

Exhibit G

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**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. 13-007

Resolution by the Monterey County Planning
Commission:

- 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 of one dead 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, January 30, 2013, February 27, 2013 and March 13, 2013. 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 one dead 7-inch Monterey cypress tree; therefore a Coastal Development Permit for tree removal is required. The tree will be replaced with three trees propagated from trees indigenous to Pebble Beach in 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 dead Monterey cypress tree will be removed 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 and letter reports dated August 31, 2011 and February 8, 2013;
 - "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.
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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 Conditions

of Approval and 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) Three recommended mitigation measures (Mitigation Measure No. 1, **Condition No. 17**; Mitigation Measure No. 4, **Condition No. 20**; and Mitigation Measure No. 5, **Condition No. 21**) have been revised as follows (deleted language is shown in ~~strikethrough~~ 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 March 13, 2013 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. 3: 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."

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. Following construction and for a period of not less than five (5) years, trees whose Critical Root Zone (CRZ) is within the areas impacted by construction shall be monitored annually by a qualified arborist. If any noticeable decline in the health of any tree is observed, additional Monterey

cypress trees of indigenous stock shall be planted onsite at a one-to-one ratio in a suitable location as determined by the arborist.

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 to provide the required monitoring services to the RMA-Planning Department 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.

Monitoring Action No. 4c: Beginning one year after final inspection of the project, the applicant shall submit annual monitoring reports by the arborist, subject to the RMA-Planning Department's approval, for five (5) years. The reports shall document the status of the health of all trees being monitored and any required replacement plantings.

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 dead 7-inch Monterey cypress that is located within the footprint of the proposed garage shall be removed, transplanted to another location on the site under the supervision of a qualified arborist. Three replacement Monterey cypress trees propagated from trees indigenous to Pebble Beach shall be planted on the site in addition to the Monterey cypress that are required to be planted as part of the Monterey Cypress Habitat Restoration Plan. 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.

- 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 measures 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 measures will mitigate the same visual impacts as the original measures 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 original Mitigation Measure No. 1 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. Original Mitigation Measure No. 4 has been amended to include additional monitoring of the health of trees potentially impacted by the project for a period of 5 years following construction. Original Mitigation Measure No. 5 has been amended to require replacement plantings rather than replanting for a protected tree that died since the MND was circulated.
 4. Pursuant to Section 15074.1(b) (2), the revised mitigation measures are equivalent or more effective in mitigating or avoiding significant effects and 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. Monitoring of the health of trees potentially impacted by the project with provision for replacement should any of the trees fail or planting of replacement trees will not impact the environment.
 5. Pursuant to Section 15074.1 (c), no recirculation of the proposed MND pursuant to Section 15072 is required because the new mitigation measures are incorporated into the conditions of approval (**Conditions 17, 20 and 21**).
 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; and
 7. A public hearing was held on the project on March 13, 2013 in which the substitution of the mitigation measures 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:* 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 and tree removal. One small dead Monterey cypress will be removed 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 pursuant to the definition the entire site is considered to be Monterey cypress habitat.
- 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 and letter reports dated August 31, 2011 and February 8, 2013 were 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 1,095 square foot garage and a stone wall with fenced openings to replace an existing wood fence, for a total of 5,665 square feet of new development. The proposed project will result in a net increase of 2,148 square feet of developed area, of which approximately 1,492 square feet will be within the CRZ of Monterey cypress. The applicant proposes to restore Monterey cypress habitat in the area of the existing driveway as well as the removal and restoration of 1,874 square feet of existing gravel pathways, the removal and restoration of 2,570 square feet of non-native, invasive iceplant and removal of approximately 1,000 square feet of non-indigenous Monterey cypress trees. The arborist has also stated that approximately 316 square feet of the green roof area over the new garage could be modified to accept Monterey cypress seed development. Including the driveway restoration, removal and restoration of gravel pathways and a portion of the green roof, the project will result in no net loss of permanent habitat and the restoration of an additional 3,570 square feet (iceplant and planted cypress) of degraded habitat.
- 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 that 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:* The project site is located within the indigenous range of the Monterey cypress as shown in Figure 2a of the LUP, and the entire site is considered to be Monterey cypress habitat. LUP Policy 20 prohibits grading, paving and building construction activity “within the perimeter of the identified habitat area for a site, including at a minimum as defined by the driplines of the outermost indigenous Monterey cypress trees on the site.” Approximately 150 trees are located on the site, the majority of them being Monterey cypress. The trees are spread across the entire site and based on the graphic illustration of Monterey cypress CRZ on the site, it would not be feasible to make the needed safety improvements to the existing driveway without tree removal or impacting the identified habitat area. The arborist has stated that if the existing driveway is to remain in use, there is one Monterey cypress tree that presents a hazard and should be removed for safety reason, that the existing asphalt driveway has impacted the CRZ of nearby Monterey cypress trees and that the removal of the driveway and restoration of the area will allow measures

to improve the health of those trees. Utilization of permeable pavers and a grade beam foundation for areas of the driveway within the CRZ of Monterey cypress will minimize impacts to CRZ in the new driveway.

