

MONTEREY COUNTY PLANNING COMMISSION

Meeting: December 12, 2012 Time: 9:00 A. M.		Agenda Item No.: 2
Project Description: Consider a Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a detached 1,070 square foot four-car garage with planted roof (green roof), remodel and reduction in size of an existing, detached carport, a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall with six 12-foot sections and one 15.5-foot section of antique bronze open-design fencing and antique bronze fencing with stone pillars at the new driveway entrance, restoration of existing paths and driveway to native Monterey cypress habitat, grading of approximately 550 cubic yards of cut and 200 cubic yards of fill; 2) a Coastal Development Permit for the removal and replanting of one 7" Monterey cypress; 3) a Coastal Development Permit for development within 100 feet of an Environmentally Sensitive Habitat Area; 4) a Coastal Development Permit for development within 750 feet of a known archaeological resource and; and 5) a Coastal Development Permit for development on slopes greater than 30 percent.		
Project Location: 3224 17-Mile Drive, Pebble Beach	APN: 008-472-006-000	
Planning File Number: PLN110114	Owner: Richard and Melanie Lundquist Agent: Rob Carver	
Planning Area: Del Monte Forest Area Land Use Plan	Flagged and staked: Yes	
Zoning Designation: LDR/2-D (CZ) [Low Density Residential, 2 acres per unit with Design Control (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 Combined Development Permit PLN110114, 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 1.681-acre parcel located at 3224 17-Mile Drive within the Pebble Beach Planning Area of the Del Monte Forest. Surrounding land uses include residential development to the north, northeast and east, an open space/resource conservation parcel (The Lone Cypress parcel) to the northwest and the Pacific Ocean to the south. The parcel is located within the mapped indigenous Monterey cypress habitat area and Monterey cypress habitat is present on the property. The site is also located within 750 feet of a known archaeological resource and culturally affected soils exist on the property. Views of the ocean across the site are protected by the scenic and visual resources policies of the Del Monte Forest Area Land Use Plan.

Existing development on the site consists of a 3,983 square foot one-story single-family residence with a small, attached carport. The applicant proposes to build a detached 1,070 square foot four-car garage with a planted roof (green roof), a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall with six 12-foot sections and one 15.5-foot section of antique bronze open-design fencing and antique bronze fencing with stone pillars at the new driveway entrance and restoration of existing paths and driveway to native Monterey cypress habitat. Development of the project will require

approximately 750 cubic yards of grading (550 cubic yards of cut and 200 cubic yards of fill) and the relocation of one Monterey cypress tree. See **Exhibit B** for a detailed discussion of the project.

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 Protection District)
- Parks Department
- RMA - Building Department
- California Coastal Commission

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by the 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 July 7, 2011. The LUAC recommended approval of the project by a vote of 4-to-0.

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

/S/ PROJECT PLANNER NAME

Delinda Robinson

Delinda Robinson, Senior Planner

(831) 755-5198, robinsond@co.monterey.ca.us

December 3, 2012

cc: Front Counter Copy; Planning Commission; Pebble Beach Community Services District (Fire Protection District); Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; Delinda Robinson, Project Planner; Richard and Melanie Lundquist, Owner; Carver and Schicketanz Architects, Agent; The Open Monterey Project; LandWatch; Peter McKee; Planning File PLN110114

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 Project Correspondence
Exhibit G Mitigated Negative Declaration (Technical reports available electronically)
Exhibit H Comments on Mitigated Negative Declaration

This report was reviewed by Laura Lawrence, Planning Services Manager.

EXHIBIT A

Project Information for PLN110114

Project Information:

Project Name:	LUNDQUIST RICHARD C & MELANIE F TRS		
Location:	3224 17 MILE DR PEBBLE BEACH		
Permit Type:	Combined Development Permit		
Environmental Status:	Mitigated Negative Declaration	Final Action Deadline (884):	4/24/2012
Existing Structures (sf):	3074	Coverage Allowed:	15%
Proposed Structures (sf):	1070	Coverage Proposed:	6%
Total Sq. Ft.:	4144	Height Allowed:	30'
Tree Removal:	1 MONTEREY CYPRESS	Height Proposed:	10'
Water Source:	PUBLIC	FAR Allowed:	17.5%
Water Purveyor:	CAL AM	FAR Proposed:	5.5%
Sewage Disposal (method):	SEWER	Lot Size:	1.6
Sewer District:	PBCSD/CAWD	Grading (cubic yds.):	750

Parcel Information:

Primary APN:	008-472-006-000	Seismic Hazard Zone:	Undetermined
Applicable Plan:	Del Monte Forest LUP	Erosion Hazard Zone:	Moderate
Advisory Committee:	Del Monte Forest LUAC	Fire Hazard Zone:	High
Zoning:	LDR/2-D(CZ)	Flood Hazard Zone:	x unshaded
Land Use Designation:	Residential, 1 unit/2 acres, Resource Constr	Archaeological Sensitivity:	High
Coastal Zone:	YES	Viewshed:	17-Mile Drive
Fire District:	Pebble Beach Community Services District	Special Setbacks on Parcel:	Yes

Reports on Project Parcel:

Soils Report #:	LIB110217
Biological Report #:	LIB110215, LIB080032
Geologic Report #:	N/A
Forest Management Rpt. #:	LIB120030
Archaeological Report #:	LIB110216
Traffic Report #:	N/A

EXHIBIT B DISCUSSION

Project Description

The project consists of the construction of a detached, 1,070 square foot four-car, below-grade garage with a planted roof (green roof), remodel and reduction in size of an existing, detached carport, the removal of an existing 3,110 square foot asphalt driveway and the construction of a new 3,874 square foot permeable cobblestone driveway in a new location, approximately 90 linear feet of retaining walls, the replacement of the existing 4.5 to 6 foot tall wood "grapestake" fence along the entire property frontage with a new solid stone wall with 7 open-design antique bronze fenced openings and an antique bronze gate. The proposed height of the new wall/fence is 4 to 6 feet from finished grade and 4 to 8 feet from the existing grade. Construction will require grading of approximately 750 cubic yards of grading (550 cut/200 fill), and the transplanting of one (1) 7" Monterey cypress tree as well as the removal of two (2) dead Monterey pine trees of 13.8" and 8" respectively. Approximately 1,212.5 square feet of existing driveway area, 962 square feet of existing gravel paths and 2,572 square feet of iceplant will be removed and the areas restored to native cypress habitat for a net increase of approximately 37.5 square feet of habitat. The garage will be built into the slope adjacent to and facing away from 17-Mile Drive and the roof will be covered with plantings.

The subject property is located within the Coastal Zone and the project will require six (6) entitlements. The project is a Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the construction the garage, realignment of the driveway and associated site improvements; 2) a Coastal Development Permit for the relocation and transplanting of one 7" Monterey cypress; 3) a Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat Area (ESHA); 4) a Coastal Development Permit for development within 750 feet of a known archaeological resource; 5) a Coastal Development Permit for development on slopes greater than 30%; and 6) Design Approval. The property is located at 3224 17-Mile Drive, Pebble Beach (Assessor's Parcel Number 008-472-006-000), Del Monte Forest area, Coastal Zone.

Project Issues

Tree Removal and Relocation

The Del Monte Forest Land Use Plan requires a Coastal Development Permit for the removal of trees and other major vegetation (Section 20.147.050.A.1). A Coastal Development Permit is not required when a tree is diseased and would cause a threat to spread disease to nearby forest areas. In this case, the construction of the new garage will impact three trees. One of the three trees is a young Monterey cypress of 7" in diameter and therefore requires a Coastal Development Permit; the other two Monterey Pine trees are dead and do not require a Coastal Development Permit for their removal. The applicant proposes to relocate the young Monterey cypress to a location approved by the project arborist. Policy 21 of the Del Monte Forest Land Use Plan prohibits development within the dripline of Monterey cypress habitat. Implementation of Mitigation Measures 3 and 4, which require installation of tree protection under the direction of a certified arborist and monitoring and direction of all ground disturbing activities within the driplines of protected trees by a certified arborist will protect any Monterey cypress tree from adverse effects due to construction.

Wall Replacement

The site is located between 17-Mile Drive and the sea and is within the viewshed of a scenic corridor identified on the Del Monte Forest Land Use Plan (LUP) Visual Resources Map. The

site is predominantly Monterey cypress habitat and is listed as a Visual Resource for its views to and along the ocean. Several polices within the LUP require siting and design of structures to harmonize with the natural setting and LUP Policy No. 59 specifically requires that "New development, including ancillary structures such as fences constructed between 17-Mile Drive and the sea . . . be designed and sited to minimize obstruction of views from the road to the sea." Currently, the site contains a wood fence that is approximately 4.5 to 6 feet high along the 17-Mile Drive frontage. The applicant proposes to replace the fence with a solid wall with six 12-foot sections and one 15.5-foot section of antique bronze fencing of an open design that is proposed to be 4 to 6 feet tall as measured from the finished grade. The gated driveway entrance, which is approximately 40 feet wide, will also be antique bronze fencing of an open design with stone pillars. The construction of the proposed wall will require excavation for the footings and the applicant proposes to raise the finished grade up to 2 feet from the existing grade at the 2 lowest points, resulting in a solid wall with openings that is taller than the existing partially see-through fence along some sections of the frontage. The new wall is designed so that the sections step in height along with the road and finished topography and the top of each section is level.

Development within 100 feet of Environmentally Sensitive Habitat (ESHA)

The site is located within the environmentally sensitive indigenous Monterey cypress habitat. LUP Policy No. 14 requires that development near environmentally sensitive habitat areas (ESHA) be restricted to the minimum amount necessary to accommodate development. The driveway design is needed for a safer entrance to the single-family dwelling. The proposed driveway re-alignment will impact 4,710 square feet of Monterey cypress habitat; however the project will involve the restoration of 1,212.5 square feet of existing driveway, 962 square feet of gravel walkways and 2,573 square feet of iceplant (*Carpobrotus edulis*) for a total restoration of 4,747.5 square feet and resulting in a 37.5 square foot net gain of restored habitat on the site. In addition, the applicant will be required to place the remaining ESHA on the property in Conservation and Scenic Easement to the Del Monte Forest Foundation in accordance with Policy 52, preserving an area around the existing home for reasonable use. In accordance with Monterey County Code Section 20.14.030.E, development within 100 feet of environmentally sensitive habitat requires a Coastal Development Permit.

Development on Slopes over 30%

The project will require the excavation of an area of approximately 160 square feet on a slope greater than 30 percent in order to re-align the driveway as well as a small area for the construction of the garage. Monterey County Code Title 20 Section 20.64.230 provides for an exception on the development on a 30% slope, if the slope is man-made and less than 100 square feet. The subject slope is man-made however it is over 100 square feet and therefore requires a Coastal Development Permit. In order to approve development on slopes of 30% or more, one of two findings must be made: 1) that there is no feasible alternative which would allow development to occur on slopes of less than 30%; or 2) that the proposed development better achieves. The site is constrained by the multiple setbacks and the encroachment onto 30% slopes is not considered significant given the sloping topography of the site. Further, the project is designed to include restoration of impacted slopes, which will result in 37.5 square feet of additional ESHA habitat. The site is located within ESHA and within the viewshed of 17-Mile Drive, both of which are protected by LUP Policies. The proposed project better achieves the goals, policies and objectives of the Monterey County Local Coastal Program than other development alternatives which were found to have greater potential impacts to ESHA and to views from 17-Mile Drive across the site.

Cultural Resources

Monterey County Geographic Information Systems (GIS) lists the site as having a high potential to contain archeological resources. An archeological report was conducted by Susan Morley in April 2011 for the project and found the site is a positive site with the possibility of human remains, however there was no evidence of significant materials found in the location of the proposed development. Monterey County Zoning Ordinance Title 20 Section 20.14.030.F requires a Coastal Development Permit for sites with positive archaeological reports. Because cultural materials do exist on the site, an archaeological monitor is required to be present during all ground disturbing activities (Mitigation Measure No. 8, **Condition No. 24**), exclusionary fencing is required around the location of known resources (Mitigation Measure No. 9, **Condition No. 25**), and the standard archaeological condition requiring that all work be stopped should cultural resources unexpectedly be uncovered during construction has been imposed on the project.

Garage Setback

The proposed garage will be set back 9'-2" from 17-Mile Drive. The site is a rectangular shaped lot that runs parallel to 17-Mile Drive. There is a 100-foot setback requirement from the mean high tide (LUP Policy No. 27) and a 100-foot setback requirement from 17-Mile Drive. The lot has a very small building area (east to west), which does not take into account Cypress habitat, ESHA, potential cultural resources and slope constraints. Monterey County Code Section 20.62.040.C allows for a garage or parking space to be located within 5 feet of the front property line where the elevation of the front half of the lot at a point 50 feet from the centerline of the traveled roadway is 7 feet above or below the grade of said centerline. In this case, the elevation drops from 7 to 13 feet from the centerline of 17-Mile Drive to points 50 feet into the front of the lot, so no Variance is required. Del Monte Forest Land Use Plan Policy 57 states that structures in scenic areas shall utilize native vegetation and topography to provide screening from the viewing area and the least visible portion of the property should be considered the most desirable building site location, subject to consistency with other siting criteria. The below-grade garage will be built into the slope adjacent to and below 17-Mile Drive in the least visible portion of the property and will not be visible from the road.

Environmental Review

An Initial Study/Draft Mitigated Negative Declaration ("MND) for PLN110114 (SCH#: 2012061087) was prepared in accordance with CEQA and circulated for public review from June 27, 2012 through July 26, 2012 (**Exhibit G**). Issues that were analyzed in the Mitigated Negative Declaration include: aesthetics, biological resources, cultural resources, geology/soils, greenhouse gas emissions, and land use/planning. Mitigations were recommended to reduce potential impacts to aesthetics, biological resources and cultural resources to less than significant.

One recommended mitigation measure (Mitigation Measure No. 1, **Condition No. 17**) has been revised as follows (deleted language is shown in ~~strikethrough~~ and added language is underlined) to address a redesign of the wall and fence:

Mitigation Measure No. 1: In order to prevent adverse impacts to the existing scenic vista and to the scenic character of the site due to the replacement of the existing fence and to ensure that the project complies with the Visual Resources and Public Access policies of the Del Monte Forest Land Use Plan, the proposed wall/fencing along 17-Mile Drive shall be designed and sited to minimize obstruction of views from the road to the sea. The proposed wall/fencing shall be designed so as to not impair views from 17-Mile Drive over the existing condition. The wall/fence shall be constructed as shown on the plans dated November 6, 2012 (attached to the

December 12, 2012 staff report) and as staked and flagged on November 7, 2012. Said plans include the following: 1) number of openings increased to six 12-foot wide and one 15.5-foot wide open-design antique bronze fencing sections; 2) the wing walls at each opening are reduced to not more than 4 feet-6 inches long; and 3) the height of sections D, F, G and H are reduced by 1, 1, 2 and 0.5 feet respectively. Prior to the issuance of a building or grading permit, the applicant/owner shall submit revised plans for the wall/fencing to the RMA/Planning Department for review and approval that are consistent with the visual simulation provided to the County on June 21, 2012 including: 1) the top of the wall/fencing in Section A (between new driveway entrance and neighboring property to the northeast) as shown on the visual simulation shall be one foot lower than shown on the plans that were recommended for approval by the Del Monte Forest Land Use Advisory Committee on July 2, 2011; 2) the number of antique bronze fenced sections shall be increased from 5 to 6, with the additional section being located between the new driveway entrance and the neighboring property to the northeast; and 3) the open design fenced openings shall be increased from 9 feet long to 12.5 feet long.

Monitoring Action No. 1: Prior to the issuance of a building or grading permit, the applicant/owner shall submit revised plans for the wall/fencing to the RMA-Building Services Department and the RMA-Planning Department for review and approval as described in this Mitigation Measure. The approved wall/fencing plans shall be incorporated into the plans for the construction permits required for the project.

Monitoring Action No. 2: 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.

Monitoring Action No. 23: Prior to final inspection the applicant/owner shall submit photographic evidence provide evidence from a licensed civil engineer or surveyor to the Director of the RMA - Building Services Department and RMA - Planning Department for review and approval, that the height of the wall/fence from the benchmark is consistent with what was approved on the building permit associated with this project and that the replacement fence has been constructed in accordance with the approved plans to the RMA-Planning Department for review and approval."

Pursuant to CEQA Guidelines Section 15073.5, a lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072, but prior to its adoption. In this case, no recirculation of the MND is required pursuant to CEQA Guidelines Section 15073.5 because:

1. The revision of the mitigation measure does not constitute a "substantial revision" of the MND pursuant to Section 15073.5(b) because no new, avoidable significant effect was identified that requires new mitigation measures or project revisions to be added in order to reduce the effect to insignificance and the County has not determined that the proposed mitigation measure or project revision will not reduce potential effects to less than significance requiring new measures or revisions. The revised mitigation measure will mitigate the same visual impacts as the original measure and will reduce the impacts to less than significance.
2. The County has not determined that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and that new measures or revisions must be required;
3. The mitigation measure being revised has been replaced with an equal or more effective measure pursuant to Section 15074.1(c) (1). The original mitigation measure required a total of 75 linear feet of openings (six 12.5-foot openings) in the fence and a one foot height reduction of a 48-foot section of wall. The revised measure requires a total of 87.5

linear feet of openings (six 12-foot openings and one 15.5-foot opening) and the length of the perpendicular wall sections at each opening will be reduced from 6 feet to 4.5 feet. Four wall sections totaling 127 linear feet will be reduced in height. This will result in an equivalent or greater increase in views across the parcel.

4. Pursuant to Section 15074.1(b) (2), the revised mitigation measure will not cause any potentially significant effect on the environment. The incorporation of an additional opening in the wall and reduction in the length of the perpendicular wall elements will result in less wall being built and will cause fewer construction related impacts.
5. Pursuant to Section 15074.1 (c), no recirculation of the proposed MND pursuant to Section 15072 is required because the new mitigation measure is incorporated into the conditions of approval.
6. No project revisions have been added in response to comments on the project's effects identified in the proposed negative declaration which are new avoidable significant effects;
7. Pursuant to section 15074.1(c), the new mitigation measure has been made a condition of project approval (**Condition No. 17**).

One letter was submitted by the Monterey Bay Unified Air Pollution Control District during the 30 day comment period stating that they had no comment on the MND (**Exhibit H.**)

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. Staff recommends that the Planning Commission adopt the Mitigated Negative Declaration along with the Mitigation Monitoring and Reporting Plan and approve the Lundquist project, PLN110114.

**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:

RICHARD AND MELANIE LUNDQUIST (PLN110114)

RESOLUTION NO. [REDACTED]

Resolution by the Monterey County Hearing Body:

- 1) Adopting a Mitigated Negative Declaration;
- 2) Approving Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a detached 1,070 square foot four-car garage with planted roof (green roof), remodel and reduction in size of an existing, detached carport, a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall with six 12-foot sections and one 15.5-foot section of antique bronze open-design fencing and antique bronze fencing with stone pillars at the new driveway entrance, restoration of existing paths and driveway to native Monterey cypress habitat, grading of approximately 550 cubic yards of cut and 200 cubic yards of fill; 2) a Coastal Development Permit for the removal and replanting of one 7" Monterey cypress; 3) a Coastal Development Permit for development within 100 feet of an Environmentally Sensitive Habitat Area; 4) a Coastal Development Permit for development within 750 feet of a known archaeological resource and; and 5) a Coastal Development Permit for development on slopes greater than 30 percent; and
- 3) Adopting a Mitigation Monitoring and Reporting Plan

[PLN110114, Richard and Melanie Lundquist, 3224 17-Mile Drive, Pebble Beach, Del Monte Forest Area Land Use Plan (APN: 008-472-006-000)]

The Lundquist application (PLN110114) came on for public hearing before the Monterey County Planning Commission on December 12, 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;
- Del Monte Forest Area Land Use Plan;
- Monterey County Coastal Implementation Plan Part 5; and
- 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 3224 17-Mile Drive, Pebble Beach (Assessor's Parcel Number 008-472-006-000), within the Pebble Beach Planning Area of the Del Monte Forest Area Land Use Plan. The parcel is zoned LDR/2-D (CZ) [Low Density Residential, 2 acres per unit with Design Control (Coastal Zone)], which allows accessory structures accessory to any principal use subject to a Coastal Administrative Permit in each case. The project will allow remodel and reduction in size of the existing carport and the construction of a garage, new driveway and fencing accessory to the existing primary residential use. Therefore, the project is an allowed land use for this site.
- c) The site is subject to design review. The Lundquist project has been reviewed for siting, design, colors, materials and height. The proposed project meets the development standards of the zoning district including height, setback, lot coverage, and floor area ratio and the proposed colors and materials are appropriate for the site and the neighborhood.
- d) The proposed garage location 9 feet-2 inches from the front property line conforms to Section 20.62.040.N (Height and Setback Exceptions) which allows a garage to encroach into the front setback requirement up to 5 feet from the front of the lot in cases where the elevation of the front half of the lot at a point 50 feet from the centerline of the traveled roadway is 7 feet above or below the grade of said centerline. In this case, the elevation drops between approximately 7 feet and 13 feet from the centerline of 17-Mile Drive to points 50 feet into the front of the lot.
- e) Tree Removal: The removal of sensitive trees or trees located in an environmentally sensitive habitat area requires a Coastal Development Permit pursuant to CIP Section 20.147.050.A. The project includes the removal and relocation of one 7-inch Monterey cypress tree; therefore a Coastal Development Permit for tree removal is required. The tree will be relocated to a site determined by the project arborist. Tree removal has been minimized to the extent possible and the project has been designed to protect retained trees from damage by construction equipment.
- f) Forest Resources: The project is consistent with the Forest Resources Policies of the LUP. The project site is located within the mapped indigenous Monterey cypress range and contains Monterey cypress forest. One 7-inch Monterey cypress tree will be removed and relocated on the site to accommodate the construction of the garage. An arborist

report was prepared for the project (see Finding 2, Evidence b) to evaluate potential impacts to the forest due to construction. All of the recommendations for tree protection contained in the arborist report have been incorporated into the project design.

