

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

In the matter of the application of:

BOCCONE NORMAN B & VICTORIA E IGEL CO-TRS (PLN220229)

RESOLUTION NO. 25-020

Resolution by the County of Monterey Planning Commission:

- 1) Adopting a Mitigated Negative Declaration pursuant to CEQA Guidelines section 15074 (State Clearinghouse #: 2025050246);
- 2) Approving a Combined Development Permit consisting of:
 - a) Coastal Administrative Permit to allow construction of a split-level 2,676 square foot single-family dwelling with a 516 square foot attached carport and 471 square foot deck, and associated site improvements;
 - b) Coastal Administrative Permit to allow construction of a 414 square foot detached guesthouse with a 133 square foot covered porch, an attached 507 square foot workshop, and a 415 square foot garage;
 - c) Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Areas (Pajaro manzanita and Oak woodland);
 - d) Coastal Development Permit to allow the removal of 17 Coast live oak trees, including 1 landmark tree;
 - e) Coastal Development Permit to allow development on slopes in excess of 25%; and
- 3) Adopting a Condition Compliance and Mitigation Monitoring and Reporting Plan.

[827 Elkhorn Road, Royal Oaks (APN: 181-151-009-000), North County Land Use Plan, Coastal Zone]

The BOCCONE NORMAN B & VICTORIA E IGEL CO-TRS application (PLN220229) came on for discretionary hearing before the County of Monterey Planning Commission on June 25, 2025. 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 has been reviewed for consistency with the text, policies, and regulations in the:
 - 1982 County of Monterey General Plan (General Plan);

- North County Land Use Plan (LUP);
- County of Monterey Coastal Implementation Plan, Part 2 (North County CIP); and
- County of Monterey Coastal Zoning Ordinance (Title 20).

Communications were received during the course of review of the project, indicating inconsistencies with the text, policies, and regulations in these documents. Comments were fully analyzed to ensure no issues remain and addressed where appropriate. The subject property is located within the coastal zone; therefore, the 2010 County of Monterey General Plan does not apply.

- EVIDENCE:**
- a) Allowed Use. The property is located at 827 Elkhorn Road, Royal Oaks, North County Land Use Plan, (Assessor's Parcel Number (APN): 181-151-009-000). The parcel is zoned Rural Density Residential, 10 acres per unit, within the Coastal Zone ("RDR/10(CZ)"), which allows for the construction of a single-family dwelling, guesthouse, and accessory non-habitable structures, subject to the granting of a Coastal Administrative Permit in each case. As proposed, the project involves construction of a 2,676 square foot single-family dwelling with a 516 square foot attached carport and 471 square foot deck, a 414 square foot detached guesthouse with a 133 square foot covered porch, an attached 507 square foot workshop, and a 415 square foot garage, and associated site improvement including two water tanks, a rooftop solar system, septic system, removal of 17 Coast live oak trees, and development within 100 feet of Environmentally Sensitive Habitat Area (ESHA). The removal of protected trees and development within 100 feet of ESHA requires the granting of a Coastal Development Permit, in each case. Therefore, the project is an allowed land use for this site.
 - b) Lot Legality. The subject parcel (18.17 acres), APN: 181-151-009-000, was in the ownership of Dean and Georgina Sanders and shown in the same configuration on the 1972 Assessor Parcel Map Book 181 Page 1. The lot met zoning requirements for the location at the time (Rural or "N" zoning district, minimum lot size 20,000 square feet). Therefore, the County recognizes the subject property as a legal lot of record.
 - c) Review of Development Standards. As proposed, the project meets all required development standards. Development standards for the RDR zoning district are identified in Title 20 section 20.16.060. Required setbacks in this RDR district for main structures are 30 feet (front), 20 feet (rear), and 20 feet (sides). Detached accessory non-habitable structures are subject to setbacks of 50 feet (front), 6 feet (side front half), 1 foot (side rear half), and 1 foot (rear). The maximum allowed height for main structures is 30 feet, whereas guesthouse structures are limited to 12 feet, and other accessory structures are limited to 15 feet in height. As illustrated in the attached plans, the proposed split-level, two-story single-family dwelling with attached carport and deck exceeds the required setbacks, with setbacks greater than 100 feet on all sides, and has a height of approximately 21 feet 7 inches from average natural grade.

The proposed project includes the construction of a 414 square foot detached guesthouse with a 133 square foot covered porch, an attached 507 square foot workshop, and a 415 square foot garage. As demonstrated in Finding No. 5 and supporting evidence, the guesthouse complies with the required standards of Title 20 section 20.64.020. The proposed detached guesthouse/workshop/garage structure complies with the required setbacks and has a maximum height of approximately 11 feet and 10 ½ inches from average natural grade. The minimum distance between main and accessory structures for the zoning district is 10 feet. The guesthouse is approximately 138 feet from the main house. The two water tanks, designed to be 9 feet 8 inches in height, are approximately 70 feet from the nearest side setback, meeting both height and setback regulations. The project is within the required yard setbacks and height.

The site coverage maximum in this RDR district is 25 percent. The property is 18.14 acres which would allow site coverage of approximately 197,737 square feet. As proposed, the project would result in a site coverage of approximately 5,304 square feet (0.8% of the lot). As proposed, the development would conform to the required and applicable site development standards.

- d) Visual Resources/Visual Impact. The subject property is in an area of visual sensitivity. The property is east and above Elkhorn Slough, which is categorized in its entirety as a visually sensitive area by the North County LUP (Policy 2.2.2.1). Views of the project from Elkhorn Road, Highway 1, and most trailheads are interrupted by forest and topography. Based on a site visit on May 7, 2024, staff determined the project would potentially impact views from the trail along the east side of the Slough (North of Kirby Park). In response to this feedback, the applicant reduced the height and pitch of the roof of the main dwelling and updated colors and materials to muted natural colors (the applicant discussed moss green painted Hardee horizontal board and batten body and earth tone trim and windows at the Land Use Advisory Committee meeting on the project). The reduced mass, combined with muted natural colors and materials, improved the potential to avoid negative visual impacts from Elkhorn Slough. The project's structures are surrounded by trees, and the topography helps to conceal the subject development, in accordance with North County LUP Policy 2.2.2.4. There are less than significant impacts to aesthetics, protected viewsheds, or public views, as discussed in the Project Initial Study (see Finding 8).
- e) Grading and Development on Slopes in Excess of 25 percent. The project is anticipated to require approximately 550 cubic yards of grading/excavation, half of what had originally been proposed. There are steep areas within the subject parcel, the project does not include construction on slopes in excess of 25 percent but the residence requires the installation of an onsite wastewater treatment system (OWTS) in a location below it; the OWTS pipe connecting to a leach field below requires approximately 350 square feet of trenching on a sloped area between the residence and the leach field. This is discussed in Finding No. 7.

The excess excavated soil will be balanced on-site within a 0.7-acre area in the southeastern portion of the project site, where adaptive grassland management (Mitigation Measure BIO-9) will occur and enhance native planting. The project would implement standard construction BMPs intended to minimize potential erosion-related effects and would also be required to implement standard erosion control measures during construction.

The Applicant provided a land disturbance target evaluation for the subject parcel as described in the LUP Policy 2.5.3.C.2 and North County CIP section 20.144.070.B. The LUP establishes permissible densities of 0.10 acres in HDR to 5 acres in RDR in Policy 2.3.3.C.5. Implementation of this project in the zoning district identified by Title 20 as RDR/10 will require temporary changes to 1.04 acres of ground cover. These disturbed soils will be controlled to minimize erosion hazards through adherence to an erosion control plan, which is required by HCD as part of the construction permit submittal (Title 16 section 16.08.340). Temporarily bare land would be corrected within a year by mitigation measures for biological resource impacts (discussed in Finding 4, Evidence “d” and Finding 8, Evidence “i”). Permanent changes to grassland and Oak woodland for the construction of the residence, associated driveway, parking areas, and water tank pad sum to 0.28 acres. The project is within sub-watershed #23 as shown in the WQ-8 map of the 1982 General Plan periodic review. A donation of the Blohm Ranch to Elkhorn Slough Foundation in this sub-watershed changed the balance for the CIP Table 1 appendix to +107 acres of covered ground. The bare ground of 0.28 acres (conservative estimate) for the subject parcel would be more than adequately balanced in sub-watershed #23 by the ESF lands. Therefore, the planned scale minimizes erosion and is compatible with permissible land disturbance target density of the RDR zoning district.

- f) Development within 100 Feet of Environmentally Sensitive Habitat Area (ESHA). The project includes a Coastal Development Permit to allow development within 100 feet of ESHA (i.e., maritime chaparral in the form of Pajaro manzanita, and Oak woodland). Policies 2.3.1 and 2.3.2 of the North County LUP require maintenance, protection, and, where possible, enhancement of sensitive habitats. As designed, conditioned, and mitigated, the project minimizes impacts to ESHA in accordance with the applicable goals and policies of the LUP. See Finding Nos. 5 and 8 and supporting evidence.
- g) Tree Removal. The proposed project includes the removal of up to 20 Coast live oak trees, 17 of which are protected Coast live oak trees, and 1 of those is a landmark tree. Therefore, a Coastal Development Permit is required. As detailed in Finding No. 4 and supporting evidence, the proposed tree removal is the minimum required under the circumstances, the removal will not involve a risk of adverse environmental impacts, and the removal is consistent with Oak Woodlands Conservation requirements found in Public Resources Code 21083.4. Qualified arborist James P. Allen prepared a forest resources assessment for the project. The assessment, dated

November 2024 (County of Monterey Library No. LIB230235), evaluated potential impacts associated with the construction and operation of the project. This report and Mitigated Negative Declaration recommend Mitigation Measure BIO-10, Oak Woodland Restoration (see Finding 8, Evidence “i”). Through the redesign of the driveway, the applicant was able to retain several Coast live oak trees, including two landmark trees. During the redesign, the applicant also moved proposed utility lines to reduce the impacts to trees. Overall, fifteen coast live oak trees, including two landmark trees were retained due to redesign. Therefore, it can be concluded that the tree removal is the minimum required for the development.

- h) Cultural Resources. The project site for new structural development is in an area identified in County records as having a low sensitivity for cultural resources; however, the proposed project requires new ground disturbance for an onsite wastewater treatment system and well connection that will extend into an area of the parcel that County records identified as high sensitivity for cultural resources. An archaeological report was required as part of the application. Dudek prepared an archaeological assessment for the project (County of Monterey Library No. LIB240019). The report informed the MND’s Cultural Resources and Tribal Cultural Resources analysis (see Finding 3, Evidence “b” and “g” and Finding 8, Evidence “e”). Preparation of the MND included tribal cultural noticing to tribal representatives who requested County consultation. The consultation led to a recommendation for mitigation. Therefore, potential impacts to archaeological, cultural, or tribal cultural resources will be less-than-significant with application of mitigation measure TR-1 (Tribal Cultural Monitor) and County’s standard condition (Condition No. 3), which requires the contractor to stop work if previously unidentified resources are discovered during construction.
- i) Fire Hazards. The subject property is in a State Responsibility Area and is classified as a High Fire Hazard Severity Zone. Fire hazards will be addressed through compliance with mitigation measures for habitat management (BIO-9) and Condition No. 10, Defensible Space Requirements, as well as by design, through the installation of two 5,000 gallon water tanks to serve the project’s fire protection and the use of metal roofing materials and Hardee siding on structures.
- j) Guesthouse. The project includes the construction of a 414 square foot detached guesthouse with no cooking facilities. The project meets the established regulations and standards as identified in Title 20 section 20.64.020. See Finding 6 and supporting evidence. The maximum height is under the current limit, as discussed in Finding 1, evidence “d.”
- k) Land Use Advisory Committee. The project was referred to the North County Land Use Advisory Committee (LUAC) for review, based on the LUAC Procedure guidelines adopted by the County of Monterey Board of Supervisors because this application involved the preparation of an environmental document. The LUAC reviewed the project application on November 1, 2023 and voted unanimously to recommend approval (6 ayes, 0 noes, 1 absent). One members of the public commented by email to the LUAC. The letter questioned

whether the project has the ability to be consistent with the LUP's visual and ESHA protection policies. The applicant was given the opportunity to respond to the question in the LUAC. LUAC members expressed that they found the evidence sufficient to support the project. The project's consistency with LUP policies is described in Findings 1, 4, and 5.

- l) The application, plans, comment letters, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File No. PLN220229.

2. 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 HCD-Planning, North County Fire Protection District, HCD-Engineering Services, HCD-Environmental Services, California Coastal Commission, and the Environmental Health Bureau (EHB). EHB added one condition of approval, discussed in Finding 2, evidence "b." The project will not have an adverse effect on the health, safety, and welfare of persons either residing or working near the subject property.
 - b) Potable water facilities to serve the project are available from an established well on the subject parcel (Elkhorn Road Water System #9). EHB reviewed the project and witnessed source capacity testing. Although EHB found the well will support the new shared connection (main dwelling and guesthouse) without change to the existing well permit, and reviewed the water quality test results, EHB added Condition No. 6 to process the capacity and water quality paperwork.
 - c) Wastewater is proposed to be contained and dispersed in the form of an onsite wastewater treatment system which EHB has reviewed and found will be sufficient to serve the project.
 - d) The project's electricity source is proposed to be from roof-mounted solar panels. Elements of the electricity system will reviewed by County Building Services as part of the building permit to ensure it complies with onsite solar requirements and appropriate energy storage.
 - e) The application, plans, and supporting materials submitted by the project applicant to HCD for the proposed development are found in HCD-Planning File No. PLN220229.

3. FINDING: **SITE SUITABILITY** – The site is physically suitable for the development proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, North County Fire Protection District, HCD-Engineering Services, HCD-Environmental Services, California Coastal Commission, and EHB. County staff reviewed the application materials and plans, as well as the County's

GIS database, to verify that the proposed project on the subject site conforms to the applicable plans, and that the site is suitable for the proposed development. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions and mitigation measures recommended by HCD-Planning, Fire District, and Environmental Health Bureau have been incorporated.

- b) The following technical reports has been prepared:
- "Geotechnical Investigation Proposed Residence and Workshop 827 Elkhorn Road Royal Oaks, California APN: 181-151-009-000" prepared by Rock Solid Engineering, Inc., San Jose, CA dated June 2023, (LIB230237).
 - "Monterey County Onsite Wastewater Treatment System Feasibility Study APN 181-151-009-000 827 Elkhorn Road Royal Oaks, CA 95076" prepared by Fox Onsite Solutions, San Jose, CA dated July 2023 (in application submittal).
 - "Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection Plan" prepared by James P. Allen & Associates, Santa Cruz, CA dated November 2024, (LIB230235).
 - "Elkhorn Road Parcel APN 181-151-009 Biological Assessment" prepared by Biotic Resources Group and Bryan Mori Biological Consulting, Soquel CA dated December 2024, with supplemental surveys reported in April 2025 (HCD-Planning Library Doc. No. LIB230236).
 - "Archaeological Assessment Results for Elkhorn Road Driveway Water Line and Septic Field Improvements, Monterey County" prepared by John Schlagheck, Dudek, Santa Cruz, dated January 2024 (LIB240019).

County staff independently reviewed these reports and concurs with their conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed.

- c) The Geotechnical Report found the site suitable for the development. This report recommended that all structures be designed and built in accordance with the requirements of the current edition of the California Building Code for seismic safety. The geo-technician recommended the construction of retaining walls supported by augered cast-in-place piers be placed on the downhill side of the residence, and then the structures could utilize conventional shallow, continuous foundations and pad footings. These recommendations shall be incorporated into the final construction plans pursuant to Title 16 section 16.08.320.
- d) The Biological Report recommended adherence to a Fire Fuel Management Plan. Condition No. 10 requires Defensible Space Requirements.
- e) The Biological Report recommended multiple mitigation measures to ensure avoidance of special status species and protection in place for Pajaro manzanita, a special status plant. The supplemental trapping report of April 2025 indicated that five California Red-legged Frog "young of the year" were captured in January 2025 at various locations around the subject parcel (both above the proposed

development site to the northeast, as well as on lower lands toward the Slough). Based on the results of the 2022-23 and 2024-25 field studies, the biologist concluded that likelihood of California Tiger Salamander (CTS) or Santa Cruz long-toed salamander (SCLTS) direct impact is considered very low. Due to the distribution of these species in the project vicinity, the biologist recommended precautionary protection measures be implemented. The Biological Report also recommended a Habitat Adaptive Care Program for impacts to Oak woodland and to improve habitat for the wildlife species. The measures and monitoring actions for them were included in the MND for the project, discussed in Finding 8. In accordance with CIP requirements, a Conservation and Scenic Easement will be applied over portions of the property that contain ESHA. See Finding 5, evidence "d."

- f) The Arborist Report assessed the potential impact to trees as well as oak woodland. James Allen, consulting arborist, determined the projected loss of tree canopy represents 0.08-acres or 1.19 percent of the total property canopy coverage of 10.13 acres. To compensate for Project impacts to Oak woodland, the project would implement oak woodland restoration and enhancement actions as per an approved forest management plan. The Forest Management Plan would include restoration/enhancement of approximately 0.12 acre of oak woodland within one year after construction of the single-family residence. Tree replacements for 17 Coast live oak trees of 6 inches or great diameter at 2 feet height would be 1:1 minimum. One landmark tree would be replaced at a minimum of 2:1 ratio with local coast live oak saplings.
- g) The Archaeological Report did not find resources onsite, but concerns were raised in the Tribal Cultural consultation for the project and a mitigation measure to ensure potential impacts to Tribal Cultural Resources was included in the MND for the project, discussed in Finding 8.
- h) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in HCD-Planning File PLN220229.

4. FINDING: **TREE REMOVAL/OAK WOODLAND** – The siting, location, size and design of the project minimizes tree removal in accordance with the North County LUP Policies and North County CIP and the removal will not impact the overall health and long-term maintenance of the native oak woodland found in the area of Elkhorn Road.

- EVIDENCE:**
- a) The project includes application to remove up to 20 Coast live oak trees; however only 17 trees are protected. These 17 trees include 15 that meet the North County LUP classification for "protected trees" (greater than 6 inches in diameter), one that meets the CIP classification for "landmark tree", and one stump that is now growing health sprouts. In accordance with the applicable policies of North County CIP, a Coastal Development Permit is required for the removal of living trees and the criteria to grant said permit have been met.
 - b) Pursuant to Section 20.144.050 of the North County CIP, an Arborist

Report was prepared for the proposed project (LIB230235). The arborist report evaluated the health, structure, and preservation suitability for the remaining forest around the proposed development. The Arborist found that the "protected" trees proposed for removal are in "fair" to "poor" health, with poor structure and preservation suitability. The identified "landmark" tree is uprooted, with a small percentage of live foliage remaining. The Arborist recommended compensation for project impacts to Oak trees, as well as impacts to Oak woodland. Consistent with CIP section 20.144.050, Applicant/owner shall replace oak trees at a minimum 1:1 ratio for protected trees and 2:1 for the landmark tree (Condition No. 26, BIO-10).

- c) CIP section 20.144.040.C.1.e states, "Development on a parcel within oak woodland habitat shall minimize the amount of oak tree removal to that required for construction of structures and access road." CA Pub Res Code § 21083.4 (2024), Projects undertaken in Oak woodland shall plant an appropriate number of trees, including maintaining plantings and replacing dead or diseased trees, for seven years after the trees are planted. The Arborist Report determined that the projected loss of tree canopy represents 0.08-acres or 1.19 percent of the total property canopy coverage of 10.13 acres. As compensation for project impacts to Oak woodland habitat, Oak woodland restoration and enhancement actions will occur on-site. The compensation activities would comply with an approved forest management plan. The forest management plan includes restoration/enhancement of approximately 0.12 acres of Oak woodland concurrent with, or within one year after development of the single-family residence. The recommendation was incorporated into BIO-10, which is a mitigation measure requiring seven years of monitoring to ensure survival (Condition No. 26).
- d) Many areas of the lot are within the public viewshed, include steeper slopes, and ESHA are known to exist on the lot in the form of coastal prairie where protected species have the potential to migrate, Pajaro manzanita, and North County's Oak woodland. County finds the siting of the proposed structures to be the best location that balances conservation of on-site sensitive resources and better meets the applicable resource protection policies of the NC LUP. In comparison to the original project design, the current driveway configuration is simple and direct, reduces grading, and lessens impacts to Oak woodland by over 40%. That is mainly because a lot line adjustment proposed for the subject lot and two adjacent lots (PLN240187) will allow a shortened driveway and thus less grading and impact to oak woodland/oak trees, and landmark trees in particular. Mitigation measure for adaptive restoration of Oak woodland (BIO-10) will improve the ecological vigor of the stand. The building sites and driveway are designed to minimize tree removal while adhering to LUP Policies discussed herein and also meet North County Fire Protection District requirements for driveway shape and size (required 12-ft width and hammerhead turn-around).

