureau have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit B**).

The project was referred to the Carmel/Carmel Highlands 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 discretionary permit involves development near biological resources. On November 7, 2011, the LUAC reviewed the project and was approved by five members and abstained by one member. No comments or recommendations were made. (**Exhibit C**)

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



Dan Lister, Assistant Planner
(831) 759-6617, listerdm@co.monterey.ca.us
November 23, 2011

cc: Front Counter Copy; Planning Commission, Carmel Highlands Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Wanda Hickman, Planning Services Manager; Dan Lister, Project Planner; Carol Allen, Senior Secretary; State of California, Owner; Joan Carpenter, Agent; The Open Monterey Project; LandWatch; Planning File PLN110099

Attachments: Exhibit A Project Data Sheet
 Exhibit B Draft Resolution, including:
 • Conditions of Approval

- Site Plan, Floor Plan and Elevations, Parcel Map, Tentative Map
- Exhibit C Carmel/Carmel Highlands Land Use Advisory Committee Minutes (LUAC)
- Exhibit D Vicinity Map

This report was reviewed by Bob Schubert, Senior Planner



EXHIBIT A
PROJECT INFORMATION FOR PLN110099

Project Title: State Parks
Location: Riley Ranch Road and Highway 1, 0.17 miles north of the Point Lobo Park entrance

Primary APN: 243-112-019
Coastal Zone: Yes

Applicable Plan: Carmel Area Plan
Permit Type: Combined Development Permit

Zoning: RC/D-SpTr (CZ)
Plan Designation: Resource Conservation

Environmental Status: Categorically Exempt
Advisory Committee: Carmel/Carmel Highlands

Final Action Deadline: 01/21/2012

Project Site Data:

Lot Size: 4,991,976	Coverage Allowed: 249,598
Existing Structures (sf): 22,500	Coverage Proposed: 0
Proposed Structures (sf): 0	Height Allowed: 35
Total Square Feet: 22,500	Height Proposed: 0
	FAR Allowed: N/A
	FAR Proposed: N/A

Resource Zones and Reports

Environmentally Sensitive Habitat: Yes	Erosion Hazard Zone: Low
Botanical Report #: LIB110394	Soils/Geo. Report #: N/A
Forest Mgt. Report #: N/A	Geologic Hazard Zone: Moderate
Archaeological Sensitivity Zone: High	Geologic Report #: N/A
Archaeological Report #: LIB110395	Traffic Report #: N/A
Fire Hazard Zone: V. High	

Other Information:

Water Source: Cal-Am	Sewage Disposal (method): (e) Septic (n) Public sewage
Water District/Company: Cal-Am	Sewer District Name: Carmel Area Wastewater District
Fire District: Carmel Highlands	Grading (cubic yds): 1,404 linear feet
Tree Removal (Count/Type): None	

**EXHIBIT B
DRAFT RESOLUTION**

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

In the matter of the application of:

State of California (PLN110099)

RESOLUTION NO. _____

Resolution by the Monterey County Planning
Commission:

- 1) Finding the project categorically exempt from CEQA, per section 15303 (d) of the CEQA Guidelines; and
- 2) Approving a Combined Development Permit consisting of 1) Coastal Development Permit to allow the abandonment of five existing antiquated septic systems (two of which have failed) and the placement of new sewer lines from the subject property to the Carmel Area Wastewater District (CAWD). The project includes grading associated with trenching of approximately 1,404 linear feet for sewer line placement; 2) Coastal Administrative Permit to allow development within 750 feet of a known archaeological resource; and 3) Design Approval for control box.

[PLN110099, State of California, Riley Ranch Road and Highway 1, 0.17 miles north of the Point Lobo Park entrance, Carmel Area Land Use Plan (APN: 243-112-019-000)]

The Combined Development Permit application (PLN110099) came on for public hearing before the Monterey County Planning Commission on January 11, 2012. 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;
 - Carmel Area Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 2-5;
 - 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 Riley Ranch Road and Highway 1, 0.17 miles north of the Point Lobo Park entrance (Assessor's Parcel Number 243-112-019-000), Carmel Area Land Use Plan. The parcel is zoned RC/D-SpTr (CZ) [Resource Conservation, Design Control District, Special Treatment area within the Coastal Zone]; VSC/D-SpTr (CZ) [Visitor-Serving Commercial, Design Control District, Special Treatment area within the Coastal Zone]. According to the Carmel Area Land Use Plan (Policy 4.4.3.F.4) the property is considered a special treatment area, known as Point Lobos Ranch, with future comprehensive planned development which includes residential, commercial, recreational, and visitor-serving uses. Currently, the property has five existing dwellings which have been occupied by State-employees intermittently. Each dwelling has an existing connection to a wastewater disposal system and water services. The proposed project does not modify the existing structures or uses on the property, but provides wastewater services that will minimize the potential risks of five failing existing septic systems.
- c) The project planner conducted a site inspection on September 23, 2011 to verify that the project on the subject parcel conforms to the plans listed above.
- d) Biological Resources: The proposed trenching will be located near existing Willow thicket and Oak, Pine and Cypress trees. According to the Biotic Report prepared by Kathleen Lyons, Plant Ecologist for Biotic Resources Group, impacts were not considered to pose significant impacts to on-site resources. The report makes five recommendations that have been applied to the project as conditions.
Archaeological Resources: According to an archaeological review prepared by Rae Schwaderer, archaeologist, no surface evidence of cultural resources was found during field review. Prior records indicate that in 2010 archaeological deposits were discovered during the installation of an emergency septic system. The deposits were not considered significant. The archaeologist recommends a standard condition be added to the approval of the project to ensure protection to resources, if any are discovered during development.
Historical Resources: The property has five residential units, two of which are considered historically significant. According to an historical review prepared by Matt Bischoff, historian, the dwellings referred to as the "Owl's Nest" (located near the entrance of the property, nearest to the Riley Ranch Road and Highway 1 intersection) and "The Dairy (Foreman's) House" (located furthest away from Highway 1 and the other dwellings on the property) were constructed by A.M Allan between 1878 and 1908. The other dwellings have been altered and no longer possess historic integrity. The project does not propose any development impacts to the existing dwellings.
- e) The project was referred to the Carmel/Carmel Highlands 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 discretionary permit involves development near biological resources. On November 7, 2011, the LUAC reviewed the project and was approved by five members and abstained by one member. No comments or recommendations were made.

- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN110099.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Highlands Fire Protection District, Parks, Public Works, Environmental Health 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 Biological Resources, Archaeological Resources, and Historical Resources (See Finding 1, Evidence 3 for more information). 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:
 - “California Department of Parks and Recreation Historical and Archaeological Project Evaluation” (LIB110395) prepared by Matt C. Bischoff, Historian; and Rae Schwaderer, Associate Archaeologist; Monterey, CA, October 28, 2010).
 - “Point Lobos Ranch Biotic Study” (LIB110394) prepared by Kathleen Lyons, Plant Ecologist for the Biotic Resource Group, Soquel, CA, July 15, 2011.
 - c) Staff conducted a site inspection on September 23, 2011 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 PLN110099.