- g) 30 Percent Slope: The proposed garage and a small area of the driveway relocation are located on a slope that exceeds 30 percent. Pursuant to Title 20 Section 20.64.230.C.1, a Coastal Development Permit is required. The proposed project will better meet the goals, policies and objectives of the Monterey County Local Coastal Program than other development alternatives. See **Finding 7** for more detailed discussion.
- h) ESHA: The project site is located within the mapped indigenous Monterey cypress habitat as shown on Figure 2a of the LUP and Monterey cypress habitat and other special status plant species are present on the site. Pursuant to CIP Section 20.147.040.B, a biological report was prepared for the project (See Finding 2, Evidence b). As designed and conditioned the project is consistent with LUP Policies regarding protection of environmentally sensitive habitats. See **Finding 8** for more detailed discussion.
- i) Scenic and Visual Resources: The site is within the public viewshed from 17-Mile Drive, Vista Points and Point Lobos as shown on Figure 3 of the LUP. As designed and mitigated, the project is consistent with the Scenic and Visual Resources policies of the LUP which require protection of the public viewshed and that new structures be designed to harmonize with the natural setting and not be visually intrusive. See also **Finding 6**.
- j) Cultural Resources: The project site is located within an area of high archaeological sensitivity and contains known archaeological resources. Pursuant to LUP Policy 58 and CIP Section 20.147.080.B.1, an archaeological report (See **Finding 2, Evidence b**) was prepared for the project. As designed and conditioned, the project is consistent with LUP Policy 60 which requires that the project be designed to avoid or mitigate potential impacts to the resources. Mitigation Measure No. 8 (**Condition No. 24**) requires the monitoring of all soil disturbing activities by a qualified archaeologist, who will have the authority to stop work until the find can be evaluated and appropriate mitigation measures formulated should potentially significant resources be discovered.
- k) The project planner conducted site inspections on April 1, 2011, July 21, 2011, March 21, 2012, May 21, 2012 and November 8, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
- l) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN110114.

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 (Fire Protection 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 Biological Resources, Archaeological Resources and Soil/Slope Stability. The following reports have been prepared:
- "Biological Assessment of Richard and Melanie Lundquist Property APN: 008-472-006-000" (LIB110215) prepared by Fred Ballerini, Pacific Grove, CA dated May 18, 2011;
 - "Biotic Survey & Impact Assessment" (LIB080032) prepared by Jean Ferreira, Carmel, CA dated January 11, 2008;
 - "Tree Resource Evaluation Construction Impact Analysis" (LIB120030) prepared by Maureen Hamb, WCISA Certified Arborist, Santa Cruz, CA dated June 2011;
 - "Preliminary Cultural Reconnaissance" (LIB110216) prepared by Susan Morley, Marina, CA dated April 2011;
 - "Geotechnical Investigation for Proposed New Driveway Alignment, Site Wall and Detached 4-Car Garage, Lundquist property" (LIB110217) prepared by Haro, Kasunich and Associates, Watsonville, CA dated May 2011.

The above-mentioned 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 has independently reviewed these reports and concurs with their conclusions.

- c) Staff conducted site inspections on April 1, 2011, July 21, 2011, March 21, 2012, May 21, 2012 and November 8, 2012 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 PLN110114.

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

EVIDENCE: a) The project was reviewed by the RMA - Planning Department, Pebble Beach Community Services District (Fire Protection District), Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where

appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

- b) Necessary public facilities are available. The existing residence has an existing water connection to California American Water Company and an existing sewer connection to the Pebble Beach Community Services District. No intensification to water or wastewater is anticipated as a result of the current project to build a new garage, replace the driveway and build a new fence. The existing water and sewer connections will continue to be utilized.
- c) Staff conducted site inspections on April 1, 2011, July 21, 2011, March 21, 2012, May 21, 2012 and November 8, 2012 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 PLN110114.

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 site inspections on April 1, 2011, July 21, 2011, March 21, 2012, May 21, 2012 and November 8, 2012 and researched County records to assess if any violation exists on the subject property.
 - c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN110114.

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 (PLN110114).
 - c) The Initial Study identified several potentially significant effects, but revisions have been made to the project and 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.

- 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, 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 PLN110114 was prepared in accordance with CEQA and circulated for public review from June 27, 2012 through July 26, 2012 (SCH#: 2012061087).
- f) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetics, biological resources, cultural resources, geology/soils, greenhouse gas emissions, and land use/planning.
- g) Aesthetics: In order to prevent adverse impacts to the existing scenic vista and scenic character of the site due to construction of the new fence/wall, Modified Mitigation Measure No. 1 (**Condition No. 17**) (see **Finding 5, Evidence m** below) requires that the number and size of openings in the wall be increased and that the perpendicular wall elements at the openings be reduced in size to allow for views through the Monterey cypress habitat to the sea. In order to prevent adverse impacts to the existing scenic vista and to the scenic character of the site due to the planting of a row non-native Monterey cypress trees along the front and side property lines and to prevent adverse impacts to the native Monterey cypress forest, Mitigation Measure No. 2 (**Condition No. 18**) requires removal of those trees.
- h) Biological Resources: In order to prevent adverse impacts to trees due to construction, Mitigation Measure Nos. 3 and 4 (**Condition Nos. 20-21**) require that a qualified arborist supervise installation of tree protection measures as outlined in the arborist report prepared for the project and that all excavation and soil activities within the critical root zones of trees shall be done under the direction of a qualified arborist. In order to reduce the impact to special status plant species, Mitigation Measure No. 5 (**Condition No. 21**) requires replanting as recommended by the project biologist and arborist. Mitigation Measure No. 6 (**Condition No. 22**) will mitigate for the removal of native Monterey cypress habitat through the preparation and implementation of a Monterey Cypress Habitat restoration plan for all of the disturbed areas. Implementation Mitigation Measure No. 7 (**Condition No. 23**) will minimize potential impacts to animal resources and habitat through requirement for a preconstruction survey for special status plant and animal habitat, including nesting birds and implementation of an avoidance program should any nesting birds or special status species be present on the site.
- i) Cultural Resources: In order to prevent adverse impacts to cultural resources on the site, Mitigation Measure No. 8 (**Condition No. 24**) requires that an archaeological monitor with the authority to stop construction be on the site during all excavation and soil disturbing activities. Implementation of Mitigation Measure No. 9 (**Condition No. 25**) will prevent unintended impacts to the known resources on the site

- through the installation of exclusionary fencing around the resources.
- j) 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. These documents are on file in the RMA-Planning Department (PLN110114) and are hereby incorporated herein by reference.
 - k) 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 California Department of Fish and Game (CDFG) 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, which may potentially be a nesting area for migratory birds and raptors and the record shows that land animal species utilize the site. For purposes of the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The Initial Study was sent to the California Department of Fish and Game for review, comment, and to 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).
 - l) One comment was received from the Monterey Bay Unified Air Pollution Control District during the public review period. The County has considered the comment received during the public review period and it does not alter the conclusions in the Initial Study and Mitigated Negative Declaration.
 - m) One mitigation measure (Mitigation Measure No. 1, **Condition No. 17**) has been revised as follows (deleted language is shown in ~~striketrough~~ and added language is underlined):
"Mitigation Measure No. 1: In order to prevent adverse impacts to the existing scenic vista and to the scenic character of the site due to the replacement of the existing fence and to ensure that the project complies with the Visual Resources and Public Access policies of the Del Monte Forest Land Use Plan, the proposed wall/fencing along 17-Mile Drive shall be designed and sited to minimize obstruction of views from the road to the sea. The proposed wall/fencing shall be designed so as to not impair views from 17-Mile Drive over the existing condition. The wall/fence shall be constructed as shown on the plans dated November 6, 2012 (attached to the December 12, 2012 staff report) and as staked and flagged on November 7, 2012. Said plans include the following: 1) number of openings increased to six 12-foot wide and one 15.5-foot wide open-design antique bronze fencing sections; 2) the wing walls at each opening are reduced to not more than 4 feet-6 inches long; and 3) the height of sections D, F, G and H are reduced by 1, 1, 2 and 0.5 feet respectively. Prior to the issuance of a building or grading permit, the applicant/owner shall submit revised plans for the wall/fencing to the RMA/Planning Department for review and approval that are consistent

~~with the visual simulation provided to the County on June 21, 2012 including: 1) the top of the wall/fencing in Section A (between new driveway entrance and neighboring property to the northeast) as shown on the visual simulation shall be one foot lower than shown on the plans that were recommended for approval by the Del Monte Forest Land Use Advisory Committee on July 2, 2011; 2) the number of antique bronze fenced sections shall be increased from 5 to 6, with the additional section being located between the new driveway entrance and the neighboring property to the northeast; and 3) the open design fenced openings shall be increased from 9 feet long to 12.5 feet long.~~

Monitoring Action No. 1: Prior to the issuance of a building or grading permit, the applicant/owner shall submit revised plans for the wall/fencing to the RMA-Building Services Department and the RMA-Planning Department for review and approval as described in this Mitigation Measure. The approved wall/fencing plans shall be incorporated into the plans for the construction permits required for the project.

Monitoring Action No. 2: 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.

Monitoring Action No. 23: Prior to final inspection the applicant/owner shall ~~submit photographic evidence~~ provide evidence from a licensed civil engineer or surveyor to the Director of the RMA - Building Services Department and RMA-Planning Department for review and approval, that the height of the wall/fence from the benchmark is consistent with what was approved on the building permit associated with this project and that the replacement fence has been constructed in accordance with the approved plans to the RMA-Planning Department for review and approval.”

n) Pursuant to CEQA Guidelines Section 15073.5, a lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072, but prior to its adoption. In this case, no recirculation of the MND is required pursuant to CEQA Guidelines Section 15073.5 because:

1. The revision of the mitigation measure does not constitute a “substantial revision” of the MND pursuant to Section 15073.5(b) because no new, avoidable significant effect was identified that requires new mitigation measures or project revisions to be added in order to reduce the effect to insignificance and the County has not determined that the proposed mitigation measure or project revision will not reduce potential effects to less than significance requiring new measures or revisions. The revised mitigation measure will mitigate the same visual impacts as the original measure and will reduce the impacts to less than significance.
2. The County has not determined that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and that new measures or revisions must be required;
3. The mitigation measure being revised has been replaced with an

equal or more effective measure pursuant to Section 15074.1(c) (1). The original mitigation measure required a total of 75 linear feet of openings (six 12.5-foot openings) in the fence and a one foot height reduction of a 48-foot section of wall. The revised measure requires a total of 87.5 linear feet of openings (six 12-foot openings and one 15.5-foot opening) and the length of the perpendicular wall sections at each opening will be reduced from 6 feet to 4.5 feet. Four wall sections totaling 127 linear feet will be reduced in height. This will result in an equivalent or greater increase in views across the parcel.

4. Pursuant to Section 15074.1(b) (2), the revised mitigation measure will not cause any potentially significant effect on the environment. The incorporation of an additional opening in the wall and reduction in the length of the perpendicular wall elements will result in less wall being built and will cause fewer construction related impacts.
5. Pursuant to Section 15074.1 (c), no recirculation of the proposed MND pursuant to Section 15072 is required because the new mitigation measure is incorporated into the conditions of approval.
6. No project revisions have been added in response to comments on the project's effects identified in the proposed negative declaration which are new avoidable significant effects;
7. Pursuant to section 15074.1(c), the new mitigation measure has been made a condition of project approval (**Condition No. 17**); and
8. A public hearing was held on the project on December 12, 2012 in which the substitution of the mitigation measure was addressed.

- o) 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:** **VIEWSHED** – The subject project minimizes development within the viewshed in accordance with the applicable goals and policies of the applicable area plan and zoning codes.

- EVIDENCE:**
- a) *LUP Policy 47 and 49:* The project includes application for development within a public viewshed as identified on Figure 3 of the LUP. The property is part of the viewshed from 17-Mile Drive and from Point Lobos however views of the proposed project from Point Lobos will be blocked by existing structures and vegetation. The existing condition includes views across the property to the sea and to the Lone Cypress. Consistent with this policy, the project is conditioned to require dedication of a conservation and scenic easement deed over visually prominent portions of the property (**Condition No. 6.**)
 - b) *LUP Policy 48 and 56:* The project includes the replacement of an existing wood fence along the front property line with a stone wall with

open-design fenced openings. Consistent with these policies, the project has been designed to avoid blocking views across the site to the sea and to the Lone Cypress on the adjacent property to the northwest. The height of the wall was reduced and open-design fenced openings were incorporated into the wall design to allow for visual access. The proposed garage will not be visible from the road because it will have a green roof and will be built into the slope adjacent to and below 17-Mile Drive.

- c) *LUP Policy 52 and 53*: Consistent with these policies, the project is designed to minimize alterations to natural landforms tree removal. One small Monterey cypress will be relocated for the construction of the garage. The garage will be built into a man-made slope between the house and road that was created by grading for the construction of the house and will not be visible from the public viewshed. The existing driveway will be restored to native Monterey cypress habitat. The wall/fence materials consist of natural stone and antique bronze which will harmonize with the natural setting.
- d) The project as proposed, conditioned, and mitigated is consistent with policies of the Del Monte Forest Area Land Use Plan dealing with visual resources and will have no significant impact on the public viewshed.
- e) 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 PLN110114.

7. **FINDING:** **DEVELOPMENT ON SLOPE** – The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and Del Monte Forest Area 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 Area Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the criteria to grant said permit has been met.
 - b) The project includes application for development on slopes exceeding 30 percent. The project will require the excavation of an area of approximately 160 square feet on a slope greater than 30 percent in order to re-align the driveway as well as a small area for the construction of the garage. Monterey County Code Title 20 Section 20.64.230 provides for an exception on the development on a 30 percent slope if the slope is man-made and less than 100 square feet. The subject slope is man-made however it is over 100 square feet and therefore requires a Coastal Development Permit.
 - c) As discussed in **Finding 6** above, the project site is located within the protected public viewshed from 17-Mile Drive. Other potential locations for the garage that would not require development on a slope greater than 30 percent would be visible from 17-Mile Drive and would block existing views across the site. As designed, the proposed garage will be built into the slope between the house and 17-Mile Drive and will not be visible from 17-Mile Drive or block views across the site. Therefore, the project better achieves the LUP Key Scenic and Visual

Resources Policy which only allows development that does not block significant public views and does not significantly adversely impact public views and scenic character, especially along the 17-Mile Drive corridor.

- d) As discussed below in **Finding 8**, the project site is located within environmentally sensitive Monterey cypress habitat area (ESHA). Alternate alignments for the driveway and locations for the driveway were analyzed and found to have greater impacts to ESHA. The garage and new driveway are designed to minimize impacts to ESHA and thus better achieve the ESHA policies of the LUP which require that all improvements within the cypress habitat be designed to avoid potential damage or degradation to the habitat.
- e) The Planning Commission shall require such conditions of approval and changes in the development as it may deem necessary to assure compliance with MCC Section 20.64.230.
- 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 PLN110114.
- g) The project planner conducted site inspections on April 1, 2011, July 21, 2011, March 21, 2012, May 21, 2012 and November 8, 2012.
- h) 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.

8. **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:**
- a) 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 Area Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the criteria to grant said permit has been met.
 - b) 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.
 - c) *LUP Policy No. 12:* Consistent with this policy, a biological report dated May 18, 2011 (LIB110215) prepared by Fred Ballerini, 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, Monterey pine, Ocean bluff milk-vetch and Small-leaved lomatium, all sensitive plant species that are 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. An arborist report (LIB120030) prepared by Maureen Hamb dated June 2011 was submitted to identify and address potential impacts to trees on the site. Measures recommended in the reports to avoid impacts to Monterey cypress trees and ESHA have been incorporated as Mitigation Measures 3 – 7.
 - d) The LUP Key ESHA Policy calls for all environmentally sensitive

habitat areas of the Del Monte Forest Area to be protected, maintained, and, where possible, enhanced and restored. The project includes the construction of a 4,078 square foot driveway, a 632 square foot garage and a stone wall with fenced openings to replace an existing wood fence, for a total of 4,710 square feet of new development.

Approximately 4,747.5 square feet of area currently covered with driveway, gravel paths and iceplant will be restored to native Monterey cypress habitat as follows: 1,212.5 square feet of driveway, 962 square feet of gravel paths and 2,573 square feet of iceplant. Mitigation Measure No. 6 requires the implementation of a Monterey cypress habitat restoration plan prepared by a qualified biologist in consultation with a certified arborist. This plan will restore disturbed areas and protect the indigenous Monterey cypress habitat on the property.

- e) *LUP Policy 8 and 13*: 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. 5** 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.
- f) *LUP Policy 20*: As mitigated, the project will avoid potential damage or degradation of Monterey cypress habitat. Mitigation Measure No. 3 requires the installation of tree protective measures under the supervision of a certified arborist and Mitigation Measure No. 4 requires that a qualified arborist supervise all excavation and soil disturbing activities associated with grading, construction and restoration conducted within the critical root zone of any tree.
- g) The project planner conducted site inspections on April 1, 2011, July 21, 2011, March 21, 2012, May 21, 2012 and November 8, 2012 to verify ESHA locations and potential project impacts to ESHA.
- h) 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 PLN110114.
- i) See also **Findings 1 and 5**.

9. **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) No access is required as part of the project as 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 not described as an area where the Local Coastal Program requires public access (Figure 8 in the Del Monte Forest Area Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) The project is located within the public viewshed of 17-Mile Drive and the shoreline is visible across the site from 17-Mile Drive.

- e) The project is consistent with *LUP Policy 123* which does not allow development to block significant public views or significantly adversely impact public views and scenic character, particularly from the 17-Mile Drive corridor. See **Findings 1, 5 and 6** above.
- 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 PLN110114.
- g) The project planner conducted site inspections on April 1, 2011, July 21, 2011, March 21, 2012, May 21, 2012 and November 8, 2012.

10. **FINDING: WILDFIRE PROTECTION STANDARDS IN STATE**

RESPONSIBILITY AREAS – The subject project, as conditioned, will ensure standardized basic emergency access and fire protection pursuant to Section 4290 of the Public Resource Code.

- EVIDENCE:**
- a) The proposed project is within the Monterey County State Responsibility Area.
 - b) The proposed garage will be built into the slope and will only be exposed on one side. The proposed wall/fence will be constructed of stone and metal, and will not be flammable.
 - c) The project was reviewed by the Pebble Beach Community Services District (Fire District) for compliance with MCC Title 18.56. The four conditions of approval recommended by Fire have been imposed upon the project.

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

- EVIDENCE:**
- a) Section 20.86.030.A of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
 - b) Section 20.86.080.A.1 and 3 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the project is located between the first public road and the sea and 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 the Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a detached 1,070 square foot four-car garage with planted roof (green roof), remodel and reduction in size of an existing, detached carport, a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall with six 12-foot sections and one 15.5-foot section of antique bronze open-design fencing and antique bronze fencing with stone pillars at the new driveway entrance, restoration of existing paths and driveway to native Monterey cypress habitat, grading of approximately 550 cubic yards of cut and 200 cubic yards of fill; 2) a Coastal Development Permit for the removal and replanting of one 7" Monterey cypress; 3) a Coastal Development Permit for development within 100 feet of

an Environmentally Sensitive Habitat Area; 4) a Coastal Development Permit for development within 750 feet of a known archaeological resource and; and 5) a Coastal Development Permit for development on slopes greater than 30 percent, 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 12th day of December, 2012 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Secretary

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. 05-09-2012

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN110114

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

This permit is a Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a detached 1,070 square foot four-car garage with planted roof (green roof), remodel and reduction in size of an existing, detached carport, a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall with six 12- foot sections and one 15.5-foot section of antique bronze open-design fencing and antique bronze fencing with stone pillars at the new driveway entrance, restoration of existing paths and driveway to native Monterey cypress habitat, grading of approximately 550 cubic yards of cut and 200 cubic yards of fill; 2) a Coastal Development Permit for the removal and replanting of one 7" Monterey cypress; 3) a Coastal Development Permit for development within 100 feet of an Environmentally Sensitive Habitat Area; 4) a Coastal Development Permit for development within 750 feet of a known archaeological resource and; and 5) a Coastal Development Permit for development on slopes greater than 30 percent. The project is located at 3227 17-Mile Drive, Pebble Beach (Assessor's Parcel Number 008-472-006-000). 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 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 Permit Approval Notice. The notice shall include the following language:
"A Combined Development Permit (Resolution No. _____) was approved by the Planning Commission for Assessor's Parcel Number 008-472-006-000 on December 12, 2012. The permit was granted subject to 26 conditions of approval including 9 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)

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. PD016 - NOTICE OF REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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:
'Geotechnical Investigation for Proposed New Driveway Alignment, Site Wall and Detached 4-Car Garage, Lundquist Property' (LIB110217), prepared by Haro, Kasunich and Associates, Watsonville, CA dated May 2011;
'Tree Resource Evaluation Construction Impact Analysis' (LIB120030) prepared by Maureen Hamb, WCISA Certified Arborist, Santa Cruz, CA dated June 2011; and
'Biological Assessment of Richard and Melanie Lundquist Property APN: 008-472-006-000 (LIB110215) prepared by Fred Ballerini, Pacific Grove, CA dated May 18, 2011;
and are on file in the Monterey County RMA - Planning Department. All development shall be in accordance with these reports."
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: 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 report to the RMA - Planning Department.