During North County LUAC review, a public comment letter suggested that the development does not conform with LUP Policy 2.3.2.1 which does not allow non-resource dependent development in ESHA. The LUP Policy states: "with the exception of resource dependent uses, all development, including vegetation removal, excavation, grading, filling, and the construction of roads and structures, shall be prohibited in the following environmentally sensitive habitat areas: riparian corridors, wetlands, dunes, sites of known rare and endangered species of plants and animals, rookeries, major roosting and haul out sites, and other wildlife breeding or nursery areas identified as environmentally sensitive." This policy does not include Oak woodland as an environmentally sensitive habitat where resource dependent uses are the only allowed use. No impacts to the listed ESHA in Policy 2.3.2.1 will occur with implementation of this project. Furthermore, ESHA-related LUP Policies 2.3.3.A.4 and 2.3.3.A.5 require that projects minimize the disruption of Oak woodland habitat on steeper slopes and implement fire fuel management to control wildfire risk. Consistent with these policies, the project will have no impact to Oak woodland habitat on slopes in excess of 25% and shall comply with a fuel management plan (Condition No. 10). Accordingly, the proposed development does not fall within an area specified by LUP Policy 2.3.2.1 or LUP Policy 2.3.3.A.4.

- e) Based on the conclusions of the Arborist Report and the MND, it can be concluded that no significant long-term effects on the forest ecosystem will be caused by the project. The project will not significantly degrade the overall health and long-term maintenance of the oak woodland found on the property or the Elkhorn Road area.
- f) Planning staff conducted a site inspection on May 7, 2024 to verify that the tree removal is the minimum necessary for the project.
- g) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in HCD-Planning File PLN220229.

5. FINDING:

DEVELOPMENT WITHIN 100 FEET OF ENVIRONMENTALLY SENSITIVE HABITAT AREAS --

The subject project avoids or minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and policies of the North County LUP, North County CIP, and applicable zoning codes.

EVIDENCE:

- a) The project includes an application for development within 100 feet of environmentally sensitive habitat areas (ESHA). A patch of Pajaro manzanita shrubs was observed within 100 feet of the main dwelling construction area. In accordance with the applicable policies of the North County LUP and Title 20, section 20.14.030, a Coastal Development Permit is required, and the authority to grant said permit has been met.
- b) The policies in Chapter 2.3 of the North County LUP are directed at maintaining, protecting, and, where possible, enhancing sensitive habitats. Only resource-dependent uses are allowed within environmentally sensitive habitat areas identified as riparian

corridors, wetlands, dunes, sites of known rare and endangered species of plants and animals, rookeries, major roosting and haul out sites, and other wildlife breeding or nursery areas. All other development types (as allowed by the underlying zoning district) may be adjacent to or within 100 feet of ESHA, provided the development is compatible with the long-term maintenance of the resource (LUP Policy 2.3.3.A.2). As designed, mitigated and conditioned, the project is consistent with applicable policies regarding avoidance and minimization of habitat disruption.

- c) A Biological Report was prepared to determine whether ESHA existed on the subject property (see Finding 3, Evidence “b”). The biological assessment found that portions of the project site support sensitive plant species, specifically Pajaro manzanita, a special status shrub. The property's Pajaro manzanita is located within 100 feet of the proposed development area. The supplemental wildlife pit trapping report of April 2025 indicated that five California Red-legged Frog (CRLF) "young of the year" were captured in January 2025 at various locations around the subject parcel (both above the proposed development site to the northeast, as well as on lower lands toward the slough). The Project Biologist has confirmed that the project's design, as mitigated, will avoid all potential direct impacts to ESHA. As discussed in Finding 8, a mitigation measure (Condition No. 1, BIO-1) has been applied to ensure a qualified botanist identifies and protects the Pajaro manzanita with protective fencing prior to construction to prevent indirect construction-related impacts. Other mitigation measures ensure that impacts to CRLF would be avoided through a combination of grading and construction timing, biological surveys and monitoring, and appropriate wildlife fencing to block entry into the construction area.
- d) The project biologist recommended a Habitat Adaptive Care Program as mitigation for direct and indirect impacts to ESHA (Mitigation Measure BIO-9). Applicant shall implement an adaptive care program within habitat areas to achieve the following goals and objectives:
1. Protect habitats. (Oak woodland, mixed grassland, Coastal scrub, Maritime chaparral) located outside the 100-foot fuel management zone and ensure CRLF habitat is high-quality by stimulating healthy growth of native trees, shrubs and groundcovers while decreasing the cover of target invasive non-native species. Within the mixed grassland, implement a management program that benefits native perennial grasses and native forbs (i.e., wildflowers). The identified best management practice is mowing in the spring season to reduce the growth/seed production of annual, non-native grasses and forbs, and revegetating the temporarily disturbed mixed grassland with a native grass and forb seed mix. Manual removal techniques will be used and depending upon the species, non-native invasive species shall be removed.
 2. Monitor. Applicant, with review and approval by a qualified botanist, ecologist, or revegetation specialist, will inspect the seeded grassland areas one year after seed application. Plant cover will be measured; if plant cover is less than 60 percent, remedial actions will

be implemented, such as supplemental seeding. An inspection report, describing site conditions and plant cover, shall be collated by the Applicant, with the services of a qualified botanist, ecologist, or revegetation specialist to review and synthesize. The landowner will be responsible for submitting the report to the County of Monterey HCD-Planning by the end of January following each monitoring year.

3. Weeding. In all areas, Applicant shall implement actions to remove/control invasive, non-native plant species. Applicant shall confer with a qualified restoration specialist to determine the most effective methods for removing and controlling the target invasive species within the area(s) and remove materials from the site. The removal of invasive plant species will likely require several consecutive treatments.

4. Do Not Disturb Wildlife. Applicant, with review and approval by a qualified botanist, ecologist, or revegetation specialist, shall manage habitats on the property in a manner conducive to the protection of native wildlife species. The Applicant shall achieve this goal by contracting with a qualified biologist to implement the following: a) Prior to removal of invasive, non-native plant species, conduct a walking survey to identify active bird nests and MDFW houses such that impacts to nests are avoided during invasive plant removal; b) All round-disturbing activities shall occur only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within burrows in the grassland.

5. Seven years of reporting. Applicant shall provide to HCD-Planning annual monitoring reports describing yearly actions, results of monitoring, and remedial actions needed or implemented for a total of seven years. Applicant, utilizing the services of a qualified botanist, ecologist, or revegetation specialist, shall periodically inspect the habitats at least once a year. The inspections shall assess how the habitat management actions are proceeding and identify any problems or potential problems that may exist. During these inspections, the qualified consultant shall look for plant damage, document compliance with program objectives and make recommendations to correct any significant problems or potential problems.

The inspection visits will also be used to document the need to change or adjust revegetation plan actions (i.e., altering the maintenance schedule, adding extra weed control visits, increasing or reducing the frequency or amount of irrigation water, etc.). The progress of invasive non-native plant species removal shall be ascertained during the inspections, with a trend of decreasing cover/occurrences each year. Natural revegetation is expected to occur in areas where invasive, non-native plant species have been removed. Annual reports for monitoring Years 1-7 shall present data on the habitat area(s), actions implemented, the progress toward meeting program goals and any remedial actions required.

- e) In relation to mitigation measure BIO-9, Condition No. 14 has been applied to require that continuous areas of the property containing ESHA in at least a 3:1 proportion to impacted areas be placed in an

irrevocable conservation easement, as required by LUP Policy 2.3.2.6. The easement deed shall allow fire fuel management and maintenance of the OWTS. The area shall be determined by the Applicant in consultation with the project biologist.

- f) CIP section 20.144.040.C.1.e states that development on a parcel within oak woodland habitat shall minimize the amount of Oak tree removal to that required for construction of the structures and access road. As discussed in Finding 4 and supporting evidence, the siting of the residential development was chosen to better comply with LUP policies pertaining to visual resources, avoidance of development on significant slopes, forest resources, and protection of environmentally sensitive resources. While sited to protect the viewshed and minimize impacts to coastal prairie and Pajaro manzanita, the driveway and building sites were also designed to minimize impacts to Oak woodland, while still meeting North County Fire Protection District requirements. The arborist report determined that the projected loss of tree canopy represents 0.08-acres or 1.19 percent of the total property canopy coverage of 10.13 acres. The MND identified appropriate mitigation to restore/enhance approximately 0.12 acre of Oak woodland within one year after construction of the single-family residence (Condition No. 26, BIO-10). The proposed seven years of adaptive restoration monitoring shall ensure that the replacement Oak woodland can reach its maximum ecological value, as required by LUP Policy 2.3.3.A.4.
- g) Consistent with applicable Policies of the LUP, the proposed project, as designed, sited, and mitigated/conditioned, protects the property's ESHA to the greatest extent possible and will have a low intensity that is compatible with the protection and long-term maintenance of the sensitive habitat. See Finding 8, Evidence "i". Consistent with LUP Policies 2.3.1, all relevant subsections of 2.3.2, and 2.3.3.A.2, 2.3.3.A.4, the proposed development will not directly impact EHSA and will not adversely impact the conservation of Maritime chaparral, Oak woodland, or special status wildlife in the project vicinity.

6. FINDING: **GUESTHOUSE** – The project meets the established regulations and standards as identified in Title 20 section 20.64.020.

- EVIDENCE:**
- a) Guesthouses and accessory structures are listed as principal uses allowed, subject to a Coastal Administrative Permit, within the Rural Density Residential Zoning District pursuant to Title 20 section 20.16.040.B and E. Standards for granting a Coastal Administrative Permit have been met in this case.
 - b) Pursuant to Title 20 section 20.64.020.C.3, guesthouses are to share utilities with the main residence, unless prohibited by public health requirements. Potable water is provided by a private well, Elkhorn Road Water System #9, and is proposed to be supplied to the guesthouse via a connection to the main residence. EHB reviewed the project and confirmed that the guesthouse will have an insubstantial effect on the mutual water system. EHB assessed that the proposed septic system for the proposed main dwelling and guesthouse and found it suitably designed. The guesthouse will also utilize solar

power, the same as the main residence. Therefore, the project is consistent with this development standard.

- c) Title 20 section 20.64.020 establishes regulations and standards for which a guesthouse, defined as a sleeping facility not integral to the main dwelling, may be permitted. The project includes the construction of an approximately 413 square foot guesthouse, under the maximum size of 425 square feet. The maximum height of the proposed guesthouse will be 11 feet, 10.5 inches in height from average natural grade, complying with the 12-foot maximum height regulation.
- d) The proposed guesthouse is the only guesthouse proposed for the subject parcel, has no cooking facilities, and shall not be separately rented. Staff has applied the standard coastal guesthouse deed restriction as Condition No. 11.
- e) The guesthouse meets the required site development standards as defined in Title 20 section 20.16.060 (Rural Density Residential Zoning). See Finding 1, evidence “d.”
- f) In relation to the size of the subject parcel, the guesthouse is located in close proximity to the principal residence, as required by Title 20 section 20.64.020. Other factors affected the siting of the guesthouse, as well, including minimizing development on slopes and conforming with LUP Visual Resources Policies. The guesthouse has been designed to be visually consistent and compatible with the main residence, as required by Title 20 section 20.64.020, as well.
- g) Title 20 section 20.58.040 requires the guesthouse to have at least one associated parking space. Consistent with this requirement, the guesthouse will have two parking spaces.
- h) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN220229.

7. FINDING: DEVELOPMENT ON SLOPES – The proposed development better achieves the goals, policies and objectives of the 1982 Monterey County General Plan and North County Land Use Plan than other development alternatives that do not involve development on slopes in excess of 25 percent.

- EVIDENCE:**
- a) Pursuant to the policies of the 1982, General Plan, North County Land Use Plan (LUP), and Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required for development on slopes in excess of 25 percent and the criteria to grant said permit has been met.
 - b) The Proposed Project locates structures off of excessive slopes, but it requires an onsite wastewater treatment system, and that will entail trenching of approximately 350 feet (1 foot wide) on such slopes. The trenching allows the onsite wastewater treatment system to reach a lower area of the parcel where the most feasible leach field would be placed on disturbed grassland. The only alternative to trenching down the slope would be for the residence to be located below the slope near the leach field. Impacts to visual resources would be significant if the residence were placed along Elkhorn Slough Road, without the

hillside masking the structures. Trenching to a leach field closer to the residence would increase impact to slopes and Oak woodland. Therefore, the use of a trench to connect the residence located where it produces less-than-significant impact on views to a leach field location off of steep slopes and Oak woodland is the most feasible alternative.

- c) As proposed, the subject project minimizes development on slopes in excess of 25 percent in accordance with the applicable goals and policies of the LUP. The project planner reviewed the plans and application materials to verify the subject project minimizes development on slopes. The proposed length of the OWTS trenching is the minimum necessary to allow for installation of a leach field on flatter areas at a lower elevation than the residence.
- d) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN220229.

8. 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 County of Monterey Housing and Community Development (HCD) records and is not aware of any violations existing on the subject property.
 - b) The application, plans and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN220229.

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

- EVIDENCE:**
- a) Pursuant to Public Resources Code Section 21083, and California Environmental Quality Act (CEQA) Guidelines sections 15063(a) and 15063(b)(2), the Lead Agency shall conduct environmental review in the form of an Initial Study (IS) to determine if the project may have a significant effect on the environment, and shall prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.
 - b) The County prepared an IS pursuant to CEQA, which is on file in the offices of HCD-Planning and is hereby incorporated by reference (HCD-Planning File No. PLN220229).
 - c) There is no substantial evidence, based upon the whole record, that the project may have a significant effect on the environment. The IS identified potentially significant effects to Biological Resources and Tribal Cultural Resources. Based upon the analysis of the IS, HCD-

Planning prepared a Mitigated Negative Declaration (MND). 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) The Draft IS/MND for HCD-Planning File No. PLN220229 was prepared in accordance with the CEQA Guidelines, filed with the County Clerk on May 7, 2025, and circulated for public review from May 7, 2025 to June 6, 2025. (State Clearinghouse No. 2025050246).
- e) Resource areas that were analyzed in the Draft IS/MND included: aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, tribal cultural resources, utilities/service systems, and wildfire.
- f) Evidence that has been received and considered includes: the application including a land disturbance target assessment, technical studies/reports, staff reports that reflect the County's independent judgment, comment letters, and information and testimony presented during public meetings and the Planning Commission hearing. These documents are on file in HCD-Planning (File No. PLN220229) and are hereby incorporated herein by reference.
- g) The County identified no impacts to agriculture and forest resources, mineral resources, population and housing, public services, and recreation.
- h) Pursuant to Public Resources Code Section 21080.3.1, the County (HCD-Planning staff) initiated consultation notification on January 25, 2024, with tribal groups that had requested consultation notice. On February 13, 2024, HCD-Planning staff met with a representative of the Ohlone/Costanoan-Esselen Nation (OCEN). Potential tribal cultural resources were identified through the consultation. The tribal representatives requested monitoring during ground disturbance in the area of the subject parcel that is considered a "high archaeological sensitive" area (nearest Elkhorn Road) to be made a mitigation measure in the IS/MND. OCEN reviewed the IS/MND and made no comment.
 - Mitigation Measure TR-1 (TRIBAL MONITOR) will mitigate any potential for impacts to tribal cultural resources within the "high sensitivity" area of the subject parcel during ground disturbance associated with installation of the water lines to the well and an onsite wastewater treatment system's trenching and leach field. To prevent adverse impacts to potential cultural resources, a qualified Tribal Monitor shall be present during soil disturbance in the western area of APN 181-151-008-000. The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. If human remains are identified, work shall be halted to within a safe working distance (approximately 165 ft), 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. If potentially significant

archaeological resources are discovered, work shall be halted in the lower western area of APN 181-151-008-000, not including vehicular passage on the existing driveway or stockpiling of soil in the soil stockpile area, and otherwise to 165 ft, until it can be evaluated. 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. If intact features should be encountered, the Tribal Monitor, in conjunction with an archaeologist shall recommend appropriate mitigation measures (Features are human burials, hearths, house floors, significant shell mounds and/or caches of stone tools). If a feature is an artifact that cannot be moved, it must be documented in situ. In the case of in situ documentation of an artifact, the Applicant shall retain a qualified archaeologist to monitor and ensure compliance with the requirements of the mitigation and monitoring plan. In the case of a significant feature, Applicant shall cause the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource in a report. The report shall be submitted to HCD-Planning and appropriate State-required offices/repositories that are available at the time (as determined by the archaeologist).

- i) The County identified potentially significant impacts to biological resources. Due to the nature of the potential impacts, staff and the project biologist consulted with the California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service, and California Coastal Commission during the preparation of the IS. Mitigation measures have been proposed to reduce the identified impacts to a level of less than significant.
- Mitigation measure BIO-1 (PAJARO MANZANITA) will ensure Pajaro manzanita, a rare plant (List 1B.1 by California Native Plant Society), is avoided and protected during construction with construction fencing. No ground disturbances (e.g., discing, grading, etc.), storage of materials, spoils, and staging of heavy equipment shall be allowed within designated environmentally sensitive areas.
 - Mitigation measure BIO-2 (WILDLIFE PRE-CONSTRUCTION SURVEYS) will avoid impacts to protected wildlife species, including California tiger salamander ("CTS"), Santa Cruz long-toed salamander ("SCLTS"), California red-legged frog ("CRLF"), and California legless lizard ("CLL"), through site surveys conducted by a qualified biologist no less than 48 hours prior to the start of any vegetation removal or grading. If, after review by a qualified biologist, potential impacts cannot be avoided, the Applicant/Contractor/Biologist shall immediately stop work, and no work may proceed until authorization is obtained from CDFW and USFWS. Pre-construction surveys shall be performed within 72 hours of construction and repeated for any new construction phases beginning at any later time.

- Mitigation measure BIO-3 (EXCLUSION FENCING) involves the installation of exclusionary fencing to prevent CTS, SCLTS and CRLF from moving into work areas if ground disturbing work cannot be completed prior to the first fall rains (approximately mid-October), but no later than 48-hours prior to the prediction of unseasonable rainfall of a minimum 0.25 inches. Exclusion fencing (such as standard silt fencing) shall incorporate a one-way design with backfilled gaps to allow for wildlife within the enclosures to move out of work areas. 3 ft x 3 ft cover boards shall be placed every 100 ft along the inside and outside lengths of the fence to provide shelter for wildlife travelling along the fences. The fence should be buried a minimum of 6 inches below grade.
- Mitigation measure BIO-4 (CONSTRUCTION CREW TRAINING) will further avoid impacts to special-status wildlife species, including CTS, SCLTS, CRLF and CLL, by requiring all construction workers to receive an “endangered species environmental training” by a qualified biologist, focusing on protection measures to be implemented as part of the project. Following the training, all workers shall sign a certification of attendance. The training shall include distribution of a handout in English (and Spanish and/or other appropriate language, depending on crew makeup) addressing the natural history and legal status of all species of concern which may potentially occur on-site.
- Mitigation measure BIO-5 (BIOLOGICAL MONITOR) will further avoid impacts to special-status wildlife species, including CTS, SCLTS, CRLF and CLL, by requiring the Applicant to contract a qualified biologist to monitor activities at the project site during initial vegetation removal and grading activities. Once the vegetation removal and initial grading activities have been completed, subsequent construction monitoring may be performed by a construction site supervisor trained by the biologist. By contracting a qualified biologist, BIO-4 ensures all handling of wildlife is done by a permitted biologist with State and Federal agency authorization.
- BIO-4 also requires that grading and other earthwork (e.g., grubbing, trenching, potholing, etc.) during all project phases (e.g., access road, water line, building pad, septic, etc.) shall be performed later than April 15 and prior to the first fall rains (approximately mid-October). If a phase of ground disturbance activities cannot be completed in this timeframe, the phase shall resume the following spring. No winter season earthwork shall be permitted.
- Mitigation measure BIO-6 (NESTING BIRD SURVEYS). Special status bird species, including white-tailed kite, northern harrier, merlin, loggerhead shrike, Bryant’s savannah sparrow, and grasshopper sparrow, were found by a qualified biologist to have potential nesting sites near the project site

during its construction. To avoid impacts to special status nesting birds, a qualified biologist shall perform pre-construction nesting bird surveys no more than one week before the scheduled start of any construction activities.