The proposed project will result in a net increase of 2,148 square feet of developed area, of which approximately 1,492 square feet will be within the CRZ of Monterey cypress. As mitigated, the project will avoid potential damage or degradation of indigenous Monterey cypress habitat and will result in no net loss of permanent habitat and the restoration of an additional 3,570 square feet (iceplant and planted cypress) of degraded 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 and monitoring of all trees whose Critical Root Zones are within the construction area for a period of 5 years with provision for replacement should any of the trees fail. Thus, on balance, the project will be consistent with Policy 20 and the conflict resolution provisions found in the Introduction to the Resource Management Chapter of the LUP in that although there will be development outside of existing hardscaped areas and within the driplines of individual cypress trees, the project will improve the habitat value of the entire site for Monterey cypress and will be most protective of coastal resources.

- 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.

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

- EVIDENCE:**
- a) Section 20.86.030.A of the Monterey County Zoning Ordinance 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 of one dead 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 13th day of March, 2013 upon motion of Commissioner Rochester, seconded by Commissioner Diehl, by the following vote:

AYES: Getzelman, Mendez, Diehl, Padilla, Hert
NOES: Vandever, Rochester, Roberts
ABSENT: Brown, Salazar
ABSTAIN: None


Mike Novo, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON MAR 21 2013

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] APR 01 2013

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.

Monterey County Planning Department
Condition of Approval Implementation Plan/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 dead 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. 13-007) was approved by the Planning Commission for Assessor's Parcel Number 008-472-006-000 on March 13, 2013. 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 letter reports dated August 31, 2011 and February 8, 2013; 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 Conservancy 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 Conservancy. 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 Conservancy 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 If archaeological resources or human remains are accidentally discovered during construction,
Monitoring Measure: 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 remains 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, Costanoans/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 Prior to the issuance of grading or building permits, 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.
Action to be Performed:

Prior to the issuance of grading or building permits, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans, and in the CC&Rs.

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 March 13, 2013 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. Following construction and for a period of not less than five (5) years, trees whose Critical Root Zone (CRZ) is within the areas impacted by construction shall be monitored annually by a qualified arborist. If any noticeable decline in the health of any tree is observed, additional Monterey cypress trees of indigenous stock shall be planted onsite at a one-to-one ratio in a suitable location as determined by the arborist..

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 to provide the required monitoring services to the RMA-Planning Department 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.

Monitoring Action No. 4c: Beginning one year after final inspection of the project, the applicant shall submit annual monitoring reports by the arborist, subject to the RMA-Planning Department's approval, for five (5) years. The reports shall document the status of the health of all trees being monitored and any required replacement plantings.

21. MM005 - SENSITIVE SPECIES REPLACEMENT PLANTINGS REQUIRED

Responsible Department: Planning Department

Condition/Mitigation Mitigation Measure No. 5:

Monitoring Measure: 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 dead Monterey cypress that is located within the footprint of the proposed garage shall be removed. Three replacement Monterey cypress trees propagated from trees indigenous to Pebble Beach shall be planted on the site in addition to the Monterey cypress that are required to be planted as part of the Monterey Cypress Habitat Restoration Plan. 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 No. 5a:

Monitoring Prior to the issuance of grading or building permit, applicant/owner shall submit the
Action to be Performed: 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 2½ 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 Mitigation Measure No. 6:

Monitoring Measure: 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 2½ 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 Mitigation Measure No. 7:

Monitoring Measure: 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 No 7a:

Monitoring Prior to issuance of a grading or building permit, applicant/owner shall submit a copy of the
Action to be Performed: 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