5. PD022(B) - EASEMENT-DMF CONSERVATION & SCENIC

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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.

Compliance or Monitoring Action to be Performed: 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 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 inspection 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.

6. PD010 - EROSION CONTROL PLAN

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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)

Compliance or Monitoring Action to be Performed: 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.

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.

7. PD01 - NON STANDARD - CONSTRUCTION HOURS

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Construction activities shall occur between the hours of 8-5 pm, Monday through Friday.

Compliance or Monitoring Action to be Performed: Prior to commencement of use and on an on-going basis, the Owner/Applicant shall demonstrate compliance with the hours of operation to the Director of RMA-Planning Department.

8. PD003(B) - CULTURAL RESOURCES POSITIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

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)

Compliance or Monitoring Action to be Performed: 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.

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.

9. PD006 - MITIGATION MONITORING

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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. The mitigation monitoring agreement shall be recorded.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: 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.
- 3) Proof of recordation of the mitigation monitoring agreement shall be submitted to the RMA-Planning Department.

10. PD009 - GEOTECHNICAL CERTIFICATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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)

Compliance or Monitoring Action to be Performed: 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.

11. PD041 - HEIGHT VERIFICATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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)

Compliance or Monitoring Action to be Performed: 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.

12. PD044 - RESOURCE CONSERVATION EASEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: NON-STANDARD - A resource conservation easement shall be conveyed to the County over those portions of the property where known archaeological sites exist. A proposed easement deed shall be submitted to, and approved by, the Director of RMA - Planning Department prior to issuance of grading and building permits. The easements shall be conveyed to the County, upon approval by the Board of Supervisors, prior to final building inspection.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/Applicant shall submit the appropriate conservation easement deed to the RMA for review and approval by the Director of the RMA-Planning Department.

Prior to final inspection, the Owner/Applicant shall ensure conveyance to the County upon approval by the Board of Supervisors.

13. FIRE007 - DRIVEWAYS

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

(NON-STANDARD) Driveways shall not be less than 11.5 feet wide unobstructed, with an unobstructed vertical clearance of not less than 14 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)

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

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

14. FIRE008 - GATES

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

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)

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

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

15. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Pebble Beach Community Services District)

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

1. Prior to issuance of building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.
2. Prior to final building inspection, the applicant or owner shall schedule Fire Department clearance inspection.

16. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

Manage combustible vegetation within a minimum of 100 feet of structures (or to the property line). Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Pebble Beach Community Services District)

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

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

17. MM001 - AESTHETICS - WALL/FENCE DESIGN

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

Mitigation Measure No. 1: In order to prevent adverse impacts to the existing scenic vista and to the scenic character of the site due to the replacement of the existing fence and to ensure that the project complies with the Visual Resources and Public Access policies of the Del Monte Forest Land Use Plan, the proposed wall/fencing along 17-Mile Drive shall be designed and sited to minimize obstruction of views from the road to the sea. The proposed wall/fencing shall be designed so as to not impair views from 17-Mile Drive over the existing condition. The wall/fence shall be constructed as shown on the plans dated November 6, 2012 (attached to the December 12, 2012 staff report) and as staked and flagged on November 7, 2012. Said plans include the following: 1) number of opening increased to six 12-foot wide and one 15.5-foot wide open-design antique bronze fencing sections; 2) the wing walls at each opening are reduced to not more than 4 feet-6 inches long; and 3) the height of sections D, F, G and H are reduced by 1, 1, 2 and 0.5 feet respectively.

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

Monitoring Action No. 1: Prior to the issuance of a building or grading permit, the applicant/owner shall submit plans for the wall/fencing to the RMA-Building Services Department and the RMA-Planning Department for review and approval as described in this Mitigation Measure. The approved wall/fencing plans shall be incorporated into the plans for the construction permits required for the project.

Monitoring Action No. 2: 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.

Monitoring Action No. 3: Prior to final inspection the applicant/owner shall provide evidence from a licensed civil engineer or surveyor to the Director of the RMA - Building Services Department and RMA-Planning Department for review and approval, that the height of the wall/fence from the benchmark is consistent with what was approved on the building permit associated with this project and that the replacement fence has been constructed in accordance with the approved plans to the RMA-Planning Department for review and approval.

18. MM002 - AESTHETICS -

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

Mitigation Measure No. 2: In order to prevent adverse impacts to the existing scenic vista and to the scenic character of the site due to the planting of Monterey cypress trees of non-indigenous stock along the front fence line and to prevent adverse impacts to the native Monterey cypress forest, the applicant/owner shall remove all such recently planted trees from the property. The trees shall be removed under the supervision of a qualified arborist to ensure that only non-indigenous trees are removed.

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

Monitoring Action No. 2: Prior to the issuance of a building or grading permit, the applicant/owner shall submit evidence to the RMA-Planning Department that all recently planted non-indigenous Monterey cypress trees on the property have been removed. Such evidence shall consist of a letter from a qualified arborist describing the number and location of the trees that were removed.

19. MM003 - TREE PROTECTION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 3: In order to prevent adverse impacts to trees, prior to the issuance of a construction permit, a qualified arborist shall supervise the installation of the tree protection measures as set forth in the Tree Resource Evaluation Construction Impact Analysis (LIB120030) prepared by Maureen Hamb, dated June 2011 (arborist report). Such tree protection measures shall remain in place throughout construction and shall not be removed until all construction activities are complete. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. When access to the protected areas becomes necessary, it shall be reviewed by both the contractor and the project arborist, and the arborist shall have the authority to supervise such access. Stockpiling of materials or parking within the critical root zone of trees shall not be allowed. The text of this measure shall be included as a note on the construction plans.

Compliance or Monitoring Action to be Performed: Monitoring Action No. 3a: Prior to the issuance of a grading or building permit, the applicant/owner shall submit proof to the RMA-Planning Department that the tree protection measures have been installed as prescribed. Such proof shall be in the form of a letter from the arborist and photographs of the protection measures in place. The owner/applicant shall submit evidence that the text of this measure appears as a note on the construction plans.

Monitoring Action No. 3b: Prior to final inspection, the applicant/owner shall provide verification from the arborist that the tree protection measures have been successful. If additional mitigation measures are determined to be required, they shall be formulated and implemented by the monitoring arborist, after review and approval by the RMA - Planning Department.

20. MM004 - TREE PROTECTION - MONITORING REQUIRED

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 4: In order to prevent adverse impacts to trees located in close proximity to the project due to construction activities, a qualified arborist shall be present during all excavation and soil disturbing activities associated with grading, construction and restoration conducted within the critical root zone (CRZ) of any tree. The CRZ for each tree is included in the arborist report prepared for the project. Roots greater than one inch will be inspected and evaluated by the project arborist. If necessary, as determined by the arborist, the root will be retained, wrapped in protective material (foam pipe wrap) and bridged to the specifications of the arborist. The arborist shall supervise or perform the pruning of any tree roots as necessary. The arborist shall have the authority to require such special construction methods as he/she determines are necessary to protect the trees, including but not limited to designing the wall footings to span over tree roots, tunneling under tree roots or placement of a grade beam above grade. If it appears to the arborist that any tree has experienced or will experience death or damage due to construction activities, all work shall stop within the CRZ of the tree and the arborist/owner/applicant shall immediately contact the RMA-Planning Department to determine whether additional permits or modification of the project is required.

Compliance or Monitoring Action to be Performed: Monitoring Action No. 4a: Prior to issuance of a construction permit, the applicant shall provide to the RMA-Planning Department a copy of the contractual agreement with a qualified arborist for review and approval.

Monitoring Action No. 4b: Prior to final inspection the applicant or arborist shall also submit evidence of on-site monitoring, including arborist certification regarding the success of the measures, to the RMA - Planning Department. If additional mitigation measures are determined to be required, they shall be formulated and implemented by the monitoring arborist, 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.

21. MM005 - SENSITIVE SPECIES REPLACEMENT PLANTINGS REQUIRED

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

Mitigation Measure No. 5:

In order to mitigate for the removal of sensitive plant species on the site the following re-planting measures shall apply:

1. Small-leaved lomatium: all of the lomatium plants located within the area of the proposed driveway and garage (minimum of 86 plants) shall be salvaged from the site prior to the issuance of a grading or building permit and grown out by a reputable native plant nursery familiar with the growing requirements of the Small-leaved lomatium. The salvaged lomatium shall be re-planted on the site in the fall months to coincide with the arrival of the rainy season.
2. Ocean bluff milk-vetch: Ocean bluff milk-vetch seed shall be collected from several locations on the property to ensure genetic diversity and shall be propagated for a fall out-planting. The plants shall be replaced on the site at a 3:1 ratio (minimum of 6 plants), as recommended by the project biologist.
3. Monterey pine: Any Monterey pine tree saplings removed from the construction zone shall be re-planted on the site.
4. Monterey cypress: The one Monterey cypress that is located within the footprint of the proposed garage shall be transplanted to another location on the site under the supervision of a qualified arborist. Any native Monterey cypress seedlings or saplings that are removed from the footprint of the proposed development shall be transplanted to another location on the site under the supervision of a qualified arborist. Mitigation revegetation locations for Items 1 and 2 shall be determined by the project biologist in consultation with the project arborist. Mitigation revegetation locations for Items 3 and 4 shall be determined by the project arborist. The re-planting plan shall be submitted to the RMA-Planning Department for review and approval prior to issuance of a grading or building permit. The applicant/owner shall submit a monitoring report prepared by the project biologist documenting the success of the planting to the RMA-Planning Department 6 months after the initial planting and then annually for 2 years. The replanting shall be considered successful when 95 percent of replanted trees and 85 percent of other planted native vegetation have survived and are evaluated by the project biologist and project arborist as being in good health. In the event of loss of plant materials due to mortality, the plants shall be replaced and the monitoring shall begin again.

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

Monitoring Action No. 5a:

Prior to the issuance of grading or building permit, applicant/owner shall submit the planting/restoration plan to the RMA-Planning Department for review and approval.

Monitoring Action No. 5b:

Prior to final inspection, the applicant/owner shall submit evidence to the RMA-Planning Department that the planting plan has been implemented.

Monitoring Action No. 5c:

The applicant/owner shall submit monitoring report prepared by a qualified biologist 6 months after the evidence required in 5b above has been submitted and then annually for a minimum of 2 years or until the replanting has been deemed successful. The monitoring reports shall include an evaluation of the health status of the plantings and recommendations regarding measures to improve the success of the plantings if they are not thriving. The applicant/owner shall implement the recommendations. The requirement for monitoring reports shall end after 2 ½ years or whenever the required success rate of 95 percent survival for trees and 85 survival percent for other vegetation, has been met, whichever occurs later.

22. MM006 - MONTEREY CYPRESS HABITAT RESTORATION PLAN

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

Mitigation Measure No. 6:

To mitigate for the removal of native Monterey cypress habitat, the applicant/owner shall prepare and implement a Monterey Cypress Habitat restoration plan for the existing asphalt driveway and the existing gravel paths and parking areas and all other areas that will be disturbed due to construction. The restoration plan shall be prepared by a qualified biologist in consultation with a qualified arborist and shall include measures to protect adjacent Monterey cypress trees during the restoration. Installation of the restoration plan shall be done under the supervision of a qualified biologist. The restoration plan shall also include a planting plan that includes mulching, the installation of Monterey cypress trees propagated from trees indigenous to Pebble Beach, appropriate Monterey cypress forest understory plants and a plan for the eradication of non-native species. Plants and seeds shall consist of appropriate local ecotypes of plant species and site-specific seed and/or cuttings shall be utilized. It is not expected that restoration to native Monterey cypress habitat will require excessive plantings. The removal of non-native species and installation of mulch and minimal appropriate native plantings to allow native understory plants to regenerate in areas that do not require erosion control plantings is preferable. The applicant/owner shall submit a monitoring report prepared by the project biologist documenting the success of the restoration to the RMA-Planning Department 6 months after the initial planting and then annually for 2 years. The restoration shall be considered successful when 95 percent of replanted trees, 85 percent of other planted native vegetation have survived and are evaluated by the project biologist and project arborist as being in good health, and 100 percent of non-native invasive plants within the restoration areas have been eradicated. In the event of loss of plant materials due to mortality, the plants shall be replaced and the monitoring shall begin again.

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

Monitoring Action No. 6a:

Prior to the issuance of a grading or building permit, the applicant/owner shall submit the Monterey Cypress Habitat Restoration Plan and a copy of the contractual agreement with a qualified biologist for review and approval to the RMA-Planning Department for review and approval.

Monitoring Action No. 6b:

Prior to final inspection, the applicant/owner shall submit a report to the RMA-Planning Department from the project biologist documenting that the restoration plan has been implemented.

Monitoring Action No. 6c:

The applicant/owner shall submit monitoring report prepared by a qualified biologist 6 months after the evidence required in 5b above has been submitted and then annually for a minimum of 2 years or until the restoration has been deemed successful. The monitoring reports shall include an evaluation of the health status of the plantings and recommendations regarding measures to improve the success of the plantings if they are not thriving. The applicant/owner shall implement the recommendations. The requirement for monitoring reports shall end after 2 ½ years or whenever the required success rate of 95 percent survival for trees and 85 survival percent for other vegetation, has been met, whichever occurs later.

23. MM007 - BIOLOGICAL RESOURCES PRECONSTRUCTION SURVEY REQUIRED

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

Mitigation Measure No. 7:

In order to minimize potential biological impacts to animal resources and habitat, prior to the commencement of work, the project biologist shall perform a preconstruction survey for special status plant and wildlife species, including nesting birds. There shall be no removal of a special status species without prior approval of the RMA-Planning Department. For any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. 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. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers, and construction personnel.

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

Monitoring Action No 7a:

Prior to issuance of a grading or building permit, applicant/owner shall submit a copy of the contract with a biologist to perform the pre-construction surveys to the RMA-Planning Department.

Monitoring Action No. 7b:

No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit, to the RMA-Planning Department, a nest survey prepared by a County qualified biologist to determine if active raptor or migratory bird nests occur within the project site or immediate vicinity.

Monitoring Action No. 7c:

If active raptor or migratory bird nests are present, the project biologist shall establish an appropriate buffer plan around the nests and limits of construction shall be established in the field.

24. MM008 - ARCHAEOLOGICAL MONITORING REQUIRED

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 8: 1) In order to prevent adverse impacts to cultural resources, a qualified archaeological monitor shall be present during excavation and soil disturbing activities associated with: a) the excavation for the new driveway, fence, and garage; and b) removal and restoration of the existing driveway and paths. 2) The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. 3) If human remains are identified, work shall be halted to within a safe working distance, the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. 4) If potentially significant, archaeological resources are discovered, work shall be halted in the area of the find until it can be evaluated and, in consultation with the lead agency, appropriate mitigation measures be formulated and implemented. 5) If suitable materials are recovered, a minimum of two samples shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. 6) If intact, significant features should be encountered, the archaeologist shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, caches of stone tools. A feature is artifactual and cannot be moved but must be documented in place, in situ. 7) A monitoring report shall be produced by the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource. 8) The applicant shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan.

Compliance or Monitoring Action to be Performed: Monitoring Action No. 8:
Prior to issuance of a construction 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 measures are determined to be required to minimize impacts, they shall be formulated by a qualified archaeologist, reviewed and approved by the RMA-Planning Department, and implemented by the monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

25. MM009 - ARCHAEOLOGICAL RESOURCES EXCLUSIONARY FENCING

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 9:
During demolition, construction and restoration, the archaeological site shall be protected with exclusionary fencing to minimize the potential for unanticipated impacts to cultural resources.

Compliance or Monitoring Action to be Performed: Monitoring Action No. 9:
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.

26. 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 December 12, 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.

SHEET SCHEDULE

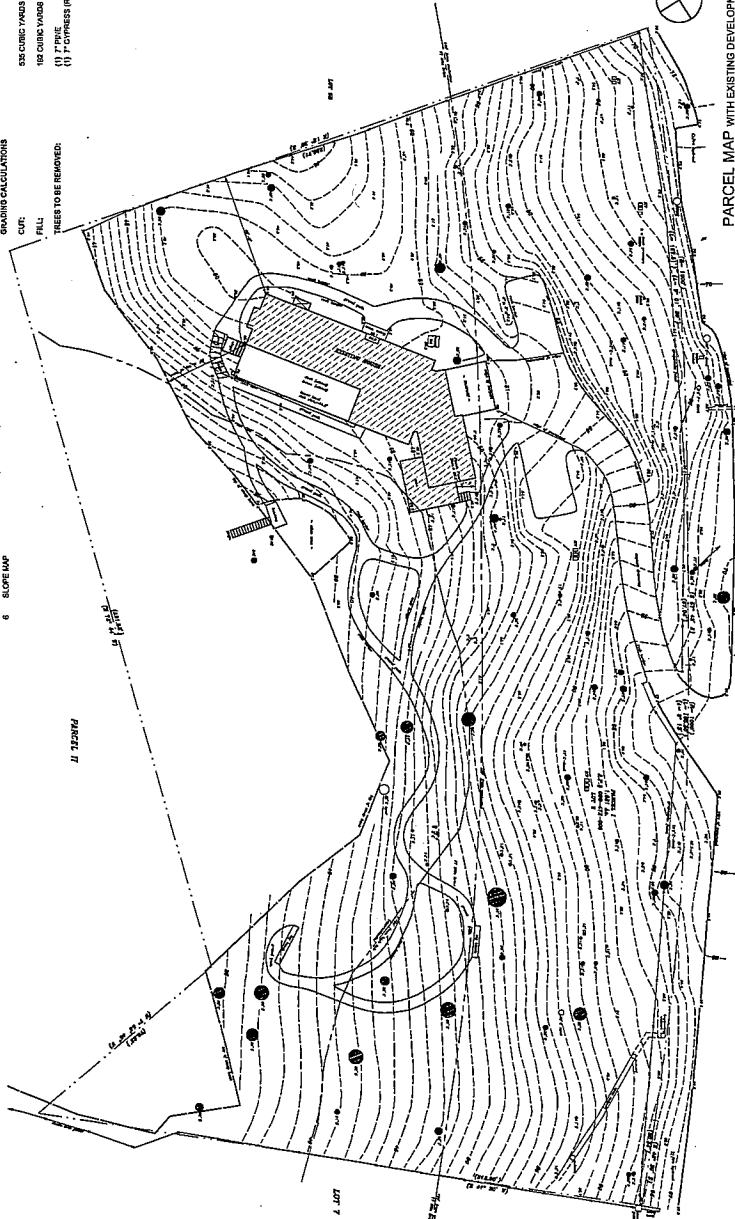
- 1 PROJECT DATA, PARCEL MAP, AND VICINITY MAP
- 2 EXISTING SITE PLAN
- 3 PROPOSED FLOOR PLAN, WALL ELEVATIONS
- 4 PROPOSED CHANGE FLOOR PLAN, ELEVATION, AND SECTION
- 5 SECTION
- 6 SECTION

SCOPE OF WORK

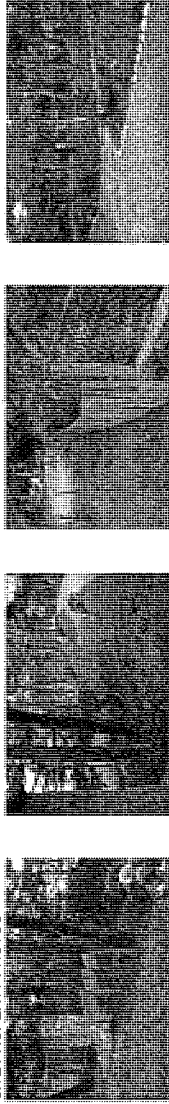
REMOVE EXISTING ASPHALT DRIVEWAY AND EXISTING DRIVEWAY, RELOCATE TO CYPRUS. INSTALL NEW PERFORATED COMPOSITE DRIVEWAY, SIGN PROPERTY WALL, AND UNDERGROUND TOUT CAN CHANGE WITH PLANTED HOOP.

GRADING CALCULATIONS
 CUT: 538 CUBIC YARDS
 FILL: 108 CUBIC YARDS
 (1) 7' CYPRUS (RELOCATE)

NEEDS TO BE REMOVED:

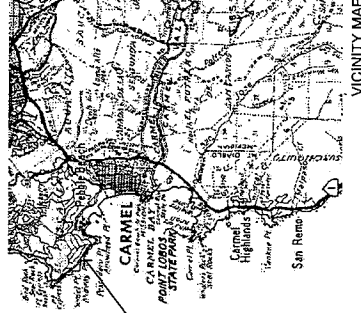


SITE PROPERTY PHOTOS



PARCEL MAP WITH EXISTING DEVELOPMENT
 SCALE: 1" = 20'

PROJECT LOCATION



VICINITY MAP

PROJECT DATA

OWNER: Richard A. Lunda, Jr.
 800 Camino de los Arroyos
 Carver + Schickelstanz Architects
 P.O. Box 1084
 Carmel, CA 95021
 Phone: (831) 423-2941 Fax: (831) 424-0004
 Email: carver@csa.com
 Contact: Jeff Adams

ARCHITECT:

SURVEYOR: Jon Higginson
 21775 Via Monte Carmelo
 Carmel, CA 95023
 Phone: (831) 424-6669 Fax: (831) 424-6693

PROPERTY ADDRESS: 3274 Serrano Valley Drive
 Pebble Beach, California 95053

APR: 008-12-2008

LOT SIZE: 1.81 Acres (73,204.4 sq. ft.)