Appropriate buffering and/or pauses to work recommended by the biologist upon completion of the surveys will be followed.

- Mitigation Measure BIO-7 (BAT SURVEYS) will avoid impacts to bats including the Pallid bat which the project biological report predicted could be found in the area by requiring a qualified biologist to survey the trees and snags in and immediately adjacent to the work areas for bat roosts no more than two weeks prior to the anticipated start of construction activities. If bats are found to be present, the biologist shall provide to the Applicant and their construction team a set of recommendations to implement, which may include buffer zones, installation of exclusion devices and/or scheduling constraints, depending on whether maternity, bachelor, or night roosts are identified.
- Mitigation Measure BIO-8 (MONTEREY DUSKY FOOTED WOODRAT) will avoid impacts on Monterey dusky-footed woodrat (“MDFW”) by requiring a qualified biologist perform a pre-construction survey for MDFW nests within the project work boundaries and a 25-ft buffer around the project site perimeter. The biologist shall flag the nests and establish buffers around each MDFW house observed (not less than 20 ft). If a MDFW nest is present within the work area and cannot be avoided, the qualified biologist shall contact CDFW for approval to implement a Woodrat Relocation Plan, which may include live trapping and/or the construction of alternate nests in adjacent suitable habitat. The Woodrat Relocation Plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of MDFW. Authorization by CDFW must be obtained prior to the implementation of this measure.
- Mitigation Measure BIO-9 (HABITAT ADAPTIVE CARE AND CONSERVATION SCENIC EASEMENT DEED [CRLF]). The subject parcel had positive results for CRLF as indicated by a 2024-2025 pitfall trapping study. To mitigate potential CRLF migration interruption, the Applicant/Owner/Project shall:
 - Design curbs to avoid creating barriers to movement. Wherever curbs are proposed, they shall be designed as rounded curbs or angled curbs of 60 degrees or less to avoid creating movement barriers for amphibians;
 - Design drainage systems to incorporate the use of French drains, which avoid grated openings to unintentionally capture amphibians. Avoid grates with ¼ inch openings or greater, or incorporate the use of mesh screens. HCD-Planning will only approve construction permits that incorporate these designs into the construction plans;

- Implement the Habitat Adaptive Care Program outlined in Finding 5, evidence “d”; and
- Dedicate a conservation scenic easement (“CSED”) for an area of oak woodland and mixed grassland of approximately a 3:1 ratio to the area of CRLF dispersal habitat, which the project permanently impacts.
- Mitigation Measure BIO-10 (OAK WOODLAND RESTORATION) will compensate for a 0.08-acre loss of Oak woodland tree canopy, which represents 1.19 percent of the total property canopy coverage of 10.13 acres. The Applicant/Owner shall contract a qualified botanist, ecologist, or revegetation specialist to develop and implement an Oak Woodland Restoration, Enhancement and Revegetation Plan consistent with the project’s biological report and arborist report. The plan shall provide restoration/enhancement of approximately 0.12 acre of oak woodland within one year after construction of the single-family residence. This will provide suitable mitigation by replacing native oak woodland impacted by construction and enhancing an additional area for the long term health of the stand.

These mitigation measures shall be discussed and coordinated in a pre-construction meeting on the site as required by Condition No. 14.

- j) 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 Reporting Plan (MMRP) has been prepared in accordance with County of Monterey regulations, which is designed to ensure compliance during project implementation and is hereby incorporated herein by reference. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and Reporting Plan" as a condition of project approval (Condition No. 7).
- k) Analysis contained in the IS and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the CDFW regulations. The project is subject to a State filing fee plus the County recording fee. IS/MND was sent to CDFW for review and comment, and no comments were received. The applicant will pay the State fee and the processing fee payable to the County of Monterey Clerk/Recorder for posting the Notice of Determination (Condition No. 9).
- l) County received comments on the IS/MND during the public review period from two parties. The first comment letter was from the Geologic Energy Management Division of the California Dept. of Conservation sent a standardized letter alerting the property owners of all parcels that the division reviewed the parcels for presence of oil, gas or geothermal wells in the area of the proposed development. The letter concluded that no wells were found present. The second comment letter was from the Applicant. It identified questions about how mitigation measures would be applied. Staff communicated clarification to the Applicant in a phone conference on June 16, 2025 and also clarified in Finding 9, Evidence “m.” Staff

- proposed a minor edit to improve clarify of a mitigation measure, discussed in Finding 9, Evidence “n.”
- m) The Applicant sought clarification as to how much area the MND was requiring for the CSE. They suggested that the IS was not specific about area/boundaries. The reason that the IS was not specific is that the County’s Condition of Approval for a CSED (Condition No. 14) requires a biologist to be consulted when developing the location of the CSE. The size of a CSE is location and project dependent. The MND arrived at “approximately one acre” in (Chapter VI) Biological Resources (top of page 62) with the donation of 5 acres of habitat to ESF through PLN240187. One acre was a rounded-up estimate made from project application’s predicted permanent impacts (0.28 acre) multiplied by a 3:1 ratio (0.84 acre). The owner should consult a biologist in the design of the area to ensure highest quality migration habitat is included.
- n) The Applicant expressed concern that wording in mitigation measure TR-1 states that a Tribal Monitor should not be required to write a daily report for every day they monitor, which suggests a greater amount of reporting than other project monitors. Staff agrees that the wording of TR-1 was unclear. The intent was for the Tribal Monitor to keep a daily log and to include the daily logs in the final report. Therefore, draft mitigation measure TR-1 has been clarified with the following phrase shown underlined:
“The Tribal Monitor shall prepare daily monitoring reports (e.g. daily log) that shall be available upon request by HCD – Planning. If no resources are encountered during the contracted period, no further reporting shall be required. In the case that resources are encountered, a final report, including the daily monitoring schedule, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities.”
- o) Pursuant to CEQA Guidelines section 15073.5(c), recirculation of the IS/MND is not required. A minor revision was made to MM TR-1, memorialized in the project MMRP. No additional impacts would result from the clarifications identified as other Tribal Cultural mitigation measures ensure that all impacts shall be avoided. Recirculation is not required because the comment on the public draft did not present evidence of potentially significant effects caused by the project that were not analyzed in the public draft or significantly alter recommended mitigations.
- p) The County finds that there is no substantial evidence supporting a fair argument of a significant environmental impact. The analysis and recommendations of the Biological Report, Arborist Report, Tribal Consultation, and Geotechnical Report informed the IS/MND. All potential impacts can be reduced to a less-than-significant impact through requirements of the MMRP and adherence with County and State regulations during subsequent ministerial permit processing.
- q) The County of Monterey Planning Commission considered the MND, along with the Combined Development Permit at a duly noticed public hearing held on June 25, 2025.
- r) County of Monterey HCD-Planning, located at 1441 Schilling Place, 2nd Floor, Salinas, California, is the custodian of documents and other

materials that constitute the record of proceedings upon which the decision to adopt the MND is based.

10. 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 applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150 of the County of Monterey Coastal Implementation Plan can be demonstrated.
 - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over the project site.
 - c) The subject project site is located on Elkhorn Road more than 1 and ¼ miles from Highway 1 and is on Elkhorn Slough Road, accessed by a private driveway. The area is not illustrated or described as one requiring physical public access pursuant to the Local Coastal Program (Figure 4, Public Access and Recreation, in the North County LUP).
 - d) The subject project site is identified as an area adjacent to Elkhorn Slough, where the Local Coastal Program requires visual public access (Figure 4, Public Access and Recreation, in the North County LUP). Visual impacts were analyzed in the IS/MND and were found to be less than significant.

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

- EVIDENCE:**
- a) Board of Supervisors. Pursuant to CEQA Guidelines Section 15074(f), when a non-elected decision-making body within a local lead agency adopts a negative declaration, that adoption may be appealed to the agency's elected decision-making body. Therefore, and pursuant to Title 20 section 20.86.030, an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
 - b) Coastal Commission. Pursuant to Title 20 section 20.86.080.A, the project is subject to appeal by/to the California Coastal Commission because it involves development project involving development that is permitted in the underlying zone as a conditional use.

DECISION

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

- A) Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines (SCH#: 2025050246);
- B) Approve a Combined Development Permit consisting of:
 - 1. Coastal Administrative Permit to allow construction of a split-level 2,676 square foot single-family dwelling with a 516 square foot attached carport and 471 square foot deck, and associated site improvements;
 - 2. Coastal Administrative Permit to allow construction of a 414 square foot detached guesthouse with a 133 square foot covered porch, attached 507 square foot workshop and 415 square foot garage;
 - 3. Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Areas (Pajaro manzanita and oak woodland);
 - 4. Coastal Development Permit to allow the removal of 17 Coast live oak trees, including 1 landmark tree;
 - 5. Coastal Development Permit to allow development on slopes in excess of 25%; and
- C) Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan.

This approval is for project to be constructed in general conformance with the plans and adhering to the mitigation monitoring and reporting plan, both being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 25th day of June 2025, upon motion of Commission Mendoza, seconded by Commissioner Shaw, by the following vote:

AYES: Mendoza, Diehl, Hartzell, Gonzalez, Roberts, Work, Monsalve, Shaw

NOES: None

ABSENT: Gomez, Getzelman

ABSTAIN: None

DocuSigned by:

Melanie Beretti

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Melanie Beretti, AICP

Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **JUNE 27, 2025**.

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 **JULY 7, 2025**.

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. 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/or use clearances from County of Monterey HCD-Planning office in Salinas.

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

County of Monterey HCD Planning

Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN220229

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Combined Development Permit (PLN220229) allows 1) Coastal Administrative Permit for construction of a split-level two-story 2,676 square foot (sq ft) single family dwelling with attached 516 sq. ft. carport, 240 sq ft covered porch and an approximately 470 sq. ft. deck, 2) Coastal Administrative Permit for construction of a detached 414 sq ft guesthouse with a 133 sq ft covered porch and attached approx. 507 sq ft workshop and approx. 415 sq ft garage; new driveway extension (approx. 4,620 sq. ft. paved and 2885 pervious pavers); new onsite wastewater treatment system and associated improvements; 3) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat areas and 4) Coastal Development Permit for development on slopes in excess of 25 percent. The property is located at 827 Elkhorn Slough Road (Assessor's Parcel Number 181-151-009-000), North County Land Use Plan. 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 HCD - Planning. 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. (HCD - Planning)

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

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Combined Development Permit (Resolution Number 25-020) was approved by the Planning Commission for Assessor's Parcel Number 181-151-009-000 on June 25, 2025. The permit was granted subject to 28 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.
Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule.

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. Owner/Applicant shall submit proof of payment to the HCD-Engineering Services.

5. PW0045 – COUNTYWIDE TRAFFIC FEE

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule.

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits, the Owner/Applicant shall pay Monterey County HCD-Building Services the traffic mitigation fee. The Owner/Applicant shall submit proof of payment to HCD-Engineering Services.

6. EHSP01 – AMEND PUBLIC WATER SYSTEM PERMIT

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Obtain an amended water system permit from the Environmental Health Bureau pursuant to Monterey County Code, Chapter 15.04, Domestic Water Systems, and the California Health & Safety Code, California Safe Drinking Water Act, and Title 22 of the California Code of Regulations. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits, submit necessary application, reports and testing results to Environmental Health Bureau for review and approval. Obtain an amended water system permit.

7. PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) 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 Agreement. The agreement shall be recorded. (HCD- Planning)

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 an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to HCD-Planning.

8. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: Owner/Applicant 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 and/or its agents, officers, and/or employees from any claim, action, or proceeding against the County and/or its agents, officers, and/or or employees to attack, set aside, void, or annul this approval and/or related subsequent approvals, including, but not limited to, design approvals, which action is brought within the time provided for under law . Owner/Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required by a court to pay as a result of such action.

The County shall notify Owner/Applicant of any such claim, action, and/or proceeding as expeditiously as possible. The County may, at its sole discretion, participate in the defense of such action. However, such participation shall not relieve Owner/Applicant of his/her/its obligations under this condition. Regardless, the County shall cooperate fully in defense of the claim, action, and/or proceeding.

(County Counsel-Risk Management)

Compliance or Monitoring Action to be Performed: This Indemnification Obligation binds Owner/Applicant from the date of approval of this discretionary development permit forward. Regardless, on written demand of the County County's Office, Owner/Applicant shall also execute and cause to be notarized an agreement to this effect. The County Counsel's Office shall send Owner/Applicant an indemnification agreement. Owner/Applicant shall submit such signed and notarized Indemnification Agreement to the Office of the County Counsel for County's review and signature. Owner/Applicant shall then record such indemnification agreement with the County of Monterey Recorder's Office. Owner/Applicant shall be responsible for all costs required to comply with this paragraph including, but not limited to, notary costs and Recorder fees.

9. PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

10. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from 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. Responsible Land Use Department: HCD-Planning and North County Fire District.

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

11. PD019(B) - DEED RESTRICTION-GUESTHOUSE (COASTAL)

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse (Coastal) as follows:

- Only 1 guesthouse shall be allowed per lot.
- Detached guesthouses shall be located in close proximity to the principal residence.
 - Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements.
 - The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens.
 - The guesthouse shall have a maximum of 6 linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of 8 square feet of cabinet space, excluding clothes closets.
 - The guesthouse shall not exceed 425 square feet of livable floor area.
 - The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect.
 - Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited.
 - The guesthouse shall be designed in such a manner as to be visually consistent and compatible with the main residence on site and other residences in the area.
 - The guesthouse height shall not exceed 12 feet nor be more than one story.

(HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/Applicant shall submit a signed and notarized document to the Director of HCD-Planning for review and signature by the County.

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

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

Responsible Department: Planning

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

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to HCD - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

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

13. PD052 - PRE-CONSTRUCTION MEETING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to the commencement of any grading or construction activities, a pre-construction meeting shall be held on the site. The meeting shall include representatives of each of the selected contractors, any consultant who will conduct required monitoring, the Owner/Applicant, the HCD -Planning Department and any other appropriate County Departments. The purpose of the meeting is to review the conditions of approval that are applicable to the grading and construction of the approved development. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to commencement of any grading or construction activities, the Owner/Applicant shall contact HCD -Planning to schedule a pre-construction meeting prior to commencement of any grading or construction activities. The Owner/Applicant shall be responsible for ensuring that all appropriate contractors and technical consultants are in attendance. HCD -Planning staff shall be responsible for identifying and notifying other County Departments that should attend the meeting (if applicable).

14. PD022(C) - EASEMENT-CONSERVATION AND SCENIC (COASTAL)

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: A conservation and scenic easement shall be conveyed to the County over those portions of the property where upland habitats vital to endangered wildlife are known to exist in accordance with mitigation measure BIO-9 and the procedures in Monterey County Code § 20.64.280.A. Specifically, this conservation scenic easement (“CSE”) shall be for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat impacted by the Project. The approximately one-acre CSE area shall be chosen with the services of a qualified biologist or ecologist to best preserve an area that is of the highest quality for CRLF. The CSE Deed shall describe the area in which no structures shall be placed in future but which shall allow Habitat Adaptive Care Program activities and fire fuel management. A Subordination Agreement shall be required, where necessary. The easement shall be developed in consultation with certified professional biologist/ecologist and land surveyor/civil engineer. An easement deed shall be submitted to, reviewed and approved by the Director of HCD - Planning and the Executive Director of the California Coastal Commission, and accepted by the Board of Supervisors prior to recording the parcel/final map or prior to issuance of grading and building permits. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to recording the parcel/final map or prior to issuance of 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 HCD - Planning for review and approval.

Prior to recording the parcel/final map or prior to issuance of building permits, the Owner/Applicant shall submit a signed and notarized Subordination Agreement, if required, to HCD - Planning for review and approval.

Prior to or concurrent with recording the parcel/final map or prior to issuance of building permits, 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 HCD – Planning.

15. MM BIO-1 (PAJARO MANZANITA)

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pajaro manzanita is considered rare (List 1B.1) by CNPS. The species is considered ESHA in County of Monterey. A patch of Pajaro manzanita shrubs were observed within 100 feet of the construction area on the PLN220229 subject parcel (Project Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid project-related impacts to Pajaro manzanita, the landowner (“Applicant/Owner” of PLN220229/ APN 181-151-008-000) shall contract a qualified botanist to identify in the field, with stakes and orange construction fencing, all extant occurrences of Pajaro manzanita and maintain protective fencing around these occurrences throughout the residential construction period.

No ground disturbances (e.g., discing, grading, etc.), storage of materials, spoils and staging of heavy equipment shall be allowed within designated environmentally sensitive areas. Applicant/Owner shall submit annual monitoring reports during Years 1-7 to HCD-Planning, describing qualified botanist’s prescribed actions for the year, results of annual monitoring visits, including any remedial actions needed or implemented. Reports shall be prepared by Applicant/Owner or their designee, by a qualified botanist, ecologist, or revegetation specialist listed in HCD-Planning’s qualified list of specialists. Applicant/Owner is responsible for submitting the reports to HCD-Planning by January 31st following each monitoring year.

Compliance or Monitoring Action to be Performed: A qualified botanist or ecologist shall oversee the placement of protective staking and fencing around the Pajaro manzanita.

Prior to the issuance of any construction permit, Applicant/Owner shall submit photo evidence to HCD-Planning that staking and fencing ensuring avoidance of impacts to Pajaro manzanita has been completed. Annual monitoring reports are to be submitted to HCD – Planning for review and approval by January 31st following each monitoring year.

16. MM BIO-2: WILDLIFE PRE-CONSTRUCTION SURVEYS

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda) and information obtained from the CNDDDB. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to them to the "greatest extent feasible," as determined by a qualified biologist.

If, after review by a qualified biologist, potential impacts cannot be avoided, Applicant/Owner shall immediately stop work and no work may proceed until authorization is obtained from CDFW and USFWS. An Incidental Take Permit ("ITP") from the respective Wildlife Agency may be needed to continue work.

To ensure all potential impacts are avoided, a qualified biologist shall survey permanent and temporary impact areas for special status wildlife that could occur on the property no less than 48 hours prior to the start of any vegetation removal or grading.

Pre-construction surveys shall be repeated for any new construction phases beginning at any later time.

Once it is determined, through the biological survey that no sensitive animals are within the impact areas, construction may begin. If any sensitive species found within the impact area or will otherwise be at risk during construction, work activities shall be delayed in that particular area to allow the animal to leave the work zone of its own volition. The biologist shall monitor the identified area to determine when individuals of special-status species have left and work can commence. This measure shall be coordinated with Mitigation Measure BIO-3.

To further accomplish avoidance and/or required permitting, a qualified biologist shall perform a pre-construction survey for CTS, SCLTS, CRLF and CLL within 72 hours of project start. The pre-construction survey shall focus on searching beneath cover objects, such as large rocks, downed logs and other woody debris and boards, etc., within the project site work limits (e.g., staging/storage areas, access roads and grading envelope). If any individuals are found to be at risk during construction, work activities shall stop and be postponed to allow the animal(s) to leave the work zone on its/their own volition.

If CLL are observed on-site, the biologist shall direct their relocation to an appropriate habitat out of harm's way (location to be determined by the biologist). Handling of CLL and other special-status species shall be performed only by a permitted biologist and as approved by CDFW and USFWS.

If CTS, SCLTS or CRLF are found during any construction phase, the Applicant/Owner or their designee shall immediately notify CDFW and USF. All site work shall stop immediately and be postponed until authorization to proceed has been obtained from CDFW and USFWS.

Pre-Construction Biologist Report - The biologist shall submit to the County a report detailing the methods and results of the wildlife preconstruction surveys. The report shall detail any sensitive species found during the survey and measures taken to avoid all harm to those species. Observations of special-status species shall be submitted to the CNDDDB. The report shall be submitted to state and federal agencies (if required) and the County of Monterey HCD within 30 days of identification of any on-site sensitive species.

Compliance or Monitoring Action to be Performed: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted, qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-2. Within one month of the start of construction, Applicant/Owner shall submit preconstruction survey results to HCD-Planning and any required state and federal agencies.

17. MM BIO-3: EXCLUSION FENCING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda, and information obtained from the CNDDDB). To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the greatest extent feasible with installation of exclusionary fencing.

