

Exhibit B
Project Vicinity Map
Cornell SFR Addition
A-94-78-A1

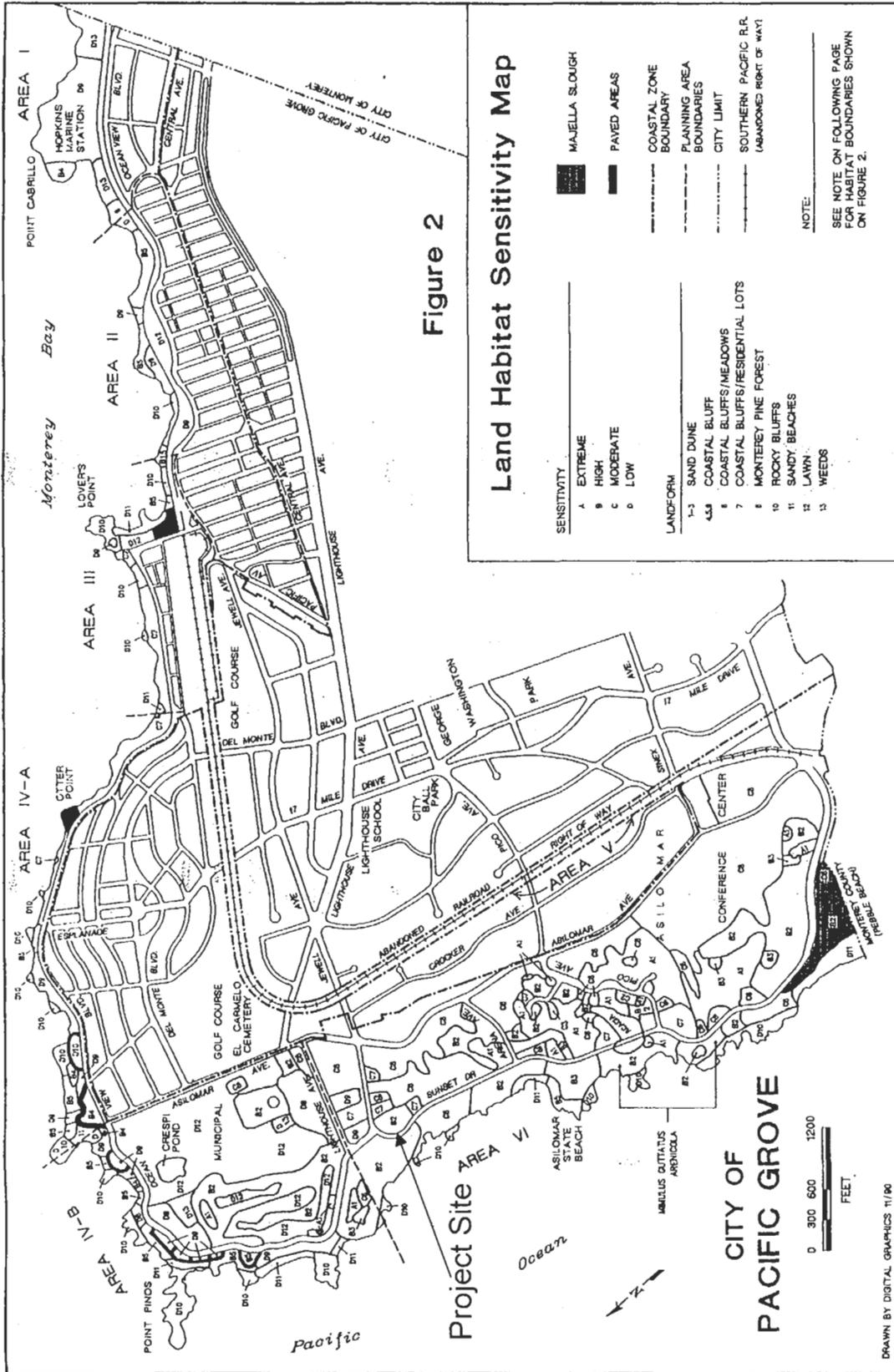


Exhibit D