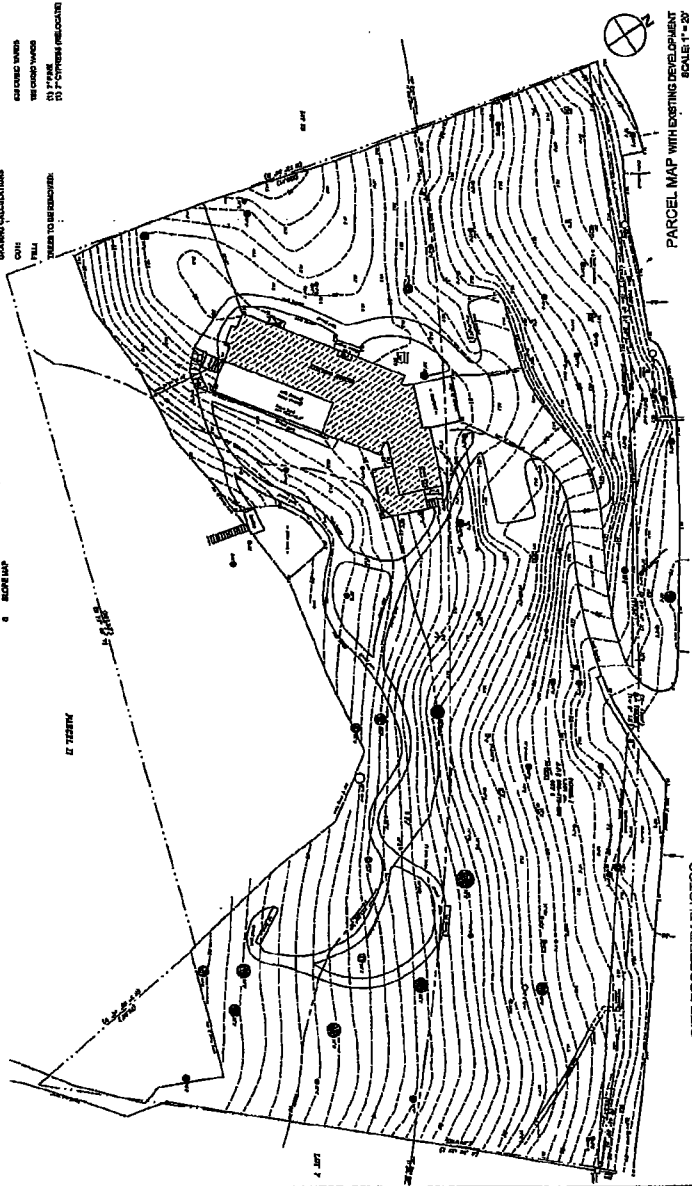
Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 3 years, to expire on March 13, 2016 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

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.

- 1 PROJECT DATA, PARCEL MAP, AND VICINITY MAP
- 2 SUBDIVISION MAP
- 3 PROPOSED SITE PLAN
- 4 PROPOSED PROPERTY WALL ELEVATIONS
- 5 PROPOSED CANYON FLOOR PLAN, ELECTRICAL, AND SECTION
- 6 SLOPE MAP

REMOVE EXISTING ASPHALT CURBING AND WOOD FENCE; REMOVE 1-2" FUSE, RELOCATE 1-4" CYPRINE. INSTALL LEAF-FRONTABLE COULDRONE ORNAMENT, STONE FRONTY WALL, AND UNDERGROUND TOWER CAR GARAGE WITH PLANTED ROOF.

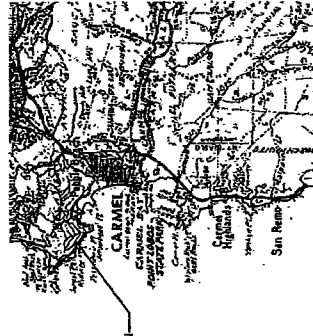
OWNER	Richard and Michele Lundquist C/O Carrier • 2000 Atlantic Ave. #104 P.O. Box 3884 Carroll, California 95721 Phone (916) 217-2704 Fax (916) 217-2705
ADDRESS	



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



SITE PROPERTY PHOTOS



VICINITY MAP

PROJECT DATA, PARCEL MAP, AND VICINITY MAP

SCALE 1" = 300'