If ground disturbing work cannot be completed prior to the first fall rains approximately mid-October), but no later than 48-hours prior to the prediction of unseasonable rainfall of a minimum 0.25 inches, Applicant/Owner shall encircle the entire perimeter of work sites with exclusion fencing to prevent CTS, SCLTS and CRLF from moving into work areas.

Exclusion fencing shall incorporate a one-way design with backfilled gaps to allow for wildlife within the enclosures to move out of work areas. 3 ft x 3 ft cover boards shall be placed every 100 ft along the inside and outside lengths of the fence to provide shelter for wildlife travelling along the fences. Standard silt fence material can be used for the exclusion fence. The silt fence should be buried a minimum 6 inches below grade.

If an entrance is needed for workers or machinery access, a removable, minimum 6-inch tall wood plank shall be placed across the gap, secured with stakes or rebar at the end of each day's work for a two-week period following rainfall. Fence installation shall be checked by a qualified biologist at least weekly to ensure appropriate installation, upkeep or to implement recommendations if improvement is needed.

Compliance or Monitoring Action to be Performed: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-3. Within one month of the start of construction, Biologist shall update HCD – Planning regarding the status of the exclusion fencing, including site photographs and a bird's eye view sketch of the construction site.

Prior to fencing removal, Applicant/Owner shall submit the status of the exclusion fencing with a memorandum including the biologist's recommendations regarding the appropriate time to remove the fencing.

18. MM BIO-4: CONSTRUCTION CREW TRAINING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Mitigation Measure BIO-4 (CONSTRUCTION CREW TRAINING). The subject parcel has potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDDB including CTS, SCLTS, CRLF and CLL. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the greatest extent feasible as determined by a qualified biologist. To avoid this harm, prior to the project's start, a qualified biologist shall present an "endangered species environmental training" to all construction workers. The training shall include distribution of a handout in English (and Spanish and/or other appropriate language, depending on crew makeup) addressing the natural history and legal status of all species of concern which may potentially occur on-site. The education must focus on protection measures to be implemented as part of the project. Following the training all workers shall sign a certification of attendance. Applicant/Owner shall maintain this certificate of attendance with their records. All workers must be trained, prior to working on the project site, either by the qualified biologist or previously trained site supervisor. Any worker(s) added to the construction crew after the initial training shall also be trained before they are allowed to work onsite. Within 30 days of training, the project biologist shall submit a memorandum describing the worker training to the County of Monterey HCD – Planning and State and Federal agencies (if required). Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to HCD within 30 days.

Compliance or Monitoring Action to be Performed: Prior to the issuance of any construction permit, Applicant/Owner shall submit a Worker Environmental Awareness Program draft document to HCD – Planning for review and approval. Within 30 days of construction start, the project biologist shall submit a memorandum describing the worker training to State and Federal agencies (if required) and the HCD. The Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to the HCD within 30 days.

19. MM BIO-5: BIOLOGICAL MONITOR

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Parcels involved in the residential development have potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDDB including CTS, SCLTS, CRLF and CLL. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to these species, by contracting a qualified biologist, to ensure all handling of wildlife is done by a permitted biologist with State and Federal agency authorization.

To accomplish this, Applicant/Owner shall ensure a qualified biologist is present to monitor activities at the project site during initial vegetation removal and grading activities. Once the vegetation removal and initial grading activities have been completed, subsequent construction monitoring may be performed by the construction site supervisor.

All open trenches and potholes must have ramps or other features installed to allow for entrapped wildlife to escape. Trenches or potholes that cannot accommodate escape ramps must be covered at the end of each workday, then inspected by the construction supervisor at the start of each workday. If entrapped wildlife is observed by the Applicant/Owner, construction workers the Applicant/Owner or construction crew supervisor shall immediately contact the monitoring biologist to capture and relocate the species out of harm's way (as determined by a qualified biologist) into suitable habitat. If special-status species are observed by the crew or site supervisor during construction activities, all work in the immediate area must cease immediately and the qualified biologist (possessing the appropriate handling permit(s) shall be contacted to capture and relocate individuals out of harm's way.

No work may resume until approved by the qualified biologist. No work crew member shall handle wildlife. Following any unseasonable rains of 0.25 inches or greater, a qualified wildlife biologist shall inspect around storage piles, under vehicles parked overnight and all open holes and trenches at the beginning of each workday to check for wildlife.

Grading and other earthwork (e.g., grubbing, trenching, potholing, etc.) during all project phases (e.g., access road, water line, building pad, septic, etc.) shall be performed later than April 15 and prior to the first fall rains, likely around mid-October. If a phase of ground disturbance activities cannot be completed in this timeframe, the phase shall resume the following spring. No winter season earthwork shall be permitted.

Compliance or Monitoring Action to be Performed: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction survey, oversee the installation of exclusionary fencing and provide on-going construction phase monitoring, meeting the Mitigation Measure BIO-5 requirements, including photographic evidence of installation of wildlife entrapment avoidance mechanisms and trench covers. The Applicant/Owner shall maintain records of all daily monitoring activities and shall provide copies of all monitoring reports to HCD – Planning upon request and upon conclusion of the construction activities.

20. MM BIO-6: NESTING BIRD SURVEYS

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: special status bird species (including white-tailed kite (*Elanus leucurus*), northern harrier (*Circus hudsonius*), merlin (*Falco columbarius*), loggerhead shrike (*Lanius ludovicianus*), Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*) and grasshopper sparrow (*Ammodramus savannarum*)) were found by a qualified biologist to have potential nesting sites near the project site during its construction (Biological Report, HCD-Planning Library Doc. No. LIB230236).

To avoid impacts to special status nesting birds, a qualified biologist shall perform pre-construction nesting bird surveys no more than one week before scheduled start of any construction activities. The nesting survey, performed by a qualified biologist, shall cover the project site.

Because nesting raptors may require buffers of a minimum 350-foot radius, a memorandum describing the survey results will be submitted to state and federal agencies (if required) and HCD-Planning within 30 days of the survey.

If active nests are observed, the nest site shall be flagged and a buffer established to prevent nest failure. The buffer widths shall be determined by the qualified biologist, based on species, site conditions and anticipated construction activities. In no case shall the buffer be less than 350 feet.

Active nests shall be monitored at a frequency determined by the monitoring biologist, but no less than once per week, until the nestlings have fledged. If any construction activities appear to be interfering with nest maintenance (e.g., feedings and incubation), the buffers shall be enlarged or nearby construction activities postponed, until the young have fledged, as determined by the qualified biologist.

Compliance or Monitoring Action to be Performed: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating Applicant/Owner has retained a qualified biologist to conduct preconstruction nesting bird surveys meeting the requirements of Mitigation Measure BIO-6. Within 30 days of construction start, the project biologist shall submit a memorandum describing the results of the preconstruction survey to HCD – Planning for review and approval.

21. MM BIO-7: BAT SURVEYS

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Special status bat species including the pallid bat (*Antrozous pallida*) were found by a qualified biologist to potentially roost near the project site during construction activities (Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid impacts to bats, no more than two weeks prior to the anticipated start of construction activities, a qualified biologist shall survey the trees and snags in and immediately adjacent to the work areas for bat roosts. If bats are found to be present, the biologist shall provide to the Applicant/Owner and their construction team a set of recommendations to implement, which may include buffer zones, installation of exclusion devices and/or scheduling constraints, depending on whether maternity, bachelor, or night roosts are identified.

If a single bat and/or only adult bats are roosting, construction activity may proceed after the bats have been safely excluded from the roost. Exclusion techniques shall be determined by the biologist and depend on roost type. Applicant/Owner shall ensure the recommendations are followed: the biologist shall prepare a memorandum describing the survey results, identified bat protection measures and their duration. Applicant/Owner shall submit the memorandum to HCD-Planning and State and Federal wildlife agencies (if required) within 30 days of construction start. Bat protection measures shall be followed for the period prescribed by the qualified biologist.

Compliance or Monitoring Action to be Performed: Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction bat surveys meeting the requirements of Mitigation Measure BIO-7. If bats are found to be present, Applicant/Owner shall ensure a memorandum including the bat survey results, identified bat protection measures and their duration are submitted to HCD – Planning for review and approval. On an ongoing basis during construction, bat protection measures provided in an HCD-Planning approved memorandum shall be followed.

22. BIO-8: MONTEREY DUSKY FOOTED WOODRAT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The Monterey dusky-footed woodrat ("MDFW") is listed as a "California Species of Special Concern"; there is evidence that individuals of the species occupy the subject parcel. To reduce the potential impact to MDFW, avoidance and/or removal of the MDFW shall be employed.

A qualified biologist shall perform a pre-construction survey for MDFW houses within the project work boundaries and a 25-foot buffer around the project site perimeter. The biologist shall flag the nests and establish buffers around each MDFW house observed. The buffer width should be determined by the qualified biologist, but shall not be less than 20 ft. If a MDFW house is present within the work area and cannot be avoided, the qualified biologist shall contact CDFW for approval to implement a woodrat relocation plan, which may include live trapping and/or the construction of alternate houses in adjacent suitable habitat. The woodrat relocation plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of MDFW. Authorization by CDFW must be obtained prior to the implementation of this measure.

Post-relocation monitoring may be required by CDFW, as part of the plan. A memo describing the survey results shall be submitted to state and federal agencies (if required) and the County Housing and Community Development Department within 30 days of MDFW treatment.

Compliance or Monitoring Action to be Performed: Prior to the issuance of any construction permit for this development, Applicant/Owner shall submit the results of the MDFW pre-construction survey to HCD – Planning for review and approval.

23. MM BIO-9 HABITAT ADAPTIVE CARE (CALIFORNIA RED-LEGGED FROG)

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This parcel had positive results for California red-legged frog (“CRLF,” *Rana draytoni*) as indicated by a 2024-2025 pitfall trapping study of the Project site (Mori, 2025, HCD-Planning Library Doc. No. LIB230236).

To mitigate potential CRLF migration interruption, Applicant/Owner shall:

1) design curbs to avoid creating barriers to movement. Wherever curbs are proposed, they shall be designed as rounded curbs or angled curbs of 60 degrees or less to avoid creating movement barriers for amphibians. Drainage systems shall be designed to incorporate the use of French drains which avoid grated openings to unintentionally capture amphibians. Avoid grates with ¼ inch openings or greater or incorporate the use of mesh screens. HCD-Planning will only approve construction permits which incorporate these designs into the construction plans.

2) implement the Habitat Adaptive Care Program outlined below and in the following condition of approval.

3) dedicate a conservation scenic easement (“CSED”) for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat which the project permanently impacts (see Condition No. 14).

Habitat Adaptive Care Program. Applicant shall implement an adaptive care program within habitat areas to achieve the following goals and objectives:

1. Protect habitats (oak woodland, mixed grassland, coastal scrub, maritime chaparral) located outside the 100-foot fuel management zone (Figure 16 of the biological assessment) and ensure CRLF habitat is high-quality by implementing the following:

a. Within oak woodland, maritime chaparral and coastal scrub implement a management program that benefits oak woodland growing conditions and stimulates expression of native trees, shrubs and groundcovers. The identified best management practice is to avoid removal of native plant species and decrease the cover of target invasive non-native species. Within the mixed grassland implement a management program that benefits native perennial grasses and native forbs (i.e., wildflowers). The identified best management practice is mowing in the spring season that reduces the growth/seed production of annual, non-native grasses and forbs. Revegetate the temporarily disturbed Mixed Grassland with a native grass and forb seed mix. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).

b. The soil stockpile area shall receive erosion control treatment after placement and be revegetated to grassland. A native grass and forb seed mix shall be applied prior to the fall rains, approximately mid-October. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).

c. Target species observed or with potential to occur on the parcel are listed within Table 6 of the biological assessment; additional invasive plant species may be identified in the future. Manual removal techniques will be used and depending upon the species, actions will include hoeing, cutting, hand-pulling and/or weed-whipping.

...

Compliance or Monitoring Action to be Performed: Prior to the issuance of any construction permit, Applicant/Owner shall submit all design plans that include curb design to HCD – Planning for review. Prior to final permit approval, Applicant/Owner shall provide photographic evidence to HCD-Planning staff that the design elements described in BIO-9 have been fully incorporated into construction.

Applicant/Owner shall implement an adaptive care program within habitat areas for at least 7 years following issuance of the Planning Permit. Prior to removal of invasive, non-native plant species, Applicant/Owner, along with the services of a qualified biologist, or other specialist; shall conduct a walking survey to identify active bird nests and MDFW houses to ensure impacts to nests are avoided during invasive plant removal. Applicant/Owner shall implement ground-disturbing activities only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within grassland burrows. In grassland and soil stockpile areas, if plant cover is less than 60% one year after construction final, remedial actions shall be implemented, such as supplemental seeding.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. Applicant/Owner may collate annual monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize the reports with a cover letter. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

24. MM BIO-9: HABITAT ADAPTIVE CARE (CRLF) PART 2

Responsible Department: Planning

Condition/Mitigation (continued from Cond. #23)

Monitoring Measure:

2. Monitor. Applicant, with review and approval by a qualified botanist, ecologist, or revegetation specialist, will inspect the seeded grassland areas one year after seed application. Plant cover will be measured; if plant cover is less than 60%, remedial actions will be implemented, such as supplemental seeding. An inspection report, describing site conditions and plant cover, shall be collated by the Applicant/Owner, with the services of a qualified botanist, ecologist, or revegetation specialist to review and synthesize. The landowner will be responsible for submitting the report to the County of Monterey HCD-Planning by the end of January following each monitoring year.

3. In all areas, Applicant/Owner shall implement actions to remove/control invasive, non-native plant species. Applicant shall confer with a qualified restoration specialist to determine the most effective methods for removing and controlling the target invasive species within the area(s) and remove materials from the site. The removal of invasive plant species will likely require several consecutive treatments as new seedlings of invasive plants such as Italian and bull thistles and French broom can sprout each spring and summer until the seed bank is exhausted. Additional invasive plant species beyond Table 6 of the biological assessment may be identified in the future.

4. Applicant/Owner shall manage habitats on the property in a manner conducive to protection of native wildlife species. Achieve this goal by implementing the following:

a. Prior to removal of invasive, non-native plant species a qualified biologist shall conduct a walking survey to identify active bird nests and MDFW houses such that impacts to nests are avoided during invasive plant removal.

b. All round-disturbing activities shall occur only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within burrows in the grassland. Applicant/Owner shall provide to HCD-Planning annual monitoring reports during Years 1-7 describing yearly actions, results of monitoring and remedial actions needed or implemented. Applicant/Owner utilizing the services of either qualified botanist, ecologist, or revegetation specialist, shall periodically inspect the habitats at least once a year during Year 1-7. (Continued in next condition)

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

Prior to the issuance of any construction permit, Applicant/Owner shall submit all design plans that include curb design to HCD – Planning for review. Prior to final construction permit approval, Applicant/Owner shall provide photographic evidence to HCD-Planning staff that the design elements described in BIO-9 have been fully incorporated into construction.

Applicant/Owner shall implement an adaptive care program within habitat areas for at least 7 years following issuance of the Planning Permit. Prior to removal of invasive, non-native plant species, a qualified biologist shall conduct a walking survey to identify active bird nests and MDFW houses to ensure impacts to nests are avoided during invasive plant removal. Applicant/Owner shall implement ground-disturbing activities only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within grassland burrows. In grassland and soil stockpile areas, if plant cover is less than 60% one year after construction final, remedial actions shall be implemented, such as supplemental seeding.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. Applicant/Owner may collate annual monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize the reports with a cover letter. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

25. MM BIO-9: HABITAT ADAPTIVE CARE (CRLF) PART 3

Responsible Department: Planning

Condition/Mitigation (Continued from Cond. #24)

Monitoring Measure:

Applicant, utilizing the services of a qualified botanist, ecologist, or revegetation specialist, shall periodically inspect the habitats at least once a year during Year 1-7. The inspections shall assess how the habitat management actions are proceeding and identify any problems or potential problems that may exist. During these inspections, the qualified consultant shall look for plant damage, document compliance with program objectives and make recommendations to correct any significant problems or potential problems.

The inspection visits will also be used to document the need to change or adjust revegetation plan actions (i.e., altering the maintenance schedule, adding extra weed control visits, increasing or reducing the frequency or amount of irrigation water, etc.).

The progress of invasive non-native plant species removal shall be ascertained during the inspections, with a trend of decreasing cover/occurrences each year. Natural revegetation is expected to occur in areas where invasive, non-native plant species have been removed. Native seeds in the soil seedbank will likely colonize the treated areas.

Photos shall be taken of the habitat area(s) at least once a year in Years 1-7. Photos will be taken from the same vantage point and in the same direction every year; a minimum of ten photo points shall be established. The location and photo direction of each photo stations shall be established in Year 1, which shall be the first year following Planning Permit issuance. The photos shall reflect the findings discussed in the monitoring report.

Annual reports for monitoring Years 1-7 shall present data on the habitat area(s), actions implemented, the progress toward meeting program goals and any remedial actions required. Applicant/Owner may collate monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize the reports with a cover letter; Applicant/Owner will be responsible for submitting the annual reports to the County of Monterey HCD-Planning by January 31st following each monitoring year.

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

Prior to the issuance of any construction permit, Applicant/Owner shall submit all design plans that include curb design to HCD – Planning for review. Prior to final permit approval, Applicant/Owner shall provide photographic evidence to HCD-Planning staff that the design elements described in BIO-9 have been fully incorporated into construction.

Applicant/Owner shall implement an adaptive care program within habitat areas for at least 7 years following issuance of the Planning Permit. Prior to removal of invasive, non-native plant species, a qualified biologist shall conduct a walking survey to identify active bird nests and MDFW houses to ensure impacts to nests are avoided during invasive plant removal. Applicant/Owner shall implement ground-disturbing activities only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within grassland burrows. In grassland and soil stockpile areas, if plant cover is less than 60% one year after construction final, remedial actions shall be implemented, such as supplemental seeding.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. Applicant/Owner may collate annual monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize the reports with a cover letter. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

26. MM BIO-10: OAK WOODLAND RESTORATION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The Arborist Report for the Project (HCD-Planning Library Doc. No. LIB230235) projected a 0.08-acre loss of oak woodland tree canopy, which represents or 1.19% of the total property canopy coverage of 10.13 acres.

To compensate for Project impacts to oak woodland, Applicant/Owner shall contract a botanist, ecologist, or revegetation specialist to develop and implement an oak woodland restoration, enhancement and revegetation plan consistent with the biological resources report and arborist report. The plan shall provide a 3:1 restoration or enhancement to impact ratio. This ratio will provide suitable mitigation by replacing native oak woodland impacted by construction.

The plan shall:

1. Specify restoration/enhancement of a minimum of 0.12 acres of oak woodland concurrent with, or within one year after development of the single-family residence. The primary restoration actions will be done in concert with Mitigation Measure BIO-9: removal/control of invasive, non-native plant species, reduction of annual, non-native annual grasses; seasonal weeding and mowing of restored area(s) in the oak woodland. The oak woodland plan shall specify oak tree replacement planting at a minimum 1:1 replacement ratio for "protected" trees and 2:1 ratio for "landmark" oak trees and adhere to the Project Forest Management Plan for tree protection requirements.

2. Include a program to establish oak replacement plantings and sapling recruits to meet a 60% survival rate, as outlined in the arborist's Forest Management Plan. The plan shall include implementation of a revegetation program within the designated oak recruitment area that establishes the required number of oak trees.

3. Implement a 7-year revegetation maintenance program for the planted and recruited oak trees. Provide a minimum of three years of supplemental irrigation during plant establishment period (i.e., Year 1-3). Maintain a yearly 60% survival rate for installed trees for 7 years, implementing remedial actions (i.e., replanting) if necessary, to maintain the required plant survival rate each year. The 7-year period shall start upon Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

Compliance or Monitoring Action to be Performed: Prior to building final inspection, Applicant/Owner shall submit to HCD-Planning for review and approval a final oak woodland restoration, enhancement and revegetation plan developed by a qualified botanist, ecologist, or revegetation specialist.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. Applicant/Owner may collate annual monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize reports with a cover letter. All monitoring reports shall be submitted to HCD – Planning by the end of January following each monitoring year.