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 RMA - Planning Department, Carmel Highlands Fire Protection District, Parks, Public Works, Environmental

Health Bureau, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

- b) Necessary public facilities are available. Water service is provided by Cal-Am. Wastewater disposal will be provided by Carmel Area Wastewater District (CAWD). On April 4, 2011, the CAWD agreed to provide wastewater services without annexation, only for the five connections proposed.
- c) Preceding findings and supporting evidence for PLN110099.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on September 23, 2011 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 PLN110099
5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15303 (d) categorically exempts the construction of new sewage pipelines and similar utilities.
 - b) The project proposes to remove four antiquated and failing septic systems and replacing them with a connection to an existing public wastewater system.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on September 23, 2011.
 - d) See preceding and following findings and supporting evidence.
6. **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.A of the Monterey County Zoning Ordinance (Board of Supervisors).
 - b) Section 20.86.080 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal to the California Coastal Commission because the project proposed development on the first public road (Highway 1).

DECISION

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

1. Find the project categorically exempt from CEQA, per section 15303 (d) of the CEQA Guidelines; and
2. Approve a Combined Development Permit consisting of 1) Coastal Development Permit to allow the abandonment of five existing antiquated septic systems (two of which have failed) and the placement of new sewer lines from the subject property to the Carmel Area Wastewater District (CAWD). The project includes grading associated with trenching of approximately 1,404 linear feet for sewer line placement; 2) Coastal Administrative Permit to allow development within 750 feet of a known archaeological resource; and 3) Design Approval for control box, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of January, 2011 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Paul C. Getzelman, Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

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

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

NOTES

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

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

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

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

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN110099

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

This Combined Development Permit consisting of 1) Coastal Development Permit to allow the abandonment of five existing antiquated septic systems (two of which have failed) and the placement of new sewer lines from the subject property to the Carmel Area Wastewater District (CAWD). The project includes grading associated with trenching of approximately 1,404 linear feet for sewer line placement; 2) Coastal Administrative Permit to allow development within 750 feet of a known archaeological resource; and 3) Design Approval for control box. The property is located at the Point Lobos State Park (Assessor's Parcel Number 243-112-019-000) Carmel Area Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

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

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

The applicant shall record a notice which states: "A Combined Development Permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 243-112-019-000 on January 11, 2012. The permit was granted subject to 11 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

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

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

3. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his 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)

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

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

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

4. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

The permit shall be granted for a time period of 3 years, to expire on January 11, 2015 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

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

Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.

5. PDSP001 - STATE ENCROACHMENT PERMIT

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

Applicant shall obtain an Encroachment Permit from the State Department of Transportation/Cal-Trans prior to issuance of building permits. All recommended improvement made by the Department of Transportation/Cal-Trans shall be completed prior to commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

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

a) Applicant shall submit a copy of the approved Encroachment Permit from the Department of Transportation/Cal-Trans to the RMA - Planning Department.

b) If the Department of Transportation/Cal-Trans recommends that improvements be made, the applicant must complete the recommended improvements prior to the commencement of use.

6. PDSP002 - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Because of the potential for subsurface archaeological resources to be present, a State Archaeologist or his/her designee should monitor the trenching. If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find so the qualified State Archaeologist can evaluate it. The Monterey County RMA - Planning Department shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and State Archaeologist shall immediately meet on-site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find so the qualified State Archaeologist can evaluate it. The Monterey County RMA - Planning Department shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and State Archaeologist shall immediately meet on-site to determine the extent of the resources and to develop proper mitigation measures required for recovery.

7. PDSP003 - TREE AND ROOT PROTECTION (NON-STANDARD)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: As recommended in the Biotic Study prepared by Kathleen Lyons of Biotic Resources Group (LIB110394), prior to beginning any construction activities, existing trees shall be protected from inadvertent damage from equipment or construction activities by fencing off the canopy drip-lines and/or critical root zones (whichever is greater) with protective materials. All trenching that occur within the canopy of the existing trees shall require hand-digging and hand-cutting of roots.

Compliance or Monitoring Action to be Performed: Prior to Building Final, the applicant shall submit a letter prepared by a qualified biologist stating the status of the existing trees within close proximity of the construction. The letter shall state remediation measures if the existing trees are significantly impacted.

8. PDSP004 - RAPTOR/MIGRATORY BIRD NESTING (NON-STANDARD)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: As recommended in the Biotic Study prepared by Kathleen Lyons of Biotic Resource Group (LIB110394), any construction activity that occurs near existing trees during the typical bird nesting season (February 22-August 1), a qualified biologist shall perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist.

Compliance or Monitoring Action to be Performed:

- a) If construction must occur during nesting season, a qualified biologist conduct a survey no more than 30 days prior to the start of construction.
- b) The qualified biologist shall prepare a letter regarding the results of the bird nesting survey and submit the letter to the RMA - Planning Department as evidence.

9. PDSP005 - MONARCH BUTTERFLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: As recommended in the Biotic Study prepared by Kathleen Lyons of Biotic Resource Group (LIB110394), if construction activity cannot occur during the summer or early fall, prior to October, a qualified biologist shall conduct a monarch butterfly survey no more than 30 days prior to the start of construction along the project work corridor. If monarchs are present, establish a buffer of at least 50 feet around the roost tree(s) and postpone construction in that area until the biologist has determined that the monarchs have left.

Compliance or Monitoring Action to be Performed:

- a) If construction must occur during the monarch butterfly roosting season, a qualified biologist shall conduct a survey no more than 30 days prior to the start of construction.
- b) The qualified biologist shall prepare a letter regarding the results of the monarch butterfly survey and submit the letter to the RMA - Planning Department as evidence.

10. PDSP006 - CALIFORNIA RED-LEGGED FROG

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: As recommended in the Biotic Study prepared by Kathleen Lyons of Biotic Resource Group (LIB110394), if construction activity cannot be scheduled between April 15 and October 15 (dry season), a qualified biologist shall conduct a preconstruction/frog survey no more than 48 hours prior to the start of construction within the project area. If any California red-legged frogs are observed within the work area, construction shall be postponed until the biologist determines that the frogs have left the area on their own accord. During construction, all trenches shall be securely covered at the end of the work day to prevent animals from being trapped.

Compliance or Monitoring Action to be Performed:

- a) If construction must occur outside of the dry season (between April 15 and October 15), a qualified biologist shall conduct a preconstruction/frog survey no more than 48 hours prior to the start of construction.
- b) The qualified biologist shall prepare a letter regarding the results of the preconstruction/frog survey and submit the letter to the RMA - Planning Department as evidence.