 Land Habitat Sensitivity Map
 Cornell SFR Addition
 A-94-78-A1

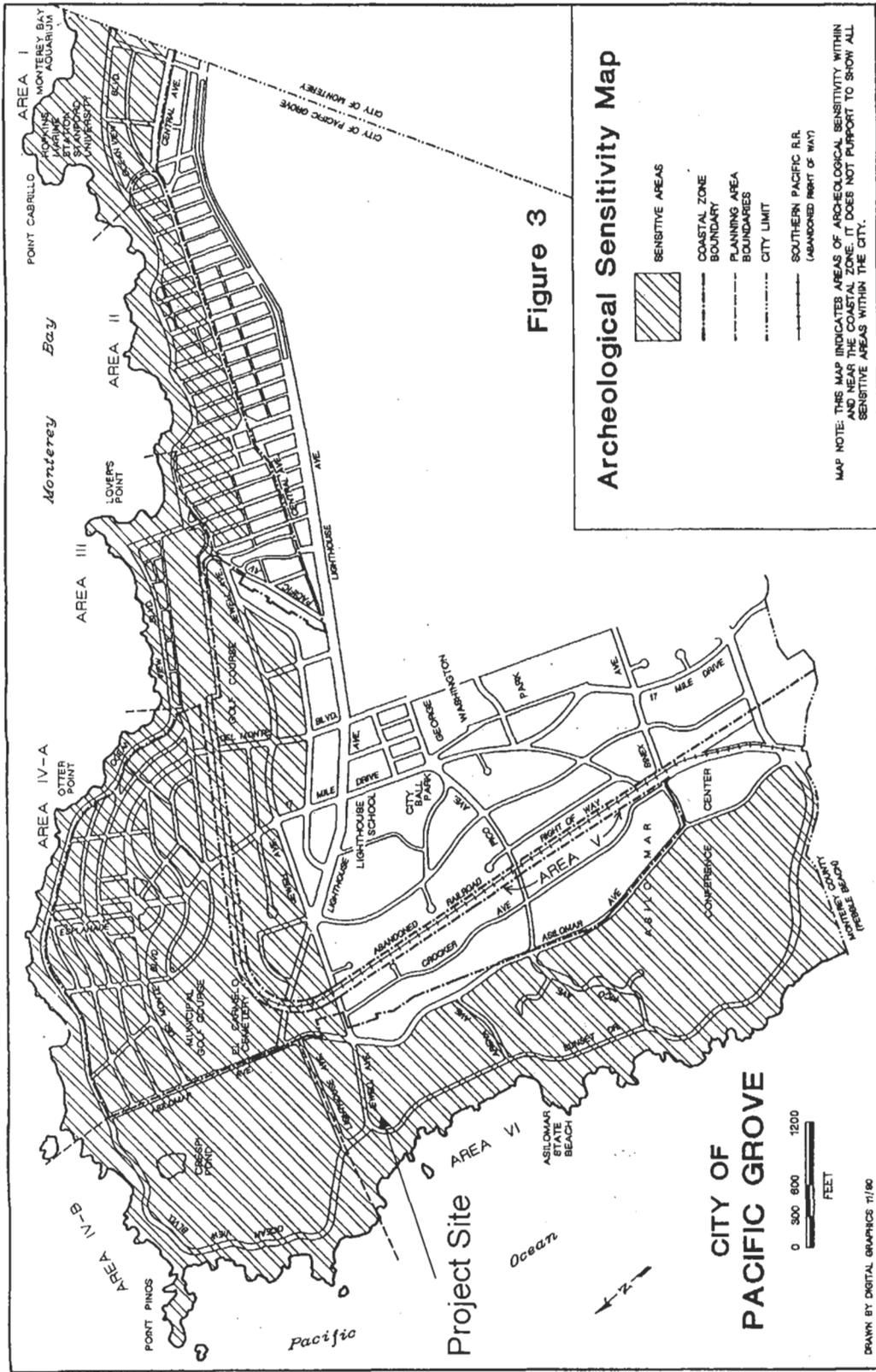


Exhibit E
 Archeological Sensitivity Map