27. MM TR-1: TRIBAL MONITOR

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: A portion of the Project site is with a “high archaeological sensitivity” area in County resource mapping, due to the proximity of the Elkhorn Slough. Therefore, through Native American Tribal consultation, it was found that there is potential for impacts to Tribal cultural resources within and near the “high sensitivity” area of the PLN220229 parcel during ground disturbance associated with installation of the onsite wastewater treatment system’s trenching and leach field and new well waterline trenching. In order to prevent adverse impacts to potential cultural resources, a qualified Tribal Monitor shall be present during soil disturbance in the western area of APN 181-151-009-000. The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. If human remains are identified, work shall be halted to within a safe working distance (approximately 165 ft), 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. If potentially significant archaeological resources are discovered, work shall be halted in the lower western area of APN 181-151-009-000, not including vehicular passage on the existing driveway or stockpiling of soil in the soil stockpile area and otherwise to 165 ft, until the find until it can be evaluated. 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. If intact, significant features should be encountered, the Tribal Monitor in conjunction with an archaeologist shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, significant shell mounds and/or caches of stone tools. If a feature is an artifact that cannot be moved, it must be documented in situ. In the case of in situ documentation of an artifact, Applicant/Owner shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan. In the case of a significant feature, Applicant/Owner shall cause the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource in a report. The report shall be submitted to HCD-Planning and appropriate State-required offices/repositories that are available at the time (as determined by the archaeologist).

Compliance or Monitoring Action to be Performed: Prior to the issuance of construction permits, Applicant/Owner shall submit evidence (e.g., contract) to HCD – Planning for review and approval demonstrating that the Applicant/Owner has retained a Tribal Monitor and evidence that the Tribal Monitor has been made aware of the dates and times of earth disturbing activities on the lower portion of APN 181-151-009-000 (onsite waste water system trenching and leach field and new well waterline trenching). During these earth disturbance activities, the approved Tribal Monitor shall be onsite observing the work. Prior to final of construction permits, Applicant/Owner shall submit a letter from the Tribal Monitor verifying all work was done consistent with the contract to HCD-Planning. The Tribal Monitor shall prepare daily monitoring reports (e.g. daily log) that shall be available upon request by HCD – Planning. If no resources are encountered during the contracted period, no further reporting shall be required. In the case that resources are encountered, a final report, including the daily monitoring schedule, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities. If Tribal cultural resources are encountered, additional measures may be determined to be required to minimize impacts. They shall be formulated by the tribal monitor and a qualified archaeologist (to be hired from the qualified consultant list). Additional measures shall be reviewed and approved by HCD-Planning and implemented by the tribal monitor and a monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

28. PDSP001: ENSURE ACCESS TO PARCEL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of any building and/or grading permits on the parcel, an appropriate legal mechanism to ensure access to the parcel shall be implemented and submitted for review and approval to the satisfaction of the Chief of Planning and the Office of County Counsel. This may be the legal transfer of approximately 0.5 acres of land from APN 181-151-008-000 as proposed in PLN240187 or recordation of an access easement over APN 181-151-008-000. If LLA or access easement are not granted, the Applicant/Owner shall amend the PLN220229 project to add a driveway within the lot. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of any building and/or grading permits on the parcel, an appropriate legal mechanism to ensure access to the parcel shall be implemented and submitted for review and approval to the satisfaction of the Chief of Planning and the Office of County Counsel. This may be the legal transfer of approximately 0.5 acres of land from APN 181-151-008-000 as proposed in PLN240187 or recordation of an access easement over APN 181-151-008-000.

PROJECT DATA

OWNER Norman Boccone & Victoria Igel
7150 Rainbow Drive #3
San Jose CA 95129
408-209-1918

ARCHITECT Carol Riewe AIA
1416 Laurent Street
Santa Cruz, CA 95060
831-426-0688

GEOTECHNICAL ENGINEER Rock Solid Engineering Inc.
1100 Main Street Suite A
Watsonville, CA 95076
831-724-5888

CIVIL ENGINEER Roper Engineering
48 Mann Avenue
Contra Costa, CA 95076
831-724-5300

STRUCTURAL John Buchanan
1515 Capitola Road Suite H
Santa Cruz, CA 95062
831-476-3145

ARBORIST & FORESTER James P Allen & Assoc.
119 Surfside Ave.
Santa Cruz CA 95060
831-234-7739

BIOLOGIST Biotic Resources Group
2552 S. Rodeo Gulch Rd
Soquel, CA 95073
831-476-4803

Bryan Mori Biological Consulting
1016 Brewington Ave.
Watsonville, CA 95076
831-728-1043

ENERGY Bright Green Strategies
1717 Seabright Ave. Suite 4
Santa Cruz, CA 95062
831-454-9956

SEPTIC Fox Onsite Solutions
1409 Beringer Ct.
San Jose CA 95125
831-531-7205

SITE ADDRESS 827 Elkhorn Road
Royal Oaks CA

APN 181-151-009
ZONING RDR40/CZ - RDR10/CZ
OCCUPANCY R-3 & U
CONSTRUCTION SRA Type VB
Moderate/High

LOT AREA +/-18.14031227 Acres (+/- 791,495 SF) Prior to LLA
+/-13.53 Acres (589,374 SF) after LLA

WELL ELKHORN WS #9

PROJECT DESCRIPTION Construct new single family residence to include 3 bdrm/3bath plus office and deck with attached carport. Detached guest house/workshop/garage. Development will be off grid using roof top solar panels with ESS and b/u generator. Site plans reflect proposed LLA under application PLN 240187.

AREA TOTALS:

MAIN FLOOR	1620 SF
LOWER FLOOR	1056 SF (896 SF beyond main floor footprint)
COVERED PORCH	240 SF
DECK	471 SF
CARPORIT	516 SF
GUEST HOUSE	413.5 SF
WORKSHOP	506.5 SF
GARAGE	414 SF
COVERED PORCH	133 SF
TOTAL HABITABLE	3090 SF
TOTAL STRUCTURES	4899 SF
BUILDING COV.	4739 SF
(E) PAVING	+/- 10,320 SF
(N) PAVING	+/- 4620 SF impervious +/- 2885 SF pervious
FAR	2676 + 1334 + 516 = 4526 / 589,372 = .77%
LOT COVERAGE	1620 + 896 + 240 + 516 + 1334 + 133 = 4739 / 589,372 = .8%
IMPERVIOUS COVER	4739 + 10,320 + 4620 = 19,679 / 589,372 = 3.3%
PARKING	3 spaces required, 5 spaces provided
AVG. GRADE	21% at building site

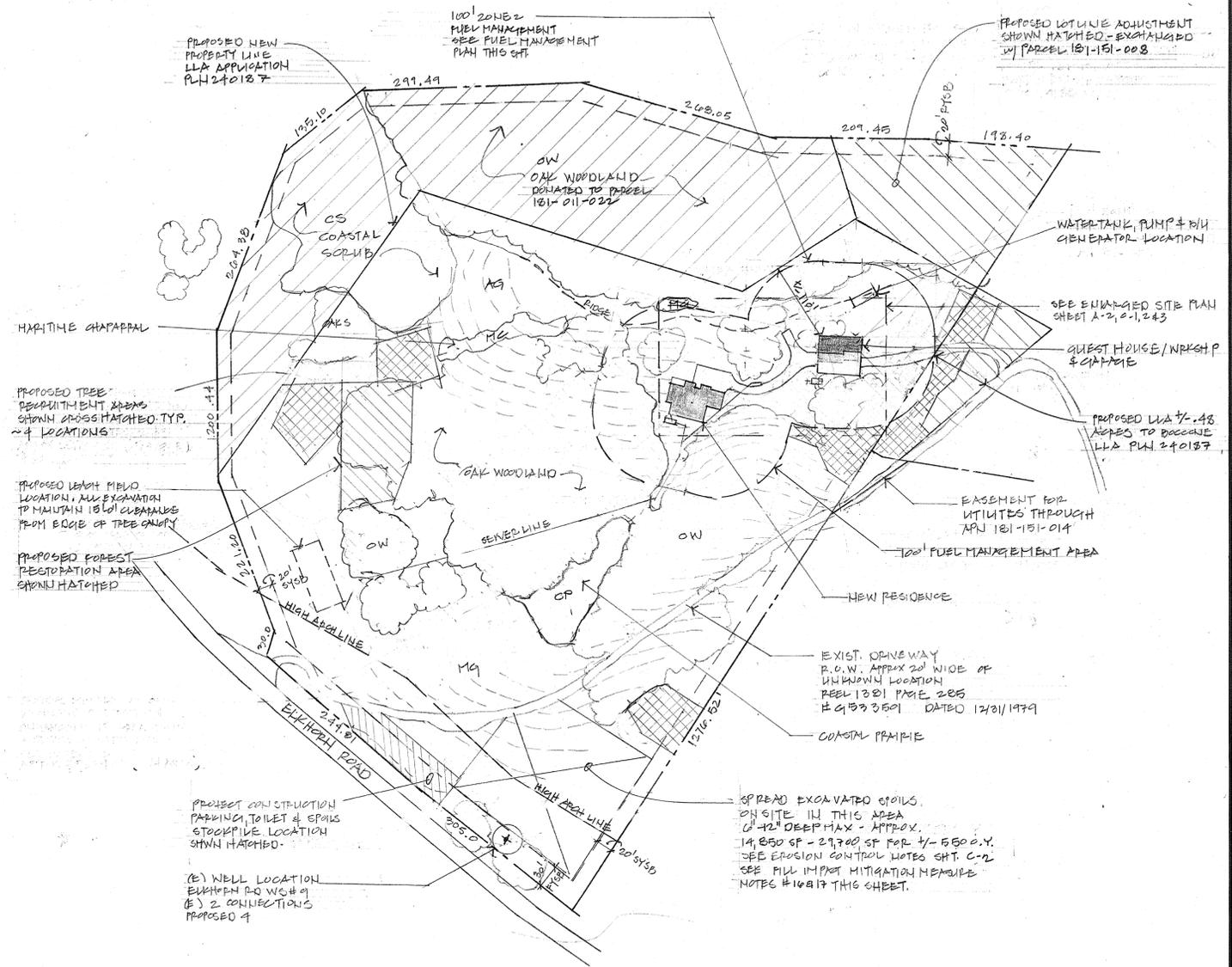
All work and materials shall be in full accordance with the 2022 edition of the following codes: California Bldg. Code, California Residential Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Fire Code, California Energy Code, California Green Building Standards Code.

FUEL MANAGEMENT PLAN

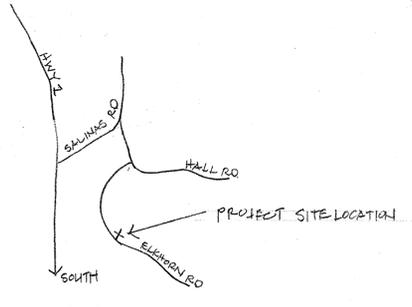
- ZONE 1 EXTENDING 30 FEET FROM ALL STRUCTURES**
- Remove all dead plants, grass and weeds
 - Remove dead or dry leaves and pine needles from yard, roof and rain gutters.
 - Remove branches that hang over roof and keep branches 10 away from chimney.
 - Trim dead portions of tree limbs within 10 feet from the ground.
 - Remove or prune flammable plants and shrubs near windows.
 - Create a separation between trees, shrubs and ferns that could catch fire such as patio furniture, wood piles etc.
 - Trim trees regularly to keep branches a minimum of 10 feet from other trees. Review by project Arborist.
 - Trim all limbs within 6 feet of the ground. To be determined and finalized during planning review process in sensitive habitat areas. See note #3 under zone 2.
 - Remove all cut material or chip and spread on site.
 - Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to a fireplace.
 - Post house numbers per Fire Departments requirements.
- ZONE 2 EXTENDING 100 FEET FROM ALL STRUCTURES**
- Manage vegetation in defensible spaces in a manner that is sensitive to the biological resources and compatible with CalFire guidelines. To reduce the fire ladder to the tree canopy, maintain a low (12-18 inches tall) understory of native vegetation. Trim tree limbs within 6 feet of ground. Remove tree limbs up to 15 feet where necessary to create vertical space between bushes and trees per note #3. Leave some logs scattered on bare soil to provide cover for wildlife. All trimming and tree pruning shall be performed under the guidance of the project Arborist.
 - Remove fallen dead trees, see #1.
 - Create vertical space between grass, shrubs and trees by thinning undergrowth adjacent to trees and or pruning trees. On moderate slopes 20-40%, horizontal spacing between bushes should be 4x the height of the bush. All undergrowth thinning, tree pruning and woodland thinning must be performed under the guidance of the project Arborist in the field. Environmentally sensitive areas may require alternative fire protection measures, to be determined by the reviewing agency and the director of planning and building inspection.
 - Remove fallen leaves, twigs, bark, cones and small branches. Care must be taken not to disturb any SF dusty footed woodrat houses as located by project biologist.
 - Any Pajaro manzanita occurring within the fire protection zone is to be protected at all times per biotic report and mitigation measure note #1 on this sheet. Pajaro manzanita and maritime chaparral are never to be pruned, thinned or removed.
 - Project shall be inspected for clearances by the fire department.

SHEET INDEX

- A1 OVERALLSITE PLAN , PROJECT DATA
- A2 PROJECT SITE PLAN, LIGHTING & PLANTING
- C1 SITE PLAN
- C2 DRIVEWAY PLAN
- C3 GRADING PLAN
- C4 EROSION CONTROL PLAN
- FR1 FOREST RESOURCE ANALYSIS, CONST. IMPACT ASSESSMENT
- FR2 FOREST RESOURCE ANALYSIS, TREE PROTECTION PLAN
- A3 MAIN FLOOR PLAN
- A4 LOWER FLOOR PLAN
- A5 ELEVATIONS
- A6 ELEVATIONS
- A7 GUEST HOUSE - WORKSHOP PLAN & ELEVATIONS



SITE PLAN
1"=100'



VICINITY MAP

REVISIONS	BY
12/11/24	CR

RR design

Carol Riewe
Architect AIA

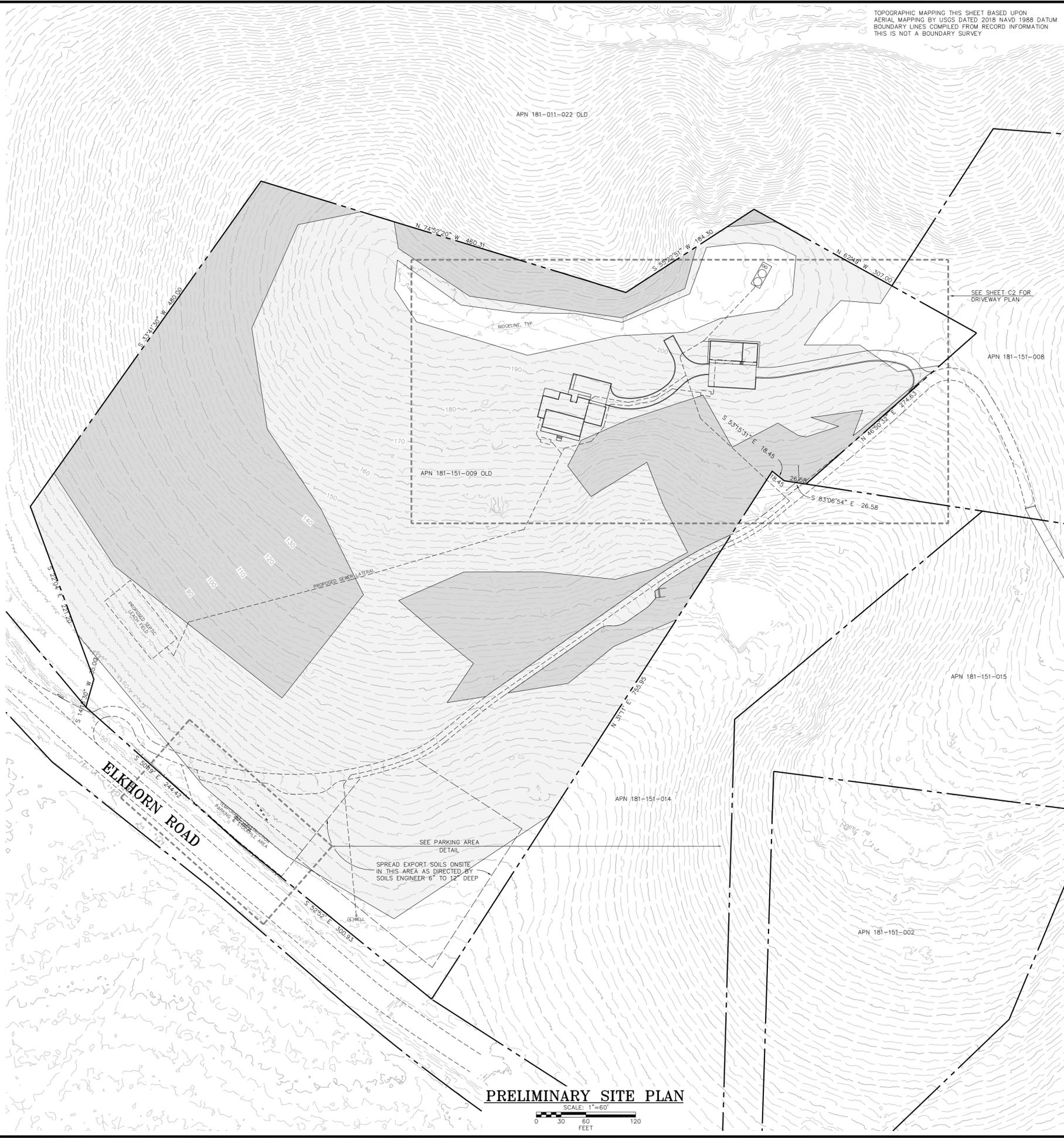
voice/facsimile
831.426.0688
1416 laurent street
santa cruz, ca. 95060

SITE PLAN, PROJECT DATA, FIRE MITIGATION & HABITAT MITIGATION

BOCCONE & IGEL
NEW RESIDENCE AND WORKSHOP
827 ELKHORN ROAD ROYAL OAKS CA
APN 181-151-009

Date	10/25/24
Scale	1"=100'
Drawn	CR
Job	
Sheet	A1
Of	Sheets

TOPOGRAPHIC MAPPING THIS SHEET BASED UPON AERIAL MAPPING BY USGS DATED 2018 NAVD 1988 DATUM BOUNDARY LINES COMPILED FROM RECORD INFORMATION THIS IS NOT A BOUNDARY SURVEY