LAND USE: RESIDENTIAL (UNIT 12) ACRES

ZONING: UPRD-C(2)

WATER SOURCES: CALIFORNIA AMERICAN WATER

SEWER PROVISIONS: PEBBLE BEACH COMMUNITY SEWER DISTRICT

LOT COVERAGE CALCULATIONS:

Aspirations (LPS): 10,064 square feet

Existing (LPS):
 Existing (LPS): 2,284 square feet
 Existing (LPS): 3,874 square feet

Proposed (LPS):
 Existing House and Deck: 2,076 square feet
 Existing Garage: 4,189 square feet

FLOOR AREA RATIO CALCULATIONS:

Allowable F.A.R. (17.2%): 12,614 square feet

Proposed F.A.R. (8.5%):
 Existing House and Deck: 2,076 square feet
 Existing Garage: 4,189 square feet
 Total: 6,265 square feet

BUILDING HEIGHT: 15'-0"

Maximum necessary building height

Geometry:
 Average Natural Grade: 87'-0"
 Maximum Natural Grade: 115'-0" (USP - ABOVE AVERAGE NATURAL GRADE)
 Proposed Height: 15'-0"

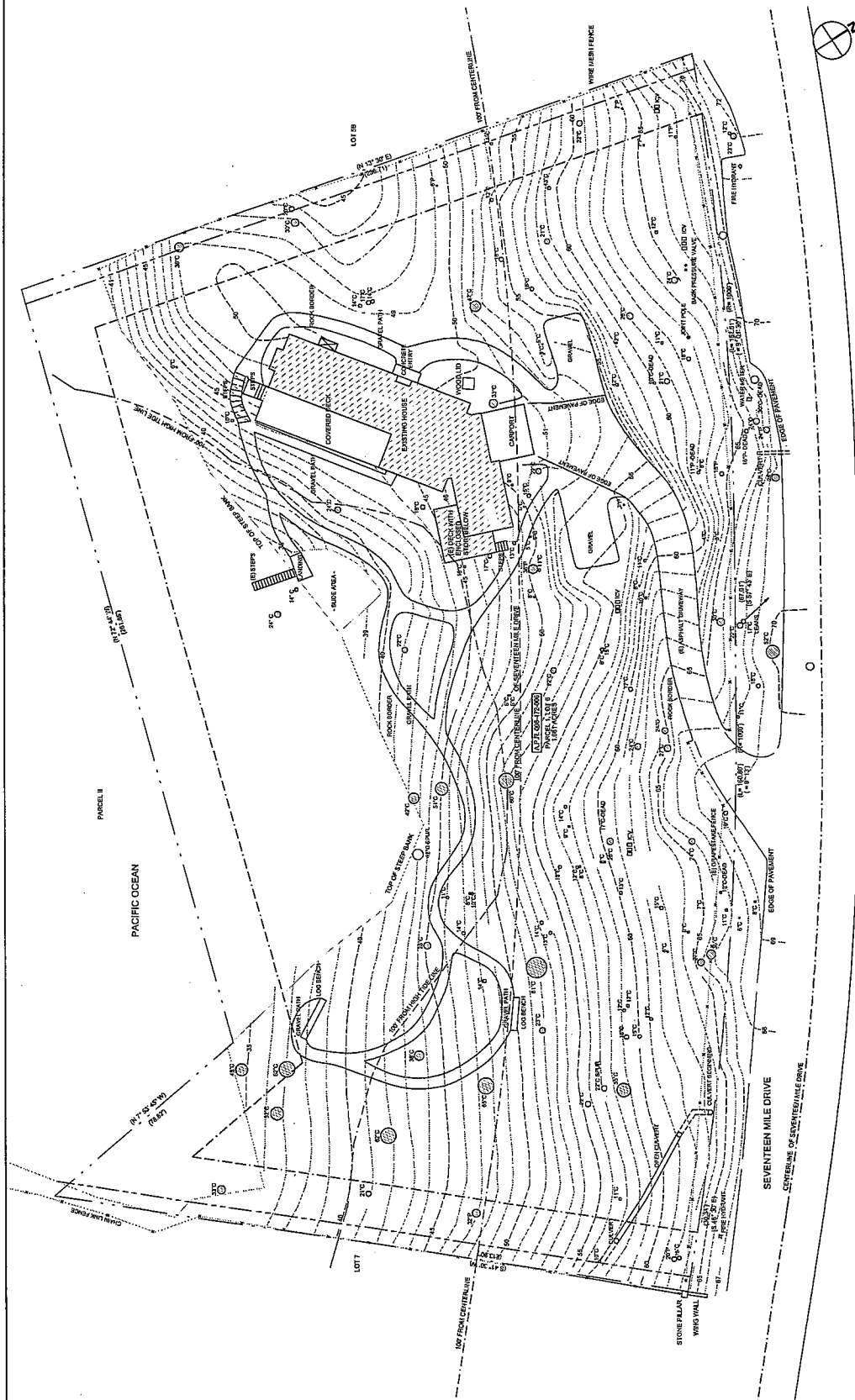
DATE	1 JUNE 2011
SCALE	1" = 20'-0"
DRAWN BY	AJ
JOB NUMBER	105

TITLE
 PROJECT DATA, PARCEL MAP, AND VICINITY MAP

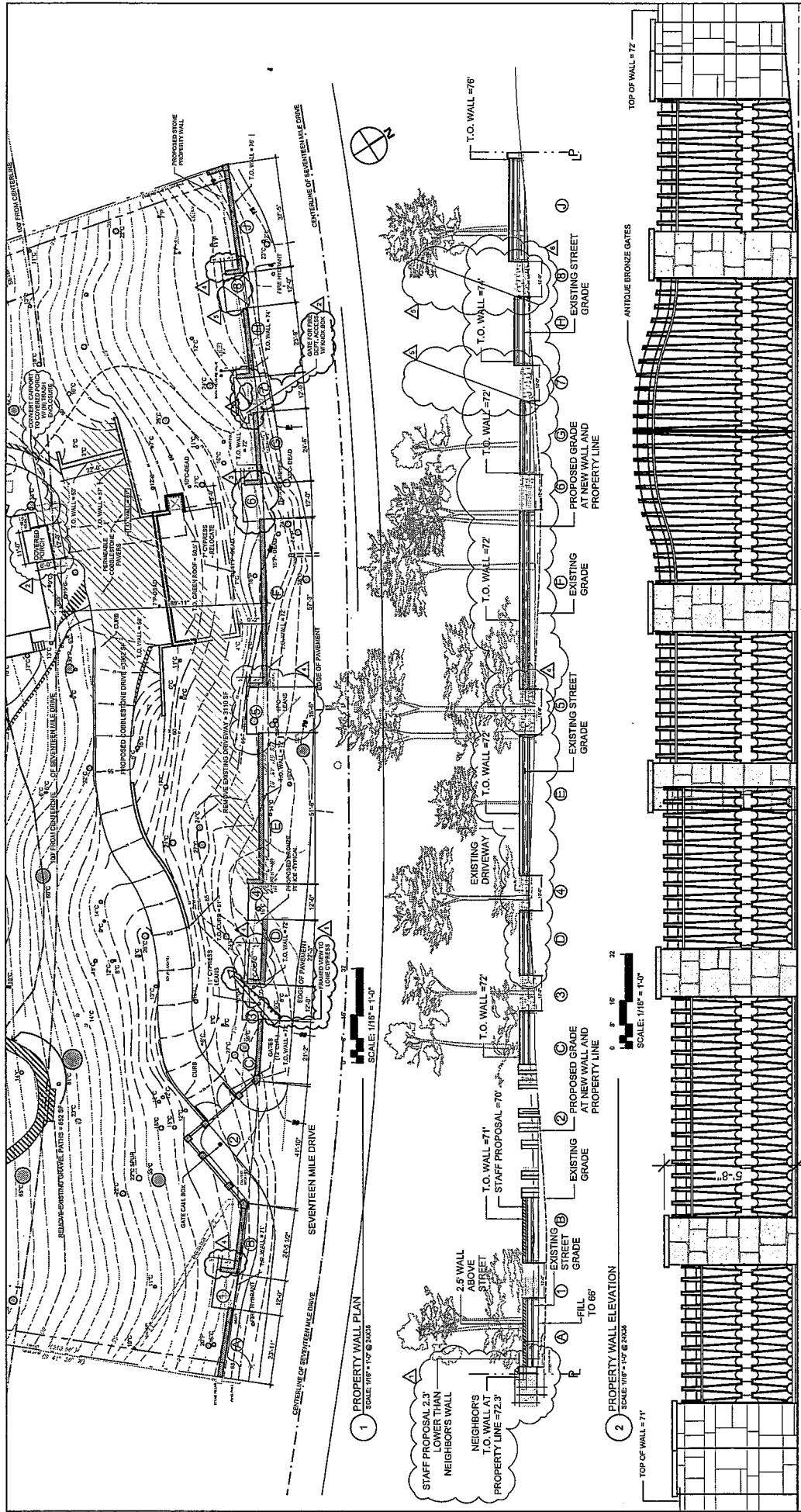
LUNDQUIST
 SIXTYTHREE HALE DRIVE • PEBBLE BEACH, CALIFORNIA

Carver + Schickelstanz
 ARCHITECTS • PLANNERS • INTERIOR DESIGNERS

PO BOX 1084 • CARMEL, CA 95021 • USA
 TEL: (831) 423-2941 FAX: (831) 424-0004
 WWW.CARVERANDSCHICKELSTANZ.COM



DATE: 1 JUNE 2011		TITLE: EXISTING SITE PLAN		SHEET: 2
SCALE: 1/8" = 1'-0"				
DRAWN BY: AJ		PROJECT: LUNDQUIST		ARCHITECTS - PLANNERS - INTERIOR DESIGNERS Carver + Schickelross 10000 S. BAYVIEW BLVD. SUITE 100 SAN ANTONIO, TEXAS 78249 TEL: 214-343-1234 FAX: 214-343-1235 WWW.CARVER-SCHICKELROSS.COM
JOB NUMBER: 1006		LOCATION: SEVENTEEN MILE DRIVE, NEBLE BEACH, CALIFORNIA		



1 PROPERTY WALL PLAN
SCALE: 1/16" = 1'-0"

2 PROPERTY WALL ELEVATION
SCALE: 1/16" = 1'-0"

3 ENLARGED GATE ELEVATION
SCALE: 1/2" = 1'-0"

INCREASING LIGHTING TO BE CAL AT GATE AND COLUMNS ONLY. SEE LIGHTING PLAN.

DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #10 - ADDITIONAL 12'-0" OPENING @ #6. ALL OPENINGS 12'-0"
DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #9 - NOVEMBER 2012
DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #8 - SEPTEMBER 2012
DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #7 - SEPTEMBER 2012
DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #6 - OCTOBER 2011
DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #5 - SEPTEMBER 2011
DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #4 - SEPTEMBER 2011
DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #3 - SEPTEMBER 2011
DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #2 - SEPTEMBER 2011
DATE	06 NOVEMBER 2012
SCALE	AS NOTED
REVISION	REVISION #1 - SEPTEMBER 2011
DATE	06 NOVEMBER 2012
SCALE	AS NOTED

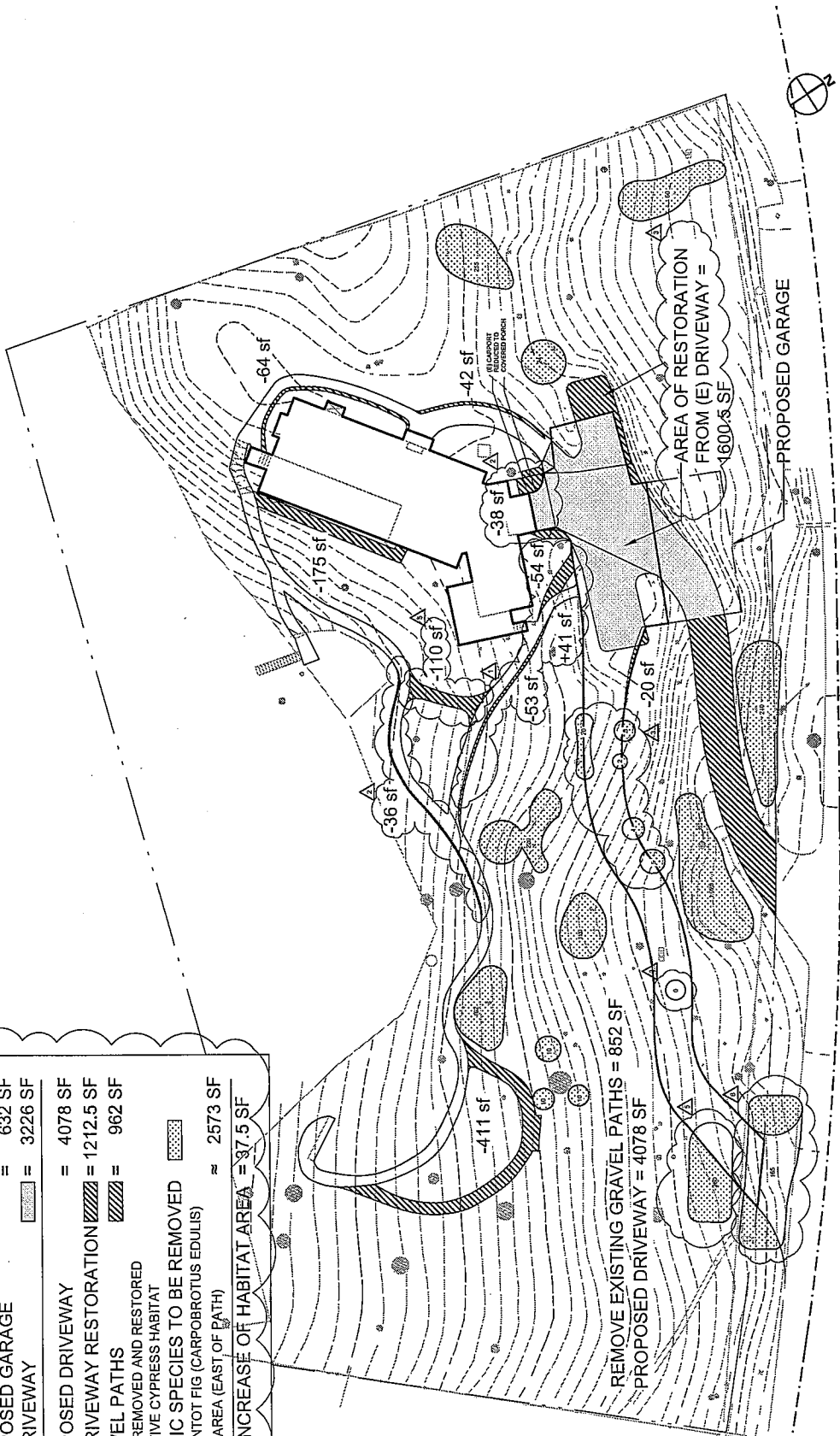
LUNDOQUIST
ENGINEERABLE DRIVE • PUEBLO ESCAL, CALIFORNIA

Carver + Schickelanz
ARCHITECTS • PALMDALE, THE SANJUAN VALLEY

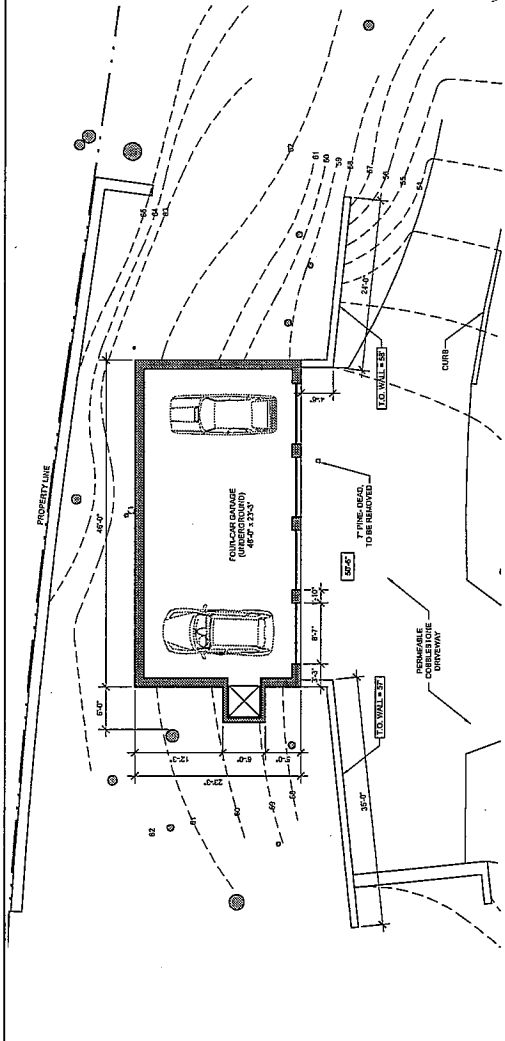
JANIS REED • CARROLL, CA 93301 - USA
PHILIP BRIDGES • ARCHITECT, NEW YORK
COMMUNICATIONS, INC.

3.0a

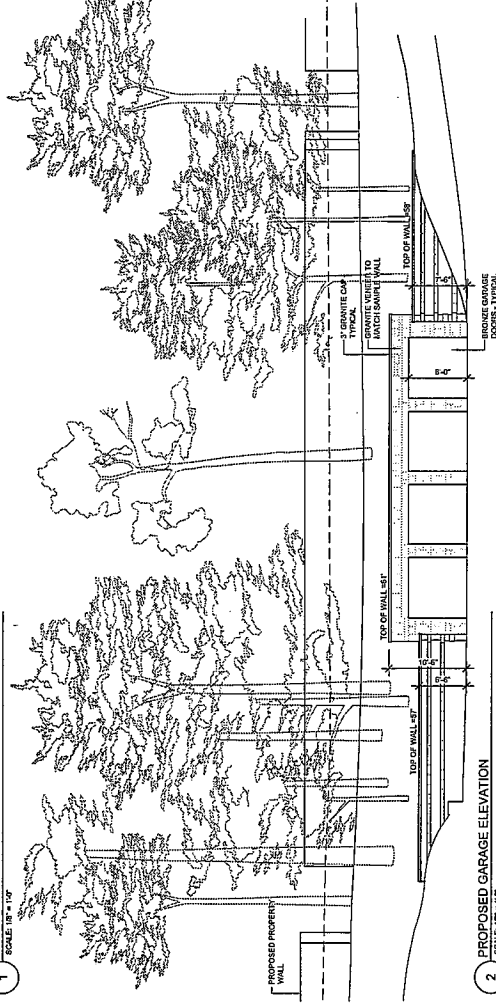
PROPOSED DRIVEWAY = 4078 SF
 PROPOSED GARAGE = 632 SF
 (E) DRIVEWAY = 3226 SF
 PROPOSED DRIVEWAY = 4078 SF
 (E) DRIVEWAY RESTORATION = 1212.5 SF
 GRAVEL PATHS TO BE REMOVED AND RESTORED AS NATIVE CYPRESS HABITAT = 962 SF
 EXOTIC SPECIES TO BE REMOVED
 HOTTENTOT FIG (CARBOBOTUS EDULIS)
 TOTAL AREA (EAST OF PATH) ≈ 2573 SF
 NET INCREASE OF HABITAT AREA = 37.5 SF



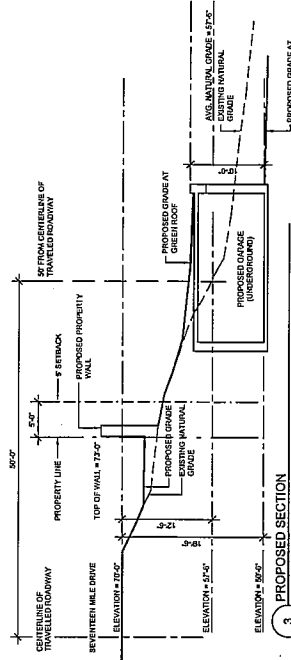
DATE	30 OCTOBER 2012	TITLE	HABITAT RESTORATION AREA - CONCEPT PLAN
SCALE	1/8" = 1'-0"		
DRAWN BY	AJB		
JOB NUMBER	1008		
ORIGINAL SUBMITTAL 01 JUNE 2011 REVISION 18 SEPTEMBER 2012 REVISION 19 SEPTEMBER 2012 REVISION 25 SEPTEMBER 2012 REVISION 15 OCTOBER 2012 REVISION 19 OCTOBER 2012 REVISION 20 OCTOBER 2012			
Carver + Schickelanz ARCHITECTS / PLANNERS / INTERIOR DESIGNERS PO BOX 2851 - CHINO, CA 91710 - USA TEL: 909.401.2400 WWW.CARVERANDSCHICKELANZ.COM		LUNDQUIST SEVENHOLE DRIVE • PEBBLE BEACH, CALIFORNIA	
		SHEET <h1>3.1</h1>	