 Cornell SFR Addition
 A-94-78-A1

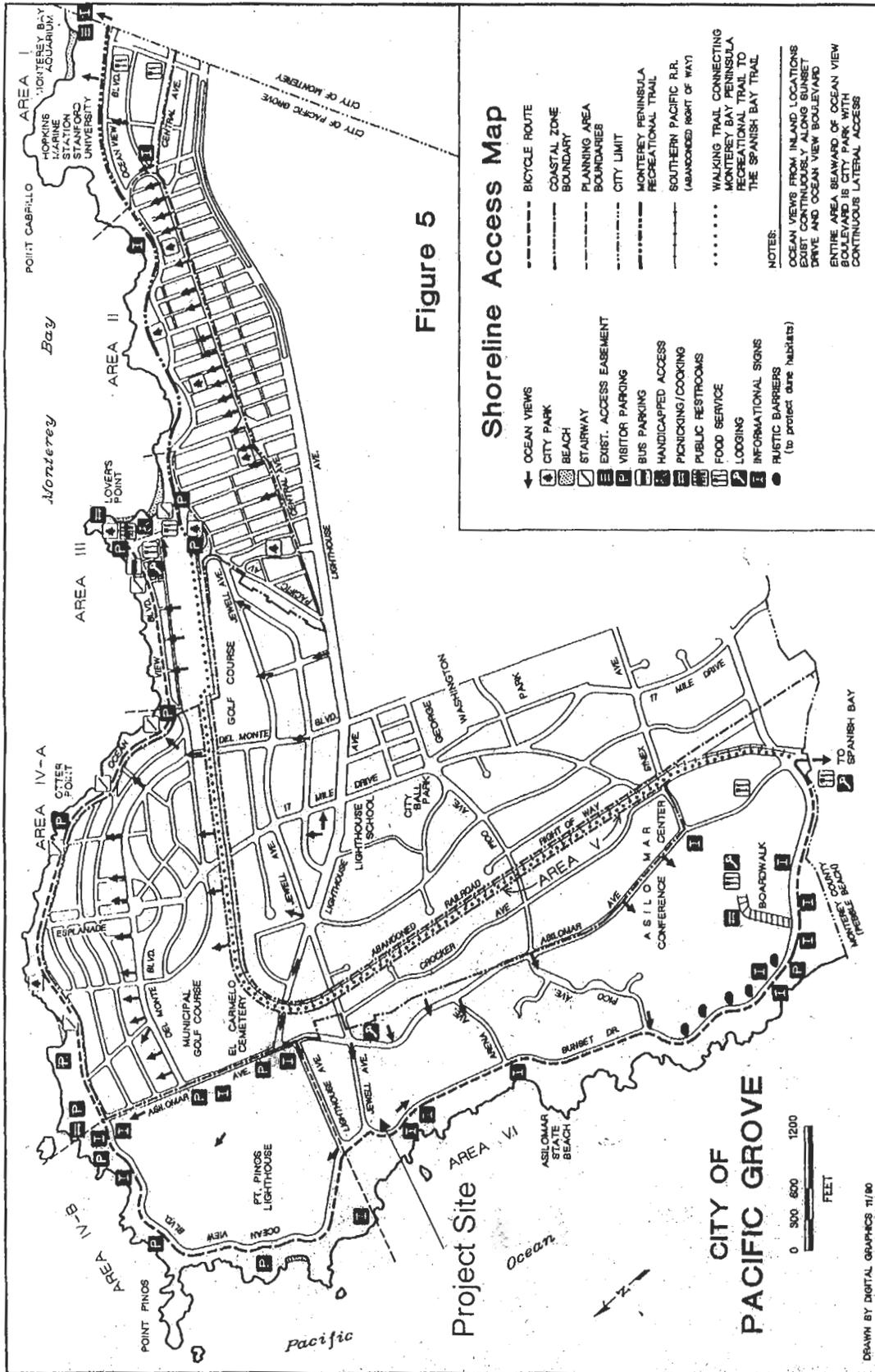
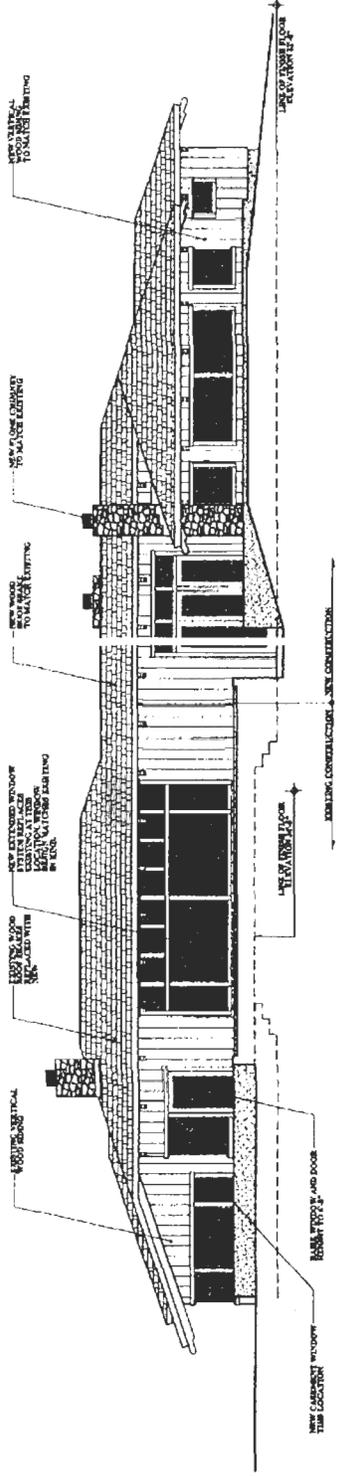