11. EHSP01 - DEMOLISH EXISTING ONSITE WASTEWATER TREATMENT SYSTEM

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: EHSP01 - DEMOLISH EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (NON-STANDARD CONDITION)
Submit a plot plan to the Environmental Health showing all the location of the existing onsite wastewater treatment systems (OWTS) on the property that are to be demolished. Demolish the OWTS under permit by EHB

Compliance or Monitoring Action to be Performed:

- Submit plans for demolition to the Environmental Health Bureau for review and approval.
- Obtain demolition permit.
- EHB must witness demolition or approve submitted evidence of demolition.
- After connection to CAWD.



CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
 MONTEREY DISTRICT OFFICE
POINT LOBOS RANCH STATE PARK
SANITARY SEWER IMPROVEMENTS
 MONTEREY COUNTY, CA

EX-10086

DESIGNED BY: JAP
 DRAWN BY: JST
 DATE: JAN 15, 2011
 NO.: 61790

APPROVED BY: [Signature]

DATE: 01/15/11

NO.: 61790

SCALE: AS SHOWN

SHEET: T1.0

DATE: 07/21/11

NO.: 5976.02

MONTEREY DISTRICT
 2211 Ocean Road
 Monterey, CA
 93943

BESTOR ENGINEERS, INC.
 CIVIL ENGINEERING • SURVEYING • LAND PLANNING
 859 ELIC CAMPBELL DRIVE, SUITE 100
 MONTEREY, CALIFORNIA 93940
 TEL (831) 484-4118
 FAX (831) 484-4118
 WWW.BESTOR.COM

PREPARED FOR: CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
 COUNTY OF MONTEREY
 SANITARY SEWER IMPROVEMENTS
 POINT LOBOS RANCH STATE PARK
TITLE SHEET

OWNER/DEVELOPER:
 CALIFORNIA DEPARTMENT OF PARKS
 AND RECREATION
 2211 OCEAN ROAD
 MONTEREY, CA 93940
 TEL (831) 649-2839
 FAX (831) 649-2847

CIVIL ENGINEER:
 BESTOR ENGINEERS, INC.
 859 ELIC CAMPBELL DRIVE
 MONTEREY, CALIFORNIA 93940
 TEL (831) 484-4118
 FAX (831) 484-4118

ELECTRICAL ENGINEER:
 FEURE ENGINEERING COMPANY, INC.
 CONSULTING ELECTRICAL ENGINEERS
 1000 WATSON AVENUE, SUITE 200
 WATSONVILLE, CA 95076
 TEL (831) 788-8523
 FAX (831) 788-8523

DRAWING INDEX

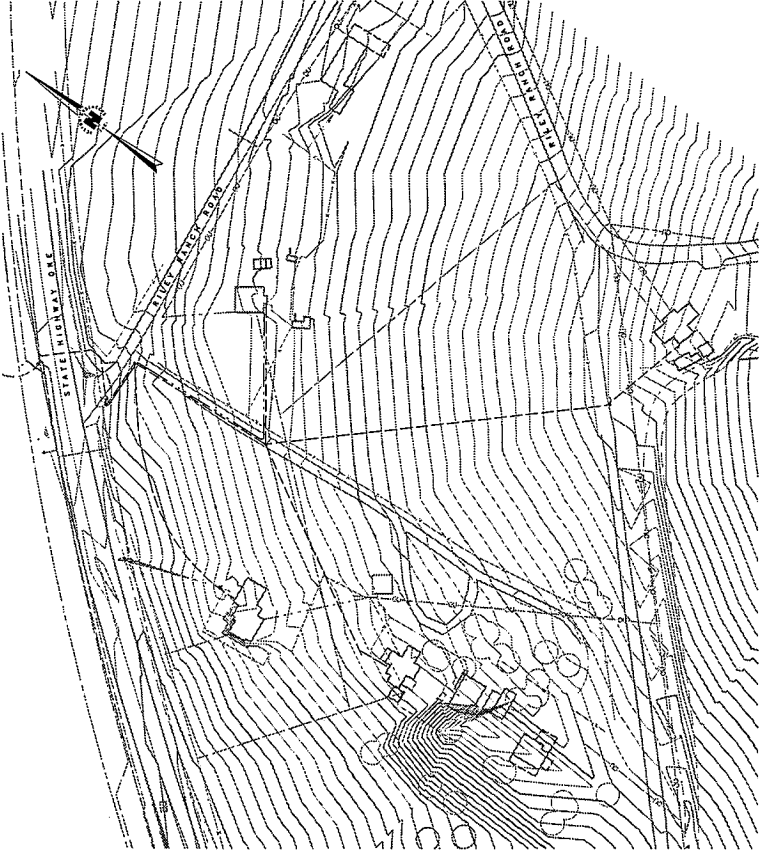
SHEET NO.	DESCRIPTION
T1.0	TITLE SHEET
C1.0	NOTES
C2.0	SITE PLAN
C3.0	PROFILES
C4.0	PROFILES
C5.0	DETAILS
C6.0	DETAILS
E1.0	ELECTRICAL SITE PLAN

PROJECT TEAM

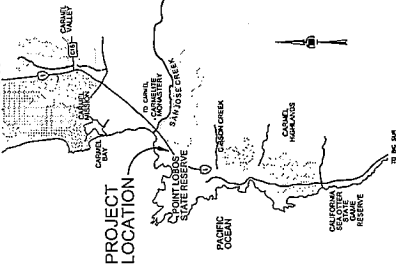
OWNER/DEVELOPER:
 CALIFORNIA DEPARTMENT OF PARKS
 AND RECREATION
 2211 OCEAN ROAD
 MONTEREY, CA 93940
 TEL (831) 649-2839
 FAX (831) 649-2847

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LOCATION MAP
 NOT TO SCALE



VICINITY MAP
 NOT TO SCALE

COUNTY OF MONTEREY
 SANITARY SEWER IMPROVEMENTS
 POINT LOBOS RANCH STATE PARK
SITE PLAN
 PREPARED FOR: CALIFORNIA DEPARTMENT OF PARKS AND RECREATION

BOSTOR ENGINEERS, INC.
 CIVIL ENGINEERING - SURVEYING - LAND PLANNING
 5175 STATE CENTERWAY, SUITE 200, SAN JOSE, CALIFORNIA 95128
 (408) 261-4411 FAX (408) 261-4412 WWW.BOSTOR.COM

MONTEREY DISTRICT
 2011 OFFICE
 3000 CALIFORNIA STREET
 MONTEREY, CA 93940
 (408) 261-4411

COUNTY OF MONTEREY
 SANITARY SEWER IMPROVEMENTS
 POINT LOBOS RANCH STATE PARK
SITE PLAN
 PREPARED FOR: CALIFORNIA DEPARTMENT OF PARKS AND RECREATION

SCALE AS SHOWN
 DATE: 7/21/11
 SHEET: C2.0
 OF: 5974.02

- NOTES**
- CONTRACTOR TO AVOID DAMAGING TREE AND ROOT SYSTEMS. HAND DIGGING WILL BE REQUIRED UNDER THESE CONDITIONS.
 - UTILITY LOCATIONS SHOWN, INCLUDING RIGHT-OF-WAY OF STATE ROUTE AND SANITARY SEWER MAIN.
 - UTILITY TRENCHES OUTSIDE CULTIVARS RIGHT-OF-WAY OF STATE ROUTE TO BE INSTALLED FOR 50' MIN.