1 PROPOSED GARAGE FLOOR PLAN
SCALE: 1/8" = 1'-0"

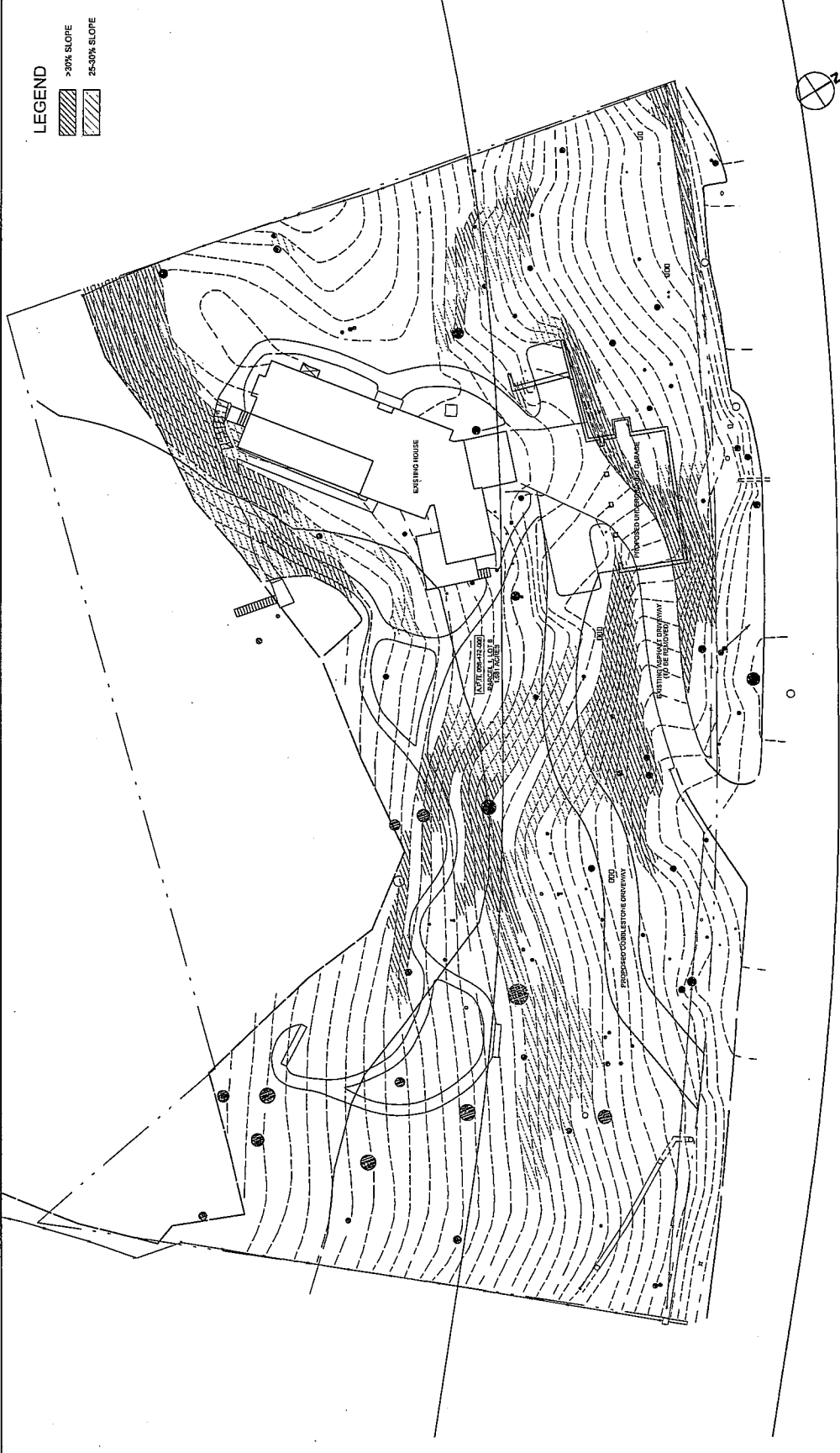


2 PROPOSED GARAGE ELEVATION
SCALE: 1/8" = 1'-0"



3 PROPOSED SECTION
SCALE: 1/8" = 1'-0"

DATE: 1 JUNE 2011		TITLE: PROPOSED GARAGE FLOOR PLAN, ELEVATION, AND SECTION	
SCALE: 1/8" = 1'-0"		SHEET: 5	
DRAWN BY: AJ		Carver + Schickelstark ARCHITECTS - PLANNERS - INTERIOR DESIGNERS PO BOX 3946 - CERRITOS CA 94701 - USA CARVERANDSCHICKELSTARK.COM	
JOB NUMBER: 1008		LUNDQUIST SEVENTEEN MILE DRIVE • TERRACE BEACH, CALIFORNIA	



LEGEND
 >30% SLOPE
 25-30% SLOPE

DATE: 1 JUNE 2011		TITLE: SLOPE MAP		SHEET: 6
SCALE: 1/8" = 1'-0"		PROJECT: LUNDQUIST		
DRAWN BY: J.A.		ARCHITECT: Carver + Schlichter		FOR MORE INFO: CARVER + SCHLICHTER ARCHITECTS, INC. 1000 UNIVERSITY AVENUE, SUITE 1000 SAN FRANCISCO, CA 94103-1000 CARVER+SCHLICHTER.COM
JOB NUMBER: 008		ARCHITECTS - PLANNERS - INTERIOR DESIGNERS		



LUNDQUIST
 SEVENTH AVENUE DRIVE • FIBBLE BEACH, CALIFORNIA



New Roof & Post Relocation

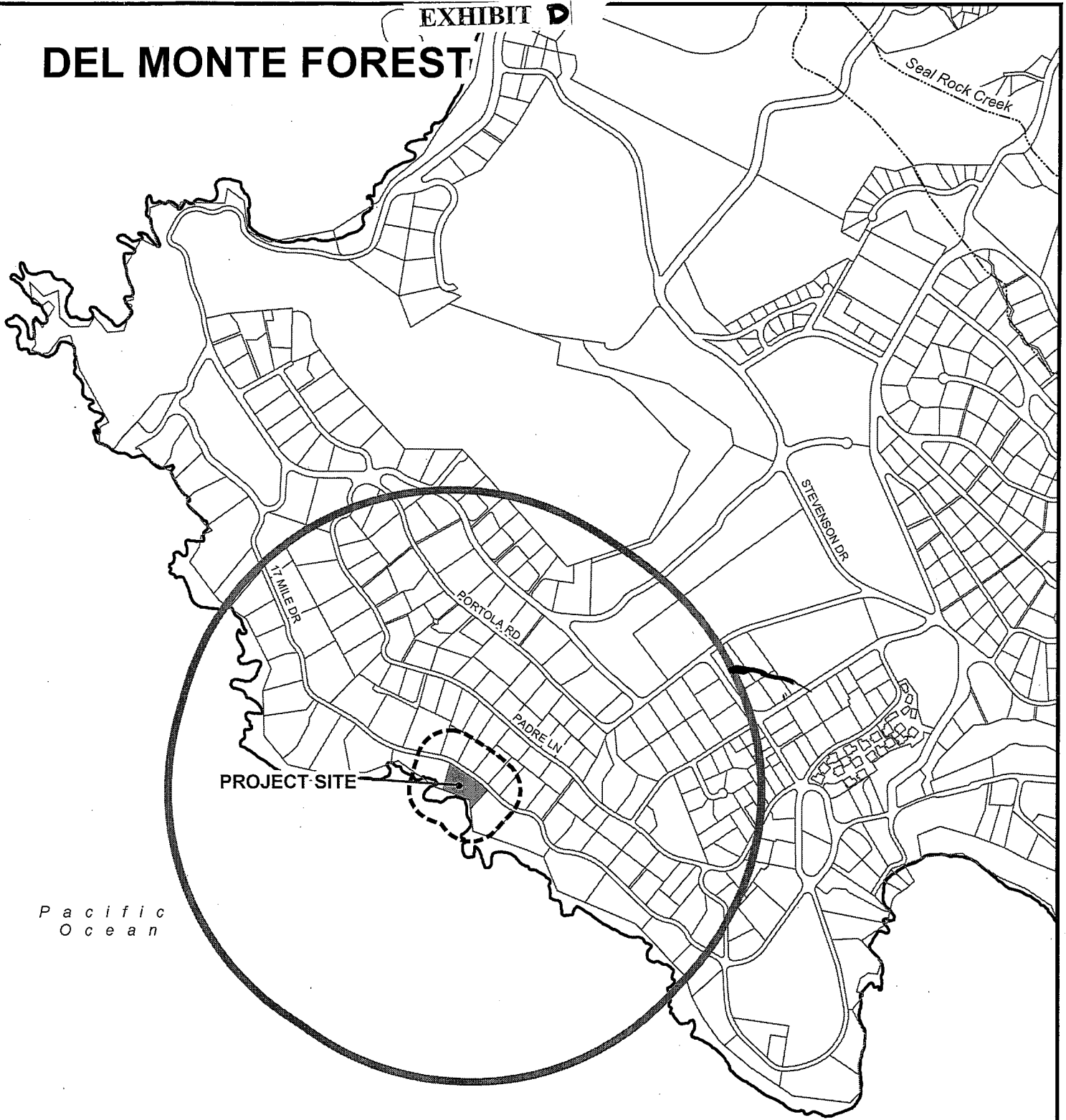
Trash Enclosure

Original Roof & Post Location

Habitat Restoration Area

11.02.12 - Lundquist - Proposed Alteration

DEL MONTE FOREST



APPLICANT: LUNDQUIST

APN: 008-472-006-000

FILE # PLN110114

 Water
  2500' Limit
  300' Limit
  City Limits

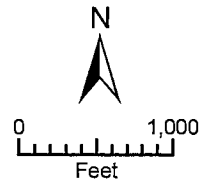


EXHIBIT E
MINUTES
Del Monte Forest Land Use Advisory Committee
Thursday, July 7, 2011

1. Meeting called to order by _____ Roderick L. Dewar _____ at _____ 3:05 _____ pm

2. Roll Call

Members Present: _____ Sandy Verbanec, Roderick Dewar, Kimberly Caneer, June Stock _____

Members Absent: _____ Sandy Getreu, Lori Lietzke, William Connors _____

3. Approval of Minutes:

A. June 2, 2011 minutes

Motion: _____ June Stock _____ (LUAC Member's Name)

Second: _____ Sandy Verbanec _____ (LUAC Member's Name)

Ayes: _____ Verbanec, Dewar, Caneer and Stock _____

Noes: _____ None _____

Absent: _____ Getreu, Lietzke _____

Abstain: _____ None _____

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) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None

B) Announcements

None

7. **Meeting Adjourned:** 4:00 pm

Minutes taken by: Roderick L. Dewar

Minutes received via email July 11, 2011

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: **July 7, 2011**

Project Title: LUNDQUIST RICHARD C & MELANIE F TRS

File Number: PLN110114

File Type: ZA

Planner: NEGRETE

Location: 008-472-006-000

Project Description:

Combined Development Permit consisting of a: 1) Coastal Administrative Permit to allow the construction of a detached 1,070 square foot four-car garage with planted roof (green roof), a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall, grading of approximately 550 cubic yards of cut and 200 cubic yards of fill and; 2) a Coastal Development Permit for the removal of one 7" Monterey Pine and relocation of one 6" Cypress tree and; 3) a Coastal Development Permit for the development within 100 feet of ESHA and; 4) a Coastal Development Permit for development within 750 feet of a known archaeological resource and; 5) a Coastal Development Permit for development on slopes greater than 30%; and 6) Design Approval. The property is located at 3224 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-472-006-000), Del Monte Forest area, Coastal Zone.

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

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

PUBLIC COMMENT:

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

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)
None		

ADDITIONAL LUAC COMMENTS

Wall approval in concept. Architectural Review Board also approved in concept with certain adjustments including raising wall in some areas, eliminating wall in others, changing the style of iron gate, etc.

Discussions with architect and owner are ongoing.

DMFLUAC's motion was to approve the project concept with adjustments as ultimately determined by Architectural Review Board and further review by DMFLUAC is not required.

DMFLUAC – Del Monte Forest Land Use Advisory Committee

RECOMMENDATION :

Motion by Dewar (LUAC Member's Name)

Second by Verbanec (LUAC Member's Name)

 Support Project as proposed

 X Recommend Changes (as noted above)

 Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: Stock, Dewar, Verbanec, Caneer

NOES: None

ABSENT: Lietzke, Getreu

ABSTAIN: None

EXHIBIT F September 12, 2011

Monterey County Planning Commission

Attn: Valerie Negrett

RE: 3224 17 Mile Dr
Pebble Beach

Dear Ms. Negrett

I am writing to protest the proposed wall to be installed on the ocean side street in Pebble Beach, 3224 17 Mile Dr. As it is now, passers-by have a lovely view of the ocean and trees, which will be completely blocked by this wall. Also, it is a very long section, perhaps 500 ft.?

Please try to persuade these homeowners to consider an alternative way to enclose their property, one which will allow others to enjoy this unique, wonderful meeting of land and water.

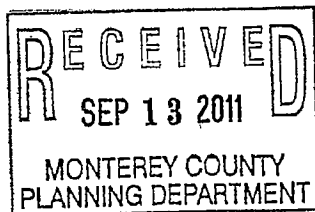
Very truly yours,

Claire Flowers

Richard D. Flowers

1079 Spyglass Woods Dr
Pebble Beach 92953

P.O. Box 1324



Richard C. Lundquist
Melanie F. Lundquist
1809 Paseo del Sol
Palos Verdes Estates, CA 90274

August 31, 2012

Ms. Laura Lawrence
Planning Services Manager
Ms. Delinda Robinson
Senior Planner
Monterey County Planning and Building Department
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

Re: Planning File Number: PLN110114
Project Location: 3224 17-Mile Drive, Pebble Beach

Dear Laura & Delinda:

I want to thank both of you for taking the time on relatively short notice to meet with Rob Carver and me recently and for your willingness to work with us to revise our project to meet the various County and Coastal Commission requirements.

I returned to Los Angeles shortly after our meeting and, accordingly, didn't have the opportunity to review on site the wall modifications discussed at the meeting. I subsequently learned that you did not feel it was necessary to return to the site yourselves.

Upon my visit last weekend, I was actually surprised to observe how much we are going to improve the ocean view to passersby compared to the existing condition. I have asked Rob to have pictures taken which will clearly and accurately reflect the view enhancements. In my opinion, you should have no difficulty in reaching the conclusion that the new wall (with openings) will not impact, but will instead provide more ocean view to those passing by.

My eye-opening discovery was that along a fair portion of the property frontage, primarily that portion with the best view of the ocean, the existing fence was actually installed well behind the property line. Once the new wall is constructed along the property line closer to the street, a person's line of sight will be over the wall to a much larger degree compared to the existing fence.

Two weeks ago, I had the non-native Monterey Cypress trees removed at the eastern end of the property, and as I surmised at the meeting, raising the height of the proposed wall one foot in that area has almost no effect on the view of the water as the large native Monterey Cypress trees in that area obscure the ocean view for the additional foot in height of the proposed wall.

Ms. Laura Lawrence
Ms. Delinda Robinson
August 31, 2012
Page 2 of 2

The proposed one-foot increase in the height of the wall just east of the new driveway location will have some view impact, but this small impact will be insignificant compared to the newly proposed additional 9' in width of wrought iron openings added equally to the four eastern (best ocean viewing) currently-proposed openings.

In much of the best ocean view area, our proposed wall is no higher, and along considerable frontage, it is lower than the existing fence. Couple this with the wall being closer to the viewer, and the result is that the view is considerably enhanced. None of the pictures presented really reflect this condition. With the wall being below eye level, the closer it is to the viewer, the more that can be seen over it. The taller portion of the wall is toward the western end of the property and the view in that area is already mostly obscured by the house and trees.

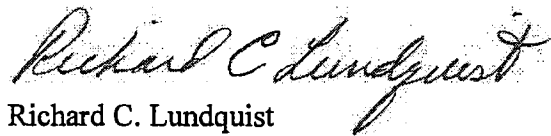
As discussed at the meeting, the plan for the removal and narrowing of paths will be revised to indicate a balance between the added driveway square footage and reduced path square footage.

As also discussed at the meeting, in addition to the reduction of path area, we are also agreeable to removing 3004 square feet of non-native vegetation (Hottentot Fig) which exists to the street side of the gravel path.

In addition to the above, as another mitigation, I am proposing to remove the carport, including its encroachment into the setback area and instead have just a small covered rear porch.

I trust that the above submittal modifications will be viewed favorably and that we will have earned staff support of the project before the Planning Commission.

Sincerely,

A handwritten signature in cursive script that reads "Richard C. Lundquist". The signature is written in dark ink and is positioned above the printed name.

Richard C. Lundquist

EXHIBIT G

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

JUN 26 2012

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Lundquist
File Number:	PLN110114
Owner:	LUNDQUIST RICHARD C & MELANIE F TRS
Project Location:	3224 17-Mile Drive, Pebble Beach
Primary APN:	008-472-006-000
Project Planner:	Delinda Robinson
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of a: 1) Coastal Administrative Permit to allow the construction of a detached 1,070 square foot four-car garage with planted roof (green roof), a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall with six 12.5 foot sections of antique bronze open-design fencing and antique bronze fencing with stone pillars at the new driveway entrance, restoration of existing paths and driveway to native Monterey cypress habitat, grading of approximately 550 cubic yards of cut and 200 cubic yards of fill and; 2) a Coastal Development Permit for the removal of one 7" Monterey cypress and; 3) a Coastal Development Permit for the development within 100 feet of Environmentally Sensitive Habitat Area and; 4) a Coastal Development Permit for development within 750 feet of a known archaeological resource and; 5) a Coastal Development Permit for development on slopes greater than 30%; and 6) Design Approval.

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 Board of Supervisors
Responsible Agency:	County of Monterey
Review Period Begins:	June 27, 2012
Review Period Ends:	July 26, 2012

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

MONTEREY COUNTY

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



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION MONTEREY COUNTY PLANNING COMMISSION

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 (Lundquist, File Number PLN110114) at 3224 17-Mile Drive, Pebble Beach (APN 008-472-006-000) (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2nd Floor, Salinas, California. The Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:
<http://www.co.monterey.ca.us/planning/docs/environmental/circulating.htm>.

The Monterey County Planning Commission will consider this proposal at a meeting on August 8, 2012 at 9:00 a.m. in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from June 27, 2012 to July 26, 2012. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of a: 1) Coastal Administrative Permit to allow the construction of a detached 1,070 square foot four-car garage with planted roof (green roof), a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall with six 12.5 foot sections of antique bronze open-design fencing and antique bronze fencing with stone pillars at the new driveway entrance, restoration of existing paths and driveway to native Monterey cypress habitat, grading of approximately 550 cubic yards of cut and 200 cubic yards of fill and; 2) a Coastal Development Permit for the removal of one 7" Monterey cypress and; 3) a Coastal Development Permit for the development within 100 feet of Environmentally Sensitive Habitat Area and; 4) a Coastal Development Permit for development within 750 feet of a known archaeological resource and; 5) a Coastal Development Permit for development on slopes greater than 30%; and 6) Design Approval.

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

CEQAcomments@co.monterey.ca.us

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

confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Department to ensure the Department has received your comments.

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

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

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

County of Monterey
Resource Management Agency – Planning Department
Attn: Mike Novo, Director of Planning
168 West Alisal, 2nd Floor
Salinas, CA 93901

Re: LUNDQUIST; File Number PLN110114

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

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

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (15 CD copies + 1 hard copy of the Executive Summary) – include the Notice of Completion
2. County Clerk's Office
3. California Coastal Commission
4. Association of Monterey Bay Area Governments
5. Monterey Bay Unified Air Pollution Control District
6. Pebble Beach Company
7. Pebble Beach Community Services District (Fire Protection District)
8. Monterey County Water Resources Agency
9. Monterey County Public Works Department
10. Monterey County Parks Department
11. Monterey County Environmental Health Bureau
12. Lundquist Richard C. & Melanie F. Trs., Owner
13. Carver & Schicketanz Architects, Architects/Agent
14. Maureen Wruck, Agent
15. Claire Flowers
16. The Open Monterey Project
17. LandWatch
18. Property Owners within 300 feet (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: Richard C & Melanie Lundquist

File No.: PLN110114

Project Location: 3224 17-Mile Drive, Pebble Beach, Ca.

Name of Property Owner: Richard C & Melanie Lundquist

Name of Applicant: Robert Carver & Jay Auburn

Assessor's Parcel Number(s): 008-472-006-000

Acreage of Property: 1.681 acres

General Plan Designation: Residential 1U/2AC - Resource Constraint Area

Zoning District: LDR/2-D(CZ)

Lead Agency: RMA – Monterey County Planning Department

Prepared By: Valerie Negrete and Delinda Robinson

Date Prepared: June 25, 2012

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Phone Number: (831) 755-5198

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The project consists of the construction of a detached, 1,070 square foot four-car, below-grade garage with a planted roof (green roof), the removal of an existing 3,110 square foot asphalt driveway and the construction of a new 3,874 square foot permeable cobblestone driveway in a new location, approximately 90 linear feet of retaining walls, the replacement of the existing 4.5 to 6 foot tall wood "grapestake" fence along the entire property frontage with a new solid stone wall with 6 fenced openings and an antique bronze gate. The proposed height of the new wall/fence is 4 to 6 feet from finished grade and 4 to 8 feet from the existing grade. (See **Section VI.1 for more discussion**). Construction will require grading of approximately 770 cubic yards of grading (550 cut/200 fill), and the transplanting of one (1) 7" Monterey cypress tree as well as the removal of two (2) dead Monterey pine trees of 13.8" and 8" respectively. The existing driveway area and 1,412 square feet of existing gravel paths will be restored to native cypress habitat for a net increase of approximately 648 square feet of habitat. The applicant proposes to use granite veneer for the site walls and front of the garage, wooden garage doors and antique bronze metal fencing. The garage will be built into the slope adjacent to and facing away from 17-Mile Drive and the roof will be covered with plantings.