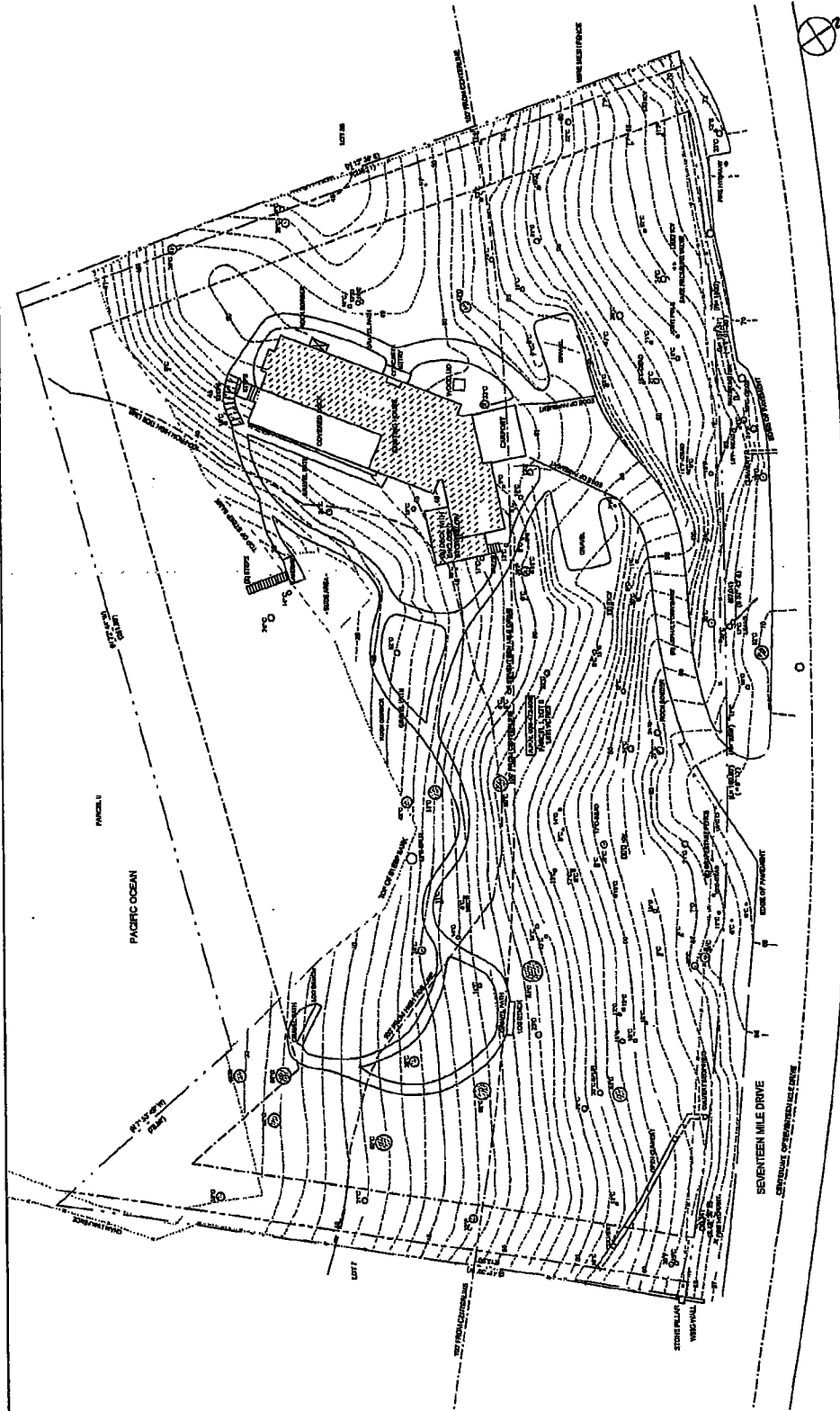
DEATH

1971
NORTHAM 800

REVIEWS BY JAMES CUNY • PETER J. RAY • CALVIN K.