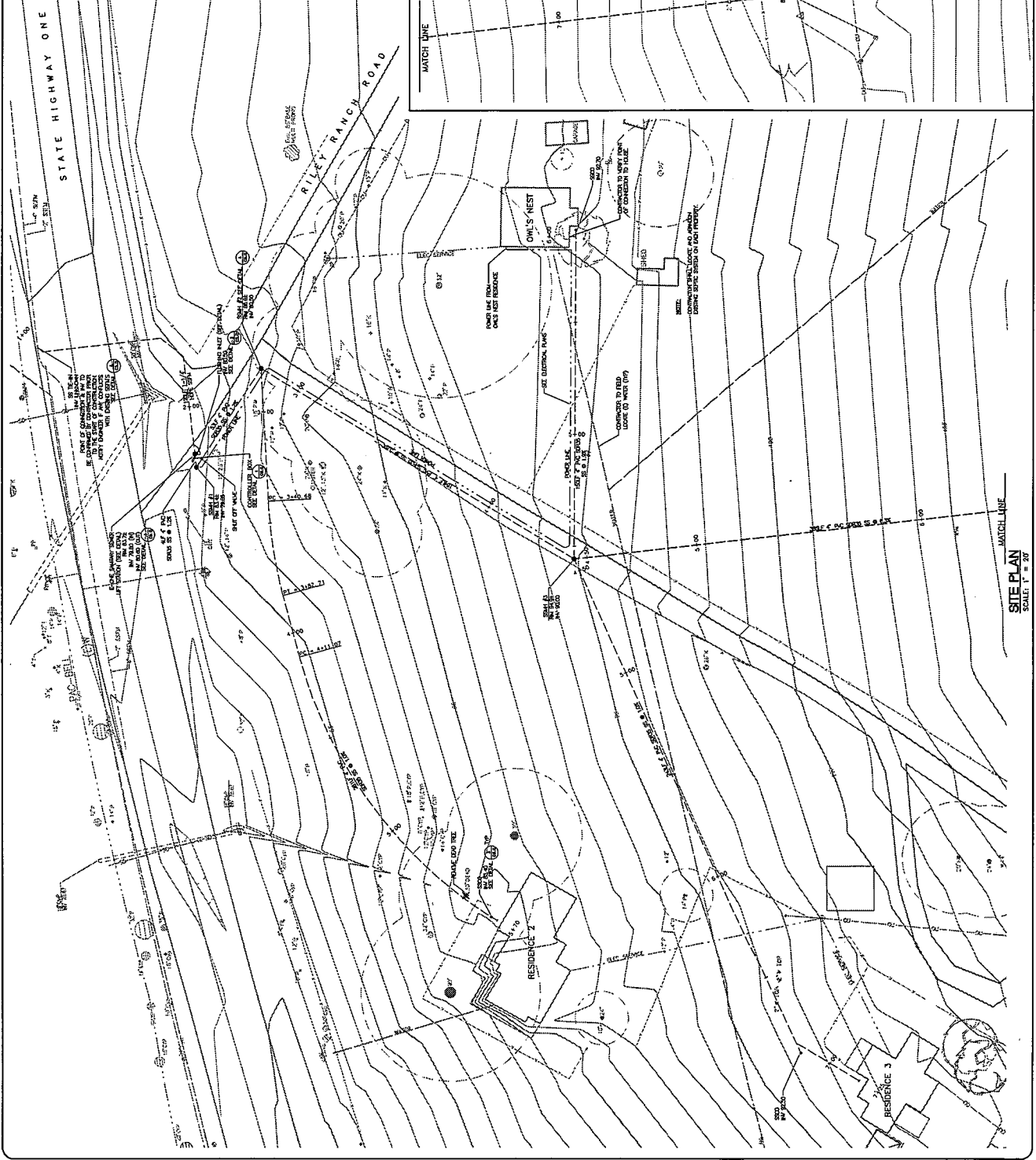


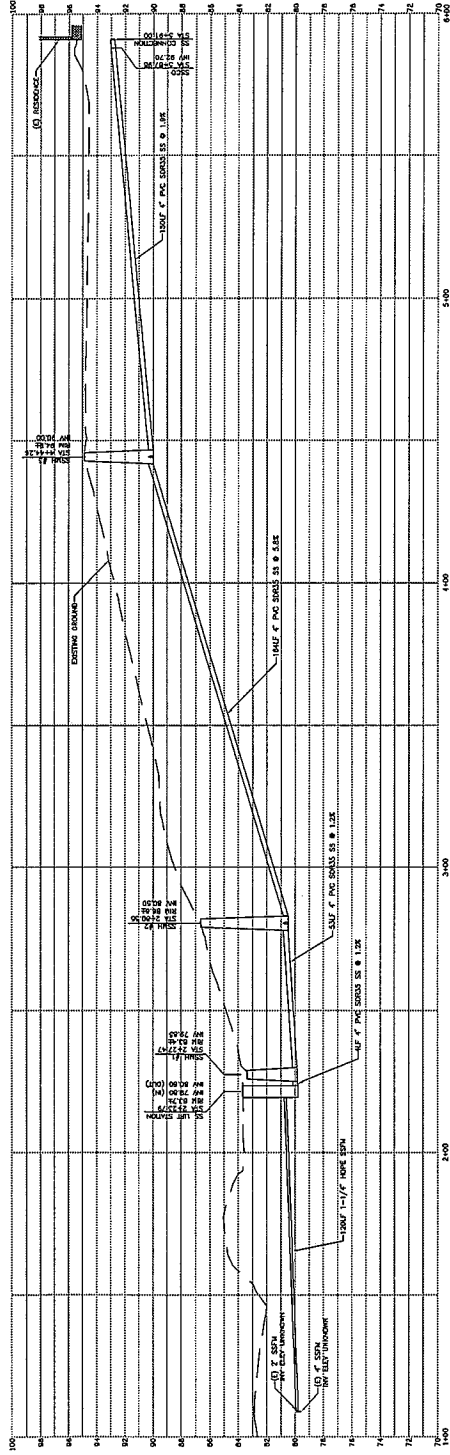
EXHIBIT
 DESIGNED BY: JAP
 DRAWN BY: JST
 DATE: 07/10
 PROJECT: JAMIE PLATZ
 SHEET: 07/10