The subject property is located within the Coastal Zone and the project will require six (6) entitlements. The project is a Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the construction the garage, realignment of the driveway and associated site improvements; 2) a Coastal Development Permit for the relocation and transplanting of one 7" Monterey cypress; 3) a Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat Area (ESHA); 4) a Coastal Development Permit for development within 750 feet of a known archaeological resource; 5) a Coastal Development Permit for development on slopes greater than 30%; and 6) Design Approval. The property is located at 3224 17-Mile Drive, Pebble Beach (Assessor's Parcel Number 008-472-006-000), Del Monte Forest area, Coastal Zone.

Tree Removal and Relocation

The Del Monte Forest Land Use Plan requires a Coastal Development Permit for the removal of trees and other major vegetation (Section 20.147.050.A.1). A Coastal Development Permit is not required when a tree is diseased and would cause a threat to spread disease to nearby forest areas. In this case, the construction of the new garage will impact three trees. One of the three trees is a young Monterey cypress of 7" in diameter and therefore requires a Coastal Development Permit; the other two Monterey Pine trees are dead and do not require a Coastal Development Permit for their removal. The applicant proposes to relocate the young Monterey cypress to a location approved by the project arborist. Policy 21 of the Del Monte Forest Land Use Plan prohibits development within the dripline of Monterey cypress habitat. However the applicant will be incorporating the use of bridging the roots of the trees along the proposed driveway and adjacent to the new stone wall to protect any Monterey cypress tree from adverse effects due to construction (See **Section VI.4 for further discussion**).

Wall Replacement

The site is located between 17-Mile Drive and the sea and is within the viewshed of a scenic corridor identified on the Del Monte Forest Land Use Plan (LUP) Visual Resources Map. The site is predominantly Monterey cypress habitat and is listed as a Visual Resource for its views to and along the ocean. Several policies within the LUP require siting and design of structures to harmonize with the natural setting and LUP Policy No. 59 specifically requires that "New development, including ancillary structures such as fences constructed between 17-Mile Drive and the sea . . . be designed and sited to minimize obstruction of views from the road to the sea." Currently, the site contains a wood fence that is approximately 4.5 to 6 feet high along the 17-Mile Drive frontage. The applicant proposes to replace the fence with a solid wall with six 12.5-foot sections of antique bronze fencing of an open design that is proposed to be 4 to 6 feet tall as measured from the finished grade. The gated driveway entrance, which is approximately 40 feet wide, will also be antique bronze fencing of an open design with stone pillars. The construction of the proposed wall will require excavation for the footings and the applicant proposes to raise the finished grade up to 2 feet from the existing grade at the 2 lowest points, resulting in a solid wall with openings that is taller than the existing partially see-through fence along some sections of the frontage. The new wall is designed so that the sections step in height along with the road and finished topography and the top of each section is level.

Development within 100 feet of Environmentally Sensitive Habitat (ESHA)

The site is located within the environmentally sensitive indigenous Monterey cypress habitat. LUP Policy No. 14 requires that development near environmentally sensitive habitat areas (ESHA) be restricted to the minimum amount necessary to accommodate development. The driveway design is needed for a safer entrance to the single-family dwelling. (Source IX. 1 & 6) The proposed driveway re-alignment will impact 3,874 square feet of Monterey cypress habitat; however the project will involve the restoration of 3,110 square feet of existing driveway and 1,412 square feet of gravel walkways, for a total restoration of 4,522 square feet and resulting in a 648 square foot net gain of habitat on the site. (See Section VI.4 for further discussion). In addition, the applicant will be required to place the remaining ESHA on the property in Conservation and Scenic Easement to the Del Monte Forest Foundation in accordance with Policy 52, preserving an area around the existing home for reasonable use. In accordance with Monterey County Code Section 20.14.030.E, development within 100 feet of environmentally sensitive habitat requires a Coastal Development Permit.

Development on Slopes over 30%

The project will require the excavation of an area of approximately 160 square feet on a slope greater than 30 percent in order to re-align the driveway as well as a small area for the construction of the garage. Monterey County Code Title 20 Section 20.64.230 provides for an exception on the development on a 30% slope, if the slope is man-made and less than 100 square feet. The subject slope is man-made however it is over 100 square feet and therefore would require a Coastal Development Permit. In order to approve development on slopes of 30% or more, staff must make one of two findings: 1) that there is no feasible alternative which would allow development to occur on slopes of less than 30%; or 2) that the proposed development better achieves the goals, policies and objectives of the Monterey County Local Coastal Program than other development alternatives. The site is constrained by the multiple setbacks and the encroachment onto 30% slopes is not considered significant given the sloping topography of the site (See Section VI.10 for further discussion). Further, the project is designed to include

restoration of impacted slopes, which will result in 648 square feet of additional ESHA habitat **(See Section VI.4 for further discussion).**

Cultural Resources

Monterey County Geographic Information Systems (GIS) lists the site as having a high potential to contain archeological resources. An archeological report was conducted by Susan Morley in April 2011 for the project and found the site is a positive site with the possibility of human remains. Monterey County Zoning Ordinance Title 20 Section 20.14.030.F requires a Coastal Development Permit for sites with positive archaeological reports. According to the California Environmental Quality Act (CEQA) Section 15064.5, a positive site cannot be categorically exempt and requires an Initial Study **(See Section VI.5 for further discussion).**

Garage Setback

The proposed garage will be set back 9'-2" from 17-Mile Drive. The site is a rectangular shaped lot that runs parallel to 17-Mile Drive. There is a 100-foot setback requirement from the mean high tide (LUP Policy No. 27) and a 100-foot setback requirement from 17-Mile Drive. The lot has a very small building area (east to west), which does not take into account Cypress habitat, ESHA, potential cultural resources and slope constraints. Monterey County Code Section 20.62.040.C. allows for a garage or parking space to be located within 5 feet of the front property line where the elevation of the front half of the lot at a point 50 feet from the centerline of the traveled roadway is 7 feet above or below the grade of said centerline. In this case, the elevation change is 10 feet, so no Variance is required. The Del Monte Forest Land Use Plan Policy 57 states that structures in scenic areas shall utilize native vegetation and topography to provide screening from the viewing area and the least visible portion of the property should be considered the most desirable building site location, subject to consistency with other siting criteria. The below-grade garage will be built into the slope adjacent to and below 17-Mile Drive and will not be visible from the road.

B. Surrounding Land Uses and Environmental Setting:

The project site is a 1.681-acre parcel located at 3224 17-Mile Drive within the Pebble Beach Planning Area of the Del Monte Forest, Monterey County, California. Surrounding land uses include residential development to the north, northeast and east, an open space/resource conservation parcel to the northwest and the Pacific Ocean to the south. The property slopes downward from 17-Mile Drive to the coastal bluff, with slopes ranging from 15 to 50 percent. The soils are sandy loam and the underlying rock is mostly granite. Native stands of Monterey cypress (*Cupressus macrocarpa*) trees are found throughout the property, an extension of Cypress Point Grove **(See Section VI.4 for more detail)**. Several Monterey pines are scattered throughout the property and the dominant native understory species on the site are seaside daisy, Douglas iris, and beach aster. Non-native species which have colonized the site include ice plant, dusty miller, crassula and rattlesnake grass.

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, 14).

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. Monterey cypress forest on the site and the ocean beyond are currently partially visible through and over the existing wood fence. 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 from Point Lobos over the existing residential use of the site because of screening by existing trees and the residence. The proposed garage will be built into the slope below and facing away from 17-Mile Drive. With the green roof and new fencing, the garage will not be visible from 17-Mile Drive. The proposed solid rock wall with strategically placed wrought iron openings will allow for some views through toward the ocean. See **Section VI.1 (Aesthetics)** below for a detailed discussion.

The parcel is also located within the mapped indigenous Monterey cypress habitat area and Monterey cypress habitat is present on the property. The relocation of one small Monterey cypress and the removal of two dead Monterey pine trees is required for the project, and tree protection measures will be required. The applicant proposes to restore the existing driveway and gravel pathways to native Monterey cypress habitat. See **Section VI.4 (Biological Resources)** below for a detailed discussion.

C. Other public agencies whose approval is required: Construction permits will be required by the Monterey County RMA-Building Services Department.

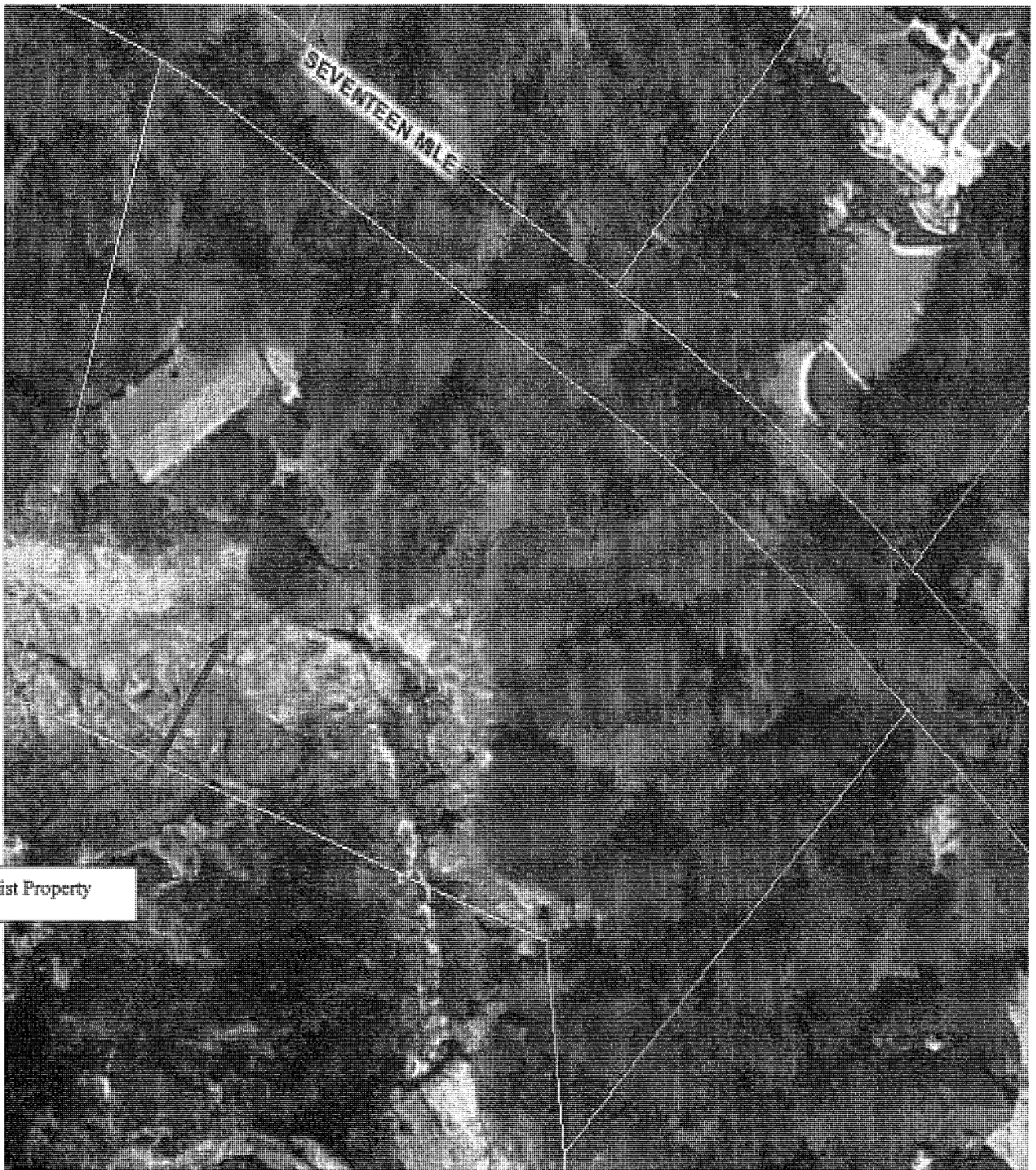


Figure 1: Aerial Site Plan of Lundquist property

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"/>

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

General Plan / Local Coastal Program-LUP

The proposed project was reviewed for consistency with 1982 General Plan, the Del Monte Forest Land Use Plan (LUP), the Monterey County Coastal Implementation Plan Part 5 and the Monterey County Zoning Ordinance (Title 20). The fence replacement, new garage and driveway re-configuration are accessory to the existing residential use of the site. The property is located within a Low Density Residential district, which allows for the proposed use subject to the entitlements listed in Section I above. Potential impacts were identified during staff review and are further discussed in Section VI. **CONSISTENT.**

Air Quality Management Plan

Consistency with the Air Quality Management Plan is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a 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 (Source: IX. 1, 5). The project is located on a developed residential lot and will not result in an increase in population.

The Association of Monterey Bay Area Governments (AMBAG), the *2008 Population, Housing Unit, and Employment Forecasts* adopted by the AMBAG Board of Directors, are the forecasts used for this consistency determination. The construction of a detached 1,070 square foot four-car garage with planted roof (green roof), a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone wall, grading of approximately 550 cubic yards of cut and 200 cubic yards of fill and replanting of one 7" Monterey cypress will not contribute to an increase in the population forecasts of the 2008 AQMP and would not result in

substantial population changes. Therefore, the project is consistent with the 2008 regional forecasts and the Air Quality Management Plan (Source: IX. 5). **CONSISTENT**

Water Quality Control Plan. Monterey County is included in the Central Coast Regional Water Quality Control Board – Region 3 (CCRWCB). The CCRWCB regulates the sources of water quality related problems that could result in actual or potential impairment or degradation of beneficial uses or degradation of water quality. The proposed project will not significantly increase on-site impervious surfaces and does not include land uses that introduce new sources of pollution. Therefore, the project will not contribute runoff that will exceed the capacity of stormwater drainage systems or provide substantial additional sources of polluted runoff. The proposed project will not result in water quality impacts or be inconsistent with the objectives of this plan. **CONSISTENT**

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 checked="" type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input checked="" 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 checked="" type="checkbox"/> Mandatory Findings of Significance |

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:

- 2. Agricultural and Forest Resources:** The subject property is located within an established residential neighborhood and is zoned for residential use. There are no agricultural uses on or within the vicinity of the property and the property is not under a Williamson Act Contract. Furthermore, according to the California Department of Conservation Farmland Mapping and Monitoring Program, the site has not been mapped as Prime Farmland, Unique

Farmland, or Farmland of Statewide Importance and falls within the classification of Urban Built-Up Land. Therefore, the project will have no impact on agricultural resources. The project site is zoned for residential use and harvesting of timber is not allowed in this zoning district. The trees on the site are primarily Monterey cypress, a protected species which could not be harvested as timber per the land use plan policies. The project proposes to increase the Monterey cypress habitat on the site through restoration of more habitat area than is being removed. Thus, the project will have no impact on forest resources. (Source: 1, 2, 3, 4, 6, 12).

- 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 realignment of a driveway and the construction of a new fence and garage on a lot that is developed with a single family residence in a residential area. The nearest structure to the project site is a residence approximately 90 feet to the southeast. The nearest structure to the northeast is more than 150 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 Louis 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. 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.

8. **Hazards/Hazardous Materials:** The project includes a new fence, a new underground garage, and the re-alignment of the driveway for an existing single family dwelling on 17-Mile Drive. The project site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As a residence, the project does not involve the transport, use, or disposal of hazardous materials other than those found within a typical residence. The project does not involve the demolition of structures where there is the potential for the release of asbestos. The nearest school is Robert Louis Stevenson School which is 1.2 miles from the project site. Construction activities will not release hazardous materials, substances, or waste within one-quarter of an existing school. The project is not located within airport land use plan or within two miles of a public airport, public use airport or private airstrip; therefore the project will not result in a safety hazard for people residing or working in the project area. The development of the new driveway will not physically interfere with an adopted emergency response plan or emergency evacuation plan. The project site is within a high fire hazard area and within a State Responsibility Area; however, the project, as proposed, does not increase the hazards associated with development in a high fire hazard area. The project has been conditioned by the Pebble Beach Community Services District with standard conditions of approval, including a condition to manage combustible vegetation within a minimum of 100 feet of structures (or to the property line). Therefore, there will be no impact on hazards or hazardous materials. (Source IX 1, 2, 14).
9. **Hydrology/Water Quality:** The garage addition, driveway re-alignment and fence replacement will not violate any waste discharge requirements, deplete groundwater supplies or alter an existing drainage pattern. The existing residential use on the property is connected to a public water system and a public sewer system and the addition of a new garage is not expected to result in an increase in potable water use or wastewater generation. The proposed garage will include a planted roof, the new driveway will be built with permeable pavers and no additional grading is proposed. Existing gravel paths and parking areas will be restored to native Monterey cypress habitat. No new impervious surfaces are proposed. Drainage from the site currently flows to the adjacent beach and no changes to the drainage system are proposed. Standard erosion control measures will be placed on the project to reduce any potential run-off associated with the proposed project. There are no streams or rivers located on the project site. Based upon the FEMA Flood Insurance Rate Map the property is not located in a Special Flood Hazard Area. It is located in Zone X (unshaded), as shown on FEMA Flood Insurance Rate Map Panel 06053C-0305G, effective date April 2, 2009. There are no levees, dams, or other water detention facilities upstream of the project site capable of causing flooding on the site. The project site is located on the coast but the proposed project area is not within a tsunami inundation area according to the California Department of Conservation Tsunami Inundation Map for Emergency Planning, Monterey Quadrangle. There are no bodies of water in the vicinity of the project large enough to produce a seiche. Therefore, there will be no impact to hydrology or water quality. (Source IX. 1, 2, 14)
11. **Mineral Resources:** Based on review of maps in the Monterey County 1982 General Plan, the Del Monte Forest Land Use Plan, SMARA Designation Report No. 7 and the California Department of Conservation Division of Mines and Geology Mineral Land Classification

maps for Monterey County, the subject property is not located in an area where mineral resources are known to exist nor have any mineral resources been identified on the site. Therefore, the project will not result in the loss of availability of a known mineral resource that is of value to the region and the residents of the state nor will it result in the loss of availability of a locally-important mineral resource recovery site as delineated in the Monterey County General Plan or the Del Monte Forest Land Use Plan. Therefore, the project will have no impact to mineral resources (Source: 1, 2, 3, 14).

12. **Noise:** The closest sensitive receptors (residences) are located on 17-Mile Drive approximately 90 feet to the southeast and approximately 150 to the northeast, as measured from the nearest property line. Noise generated from the property will not be more than what is associated with a typical residential use; therefore, there will be no substantial increase in ambient noise above existing levels. Construction activities may generate noise and vibrations; therefore, there could be a periodic increase in ambient noise levels in the project vicinity during construction. However, noise levels are not expected to expose people to or generate of noise levels in excess of standards established in the 1982 General Plan or Monterey County Code Chapter 10.60. Some groundborne vibrations and groundborne noise levels may be associated with the grading activities proposed. With the nearest offsite residence more than 90 feet away, exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels is not expected. The project is not located within airport land use plan or within two miles of a public airport, public use airport or private airstrip; therefore the project will not result in excessive noise levels for people residing or working in the project area. Therefore, there will be no impact to noise. (Source IX 1, 2, 6, 14, 15)
13. **Population/Housing:** The proposed project consists of the construction of a new garage and fence and the realignment of the driveway on an existing residential parcel that is developed with a single family residence. 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 is associated with the existing use of a developed lot. There are no plans for additional housing or for demolition of any housing. 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. Therefore, the project will have no impact on population or housing. (Source: IX. 1, 2, 3, 5)
14. **Public Services:** The proposed project involves the replacement of a driveway and the construction of a new garage and fence on an existing residential lot which would continue to 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 the 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 project will not result in an intensification of the residential use on the property nor will it 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, 14). Therefore, there will be no impacts on public services.

15. **Recreation:** The project would result in the realignment of a driveway and the construction of a garage and new fence. Due to the small scale of the project, it would not result in an increase in use of existing recreational facilities causing substantial physical deterioration. Parks, trail easements, or other recreational opportunities would not be adversely impacted by the proposed project. The project would not create significant recreational demands, and would not result in impacts to Recreation. The project does not include recreational facilities, nor does it require the construction or expansion of recreational facilities, nor does it require the construction or expansion of recreational facilities that might have an adverse effect on the environment. Therefore, there will be no impact on recreation. (Source: IX. 1, 2, 3, 6, 14)

16. **Transportation/Traffic:** The project is located off of 17-Mile Drive and is accessed from an existing asphalt driveway. The project includes a new fence, a new underground garage, and the re-alignment of the driveway for an existing single family dwelling to provide a safer entrance to the site for the residence and fire department personnel. The proposed project is consistent with the Del Monte Forest Land Use Plan circulation policies and the 2010 Regional Transportation Plan for Monterey County because the project includes the realignment of a driveway; no intensification of use or access is proposed. The project is not located within airport land use plan or within two miles of a public airport or public use airport; therefore the project will not result in a change of air traffic patterns. The new driveway alignment decreases the hazards found with the existing driveway by improving sight distance to and from the project site. Therefore, the new driveway alignment will provide better emergency access to the project site. The driveway re-alignment is replacing an existing driveway; therefore, the project will 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. Therefore, there will be no impact to transportation or traffic. (Source IX 1, 3, 6, 14)

17. **Utilities/Service Systems:** The proposed project involves the construction of a non-habitable accessory structure (garage) and the realignment of a driveway on an existing, developed, residential lot that will not cause a change in water use or wastewater flow from the property. No new water fixtures are proposed (Source IX. 1). The project will 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. Utilities such as electricity and phone service are already in place and the construction of a non-habitable accessory structure would not create a sufficient demand to warrant the expansion of the current infrastructure (Source: IX. 1). Therefore, there will be no impact on utilities or service systems.

such as electricity and phone service are already in place and the construction of a non-habitable accessory structure would not create a sufficient demand to warrant the expansion of the current infrastructure (Source: IX. 1). Therefore, there will be no impact on utilities or 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.