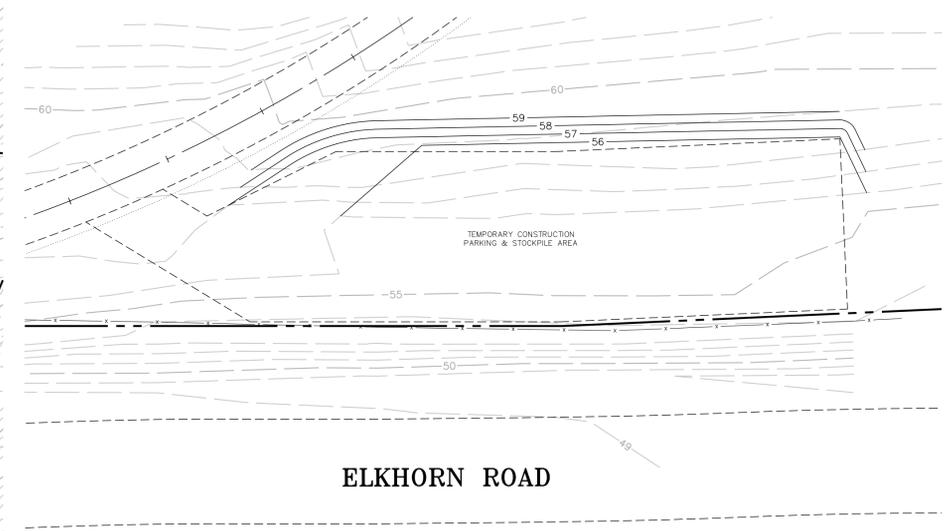


GRADING NOTES

1. UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE. VERIFICATION IS THE RESPONSIBILITY OF THE CONTRACTOR. PRIOR TO EXCAVATION, CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES. CALL 811 TO HAVE UTILITIES LOCATED AND MARKED.
2. VEGETATION, ROOTS AND DELETERIOUS MATERIALS SHALL BE REMOVED FROM AREA TO BE GRADED PRIOR TO GRADING.
3. CUT SLOPES SHALL BE NO STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL IN NATIVE MATERIAL AS DETERMINED BY THE ENGINEER.
4. FILL SLOPES SHALL BE NO STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL.
5. FILL SHALL BE COMPACTED TO 90% RELATIVE COMPACTION UNLESS OTHERWISE NOTED. SEE GEOTECHNICAL INVESTIGATION FOR FURTHER SPECIFICATIONS.
6. AFTER GRADING, SPREAD TOPSOIL FROM STRIPPINGS ON SLOPES AND LANDSCAPED AREAS 3" TO 6" DEEP.
7. BETWEEN OCTOBER 15 AND APRIL 15, EXPOSED SOIL SHALL BE PROTECTED FROM EROSION AT ALL TIMES. DURING CONSTRUCTION SUCH PROTECTION MAY CONSIST OF MULCHING AND/OR PLANTING OF NATIVE VEGETATION OF ADEQUATE DENSITY. BEFORE COMPLETION OF THE PROJECT, ANY EXPOSED SOIL ON DISTURBED SLOPES SHALL BE PERMANENTLY PROTECTED FROM EROSION.
8. CUT AND FILL SLOPES SHALL BE PLANTED WITH ANNUAL RYE GRASS (40 LBS/ACRE) AND MULCHED WITH COMPOST.
9. CONCRETE IN DRIVEWAYS SHALL HAVE A COMPRESSIVE STRENGTH OF 2500 PSI @ 28 DAYS.
10. THE UPPER 6 INCHES OF SUBGRADE IN DRIVEWAY AREAS SHALL BE COMPACTED TO 95% RELATIVE COMPACTION. SEE GEOTECHNICAL INVESTIGATION FOR FURTHER SPECIFICATIONS.
11. AGGREGATE BASE SHALL BE CLASS 2 IN CONFORMANCE WITH SECTION 26 OF THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS.
12. ASPHALT CONCRETE SHALL BE TYPE B AND SHALL CONFORM TO THE PROVISIONS IN SECTION 39 OF CALTRANS STANDARD SPECIFICATIONS. THE AGGREGATE SHALL CONFORM TO THE GRADING SPECIFIED IN SECTION 39-2.02 OF CALTRANS STANDARD SPECIFICATIONS FOR THE 1/2" MAXIMUM MEDIUM GRADATION.
13. CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, AND THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

LEGEND

	AREAS LESS THAN 10% SLOPE	1.48 ± ACRES
	AREAS BETWEEN 10% & 25% SLOPE	4.26 ± ACRES
	AREAS OVER 25% SLOPE (CRITICAL EROSION AREA)	7.79 ± ACRES
		TOTAL: 13.53 ± ACRES
	EXISTING CONTOUR	
	FINISH CONTOUR	
	EXISTING GRADE	
	FINISH GRADE	
	FLOWLINE	
	FENCE	
	PROPERTY LINE	

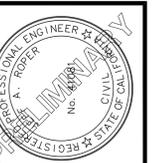


ELKHORN ROAD

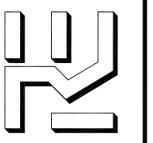
PARKING AREA DETAIL

SCALE: 1"=20'
0 10 20 40 FEET

TOPOGRAPHIC MAPPING BASED UPON A FIELD SURVEY BY BRIDGETTE LAND SURVEYING, DATED 10-17-22, JOB NO. 22-30, NAVD 1988 DATUM BOUNDARY LINES COMPILED FROM RECORD INFORMATION THIS IS NOT A BOUNDARY SURVEY



ROPER ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING
48 MANN AVENUE CORRALITOS, CA 95076
(831) 724-5300 jeff@roperengineering.com



NEW RESIDENCE FOR
NORMAN BOCCONE & VICTORIA IGEL
ELKHORN ROAD ROYAL OAKS APN 181-151-009
PRELIMINARY SITE PLAN

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	OCT. 25, 2024
REVISED:	
JOB NO.:	22025
SHEET	

C1

TOPOGRAPHIC MAPPING BASED UPON A FIELD SURVEY BY BRIDGETTE LAND SURVEYING, DATED 10-17-22 & 2-24-23, JOB NO. 22-30, NAVD 1988 DATUM. BOUNDARY LINES COMPILED FROM RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.



UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.

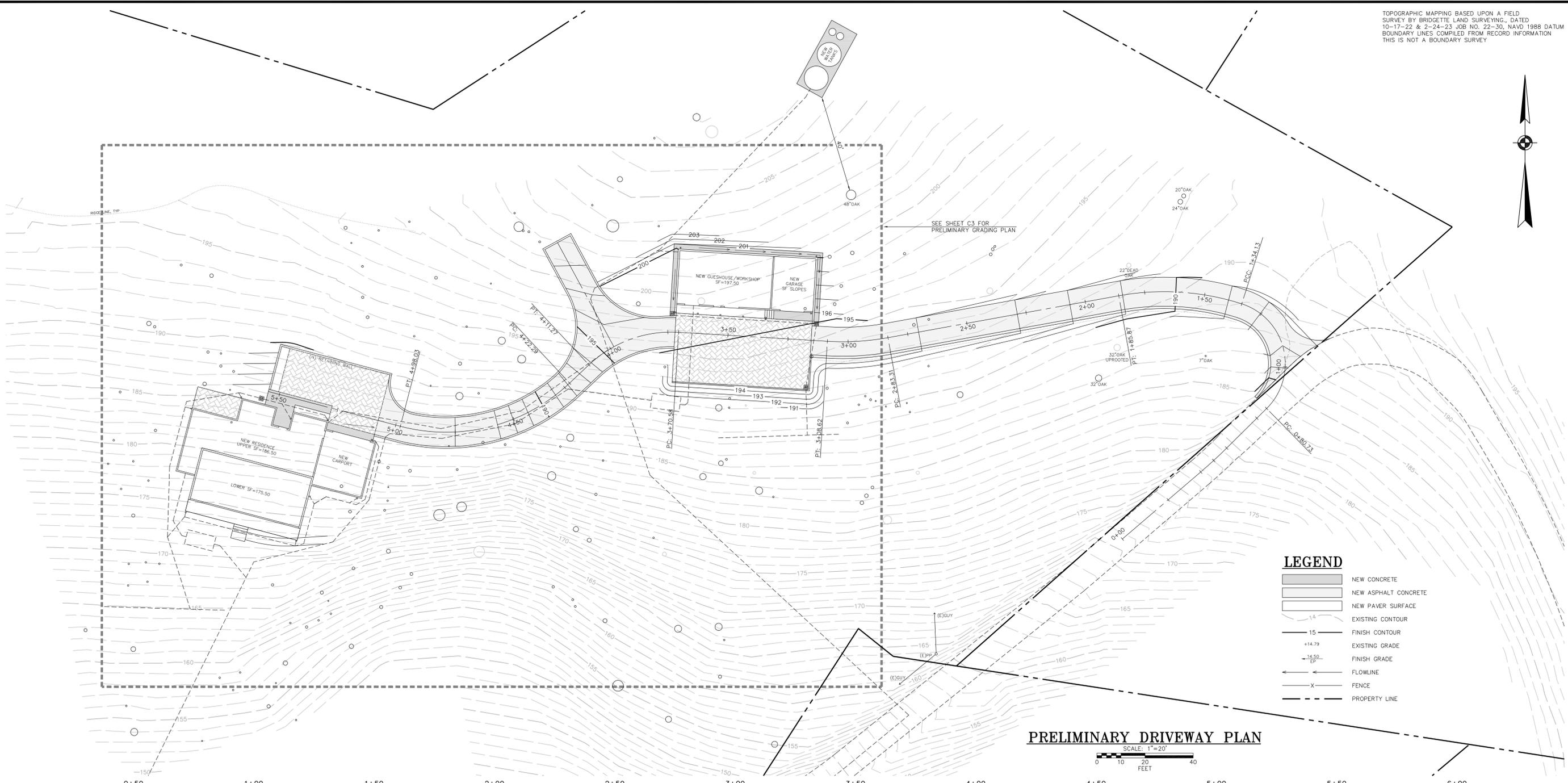
ROPER ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING
 48 MANN AVENUE CORRALITOS, CA 95076
 (831) 724-5300 jef@roperengineering.com



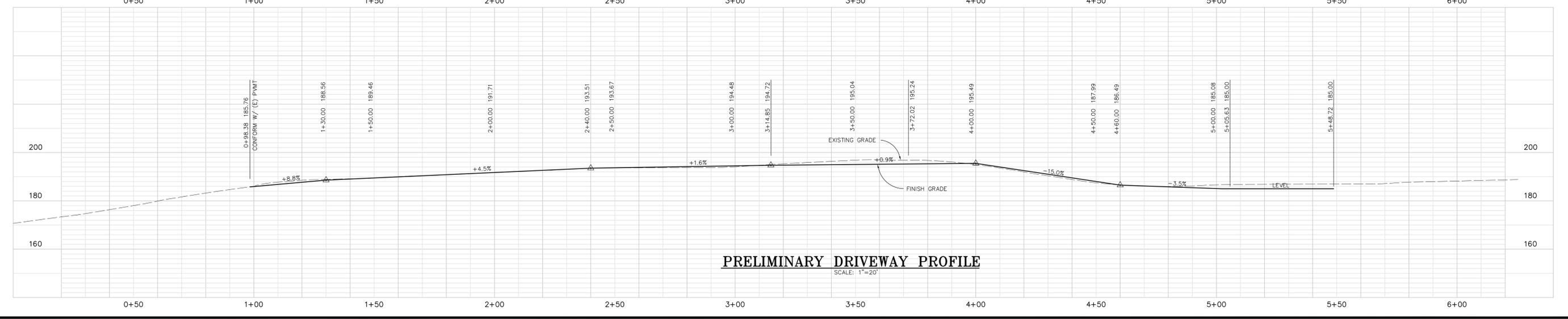
NEW RESIDENCE FOR
NORMAN BOCCONE & VICTORIA IGEL
 ELKHORN ROAD ROYAL OAKS APN 181-151-009
PRELIMINARY DRIVEWAY PLAN

SCALE: AS NOTED
 DESIGNED BY: JR
 DRAWN BY: JR
 DATE: OCT. 25, 2024
 REVISED:
 JOB NO.: 22025
 SHEET

C2
 OF 4 SHEETS



PRELIMINARY DRIVEWAY PLAN

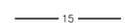


PRELIMINARY DRIVEWAY PROFILE

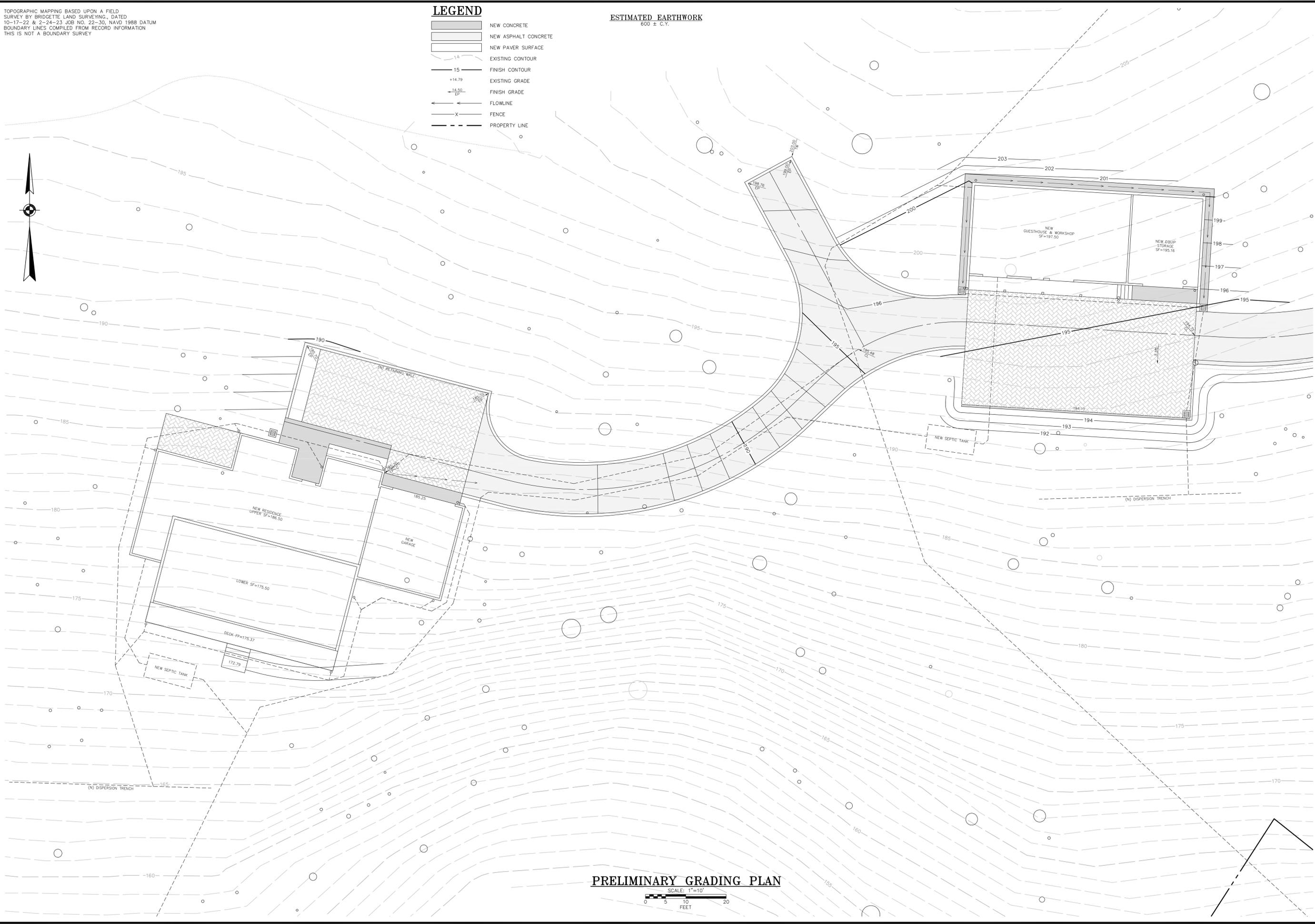
SCALE: 1"=20"

TOPOGRAPHIC MAPPING BASED UPON A FIELD SURVEY BY BRIDGETTE LAND SURVEYING, DATED 10-17-22 & 2-24-23 JOB NO. 22-30, NAVD 1988 DATUM BOUNDARY LINES COMPILED FROM RECORD INFORMATION THIS IS NOT A BOUNDARY SURVEY

LEGEND

-  NEW CONCRETE
-  NEW ASPHALT CONCRETE
-  NEW PAVER SURFACE
-  EXISTING CONTOUR
-  FINISH CONTOUR
-  EXISTING GRADE
-  FINISH GRADE
-  FLOWLINE
-  FENCE
-  PROPERTY LINE

ESTIMATED EARTHWORK
600 ± C.Y.



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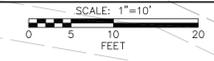


NEW RESIDENCE FOR
NORMAN BOCCONE & VICTORIA IGEL
ELKHORN ROAD ROYAL OAKS APN 181-151-009
PRELIMINARY GRADING PLAN

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	OCT. 25, 2024
REVISED:	
JOB NO.:	22025
SHEET	

C3
OF 4 SHEETS

PRELIMINARY GRADING PLAN



TOPOGRAPHIC MAPPING BASED UPON A FIELD SURVEY BY BRIDGETTE LAND SURVEYING, DATED 10-17-22 & 2-24-23, JOB NO. 22-30, NAVD 1988 DATUM. BOUNDARY LINES COMPILED FROM RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.



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NEW RESIDENCE FOR NORMAN BOCCONE & VICTORIA IGEL
 ELKHORN ROAD ROYAL OAKS APN 181-151-009
EROSION CONTROL PLAN

SCALE: AS NOTED
 DESIGNED BY: JR
 DRAWN BY: JR
 DATE: OCT. 25, 2024
 REVISED:
 JOB NO.: 22025
 SHEET

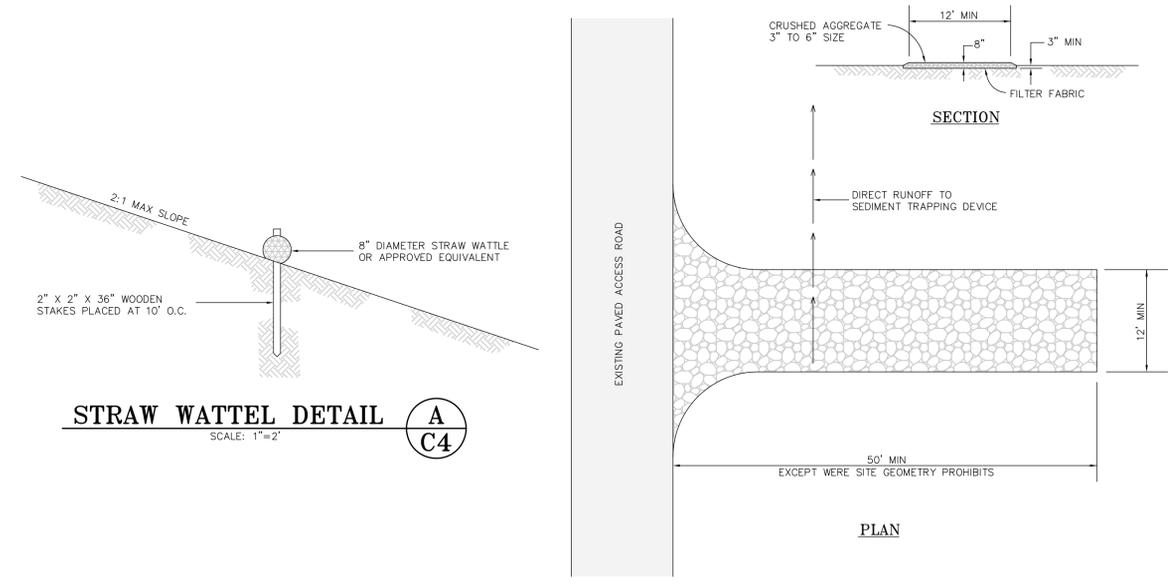
C4
 OF 4 SHEETS



LEGEND

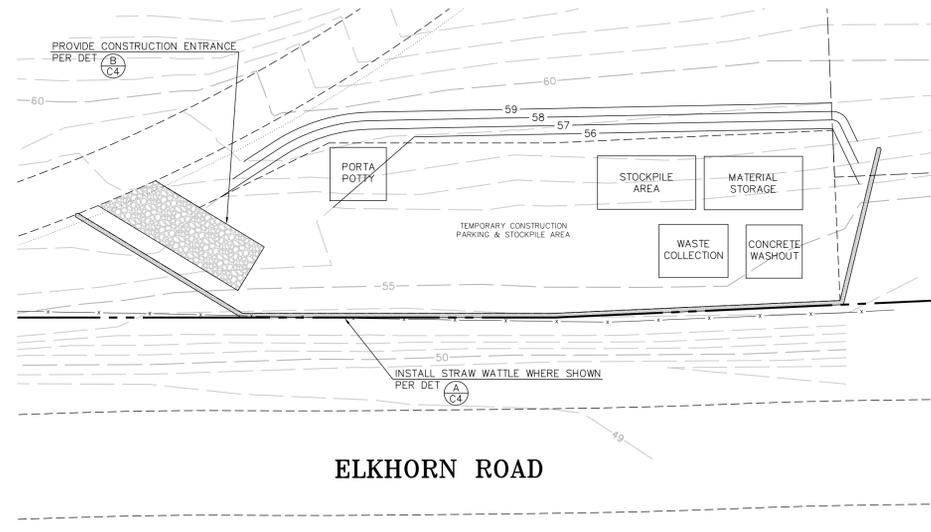
[Pattern]	NEW CONCRETE
[Pattern]	NEW ASPHALT CONCRETE
[Pattern]	NEW PAVER SURFACE
[Dashed]	EXISTING CONTOUR
[Solid]	FINISH CONTOUR
[Dashed]	EXISTING GRADE
[Dashed]	FINISH GRADE
[Arrow]	FLOWLINE
[X]	FENCE
[Dashed]	PROPERTY LINE