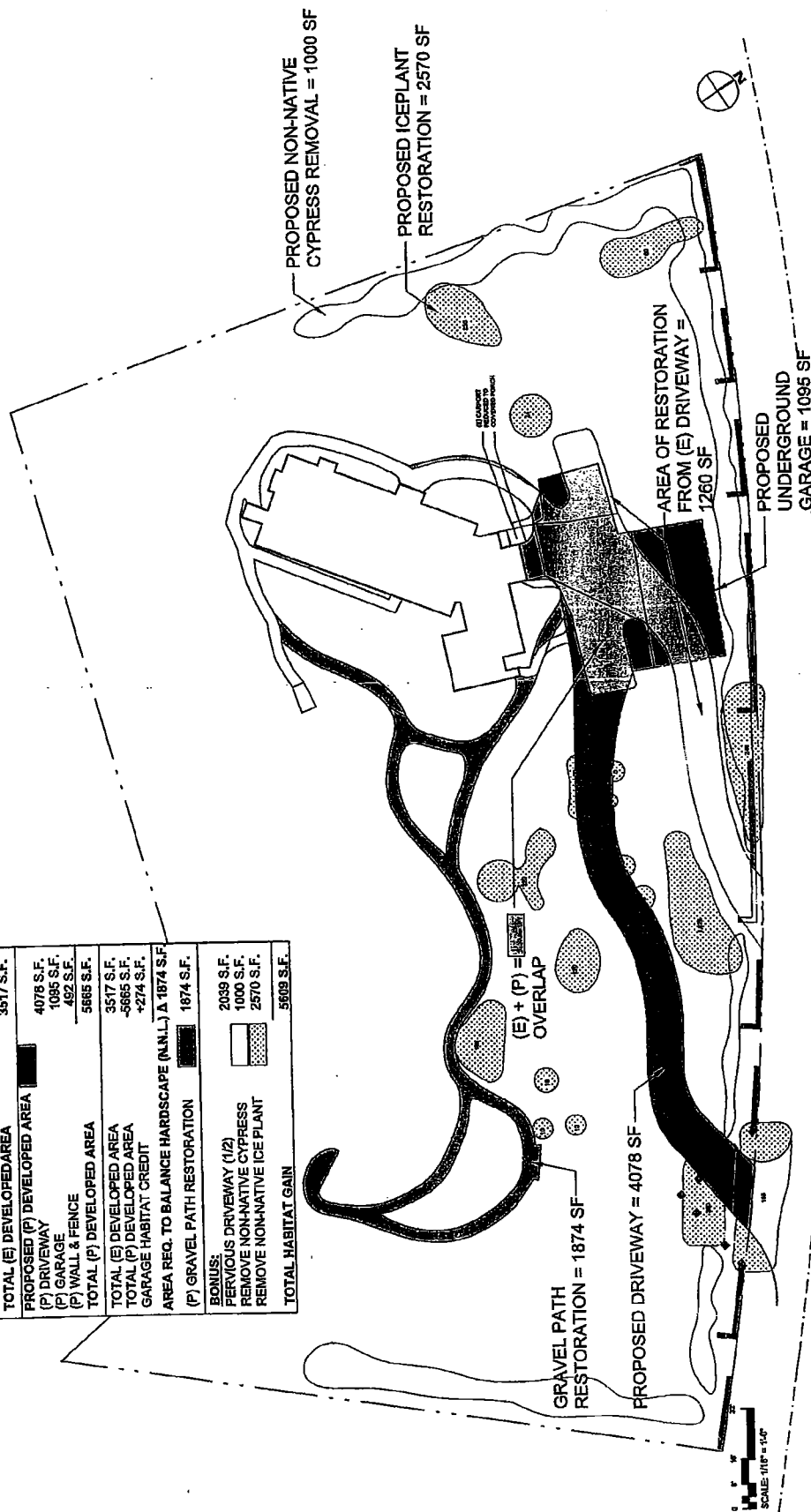
+ Schickelton

AD HOC TEAM, CUMMINS LABORATORY, 904
PHOENIX DRIVE, 1984. PHOTOGRAPH BY J. B. B. B.
GARY L. RICHARDSON, 1984



DATE: 1.10.2011 SCALE: 1/8" = 1'-0" DRAWN BY: J.A. CHECKED BY: J.A. 100%		TITLE: EXISTING SITE PLAN LUNDQUIST 1700 BAYVIEW DRIVE • BERKELEY, CALIFORNIA	PROJECT: 2. BAYVIEW DRIVE ARCHITECT: J. A. LUNDQUIST INTERIOR DESIGNER: J. A. LUNDQUIST PE: J. A. LUNDQUIST, CALIFORNIA LICENSE NO. 1000 PROJECT NO. 1000	2
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EXISTING (E) DEVELOPED AREA	3240 S.F.
(E) DRIVEWAY	288 S.F.
(E) FENCE	3517 S.F.
TOTAL (E) DEVELOPED AREA	4078 S.F.
PROPOSED (P) DEVELOPED AREA	1095 S.F.
(P) DRIVEWAY	492 S.F.
(P) GARAGE	5665 S.F.
(P) WALL & FENCE	3517 S.F.
TOTAL (P) DEVELOPED AREA	-5665 S.F.
TOTAL (P) DEVELOPED AREA	+274 S.F.
GARAGE HABITAT CREDIT	
AREA REQ. TO BALANCE HARDSCAPE (N.N.L.) Δ	1874 S.F.
(P) GRAVEL PATH RESTORATION	1874 S.F.
BONUS:	
PERVIOUS DRIVEWAY (1/2)	2039 S.F.
REMOVE NON-NATIVE CYPRESS	1000 S.F.
REMOVE NON-NATIVE ICE PLANT	2570 S.F.
TOTAL HABITAT GAIN	5609 S.F.