Delinda Robinson
Signature

June 25, 2012
Date

Delinda Robinson, Senior Planner

June 25, 2012

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

- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 3, 6, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 2, 3, 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: 1, 2, 3, 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 2, 3, 6, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Aesthetics 1 (a): Less than Significant with Mitigation

The site is located between 17-Mile Drive and a coastal bluff (Pacific Ocean) within the Del Monte Forest Land Use Plan area. The site contains an existing single-family dwelling and driveway approximately 160 feet long that is accessed directly off of 17-Mile Drive. The proposed project includes the construction of a detached 1,070 square foot four-car garage with planted roof (green roof), a new permeable cobblestone driveway, the replacement of an existing wood fence with a new stone (tan, taupe & grey) wall with antique bronze open design inserts, grading of approximately 550 cubic yards of cut and 200 cubic yards of fill and the removal of one 7" Monterey cypress.

The project site is identified on the LUP Visual Resources Map (Map 2C) as part of the view area from 17-Mile Drive. The site of the Lone Cypress which is a designated scenic vista, is located immediately east of the site. Views from 17-Mile Drive are considered to be valuable scenic and visual resources that are protected within the Del Monte Forest Plan. LUP Policy No. 122 (Public Access) states that existing visual access from 17-Mile Drive and from major turnouts along the Drive shall be permanently protected as an important component of shoreline access and public recreational use. The policy guidance statement for Scenic and Visual Resources in the LUP recognizes the value of the areas magnificent scenic and visual resources and states that the objective of the plan is to "encourage improvements which complement the natural scenic assets and enhance the public enjoyment of them". LUP Policy 59 specifically requires that "New development, including ancillary structures such as fences constructed between 17-Mile Drive and the sea . . . be designed and sited to minimize obstruction of views from the road to the sea. Examples of methods to reduce obstruction include, but are not limited to the following: height limits, use of see-through materials for fences, limitations on landscape materials which would block views."

Figure 2: Portion of Existing View from 17-Mile Drive (northwest portion)

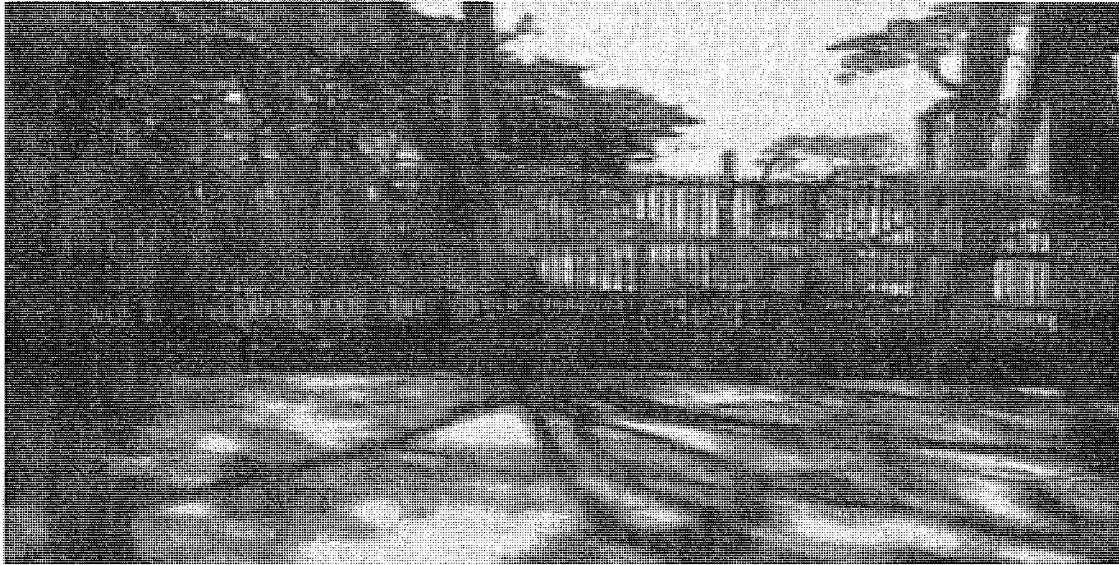


Figure 3: Portion of Existing View from 17-Mile Drive (northeast portion)



There is an existing approximately 4.5 to 6 foot tall wood “grapestake” fence at the front of the property along 17-Mile Drive, with an approximately 35 foot long section of shorter wire fence along the northeastern end. The view of the ocean from 17-Mile Drive varies as you drive along 17-Mile Drive passing the residence, but the ocean is visible through the Monterey cypress forest along almost the entire frontage. The existing wood fence design is such that, due to the spacing

between the stakes between the existing driveway and the neighboring property to the east, viewers are able to see not only over the fence, but to see glimpses through it as well. This allows the viewer to see the ocean within the context of the forest rather than just open water above the fence. The project includes the replacement of the existing fence with a new stone wall that will be 4 to 6 feet tall as measured from the finished grade, with 12.5 foot long sections of antique bronze fencing inserted at 6 locations along the wall, and antique bronze fencing with stone pillars at the new driveway entrance. The antique bronze fencing is designed to allow full views across the site to the ocean. Of the approximately 410 foot front property line, 134 feet or a little over one third of the length will be open design fencing. Construction of the wall will require excavation for the footings and the applicant proposes to raise the existing grade up to two feet, resulting in a wall that is taller than the existing fence in some places. However, the sections of open design fencing will allow full views through the site to the ocean in areas where the current view is only over the top of the existing wood fence.

On July 7, 2011, the Del Monte Forest Land Use Advisory Committee reviewed and recommended approval of an earlier proposal for the wall and fencing that included only five 9-foot long fenced openings, a much taller wall than the existing wood fence on the northeastern end and no fenced openings on the northeastern end. The applicant has agreed to modify the project to lower the height of the wall by one foot on the northeastern end, to increase the number of fenced openings from 5 to 6 (adding an opening on the northeastern end) and to increase the length of the fenced openings from 9 feet to 12.5 feet as described above. The applicant has submitted a visual simulation (**See Attachment 5**) of the modified project but has not yet submitted revised plans. Construction of the wall as originally proposed would adversely impact the existing scenic vista. Implementation of Mitigation Measure No. 1 will reduce this impact to less than significant.

Figure 4: Fence design at entrance

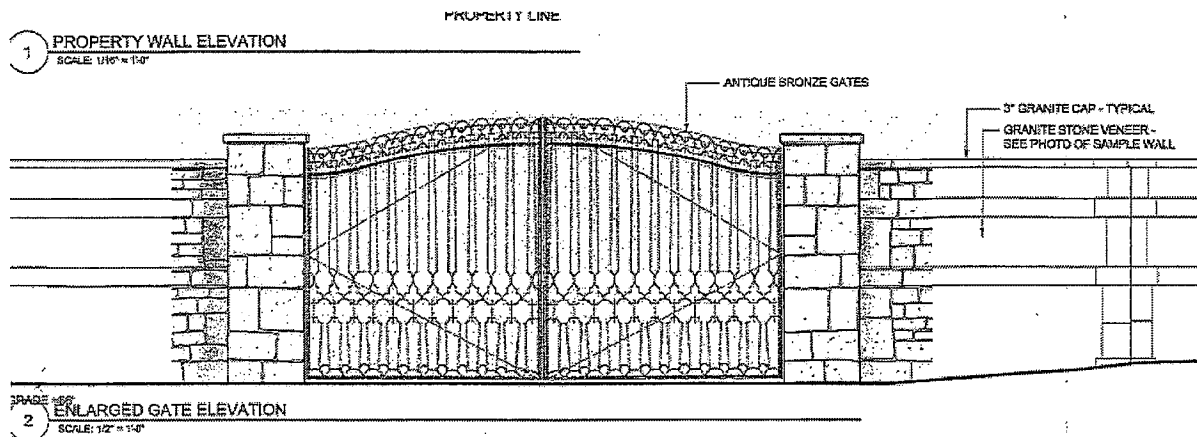
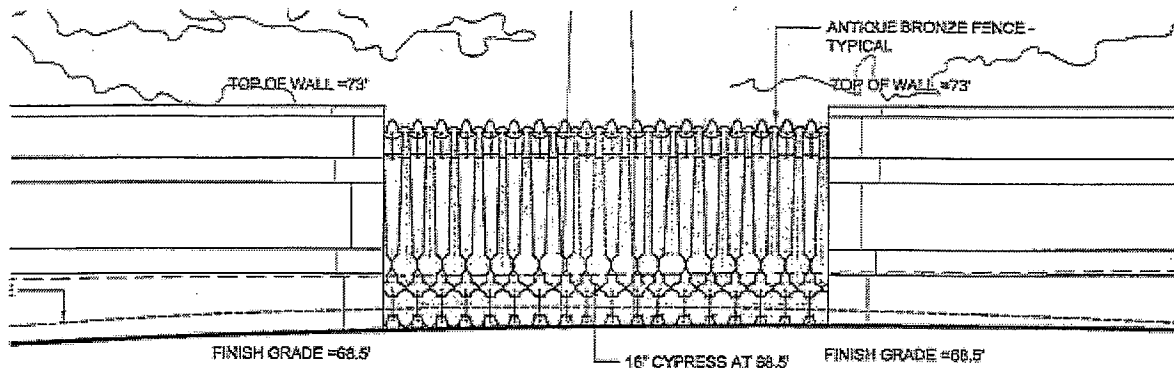


Figure 5: Fence design at opening



Mitigation Measure No. 1: In order to prevent adverse impacts to the existing scenic vista and to the scenic character of the site due to the replacement of the existing fence and to ensure that the project complies with the Visual Resources and Public Access policies of the Del Monte Forest Land Use Plan, the proposed wall/fencing along 17-Mile Drive shall be designed and sited to minimize obstruction of views from the road to the sea. The proposed wall/fencing shall be designed so as to not impair views from 17-Mile Drive over the existing condition. Prior to the issuance of a building or grading permit, the applicant/owner shall submit revised plans for the wall/fencing to the RMA-Planning Department for review and approval that are consistent with the visual simulation provided to the County on June 21, 2012 including: 1) the top of the wall/fencing in Section A (between new driveway entrance and neighboring property to the northeast) as shown on the visual simulation shall be one foot lower than shown on the plans that were recommended for approval by the Del Monte Forest Land Use Advisory Committee on July 7, 2011; 2) the number of antique bronze fenced sections shall be increased from 5 to 6, with the additional section being located between the new driveway entrance and the neighboring property to the northeast; and 3) the open design fenced openings shall be increased from 9 feet long to 12.5 feet long.

Monitoring Action No. 1: Prior to the issuance of a building or grading permit, the applicant/owner shall submit revised plans for the wall/fencing to the RMA-Planning Department for review and approval as described in this Mitigation Measure.

Monitoring Action No. 2: Prior to final inspection the applicant/owner shall submit photographic evidence that the replacement fencing has been constructed in accordance with the approved plans to the RMA-Planning Department for review and approval.

Additionally, approximately 20 young Monterey cypress trees of non-indigenous stock have been planted along the inside of the fence line from the northwest corner of the property to the opening for the existing driveway. As discussed in Section VI.4 below, the site is within the environmentally sensitive, indigenous range of the Monterey cypress and the planting of non-indigenous Monterey cypress trees in this area is harmful to the native forest (see Section VI.4b below for further discussion). If allowed to remain, these trees will eventually entirely block the views of the ocean from 17-Mile Drive, which would adversely impact the existing scenic vista. Implementation of Mitigation Measure No. 2 will reduce this impact to less than significant.

Mitigation Measure No. 2: In order to prevent adverse impacts to the existing scenic vista and to the scenic character of the site due to the planting of Monterey cypress trees of non-indigenous stock along the front fence line and to prevent adverse impacts to the native Monterey cypress forest, the applicant/owner shall remove all such recently planted trees from the property. The trees shall be removed under the supervision of a qualified arborist to ensure that only non-indigenous trees are removed.

Monitoring Action No. 2: Prior to the issuance of a building or grading permit, the applicant/owner shall submit evidence to the RMA-Planning Department that all recently planted non-indigenous Monterey cypress trees on the property have been removed. Such evidence shall consist of a letter from a qualified arborist describing the number and location of the trees that were removed.

Aesthetics 1 (b): No Impact

The project site is located in Pebble Beach, where all of the roadways are private. The site is not visible from any Officially Designated or Eligible State Scenic Highway. The section of Highway 1 in this area and the section of Highway 68 from Highway 1 to the Salinas River are both Designated State Scenic Highways but the project site is visible from neither. There would be no impact.

Aesthetics 1 (c): Less than Significant with Mitigation

The existing visual character of the site is that of a forested area with views through the openings between the trees to the ocean. Some areas are more heavily forested, but the ocean is visible along the entire length of the property. The site itself defines the character. The site slopes sharply down from the road to the bluff above the beach with a 30 to 35 foot change in elevation across the parcel. The existing single-story residence is sited approximately 20 feet lower than and 100 feet away from the road, nestled in among the trees. The project would permanently alter the appearance of the site by replacing the existing wood fence with a stone wall, with see-through antique bronze fencing at the gate and six other 12.5-foot long sections. However, as discussed in Section 1(a) above, the fenced openings will allow for full views through the site to the ocean. Implementation of Mitigation Measure No. 1 above would ensure that the wall/fence is built as per the agreed upon modifications and will reduce the impact on the visual character of the site to less than significant.

Aesthetics 1 (d): Less than Significant

The proposed garage will be built into the slope below 17-Mile Drive and will face away from the Drive toward the house. There will be no windows in the garage and exterior lighting will be blocked from ocean views by the residence and the forest and from 17-Mile Drive by the fence, topography and vegetation. Therefore, potential impacts from exterior lighting on adjacent properties and/or views would be minimized by design. In-ground lighting is proposed at the gate. 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. Pursuant to implementation of County Conditions of Approval, the project is consistent with the Del Monte Forest LUP Scenic and Visual

Resources policies. The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. The impact would be less than significant.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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))?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Agricultural/Forest Resources: No Impact – See Section IV.2 for discussion.

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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Air Quality - No Impact – See Section IV.3 for discussion.

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1, 3, 6, 7, 8, 9, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1, 3, 6, 7, 8, 9, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1, 3, 6, 7, 8, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1, 3, 6, 7, 8, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 3, 6, 7, 8, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1, 3, 6, 7, 8, 14, 16, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Biological Resources 4(a) and (b) – Less than Significant With Mitigation

According to the Biological Reports prepared for this property, sensitive species on the site include: 1) Monterey cypress (*Cupressus macrocarpa*); 2) Monterey pine (*Pinus radiata*); 3) Small-leaved lomatium (*Lomatium parvifolium*); and 4) Ocean bluff milk vetch (*Astragalus nuttallii* var. *nuttallii*). Additionally, Monterey cypress habitat (the combination of native plants that make up the understory growing with the cypress) which itself is a threatened habitat, is located on the property.

The entire property is covered by a native Monterey cypress grove that is dominated by Monterey cypress with occasional Monterey pines. The understory of the Monterey cypress forest has been colonized by numerous non-native species that have crowded out large areas of native plants, reducing the diversity and habitat value of the understory. Approximately 20 young Monterey cypress trees of stock that is not indigenous to Pebble Beach have been planted along the fence at the front of the property. The introduction of these trees could eventually result in cross-breeding with the rare, native Monterey cypress in the area. This would be an adverse impact to the Monterey cypress forest, not just on the subject parcel, but in the surrounding forest as well. The implementation of Mitigation Measure No. 2 above will reduce the impact to the forest to less than significant.

Three trees are located within the footprint of the proposed development and will be removed: two dead Monterey pines and one 7-inch Monterey cypress. The young cypress will be relocated on the site. According to the Tree Resource Construction Impact Analysis prepared for the project (LIB120030), the proposed project could impact the Critical Root Zone of at least 30 trees. Grading for the garage and new driveway, excavation of footings for the wall and removal and restoration of the existing driveway and paths, all have the potential to damage trees. Monterey cypress have a low tolerance to construction related impacts and Monterey pine, a moderate tolerance to construction related impacts. Additionally, the project biologist identified 86 Small-leaved lomatium and 2 Ocean bluff milk-vetch plants, both California Native Plant Society List 4.2 species, within the proposed new development area.

Pursuant to LUP Policies 13 and 17, the applicant will be required to place the environmentally sensitive habitat areas in a conservation and scenic easement to provide for continued protection of the resources.

Implementation of Mitigation Measure Nos. 3, 4, 5 and 6 will reduce the impacts to sensitive species and habitats to less than significant.

Mitigation Measure No. 3: In order to prevent adverse impacts to trees, prior to the issuance of a construction permit, a qualified arborist shall supervise the installation of the tree protection measures as set forth in the Tree Resource Evaluation Construction Impact Analysis (LIB120030) prepared by Maureen Hamb, dated June 2011 (arborist report). Such tree protection measures shall remain in place throughout construction and shall not be removed until all construction activities are complete. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. When access to the protected areas becomes necessary, it shall be reviewed by both the contractor and the project arborist, and the arborist shall have the authority to supervise such access. Stockpiling of materials or parking within the critical root zone of trees shall not be allowed. The text of this measure shall be included as a note on the construction plans.

Monitoring Action No. 3a: Prior to the issuance of a grading or building permit, the applicant/owner shall submit proof to the RMA-Planning Department that the tree

protection measures have been installed as prescribed. Such proof shall be in the form of a letter from the arborist and photographs of the protection measures in place. The owner/applicant shall submit evidence that the text of this measure appears as a note on the construction plans.

Monitoring Action No. 3b: Prior to final inspection, the applicant/owner shall provide verification from the arborist that the tree protection measures have been successful. If additional mitigation measures are determined to be required, they shall be formulated and implemented by the monitoring arborist, after review and approval by the RMA - Planning Department.

Mitigation Measure No. 4: In order to prevent adverse impacts to trees located in close proximity to the project due to construction activities, a qualified arborist shall be present during all excavation and soil disturbing activities associated with grading, construction and restoration conducted within the critical root zone (CRZ) of any tree. The CRZ for each tree is included in the arborist report prepared for the project. Roots greater than one inch will be inspected and evaluated by the project arborist. If necessary, as determined by the arborist, the root will be retained, wrapped in protective material (foam pipe wrap) and bridged to the specifications of the arborist. The arborist shall supervise or perform the pruning of any tree roots as necessary. The arborist shall have the authority to require such special construction methods as he/she determines are necessary to protect the trees, including but not limited to designing the wall footings to span over tree roots, tunneling under tree roots or placement of a grade beam above grade. If it appears to the arborist that any tree has experienced or will experience death or damage due to construction activities, all work shall stop within the CRZ of the tree and the arborist/owner/applicant shall immediately contact the RMA-Planning Department to determine whether additional permits or modification of the project is required.

Monitoring Action No. 4a: Prior to issuance of a construction permit, the applicant shall provide to the RMA-Planning Department a copy of the contractual agreement with a qualified arborist for review and approval.

Monitoring Action No. 4b: Prior to final inspection the applicant or arborist shall also submit evidence of on-site monitoring, including arborist certification regarding the success of the measures, to the RMA – Planning Department. If additional mitigation measures are determined to be required, they shall be formulated and implemented by the monitoring arborist, 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.

Mitigation Measure No. 5:

In order to mitigate for the removal of sensitive plant species on the site the following re-planting measures shall apply:

1. Small-leaved lomatium: all of the lomatium plants located within the area of the proposed driveway and garage (minimum of 86 plants) shall be salvaged from the site prior to the issuance of a grading or building permit and grown out by a reputable native plant nursery familiar with the growing requirements of the Small-leaved lomatium. The

salvaged lomatium shall be re-planted on the site in the fall months to coincide with the arrival of the rainy season.

2. Ocean bluff milk-vetch: Ocean bluff milk-vetch seed shall be collected from several locations on the property to ensure genetic diversity and shall be propagated for a fall out-planting. The plants shall be replaced on the site at a 3:1 ratio (minimum of 6 plants), as recommended by the project biologist.

3. Monterey pine: Any Monterey pine tree saplings removed from the construction zone shall be re-planted on the site.

4. Monterey cypress: The one Monterey cypress that is located within the footprint of the proposed garage shall be transplanted to another location on the site under the supervision of a qualified arborist. Any native Monterey cypress seedlings or saplings that are removed from the footprint of the proposed development shall be transplanted to another location on the site under the supervision of a qualified arborist.