EROSION CONTROL PLAN



MONTEREY COUNTY EROSION CONTROL NOTES

- ALL OR PART OF THE CONSTRUCTION OF THIS PROJECT IS EXPECTED TO OCCUR DURING THE WINTER SEASON (OCTOBER 15TH THROUGH APRIL 15TH.) [YES] NO
- IT SHALL BE THE RESPONSIBILITY OF THE OWNER AND THE PERMITEE TO ENSURE THAT EROSION DOES NOT OCCUR FROM AN ACTIVITY DURING OR AFTER PROJECT CONSTRUCTION. ADDITIONAL MEASURES, BEYOND THOSE SPECIFIED, MAY BE REQUIRED AS DEEMED NECESSARY TO CONTROL ACCELERATED EROSION. (MCC 16.12.100)
- THE DIRECTOR OF BUILDING INSPECTION (BUILDING OFFICIAL) SHALL STOP OPERATIONS DURING PERIODS OF INCLEMENT WEATHER IF HE OR SHE DETERMINES THAT EROSION PROBLEMS ARE NOT BEING CONTROLLED ADEQUATELY.
- PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO ENSURE ALL NECESSARY SEDIMENT CONTROLS ARE IN PLACE AND THE PROJECT IS COMPLIANT WITH MONTEREY COUNTY GRADING AND EROSION CONTROL REGULATIONS.
- DURING CONSTRUCTION THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO UPDATE COMPACTION TEST RECORDS, INSPECT DRAINAGE DEVICE INSTALLATION, REVIEW THE MAINTENANCE AND EFFECTIVENESS OF BMPs INSTALLED, AS WELL AS, TO VERIFY THAT POLLUTANTS OF CONCERN ARE NOT DISCHARGED FROM THE SITE.
- PRIOR TO FINAL INSPECTION, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO CONDUCT A FINAL GRADING INSPECTION, COLLECT FINAL GEOTECHNICAL LETTER OF CONFORMANCE, ENSURE THAT ALL DISTURBED AREAS HAVE BEEN STABILIZED AND THAT ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES THAT ARE NO LONGER NEEDED HAVE BEEN REMOVED.
- REVEGETATION OF TEMPORARILY DISTURBED MIXED GRASSLAND, AS COMPENSATION FOR PROJECT IMPACTS TO MIXED GRASSLAND, THE TEMPORARILY DISTURBED AREAS SHALL BE REVEGETATED WITH A NATIVE GRASS AND FORB SEED MIX. SUITABLE GRASS SPECIES INCLUDE CALIFORNIA BROME (BROMUS CARINATUS), PURPLE NEEDLEGRASS (STIPA PULCHRA), CALIFORNIA OATGRASS (DANTHONIA CALIFORNICA) AND BLUE WILD RYE (ELYMUS GLAUCUS). FORBS SHALL ALSO BE ADDED TO THE SEED MIXTURE, SUCH AS COMMON YARROW (ACHILLEA MILLEFOLIUM), CALIFORNIA POPPY (ESCHSCHOLZIA CALIFORNICA), AND SKY LUPINE (LUPINUS NANUS).
- REVEGETATION OF SOIL STOCKPILE AREA: THE SOIL PLACEMENT AREA SHALL RECEIVE EROSION CONTROL TREATMENT AFTER PLACEMENT AND BE REVEGETATED TO GRASSLAND. A NATIVE GRASS AND FORB SEED MIX SHALL BE APPLIED PRIOR TO OCTOBER 15TH. SUITABLE GRASS SPECIES INCLUDE CALIFORNIA BROME (BROMUS CARINATUS), PURPLE NEEDLEGRASS (STIPA PULCHRA), CALIFORNIA OATGRASS (DANTHONIA CALIFORNICA) AND BLUE WILD RYE (ELYMUS GLAUCUS). FORBS SHALL ALSO BE ADDED TO THE SEED MIXTURE, SUCH AS COMMON YARROW (ACHILLEA MILLEFOLIUM), CALIFORNIA POPPY (ESCHSCHOLZIA CALIFORNICA), AND SKY LUPINE (LUPINUS NANUS).



EROSION CONTROL PLAN



Map Key / Legend

- Surveyed Tree Trunk Location
- Field Located Tree Trunk, Approximate
- 1** Assigned Tree Number
- 1** Tree Meets "Protected" Criteria
- 21** Tree Meets "Landmark" Criteria
- 1 P** Preserve and Protect
- 2 RI** Remove due to Construction Impacts
- 103RC** Remove due to Condition
- Indicates Dead/Fallen Tree
- Canopy Extents
- Canopy Extents, Fallen Tree #154
- 41** Monitor Stability
 - Trees #41, 96 & 117

Boccone/Igel Residence Construction Project Forest Resource Analysis/ Construction Impact Assessment Tree Protection Plan

Development Area at 20 Scale

Boccone/Igel Residence Construction Project
827 Elkhorn Road, Royal Oaks CA
APN 181-151-009

Tree Location Map

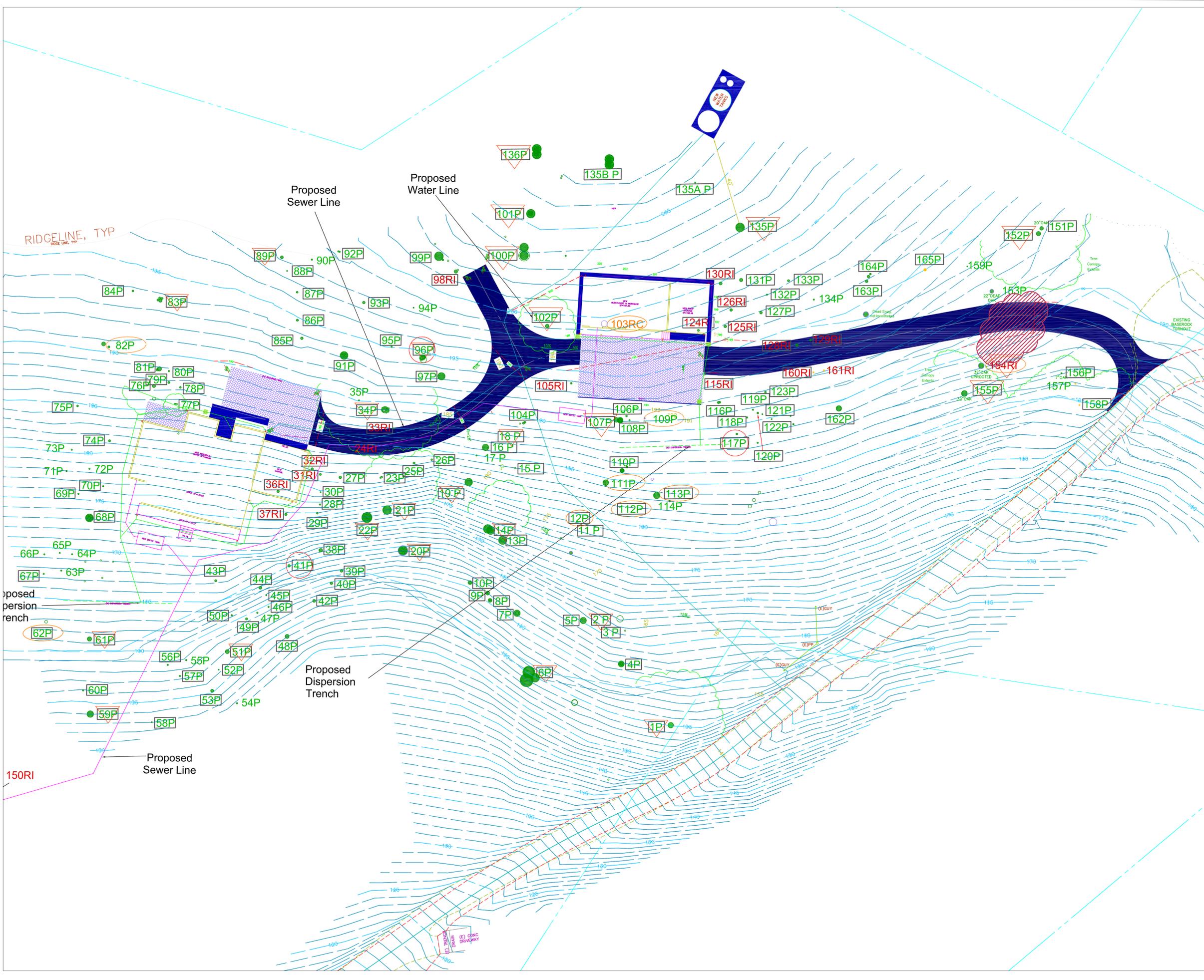


James P. Allen & Associates

119 Surfside Avenue, Santa Cruz CA 95060
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email jpalen@consultingarbors.com



Date: 8/14/23
Revision: 7/15/24
Revision: 11/1/24



Map Key / Legend

Surveved Tree Trunk Location

1P Assigned Tree Number
Preserve and Protect

1 Tree Meets "Protected" Criteria

21 Tree Meets "Landmark" Criteria

41 Monitor Stability
• Trees #41, 96 & 117

Indicates Dead/Fallen Tree

Special Treatment Areas (STA)
NOTE: Sewer, Water & Dispersion Line
Trenches are defined as STA

Tree Preservation Structures, shall be constructed
of the following materials as field specified by the
Project Arborist.

- Chain link, 72 inches in height secured to metal stakes driven at least 18 inches into the soil.
- Temporary orange snow fencing attached to "T" posts driven into the ground
- Silt fencing
- Wattle
- Rice straw bales

Clearance Pruning Required
• Trees #1, 14, 21, 34, 76, 77 & 102

Canopy Extents

Boccone/Igel Residence Construction Project

Forest Resource Analysis/ Tree Protection Plan

Development Area at 20 Scale

**Boccone/Igel Residence
Construction Project**
827 Elkhorn Road, Royal Oaks CA
APN 181-151-009

Tree Location Map

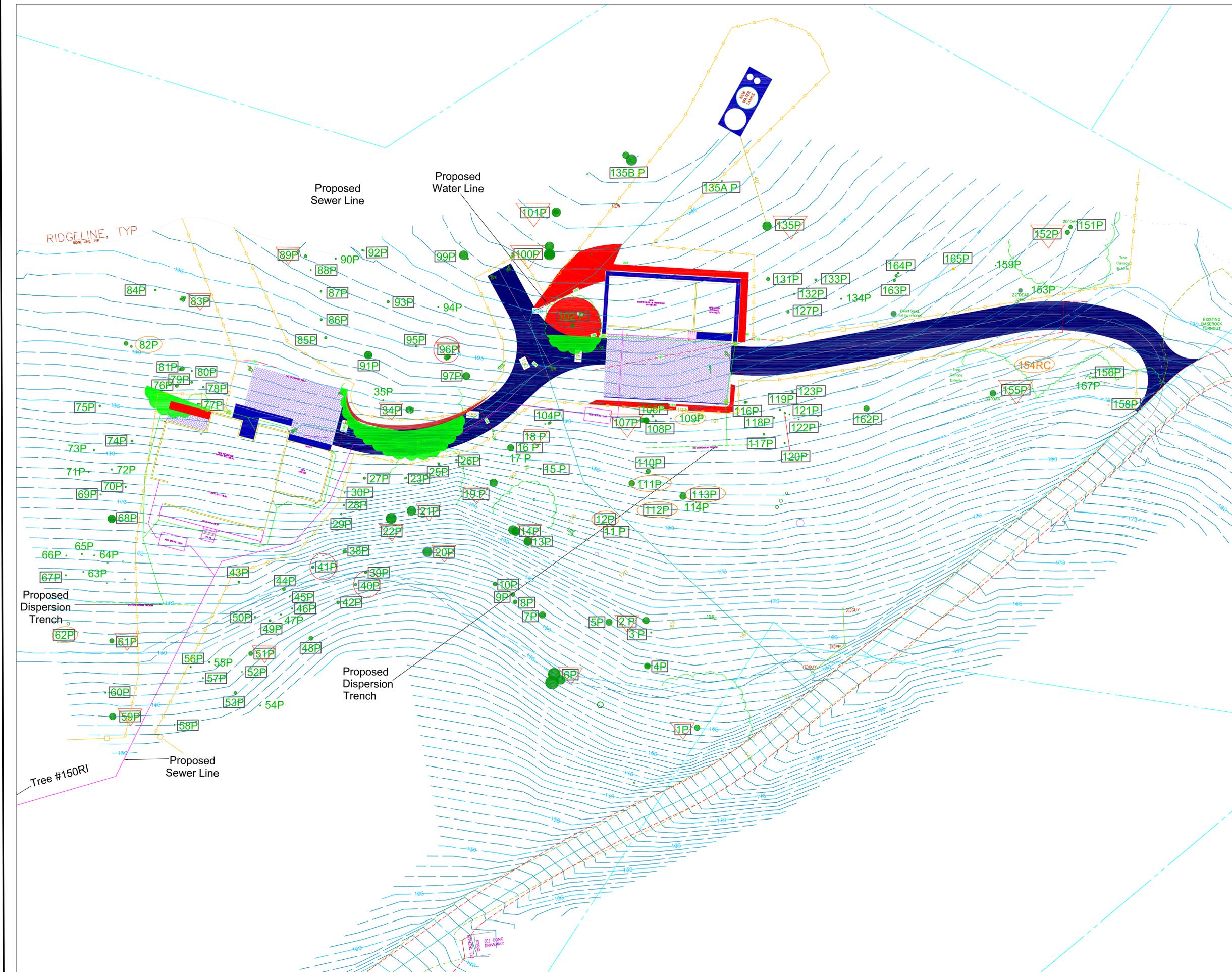


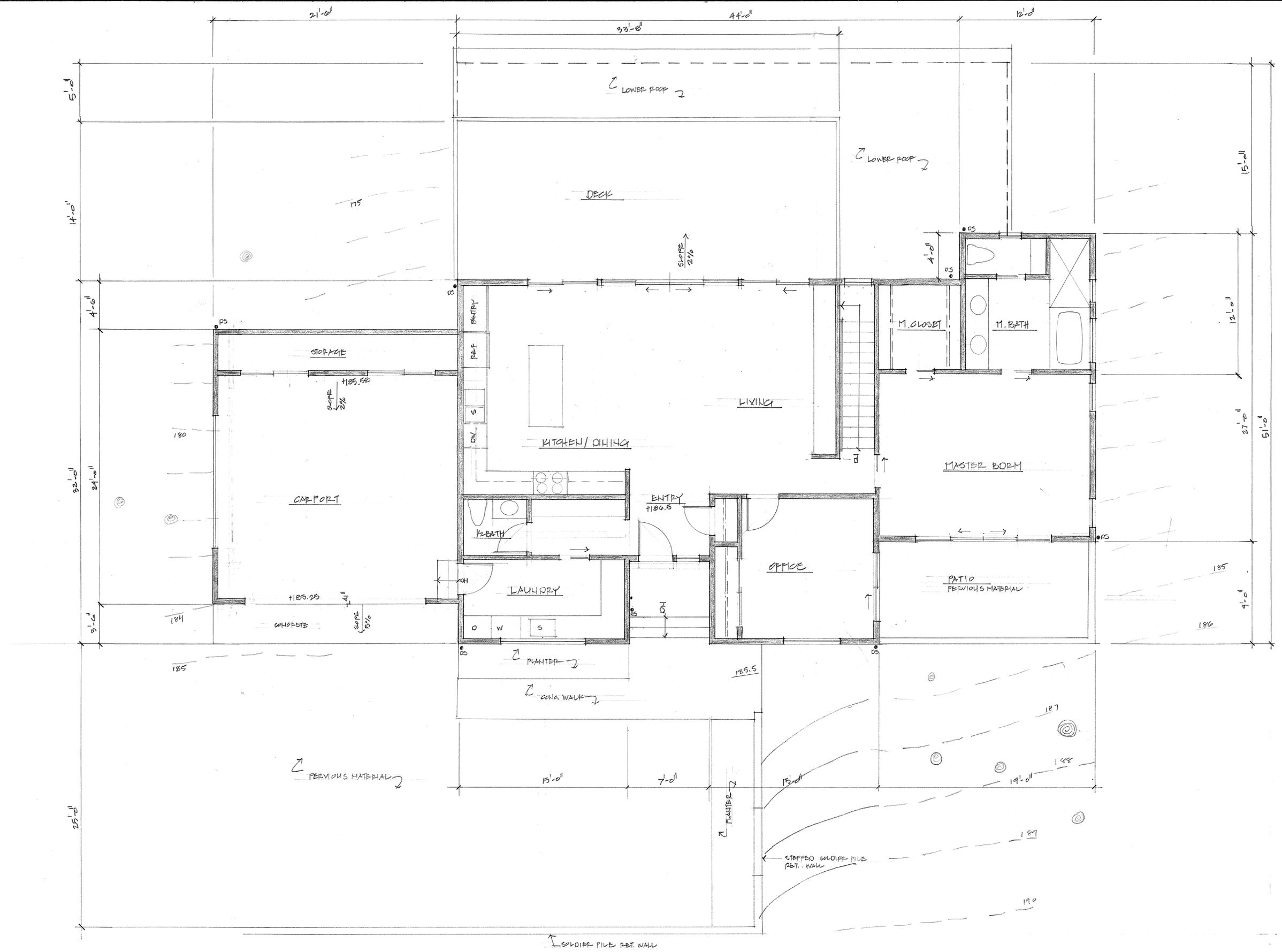
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Date: 8/14/23
Revision: 7/15/24
Revision: 11/1/24






MAIN LEVEL FLOOR PLAN
 1/4" = 1'-0"

REVISIONS	BY


Carol Riewe
 Architect AIA
 voice/facsimile
 831.426.0658
 1416 laurent street
 santa cruz, ca. 95060