DATE: 07/10/2018		TITLE: HABITAT RESTORATION AREA - CONCEPT PLAN		 CYPRESS + SCHNEIDER ARCHITECTS - PLANNERS - INTERIORS DESIGNERS 1000 10TH AVENUE, SUITE 1000 SAN FRANCISCO, CA 94103 415.774.1100 www.cypressandschneider.com	3.1
SCALE: 1/16" = 1'-0" & 1/8" = 1'-0" DRAWN BY: ALAN JOB NUMBER: 1008		LUNDQUIST ARCHITECTURAL FIRM - FOLIO ARCHITECTURE			

KEY

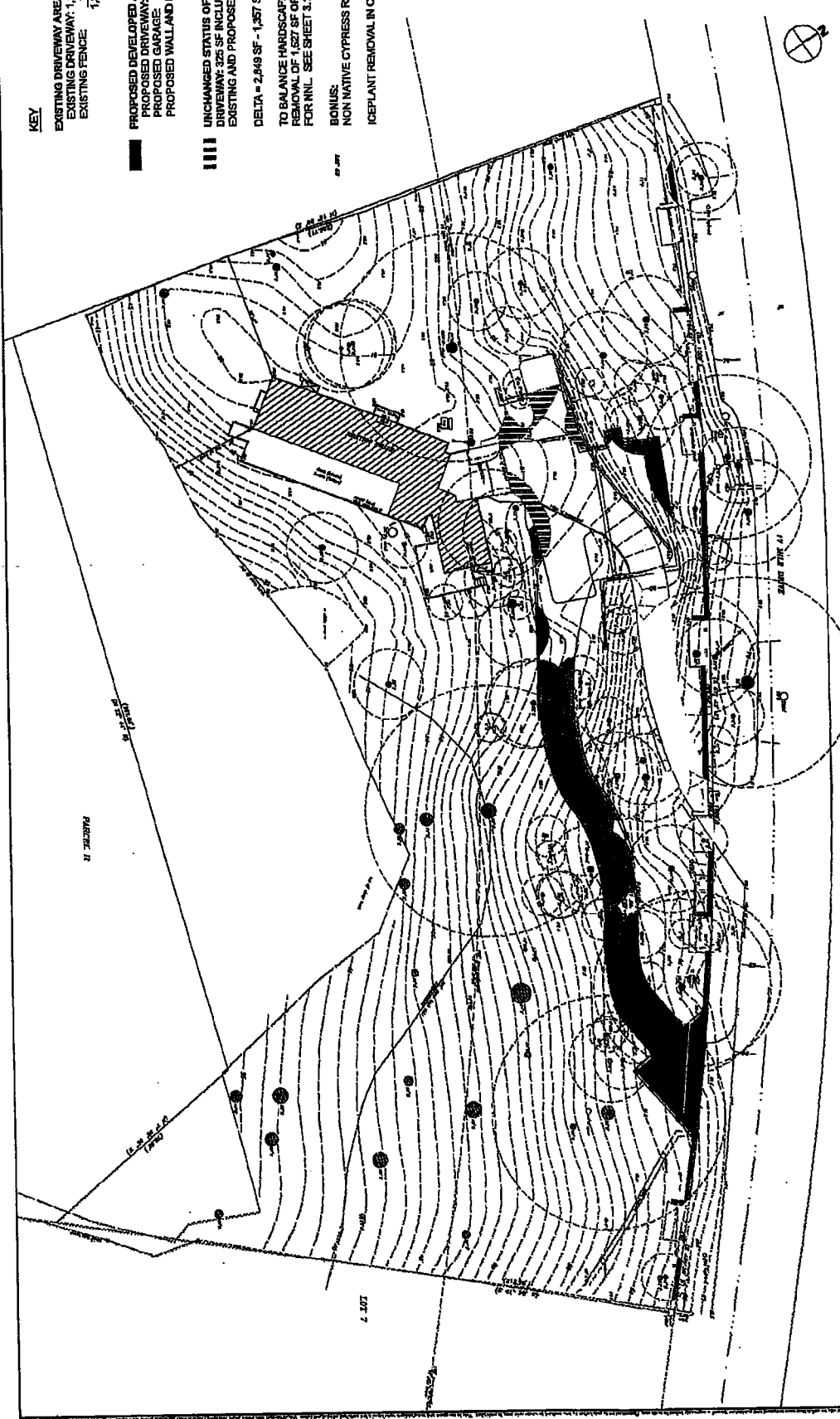
EXISTING DRIVEWAY AREA IN CRZ:
EXISTING DRIVEWAY: 1,207 SF
EXISTING FENCE: 1,357 SF