Mitigation revegetation locations for Items 1 and 2 shall be determined by the project biologist in consultation with the project arborist. Mitigation revegetation locations for Items 3 and 4 shall be determined by the project arborist. The re-planting plan shall be submitted to the RMA-Planning Department for review and approval prior to issuance of a grading or building permit. The applicant/owner shall submit a monitoring report prepared by the project biologist documenting the success of the planting to the RMA-Planning Department 6 months after the initial planting and then annually for 2 years. The replanting shall be considered successful when 95 percent of replanted trees and 85 percent of other planted native vegetation have survived and are evaluated by the project biologist and project arborist as being in good health. In the event of loss of plant materials due to mortality, the plants shall be replaced and the monitoring shall begin again.

Monitoring Action No. 5a:

Prior to the issuance of grading or building permit, applicant/owner shall submit the planting/restoration plan to the RMA-Planning Department for review and approval.

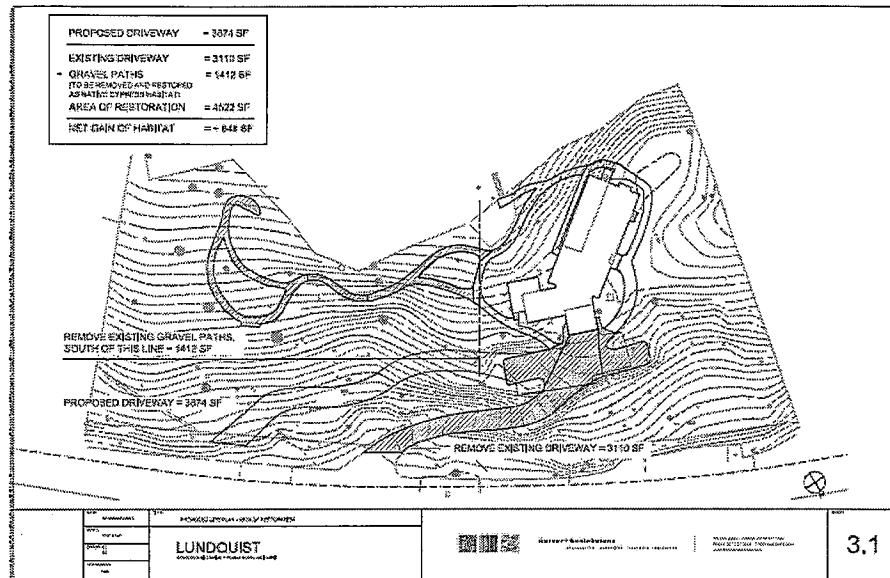
Monitoring Action No. 5b:

Prior to final inspection, the applicant/owner shall submit evidence to the RMA-Planning Department that the planting plan has been implemented.

Monitoring Action No. 5c:

The applicant/owner shall submit monitoring report prepared by a qualified biologist 6 months after the evidence required in 5b above has been submitted and then annually for a minimum of 2 years or until the replanting has been deemed successful. The monitoring reports shall include an evaluation of the health status of the plantings and recommendations regarding measures to improve the success of the plantings if they are not thriving. The applicant/owner shall implement the recommendations. The requirement for monitoring reports shall end after 2 ½ years or whenever the required success rate of 95 percent survival for trees and 85 survival percent for other vegetation, has been met, whichever occurs later.

Figure 6: Proposed Cypress Habitat Restoration Areas



Mitigation Measure No. 6:

To mitigate for the removal of native Monterey cypress habitat, the applicant/owner shall prepare and implement a Monterey Cypress Habitat restoration plan for the existing asphalt driveway and the existing gravel paths and parking areas and all other areas that will be disturbed due to construction. The restoration plan shall be prepared by a qualified biologist in consultation with a qualified arborist and shall include measures to protect adjacent Monterey cypress trees during the restoration. Installation of the restoration plan shall be done under the supervision of a qualified biologist. The restoration plan shall also include a planting plan that includes mulching, the installation of Monterey cypress trees propagated from trees indigenous to Pebble Beach, appropriate Monterey cypress forest understory plants and a plan for the eradication of non-native species. Plants and seeds shall consist of appropriate local ecotypes of plant species and site-specific seed and/or cuttings shall be utilized. It is not expected that restoration to native Monterey cypress habitat will require excessive plantings. The removal of non-native species and installation of mulch and minimal appropriate native plantings to allow native understory plants to regenerate in areas that do not require erosion control plantings is preferable. The applicant/owner shall submit a monitoring report prepared by the project biologist documenting the success of the restoration to the RMA-Planning Department 6 months after the initial planting and then annually for 2 years. The restoration shall be considered successful when 95 percent of replanted trees, 85 percent of other planted native vegetation have survived and are evaluated by the project biologist and project arborist as being in good health, and 100 percent of non-native invasive plants within the restoration areas have been eradicated. In the event of loss of plant materials due to mortality, the plants shall be replaced and the monitoring shall begin again.

Monitoring Action No. 6a:

Prior to the issuance of a grading or building permit, the applicant/owner shall submit the Monterey Cypress Habitat Restoration Plan and a copy of the contractual agreement with a qualified biologist for review and approval to the RMA-Planning Department for review and approval.

Monitoring Action No. 6b:

Prior to final inspection, the applicant/owner shall submit a report to the RMA-Planning Department from the project biologist documenting that the restoration plan has been implemented.

Monitoring Action No. 6c:

The applicant/owner shall submit monitoring report prepared by a qualified biologist 6 months after the evidence required in 5b above has been submitted and then annually for a minimum of 2 years or until the restoration has been deemed successful. The monitoring reports shall include an evaluation of the health status of the plantings and recommendations regarding measures to improve the success of the plantings if they are not thriving. The applicant/owner shall implement the recommendations. The requirement for monitoring reports shall end after 2 ½ years or whenever the required success rate of 95 percent survival for trees and 85 survival percent for other vegetation, has been met, whichever occurs later.

Biological Resources 4(c): No impact

The project site does not contain any federally protected wetlands as defined by Section 404 of the Clean Water Act. The site slopes fairly steeply from the road to the coastal bluff and no wetlands were noted on the site in the Biological, Arborist or Geotechnical reports prepared for the project. Therefore, there would be no impact.

Biological Resources 4(d): Less than Significant With Mitigation

Because the project will involve some tree removal and the site location is in the midst of a forest, there is a potential to impact nesting migratory birds. Migratory birds are protected under the Federal Migratory Bird Treaty Act and the California Fish and Game Code. This is considered a potentially significant impact. The implementation of Mitigation Measure No. 7 above will reduce the impact to less than significant.

Mitigation Measure No. 7:

In order to minimize potential biological impacts to animal resources and habitat, prior to the commencement of work, the project biologist shall perform a preconstruction survey for special status plant and wildlife species, including nesting birds. There shall be no removal of a special status species without prior approval of the RMA-Planning Department. For any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. 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. Limits of construction to

avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers, and construction personnel.

Monitoring Action No 7a:

Prior to issuance of a grading or building permit, applicant/owner shall submit a copy of the contract with a biologist to perform the pre-construction surveys to the RMA-Planning Department.

Monitoring Action No. 7b:

No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit, to the RMA-Planning Department, a nest survey prepared by a County qualified biologist to determine if active raptor or migratory bird nests occur within the project site or immediate vicinity.

Monitoring Action No. 7c:

If active raptor or migratory bird nests are present, the project biologist shall establish an appropriate buffer plan around the nests and limits of construction shall be established in the field.

Biological Resources 4(e): Less than Significant

As discussed above, the project site is located within the rare and environmentally sensitive Monterey cypress habitat and the project site supports Monterey cypress, Monterey pine, Ocean bluff milk-vetch and Small-leaved lomatium, all sensitive plant species. The policies of the Del Monte Forest LUP protect environmentally sensitive plants and habitats. As designed and subject to the requirements of Mitigation Measures 3-7 above, the project would be consistent with all local policies and ordinances protecting biological resources. The impact would be less than significant.

Biological Resources 4(f): No Impact

As discussed below in Section 10(c), the project site is not within the boundaries of any adopted Habitat Conservation Plan or Natural Community Conservation Plan. Based on research of County records, the project site is also not located within any other approved local, regional, or state habitat conservation plan. There would be no impact.

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 150645? (Source: 1, 3, 6, 10, 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: 1, 3, 10)	<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? (1, 2, 3, 6, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries? (1, 2, 3, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

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 no existing structures on the site will be affected by the project. The project site does not contain historical resources and would not cause a substantial adverse change in a significant historical resource. In addition, no paleontological resources or unique geologic features are identified as associated with this site. No impacts would occur to historical resources, paleontological resources, or unique geologic features.

Cultural Resources 5(b) and (d) – Less than Significant with Mitigation Incorporated
 The proposed project will involve ground disturbance consisting of grading for the new driveway and garage, removal and restoration of the existing driveway, removal and restoration of existing gravel paths and excavation for the footings for the proposed wall/fence. 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. No known cemeteries or burial sites are located on the project parcel. According to the Archaeological Report prepared for the project, more than 10 archaeology sites are located in the area between Cypress Point and Pescadero Point, and human burials were encountered at many of them. The archaeological reconnaissance conducted for the project reported a previously recorded midden site present on the project parcel. The recorded site is located at a lower elevation than the proposed construction but marine shell fragments were found in the area where the driveway is to be realigned. The archaeologist states that based on past experience, it is unlikely that excavation for the proposed construction will reveal a deeper layer of the site, but recommends that a qualified archaeologist monitor all ground disturbing activities to ensure that no resources are accidentally damaged or destroyed. Implementation of Mitigation Measure Nos. 8 and 9 will reduce the potential impact to cultural resources to less than significant.

Mitigation Measure No. 8: 1) In order to prevent adverse impacts to cultural resources, a qualified archaeological monitor shall be present during excavation and soil disturbing activities associated with: a) the excavation for the new driveway, fence, and garage; and b) removal and restoration of the existing driveway and paths. 2) The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. 3) If human remains are identified, work shall be halted to within a safe working distance, the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. 4) If potentially significant, archaeological resources are discovered, work

shall be halted in the area of the find until it can be evaluated and, in consultation with the lead agency, appropriate mitigation measures be formulated and implemented. 5) If suitable materials are recovered, a minimum of two samples shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. 6) If intact, significant features should be encountered, the archaeologist shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, caches of stone tools. A feature is artifactual and cannot be moved but must be documented in place, *in situ*. 7) A monitoring report shall be produced by the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource. 8) The applicant shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan.

Monitoring Action No. 8:

Prior to issuance of a construction 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 measures are determined to be required to minimize impacts, they shall be formulated by a qualified archaeologist, reviewed and approved by the RMA-Planning Department, and implemented by the monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

Mitigation Measure No. 9:

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

Monitoring Action No. 9:

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		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (1, 2, 3, 11, 14, 19)	<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:					
ii)	Strong seismic ground shaking? (Source: 1, 2, 3, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source: 1, 2, 3, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides? (Source: 1, 2, 3, 11, 14)	<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: 1, 2, 3, 11, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (1, 2, 3, 11, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (1, 11, 14, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Geology and Soils 6(a) (i, iii, iv): No Impact

The Monterey County GIS database indicates that the site is not located within 1/8 of a mile of any known faults therefore there will be no impact from rupture of an earthquake fault. The Geotechnical Report prepared for the project finds that the soils at the project location are stable decomposed granite underlain by bedrock. The Geotechnical Report further states that the potential for liquefaction is nil due to the bedrock nature of the site. The Monterey County GIS database indicates that the site has a low potential for landslides and the Geotechnical Report finds that there would be no impact from landslides. There will be no impact.

Geology and Soils 6(a) (ii): Less than significant

The Geotechnical 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. 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, which would reduce the impact from seismic ground shaking to less than significant.

Geology and Soils 6(b): Less than significant

The site includes slopes that range from 15 percent to over 30 percent. The removal of the existing asphalt driveway and gravel paths and restoration of those areas, as well as the construction of the wall/fence and new garage will involve disturbance on slopes over 30 percent. 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, impacts due to soil erosion or the loss of topsoil would be less than significant.

Geology and Soils 6(c): No impact

The Geotechnical Report prepared for the project did not identify any unstable soil or geologic unit or that would become unstable as a result of the project and potentially result in a landslide, lateral spreading, subsidence, liquefaction or collapse. There would be no impact.

Geology and Soils 6(d): Less than significant

The Geotechnical Report found that the soils on the site in the areas of proposed construction are decomposed granite, which is not expansive soil. However, the report recommends that in the event expansive or other undesirable soils are encountered during the grading phase, that those soils should be removed and replaced with engineered fill. Implementation of the standard condition requiring that the recommendations of the technical reports prepared for the project be adhered to will address the issue of expansive soils. The impact will be less than significant.

Geology and Soils 6(e): No impact

The existing residence is connected to the Pebble Beach Community Services District public sewer and wastewater from the site goes to the Carmel Area Wastewater District treatment facility. No on-site wastewater disposal exists on the site, nor is any proposed as part of the current project. There will be no impact.

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: 1, 5)	<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? (1, 2, 3, 5)	<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 proposed development could generate minimal amounts of greenhouse gases through removal of one live Monterey cypress tree (See VI.4) and two dead Monterey pine trees. Live trees process carbon dioxide and release oxygen back into the air, but also release CO₂ once removed and composted, or burned. However, the applicant proposes to replant the live tree on site, therefore the impact from tree removal is less than significant.

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 garage and driveway. However, heavy equipment use is anticipated to be intermittent and limited to 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. Since the use of the property would not intensify beyond residential uses, the impacts would be less than significant.

Greenhouse Gases 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?	<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?	<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?	<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
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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Hazards and Hazardous Materials - No Impact – See Section IV.8 for discussion

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?	<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)?	<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
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 <u>erosion or siltation</u> on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in <u>flooding</u> on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Hydrology and Water Quality No Impact – See Section IV.9 for discussion

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: 1, 2, 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: 1, 2, 3, 4, 16, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1, 2, 3, 16, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Land Use and Planning 10(a): Less Than Significant

The project involves the construction of a new garage, realignment of a driveway and associated site improvements on an existing, developed residential lot. No new roads, bridges or structures which might serve to divide the community are proposed. There would be no impact.

Land Use and Planning 10(b): No Impact

The project was reviewed for consistency with the Monterey County 1982 General Plan (GP), the Del Monte Forest Land Use Plan (LUP), the Monterey County Coastal Implementation Plan, Part 5 (CIP), and Title 20 (Zoning Ordinance). The analysis contained in this Initial Study Checklist addressed the potential conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental impact. Based on this analysis, it was determined that the project could potentially have significant impacts on Aesthetics, Biological Resources and Cultural Resources.

Implementation of Mitigation Measures 1 and 2 are required to reduce impacts to scenic resources protected by the policies of the LUP and to ensure that visual access to these resources is maintained as required by the LUP. With the implementation of Mitigation Measures 1 and 2, the project is consistent with the goals of the LUP and is in conformance with the regulations and standards found in the CIP and Title 20. The impact would be less than significant.

Land Use and Planning 10(c): No Impact

According to the U.S. Fish and Wildlife Service listing of Habitat Conservation Plans (HCP) in California, this site is not located within the area of an HCP. According to the California Department of Fish and Game summary of Natural Community Conservation Plans (NCCP), the project site is not located within and NCCP. There would be no impact.

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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Mineral Resources: No Impact – See Section IV.11 for discussion

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Discussion/Conclusion/Mitigation:

Noise: No Impact – See Section IV.12 for discussion

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

Discussion/Conclusion/Mitigation:

Population and Housing: No Impact – See Section IV.13 for discussion

14. PUBLIC SERVICES

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

Discussion/Conclusion/Mitigation:

Public Services: No Impact – See Section IV.14 for discussion

15. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Recreation: No Impact – See Section IV.15 for discussion

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Traffic/Transportation: No Impact – See Section IV.16 for discussion

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?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Utilities and Service Systems: No Impact – See Section IV.17 for discussion

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: 1, 2, 3, 4, 6, 7, 8, 9, 10, 12, 14, 16, 17)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19)	<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: 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, 18, 19)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Mandatory Findings of Significance VII(a): 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 that there are special status plants and a sensitive natural community on the site that is considered to be environmentally sensitive habitat (ESHA). The cultural resources analysis indicates that the site does contain a potentially significant cultural, archaeological, or historical resource as defined by the California Environmental Quality Act (CEQA). With implementation of the mitigation measures identified in Sections VI.4 and VI.5, impacts to these resources will be less than significant.

Mandatory Findings of Significance VII(b): No Impact

The project involves development accessory to a residential use 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.

Mandatory Findings of Significance VII(c): Less than Significant With Mitigation

The project would result in no impacts to Traffic, Air Quality, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic or Utility and Service Systems. Construction related air quality impacts would be temporary and controlled by standard Conditions of Approval that require watering, erosion control, and dust control measures. No new traffic is anticipated to result from the construction of the new residential non-habitable accessory structures. The project as proposed would have no long-term impacts to air quality. Minimal additional lighting sources that would occur as a result of the new garage and fence 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. Impacts to Geology and Soils would be less than significant due to the limited nature of the project. The project is located in an area identified in the land use plan as a valuable scenic resource. Construction of the project as proposed would have the potential to contribute to the cumulative degradation of views from 17-Mile Drive, so mitigation measures identified in Section VI.1 have been incorporated to reduce the impact of the project on Aesthetics. As proposed, conditioned and mitigated, the project would not have environmental effects which will cause substantial adverse effects on 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 PLN110144 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 (LUP) and Monterey County Coastal Implementation Plan, Part 5 (CIP);
4. Title 20 of the Monterey County Code (Zoning Ordinance);
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008;
6. Site Visits conducted by the project planner on April 1, 2011 and July 21, 2011;
7. “Biological Assessment of Richard and Melanie Lundquist Property APN: 008-472-006-000” 2011 (LIB110215) prepared by Fred Ballerini dated May 18, 2011;
8. “Biotic Survey & Impact Assessment” (LIB080032) prepared by Jean Ferreira dated January 11, 2008;
9. “Tree Resource Evaluation Construction Impact Analysis” (LIB120030) prepared by Maureen Hamb, WCISA Certified Arborist dated June 2011;
10. “Preliminary Cultural Reconnaissance” dated April 2011 (LIB110216);
11. “Geotechnical Investigation for Proposed New Driveway Alignment, Site Wall and Detached 4-Car Garage, Lundquist property” (LIB110217) prepared by Haro Kasunich and Associates, dated May 2011;
12. State of California Department of Conservation Farmland Mapping and Monitoring Program Website, <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx> , accessed May 26, 2012;

13. State of California Department of Conservation, Monterey County Tsunami Inundation Maps Website,
http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Monterey/Pages/Monterey.aspx , accessed May 26, 2012;
14. Monterey County Planning Department GIS System;
15. Monterey County Code Chapter 10.60;
16. United States Fish and Wildlife Service Habitat Conservation Plan Page
http://ecos.fws.gov/conserv_plans/PlanReportSelect?region=1&type=HCP,
accessed May 28, 2012;
17. "Summary of Natural Community Conservation Plans (NCCPs), prepared by the California Department of Fish and Game, January, 2012;
18. "Soil Survey of Monterey County, California", published by the United States Department of Agriculture Soil Conservation Service in cooperation with the U.S. Forest Service and University of California Agricultural Experiment Station, Issued 1978.
19. "Fault Rupture Hazard Zones in California, Special Publication 42, Interim Revision 2007", published by the State of California Conservation Department, 2007.

Figure 1: Aerial Site Plan of Lundquist property

Figure 2: Portion of Existing View from 17-Mile Drive (northwest portion)

Figure 3: Portion of Existing View from 17-Mile Drive (northeast portion)

Figure 4: Fence design at entrance

Figure 5: Fence design at opening

Attachments:

1. "Biological Assessment of Richard and Melanie Lundquist Property APN: 008-472-006-000" 2011 (LIB110215) prepared by Fred Ballerini dated May 18, 2011;
2. "Biotic Survey & Impact Assessment" (LIB080032) prepared by Jean Ferreira dated January 11, 2008;
3. "Tree Resource Evaluation Construction Impact Analysis" (LIB120030) prepared by Maureen Hamb, WCISA Certified Arborist dated June 2011;
4. "Geotechnical Investigation for Proposed New Driveway Alignment, Site Wall and Detached 4-Car Garage, Lundquist property" (LIB110217) prepared by Haro Kasunich and Associates, dated May 2011;
5. Visual simulation depicting height of wall/fence, prepared by Carver & Schicketanz, submitted to RMA-Planning Department on June 21, 2012.



MBUAPCD

Monterey Bay Unified Air Pollution Control District
Serving Monterey, San Benito, and Santa Cruz Counties

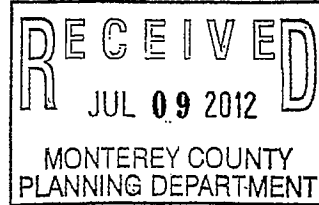
EXHIBIT H

24580 Silver Cloud Court
Monterey, CA 93940

PHONE: (831) 647-9411 • FAX: (831) 647-8501

July 9, 2012

County of Monterey
Resource Management Agency - Planning Department
Attn: Mike Novo, Director of Planning
168 West Alisal, 2nd Floor
Salinas, CA 93901



SUBJECT: Lundquist, File Number PLN110114, Mitigated Negative Declaration

Dear Mr. Novo:

Thank you for providing the Monterey Bay Unified Air Pollution Control District (Air District) the opportunity to comment on the above-referenced document. The Air District has reviewed the document and has no comments.

Best regards,

Amy Clymo
Supervising Air Quality Planner
(831) 647-9418 ext. 227 or aclymo@mbuapcd.org

cc: David Craft, MBUPCD Air Quality Engineer/Planner