Exhibit F
 Shoreline Access Map
 Cornell SFR Addition
 A-94-78-A1

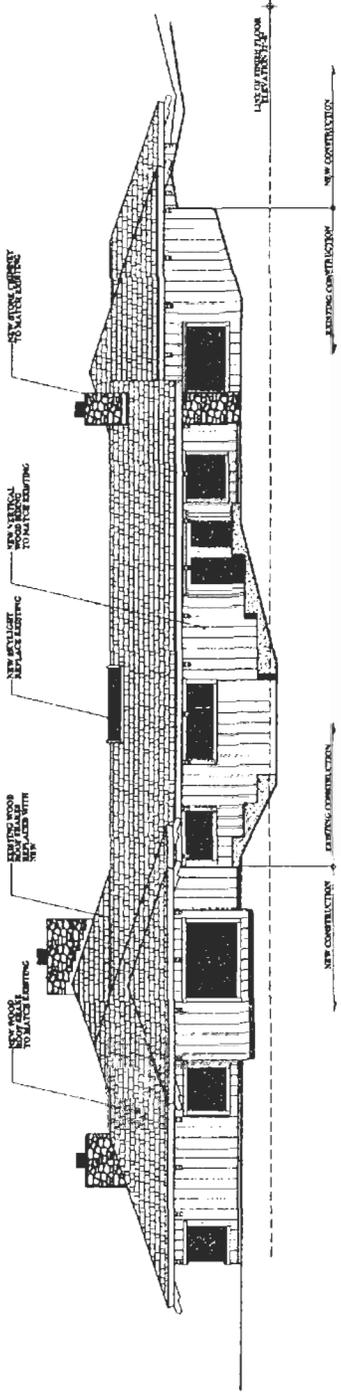
Existing residence

New residential expansion



PROPOSED WEST ELEVATION

1/4"=1'-0"



PROPOSED SOUTH ELEVATION

1/4"=1'-0"

REVISIONS	
DATE	REVISION
02/28/06	PSALACR REV.
DATE	REVISION
02/28/06	PSALACR REV.