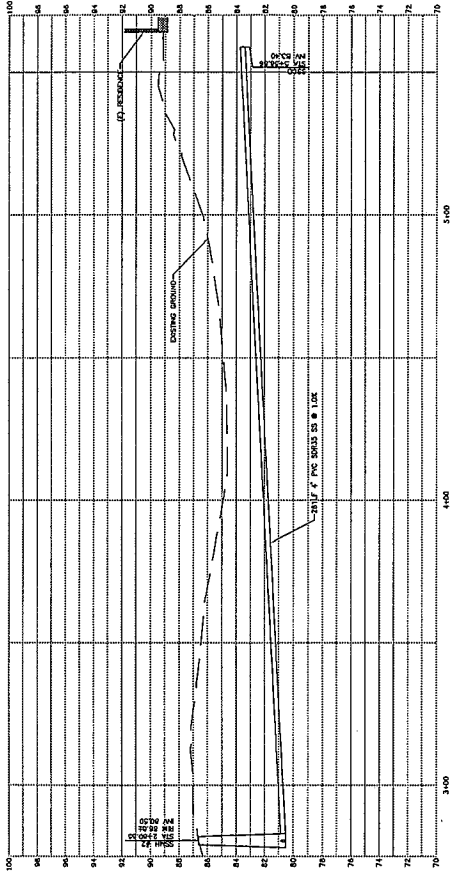
BESTOR ENGINEERS, INC.
 CIVIL ENGINEERING
 9701 BLOSSOM LANE, SUITE 118
 SAN JOSE, CALIFORNIA 95128
 TEL: 408.434.1118 FAX: 408.434.1118
 WWW.BESTOR.COM

PREPARED FOR: CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
 COUNTY OF MONTEREY
 POINT LOBOS RANCH STATE PARK
 SANITARY SEWER IMPROVEMENTS
 PROFILES

SCALE AS SHOWN
 DATE: 7/21/11
 SHEET: C3.0
 NO. 59716.00



OWL'S NEST SANITARY SEWER PROFILE
 SCALE: 1" = 20'
 1" = 40'



RESIDENCE 2 SANITARY SEWER PROFILE
 SCALE: 1" = 20'
 1" = 40'

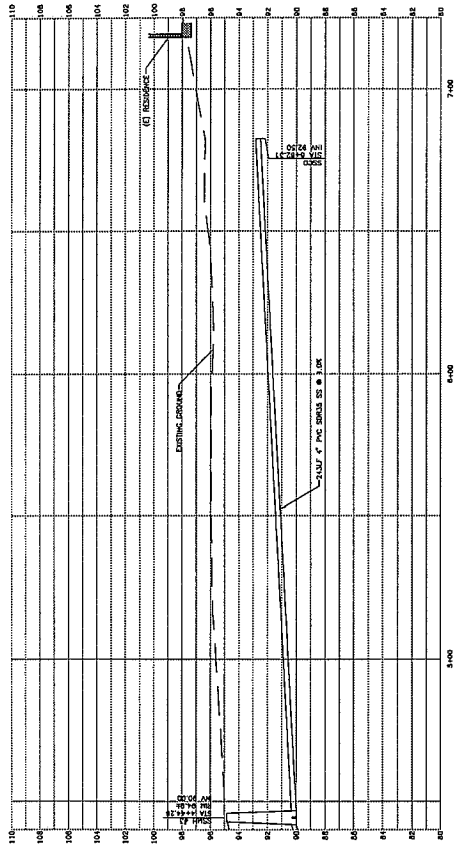
EXTENSION BY: AP
 DRAWN BY: STULTZ
 DATE: 7/21/11
 DESIGNED BY: JAMIE BLATZ
 CHECKED BY: DANIEL
 PROJECT: 0719D



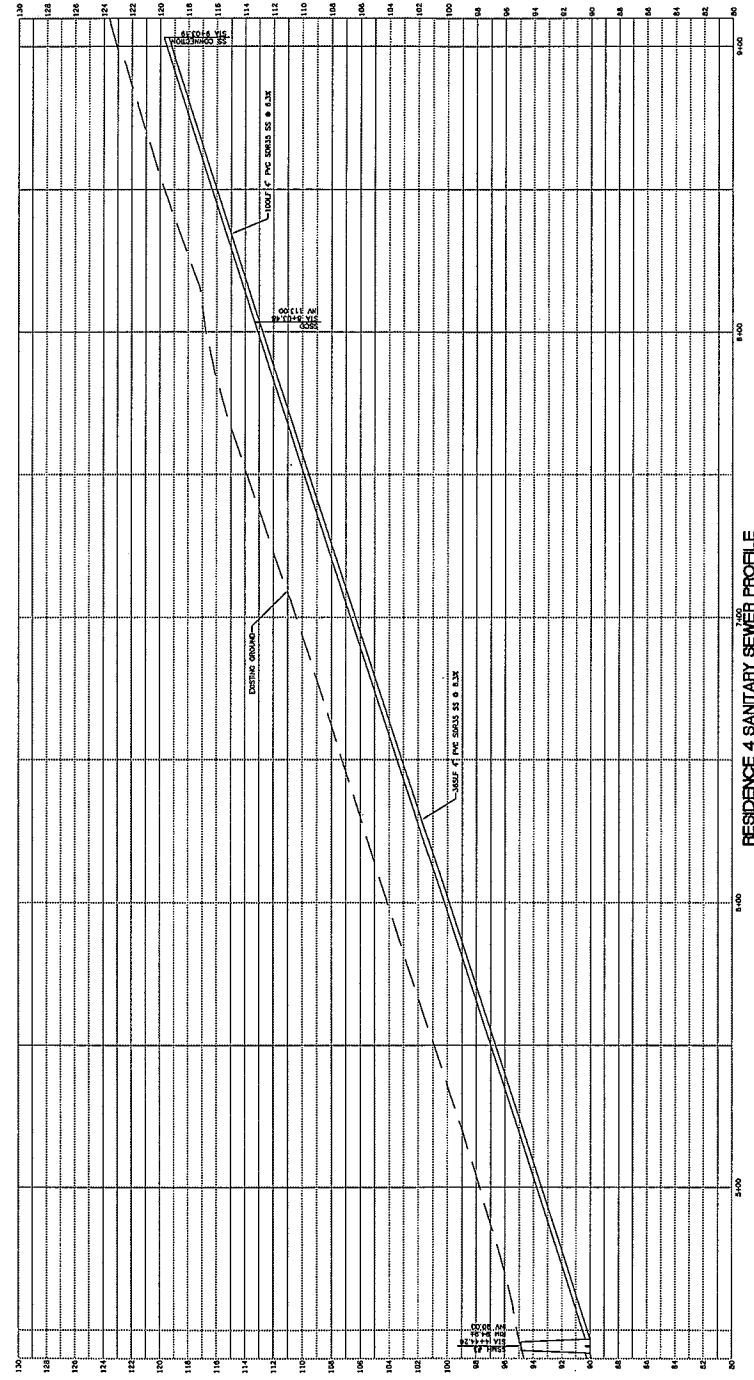
BESTOR ENGINEERS, INC.
 CIVIL ENGINEERING - SURVEYING - LAND PLANNING
 5701 BLUE CANYON LANE, SUITE 100, WESTFORD, MASSACHUSETTS 01581
 TEL: 413-562-1111 FAX: 413-562-1112 WWW.BESTOR.COM