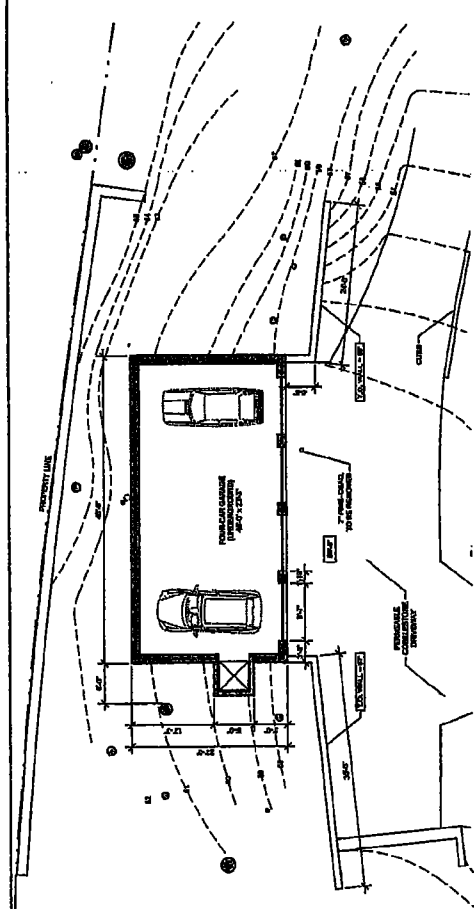
PROPOSED DEVELOPED AREA IN CRZ:
PROPOSED DRIVEWAY: 2,249 SF
PROPOSED GARAGE: 2,249 SF
PROPOSED WALL AND FENCE: 2,249 SF

UNCHANGED STATUS OF EXISTING DRIVEWAY: 225 SF INCLUDED IN BOTH EXISTING AND PROPOSED.

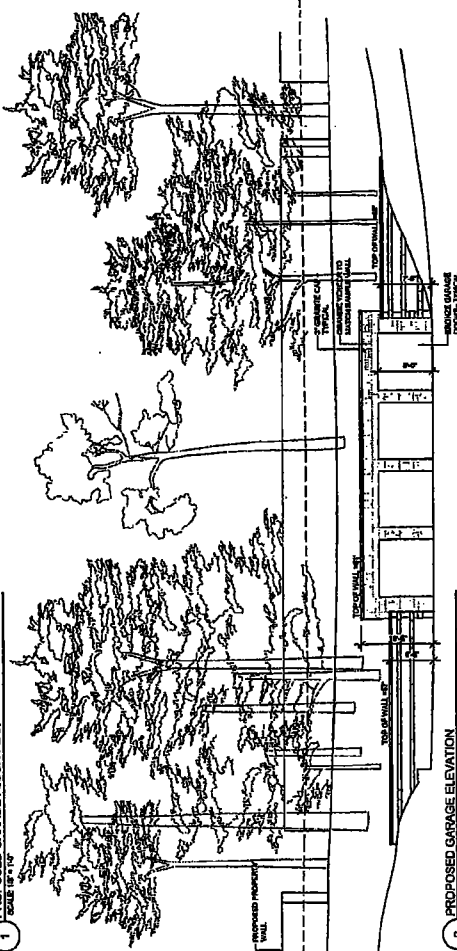
DELTA = 2,849 SF - 1,357 SF = 1,492 SF
TO BALANCE HARDSCAPE PROPOSED REMOVAL OF 1,527 SF OF GRAVEL PATH FOR NNL. SEE SHEET 3.1.

BONUS:
NON NATIVE CYPRESS REMOVAL IN CRZ: 1,000 SF
ICE PLANT REMOVAL IN CRZ: 2,510 SF
3,510 SF

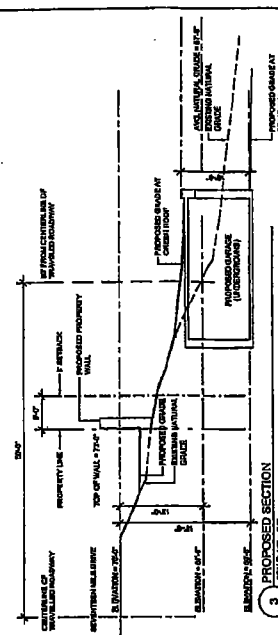




1 PROPOSED GARAGE FLOOR PLAN
SCALE 1/8" = 1'-0"



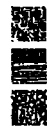
2 PROPOSED GARAGE ELEVATION
SCALE 1/8" = 1'-0"