DATE: 02/28/06
 REVISION: PSALACR REV.
 DRAWN BY: PSALACR
 CHECKED BY: PSALACR
 DATE: 02/28/06

DATE: 02/28/06
 REVISION: PSALACR REV.
 DRAWN BY: PSALACR
 CHECKED BY: PSALACR
 DATE: 02/28/06

1601 SUNSET DRIVE PACIFIC GROVE, CA 93950

CORNELL RESIDENCE

SAROYAN

ARCHITECTURE • INTERIOR DESIGN • LANDSCAPE ARCHITECTURE

1400 W. BROADWAY, SUITE 100
 PACIFIC GROVE, CA 93950
 TEL: 805.461.1111
 WWW.SAROYANARCHITECTS.COM

PROPOSED WEST & SOUTH ELEVATIONS

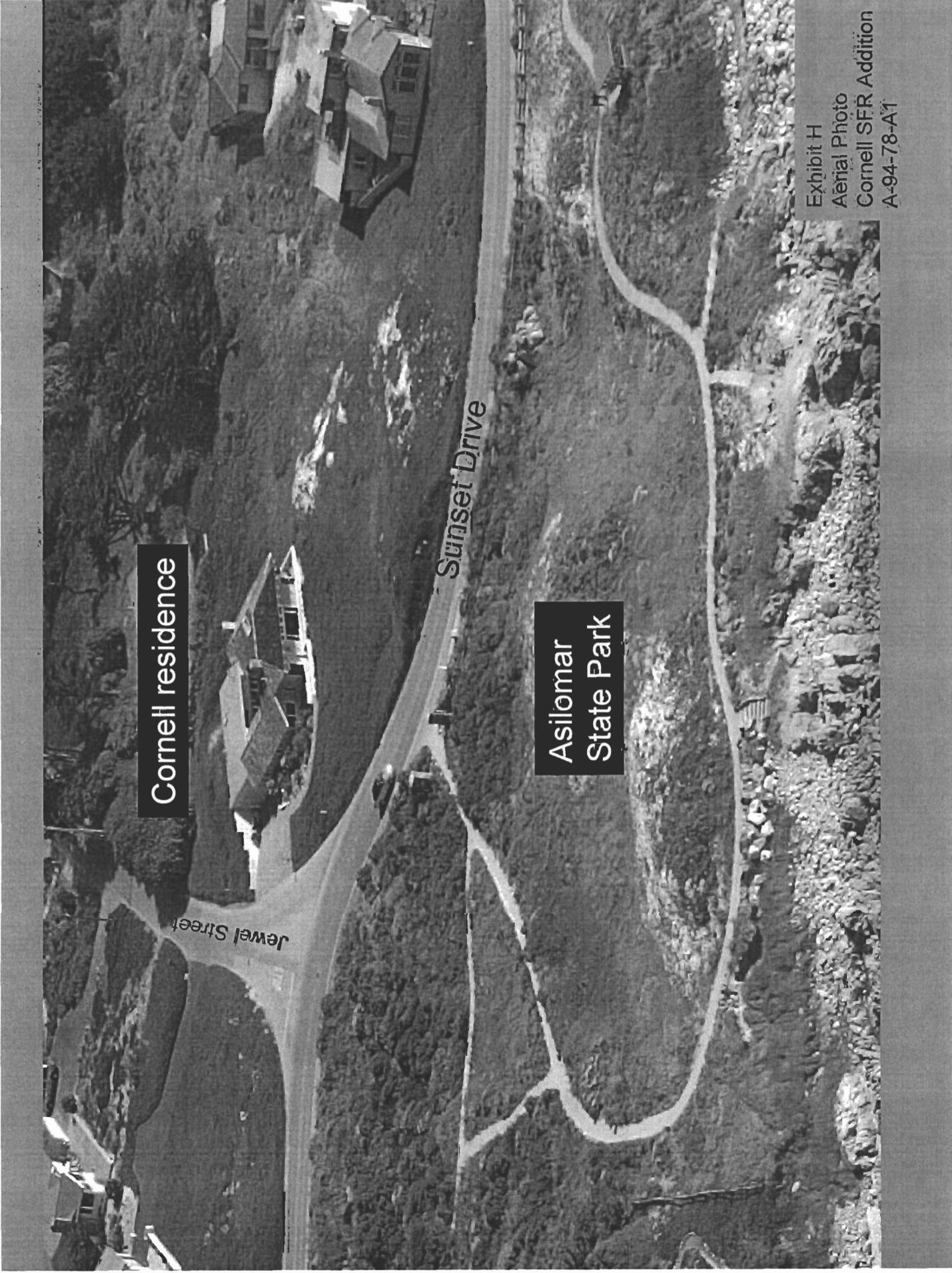
Cornell residence

Jewel Street

Sunset Drive

Asilomar
State Park

Exhibit H
Aerial Photo
Cornell SFR Addition
A-94-78-A1



Existing Cornell Residence
1601 Sunset Drive
APN 007-041-015

Approximate location of
proposed residential expansion.