PREPARED FOR: CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
 COUNTY OF MONTEREY
 SANITARY SEWER IMPROVEMENTS
 POINT LOBOS RANCH STATE PARK
 CALIFORNIA

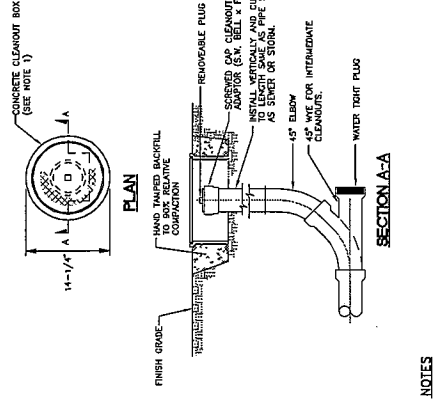
SHEET: 7/21/11
 SHEET: C4.0
 NO: 5976.02



RESIDENCE 3 SANITARY SEWER PROFILE
 SCALE: 1" = 2' V

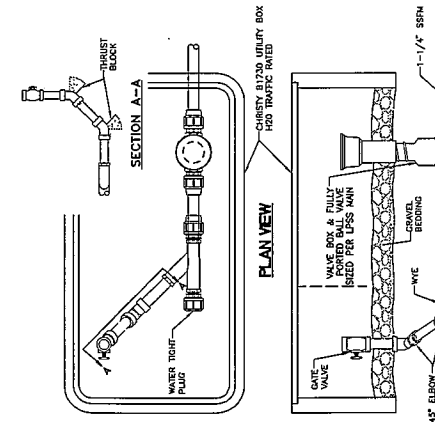


RESIDENCE 4 SANITARY SEWER PROFILE
 SCALE: 1" = 2' V



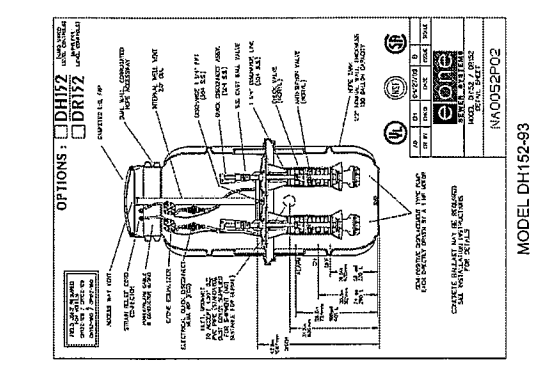
NOTES

1. CLEANOUT BOX SHALL BE CONCRETE OR TYPIC VALVE BOX, OR APPROVED EQUAL WITH IRON LID MARKED SENSER.
2. PROVIDE CAST IRON OR STEEL CHECKER PLATE TRAFFIC COVER IN AREAS SUBJECT TO VEHICLE TRAFFIC; PROVIDE CONCRETE COVER IN NON-TRAFFIC AREAS.
3. SLOPE FINISHED GRADE AWAY FROM CLEANOUT BOX.



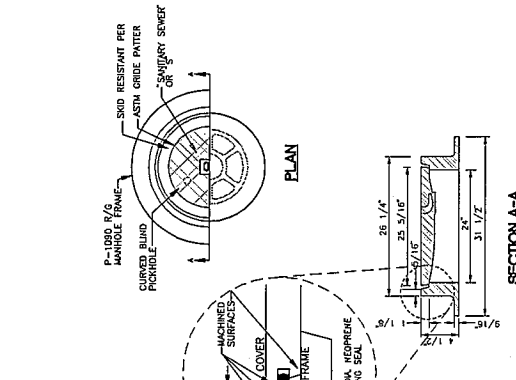
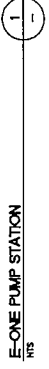
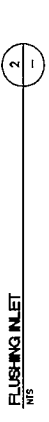
NOTES

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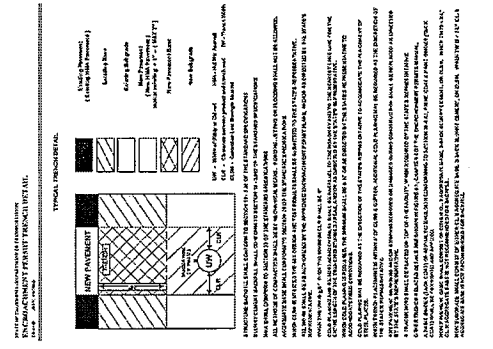
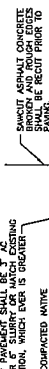
NOTES

1. ELECTRICAL CONDUIT SHALL BE 2" OR LARGER.
2. COMPACTED NATIVE SOIL OVER SLURRY.
3. CONCRETE BACKFILL AT 95% RELATIVE COMPACTION.



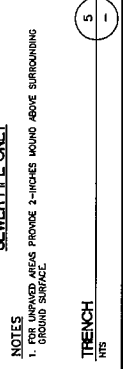
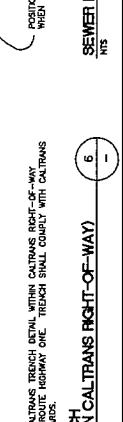
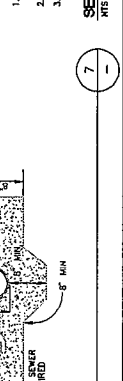
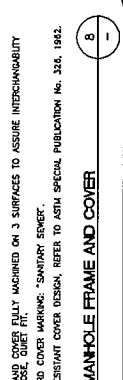
NOTES

1. FRAME AND COVER FULLY MACHINED ON 3 SURFACES TO ASSURE INTERCHANGIBILITY AND CLOSE QUIET FIT.
2. STANDARD COVER MARKING: "SANITARY SEWER".
3. 500 RESISTANT COVER DESIGN; REFER TO ASTM SPECIAL PUBLICATION NO. 326, 1982.