MAIN FLOOR PLAN

BOCCONE & IGEL
 NEW RESIDENCE AND WORKSHOP
 827 ELKHORN ROAD ROYAL OAKS CA
 APN 181-151-009

Date	10/25/24
Scale	1/4" = 1'
Drawn	CAR
Job	
Sheet	A3
Of	Sheets

REVISIONS	BY



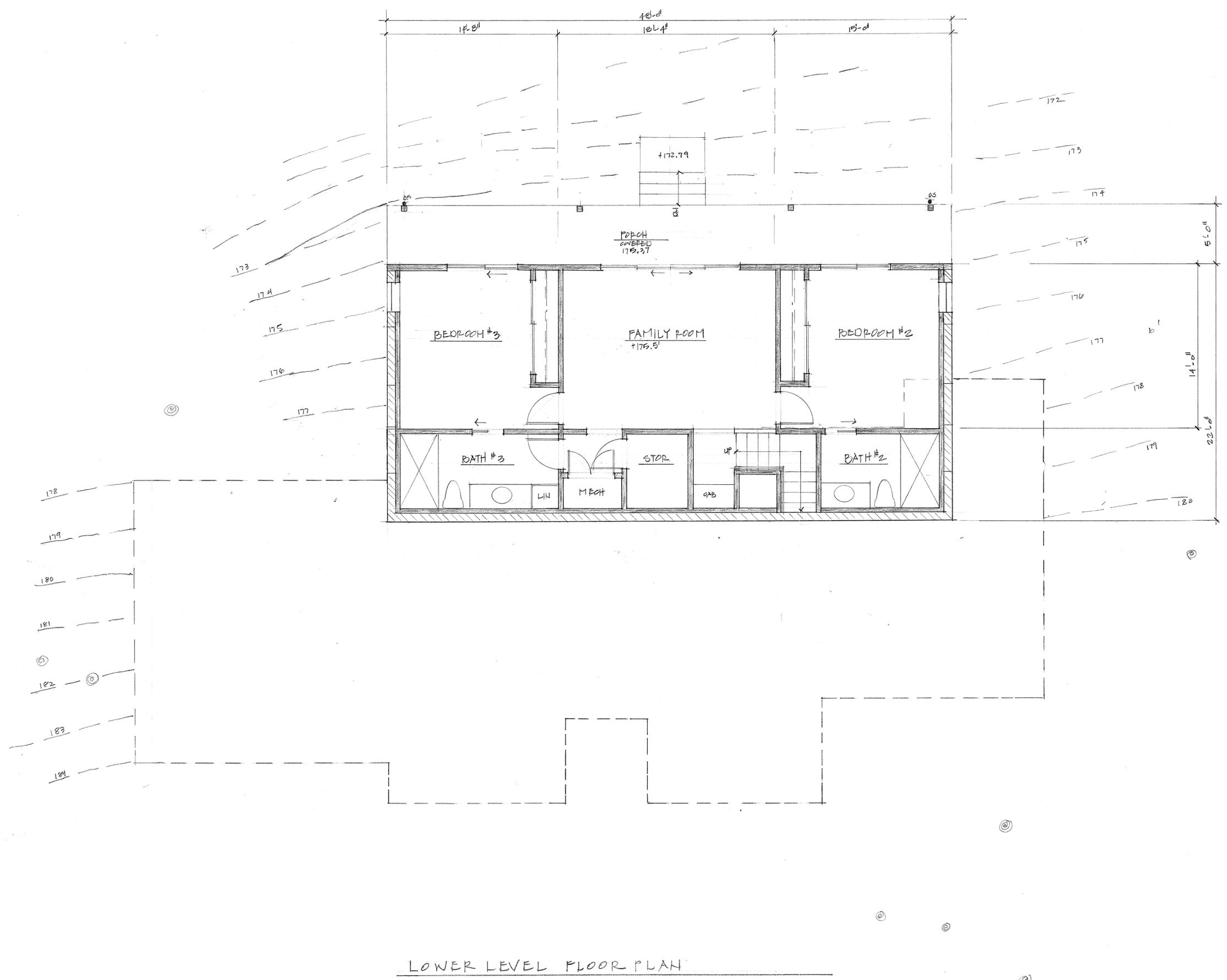
Carol Riewe
Architect AIA

voice/facsimile
831.426.0658
1416 laurent street
santa cruz, ca. 95060

LOWER FLOOR PLAN

BOCCONE & IGEL
NEW RESIDENCE AND WORKSHOP
827 ELKHORN ROAD ROYAL OAKS CA
APN 181-151-009

Date	10/25/24
Scale	1/4" = 1'-0"
Drawn	AR
Job	
Sheet	A4
Of	Sheets



LOWER LEVEL FLOOR PLAN

REVISIONS	BY



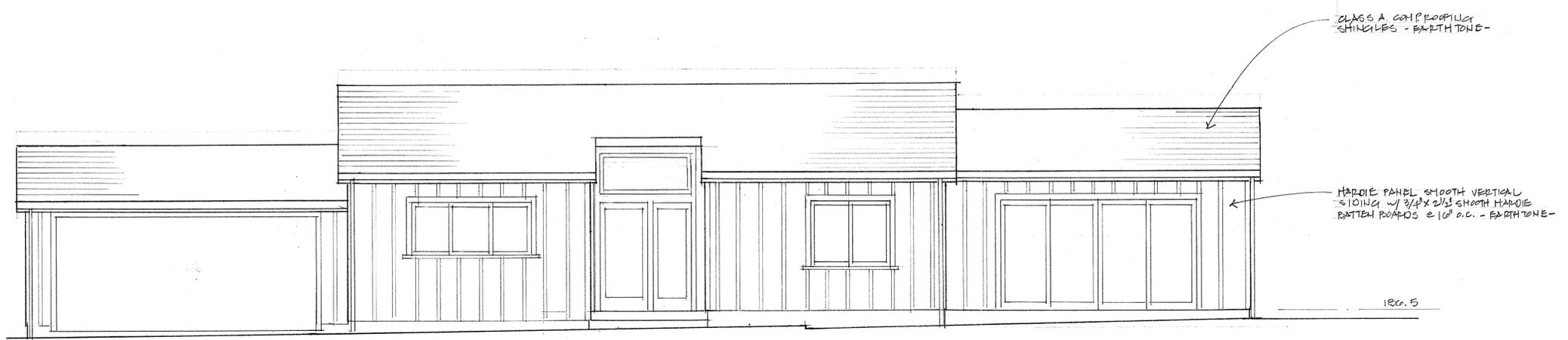
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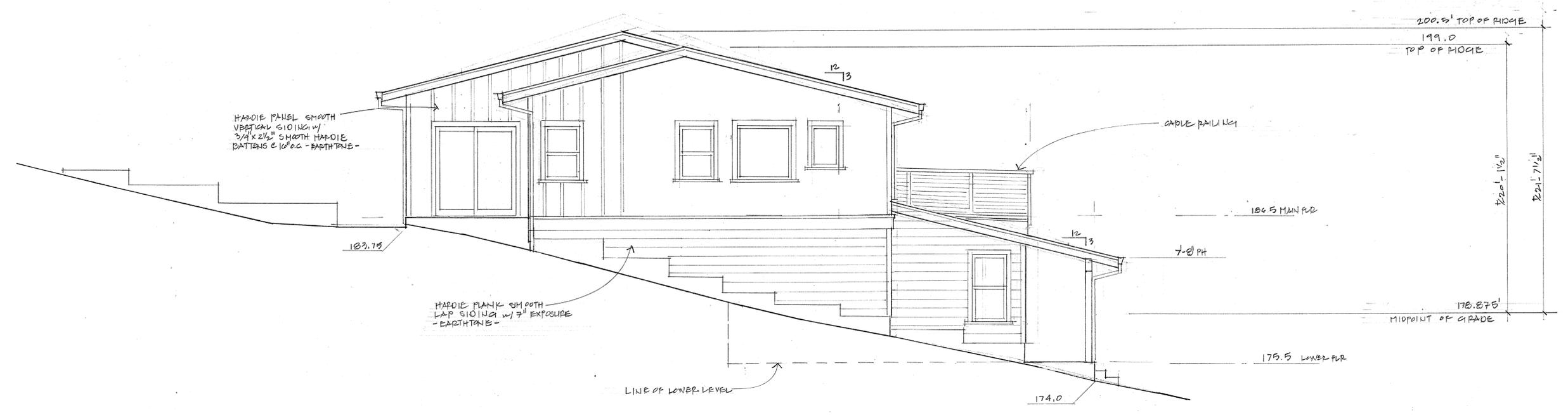
ELEVATIONS

BOCCONE & IGEL
NEW RESIDENCE AND WORKSHOP
827 ELKHORN ROAD ROYAL OAKS CA
APN 181-151-009

Date 10/25/24
Scale 1/4"=1'-0"
Drawn CR
Job
Sheet **A5**
Of Sheets



NORTH ELEVATION (FRONT)
1/4"=1'-0"



WEST ELEVATION (RIGHT)
1/4"=1'-0"

REVISIONS	BY



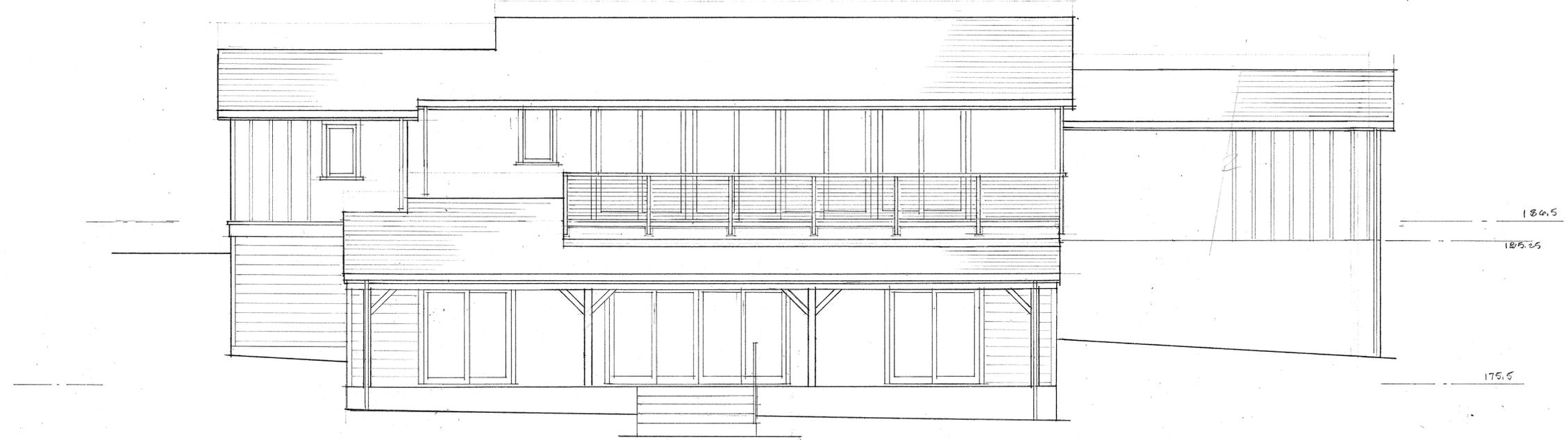
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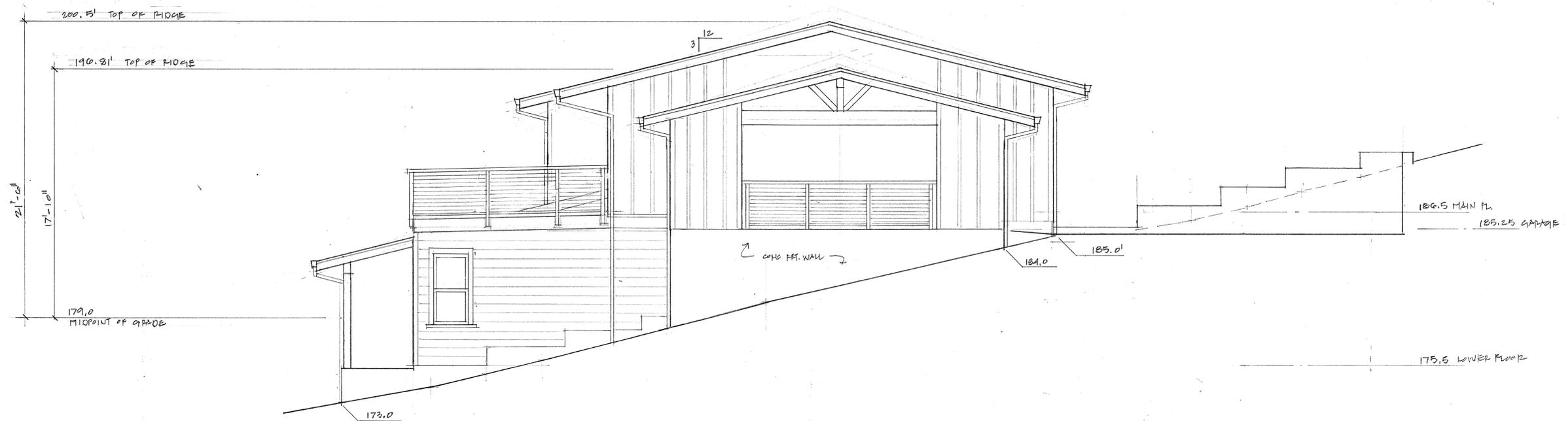
ELEVATIONS

BOCCONE & IGEL
NEW RESIDENCE AND WORKSHOP
827 ELKHORN ROAD ROYAL OAKS CA
APN 181-151-009

Date 10/25/24
Scale 1/4" = 1'-0"
Drawn CHR
Job
Sheet **A6**
Of Sheets



SOUTH ELEVATION (REAR)
1/4" = 1'-0"



EAST ELEVATION (LEFT)
1/4" = 1'-0"

REVISIONS	BY



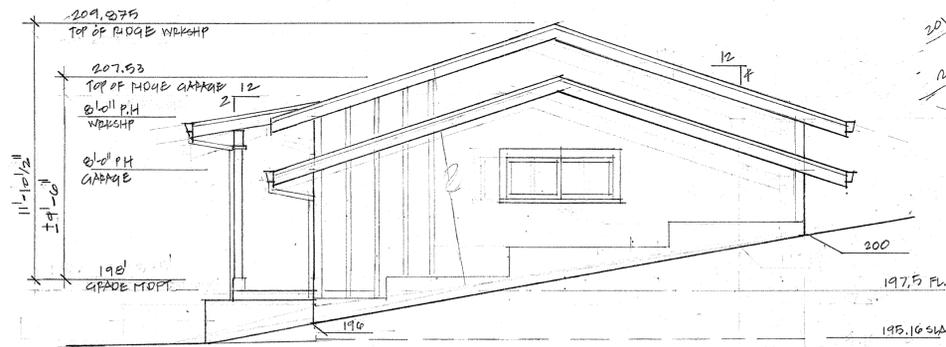
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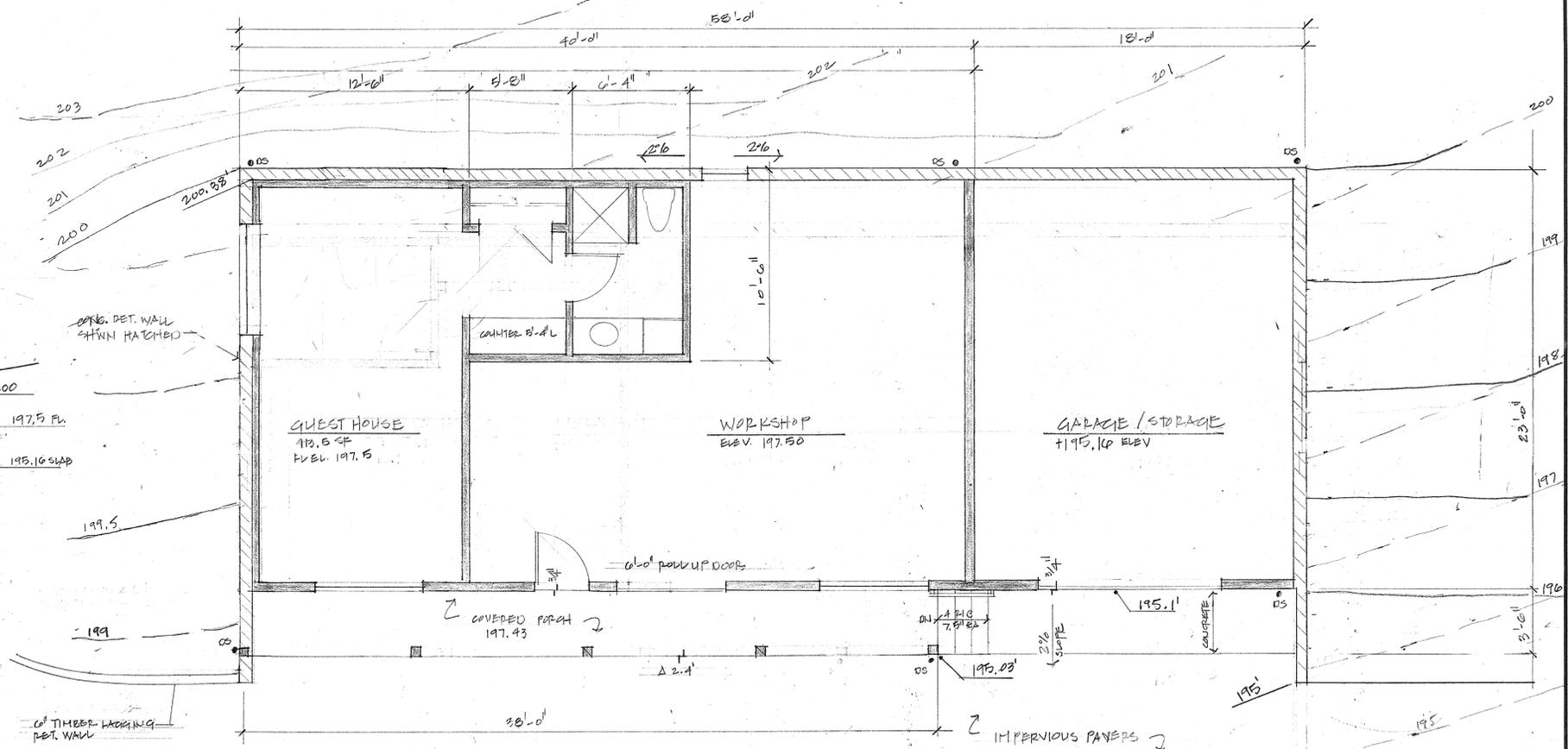
WORKSHOP and EQUIPMENT STORAGE
FLOOR PLAN & ELEVATIONS

BOCCONE & IGEL
NEW RESIDENCE AND WORKSHOP
827 ELKHORN ROAD ROYAL OAKS CA
APN 181-151-009

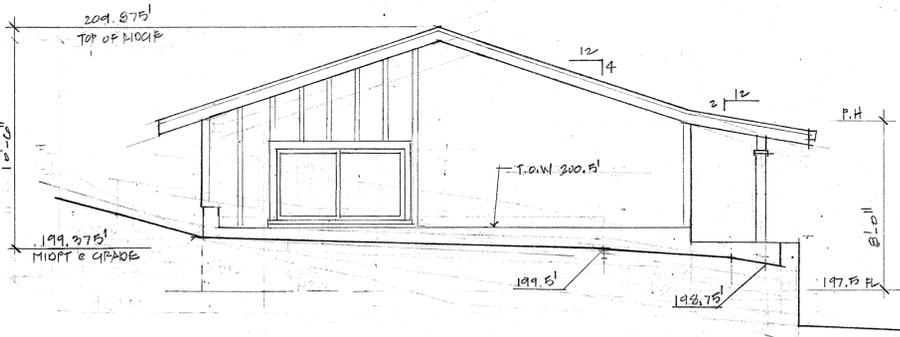
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Drawn CAR
Job
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A7
Of Sheets



EAST ELEVATION RIGHT



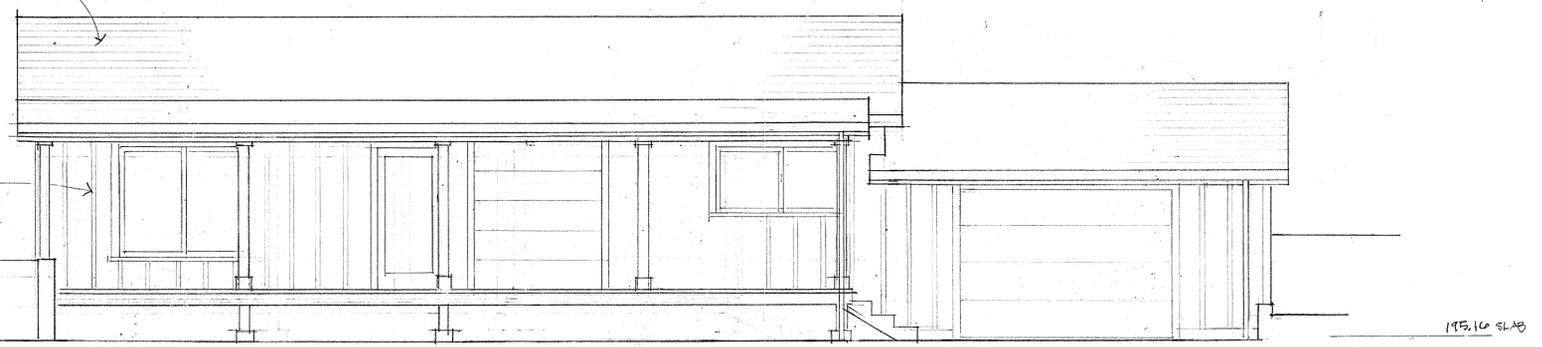
WORKSHOP FLOOR PLAN



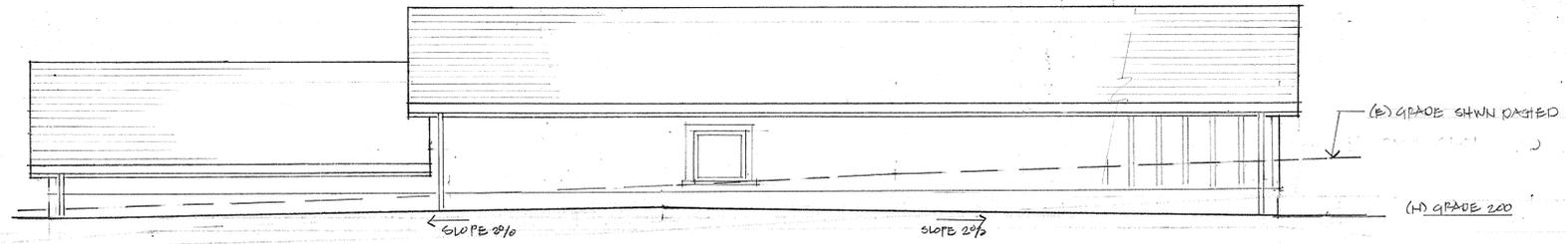
WEST ELEVATION LEFT

CLASS A CMP SHINGLE
POPPING - BATH TONE -

HARDBOARD SMOOTH
VERTICAL SIDING w/
3/4" x 2 1/2" SMOOTH HARDBOARD
BATTEN SQUARES @ 16" o.c.
- BATH TONE -



SOUTH ELEVATION FRONT



NORTH ELEVATION REAR