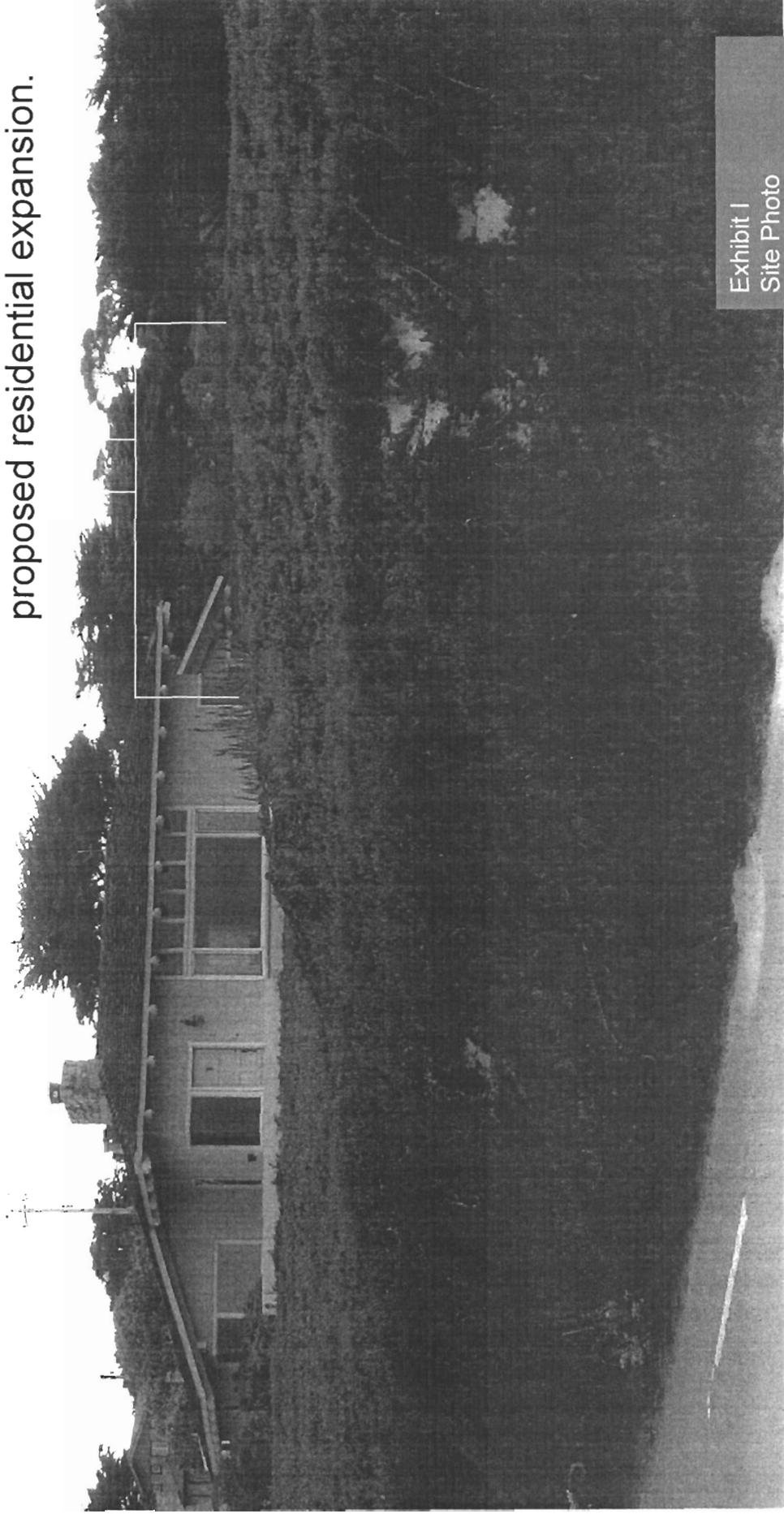


Exhibit I
Site Photo
Cornell SFR Addition
A-94-78-A1

CALIFORNIA COASTAL COMMISSION
631 Howard Street, San Francisco 94105 -- (415) 391-6800

STAFF RECOMMENDATION

Appeal No. 94-78
(Midgley)
Hearing Opened: 5/3/78

DECISION OF
REGIONAL
COMMISSION:

Permit denied by Central Coast Regional Commission

PERMIT
APPLICANT:

Judith Midgley

DEVELOPMENT
LOCATION:

Southwest corner of Sunset and Jewel Streets, Asilomar Dune area of Monterey County (Exhibit 1,2)

DEVELOPEMNT
DESCRIPTION:

Construction of a two-story, single family residence (Exhibit 3,4)

APPELLANT:

Judith Midgley

PUBLIC HEARING:

Opened on May 3, 1978

STAFF RECOMMENDATION:

I. Approval with Conditions.

The Commission hereby grants, subject to the conditions below, a permit for the proposed development, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Conditions.

This permit is subject to the following conditions:

1. Revised Plans. Prior to commencing construction, the applicant shall submit revised plans and working drawings to the Executive Director of the Commission for his review and approval showing:
 - a. A one-story single family residence not exceeding 15 feet in height and restricting the driveway to a width of 8 feet.
 - b. Siting the residence behind existing dune formations on the lot to minimize the visual impacts from the adjacent scenic roads.

All construction shall be done in accordance with the

COC Exhibit J
(page 1 of 8 pages)

A-94-78-A1 SR
6/6-7/78

2. Grading Plans. Prior to commencing construction, the applicant shall submit a detailed grading plan for review and approval by the Executive Director of the Commission. These plans shall indicate the minimum amount of grading necessary to construct the approved development. All grading shall be done in accordance with these plans. All excavated sand shall be retained on the site; or, if necessary, with prior consent of the Executive Director of the Commission, placed elsewhere within the Asilomar dune complex.