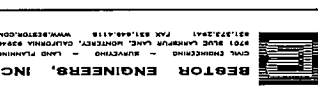
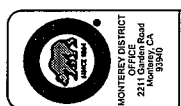


NOTES

1. TRENCH SHALL BE 24" DEEP WITH 2" HIGHER MOUND ABOVE SURROUNDING GROUND SURFACE.
2. TRENCH SHALL COMPLY WITH CALTRANS STANDARDS.

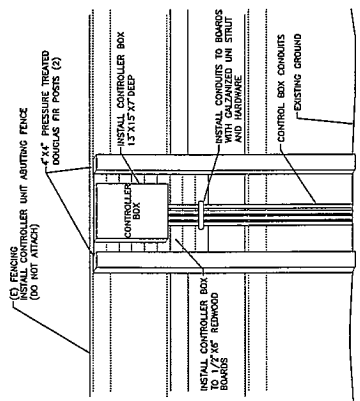
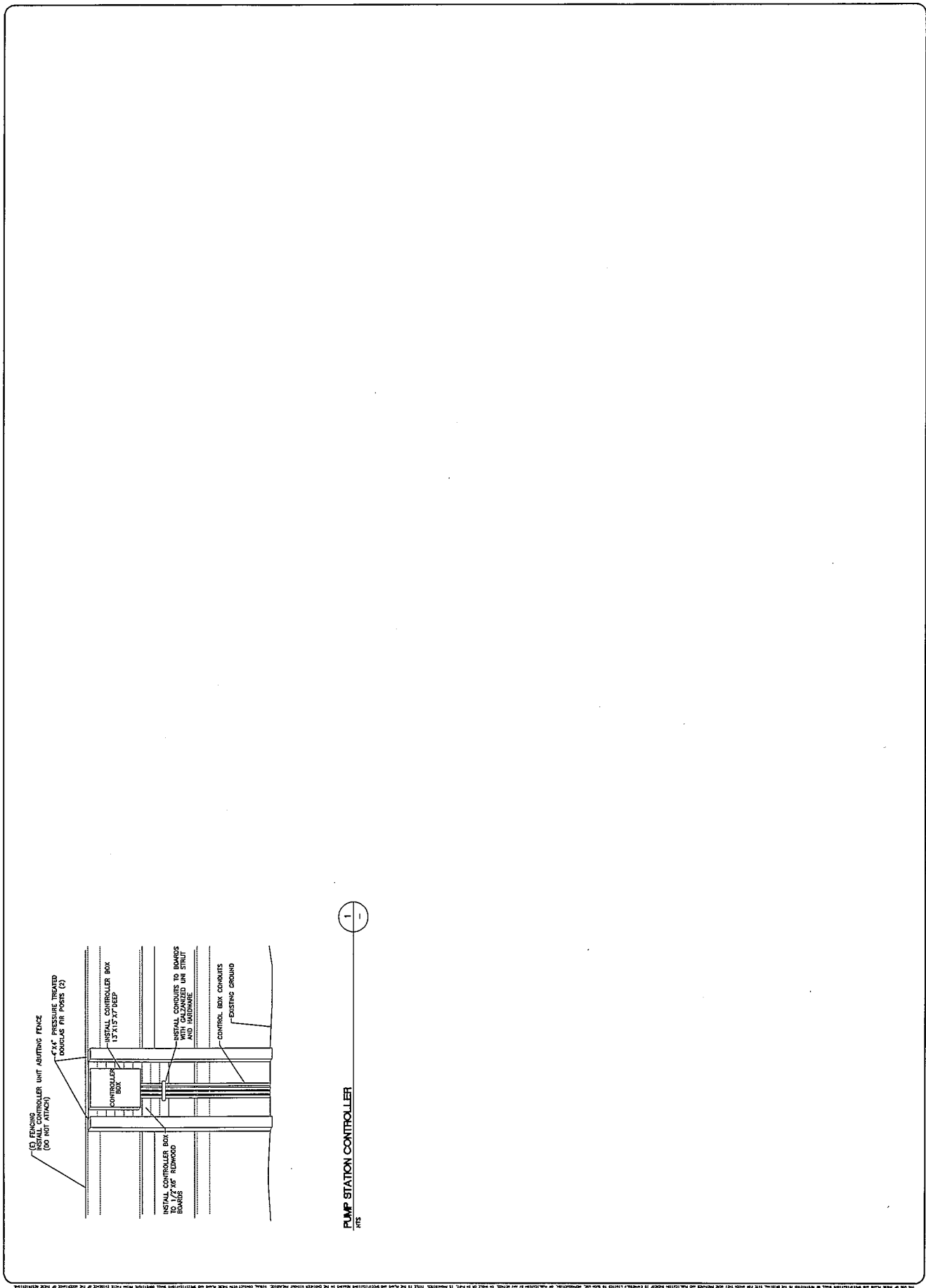


PREPARED FOR: CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
 COUNTY OF MONTEREY
 SANITARY SEWER IMPROVEMENTS
 POINT LOBOS RANCHO STATE PARK
 DETAILS
 BEYTOR ENGINEERS, INC.
 2211 OLIVE ROAD
 MONTEREY, CA 93940
 TEL: 408.948.4118 FAX: 408.948.4118 WWW.BEYTOR.COM
 CIVIL ENGINEERING - SURVEYING - LAND PLANNING
 4000 BLOOMINGDALE AVENUE, SUITE 100, SAN JOSE, CALIFORNIA 95128



MONTEREY DISTRICT OFFICE
 2211 OLIVE ROAD
 MONTEREY, CA 93940

DRAWN BY: JMB
 CHECKED BY: JMB
 DATE: 10/20/11
 SHEET: C6.0
 NO. 59732



1

PUMP STATION CONTROLLER

MINUTES
Carmel Highlands Land Use Advisory Committee
Monday, November 7, 2011

1. Meeting called to order by Peter Davis at 4:00 pm

2. Roll Call

Members Present: Weber, Davis, Wald, Mehean, Jeschnick, Rainor

Members Absent: Hazel (due to jury duty), Hirst

3. Approval of Minutes:

a. October 10, 2011 minutes

Motion: none available for action (LUAC Member's Name)

Second: _____ (LUAC Member's Name)

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

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NOV 15 2011

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

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.

The Carmel Vninc./Highlands Advisory Comm. wishes to acknowledge with Thanks ^{to} the Monterey County Supervisors for their unanimous vote in denial of the Villas de Carmelo project, a 46 unit development and a zoning change for this property where the old community hospital is located. Our LUAC looked at this proposed project over a year ago and unanimously voted against it at that time. We are pleased to know the Board of Supervisors acknowledged the unresolved issues of traffic, water, and density associated with this project.

5. Scheduled Item(s) – Refer to attached project referral sheet(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None

B) Announcements

LVAC meeting for Nov. 21st, Monday, at 4:00 pm.

7. Meeting Adjourned: 5:25 pm

Minutes taken by: B. Rainor, Secty.