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

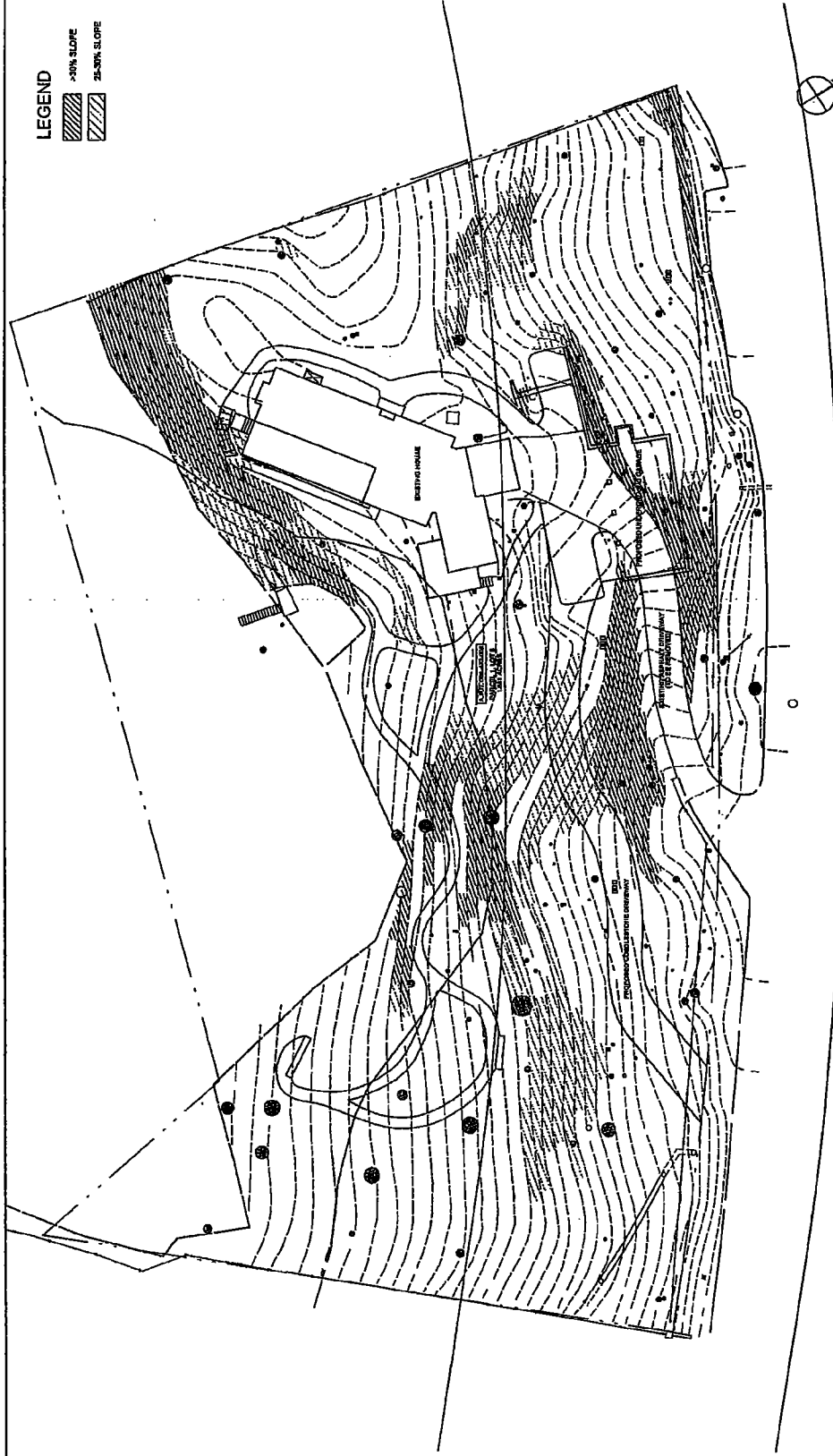
DATE	BY	TITLE
LUNDQUIST		PROPOSED GARAGE FLOOR PLAN, ELEVATION, AND SECTION
SCALE 1/8" = 1'-0"		
DESIGNED BY		
CHECKED BY		
DATE		

LUNDQUIST
ARCHITECTS • FIRM INCORPORATED



Carver & Schickel
ARCHITECTS • FIRM INCORPORATED

70 WEST 104TH STREET, SUITE 100
CHICAGO, ILLINOIS 60644
(773) 442-1000



LEGEND

>30% SLOPE

25-30% SLOPE

25-30% SLOPE

DATE 1 JAN 2011

SCALE 1/4" = 10'

DESIGNED BY AJ

CHECKED BY NCS

TITLE

SLOPE MAP

LUNDQUIST

RESTROOM BUILDING - AREA 1000, CAMPBELL



Geospatial Solutions

ANALYSIS • PLANNING • DESIGN • CONSTRUCTION

PO BOX 100, CAMPBELL, CA 95829-0100

PHONE 916.284.1000 • FAX 916.284.1000

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