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MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Exhibit C
 Page 3 of 4 Pages
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

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NOV 15 2011

Advisory Committee: Carmel Unincorporated/Highlands

Please submit your recommendations for this application by: **November 7, 2011**

**MONTEREY COUNTY
 PLANNING & BUILDING
 INSPECTION DEPT.**

Project Title: STATE OF CALIFORNIA
File Number: PLN110099
File Type: ZA
Planner: LISTER
Location: POINT LOBOS RANCH STATE PARK

Project Description:

Combined Development Permit consisting of 1) Coastal Development Permit to allow the abandonment of five existing antiquated septic systems (two of which have failed) and the placement of new sewer lines from the subject property to the Carmel Area Wastewater District (CAWD); 2) a Coastal Development Permit to allow development with a positive archaeology report; and 3) Design Approval for control box. The project includes grading associated with trenching of approximately 1,404 linear feet for sewer line placement. The property is located at the Point Lobos State Park (Assessor's Parcel Number 243-112-019-000) Carmel Area Land Use Plan, Coastal Zone.

Was the Owner/Applicant/Representative present at meeting? Yes ✓ No _____

*Jean Carpenter, P.E.
 Assoc. Civil Engineer
 Monterey, District. State Parks*

Was a County Staff/Representative present at meeting? Anna Quenga (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
None			

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)
Septic systems of 5 small houses on park property have had problems		The five houses where the sewer systems have failed are considered
from failed sewer systems Trenching of properties to install sewer pipes		historic. No plans presently proposed will change the houses. Only request is to hook up new sewer lines
Will be done by hand to avoid root damage to trees along this line for sewer hook-up.		to these existing houses.

ADDITIONAL LUAC COMMENTS

According to Joan Carpenter, Engineer for this project, the state parks have no encroachment permit from Caltrans (to date) to cross Hwy 1 in order to hook up with existing sewer line along west side of Hwy. 1. Application has been made. State Parks hopes to have these five homes available for park personnel residences once the sewage problems are addressed. One home, the Owl's Nest is being used as a residence for an on duty ranger.

RECOMMENDATION:

Motion by: Davis, approval as submitted (LUAC Member's Name)

Second by: Weber (LUAC Member's Name)

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

Reason for Continuance: _____

Continued to what date: _____

AYES: Weber, Davis, Wald, ~~Neenan~~, ~~Hurst~~, Jeschnick, Rainier

NOES: None

ABSENT: Hall (jury duty), Hurst

ABSTAIN: Mehner (concern for State Parks budget)

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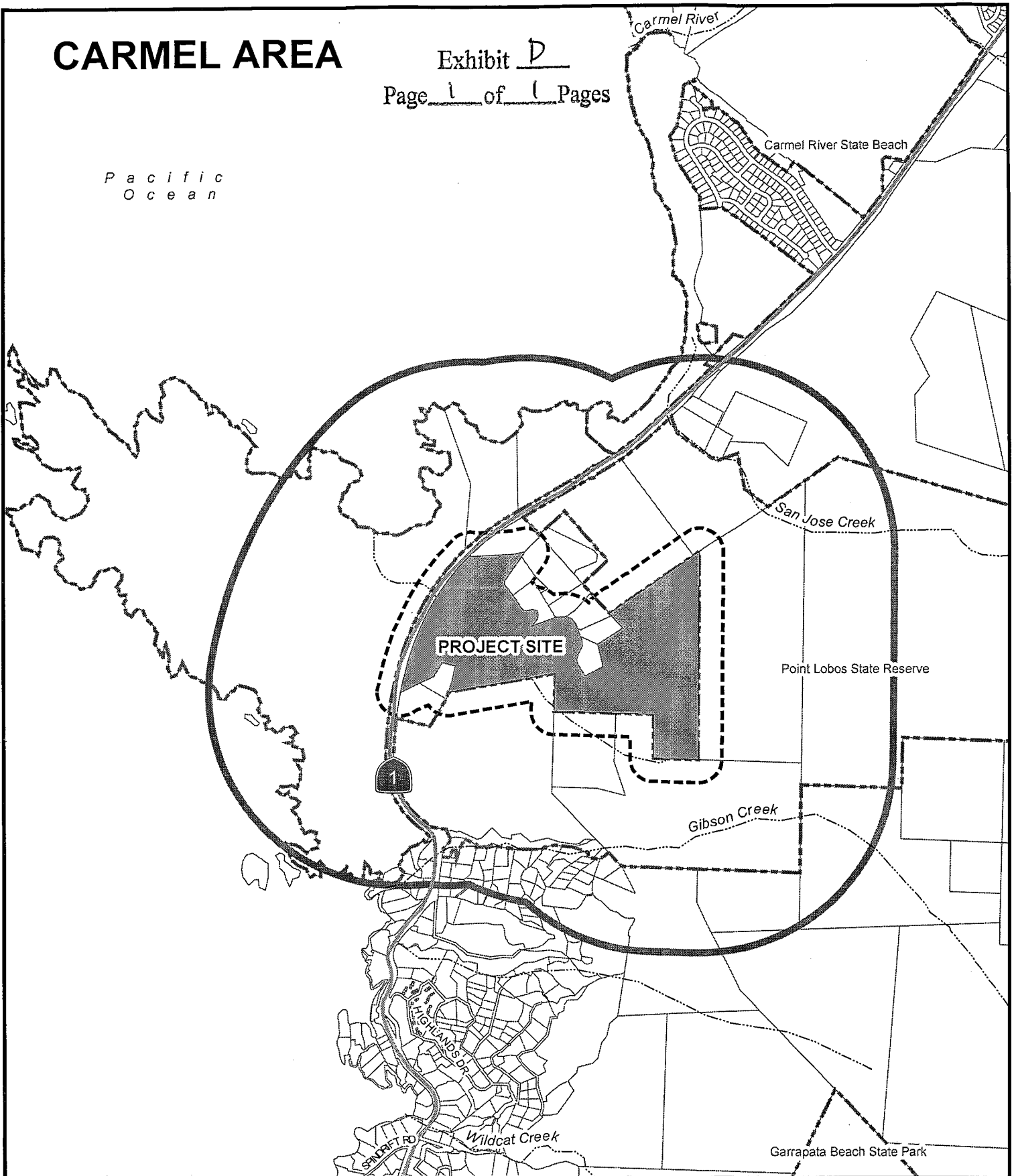
NOV 15 2011

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT

CARMEL AREA

Exhibit D
Page 1 of 1 Pages

Pacific
Ocean

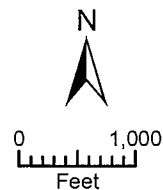


APPLICANT: STATE OF CALIF DEPT OF PARKS & RECREATION

APN:243-112-019-000

FILE # PLN110099

Water 2500' Limit 300' Limit City Limits



PLANNER: LISTER