3. Landscape Plans. Prior to commencing construction, the applicant shall submit landscape plans for review and approval by the Executive Director to the Commission showing the removal of all iceplant on the site and revegetation of the lot with native dune vegetation including rare and endangered species native to the Asilomar dunes. Landscaping shall be done in accordance with these plans.

4. Deed Restriction. Prior to commencement of construction, deed restriction, for the protection of the scenic and natural values over that portion of the site not covered by impervious surfaces, shall be recorded. The deed restriction shall include provisions prohibiting further development including, but not limited to land-divisions or subdivisions of the project site; to prevent disturbance of natural ground cover and wildlife; to provide for maintenance needs in accordance with the landscaping plans and to restrict removal of vegetation except in accordance with the landscaping plans. *(and retention)*

All provisions of the deed restriction, including designation of precise boundaries, shall be submitted to the Executive Director of the Commission for his review and approval. The request for such approval shall be accompanied by a parcel map showing location of restriction boundaries. The approved restriction shall be recorded prior to all other encumbrances except tax liens, with the County Recorder and evidence thereof submitted to the Executive Director prior to commencing construction.

III. Findings and Declarations:

The Commission finds and declares as follows:

1. Project Description. The applicant proposes to construct a two-story, single family residence of approximately 2,224 sq. ft. with a total site coverage of 3300 sq. ft. on a one acre parcel (42,728 sq. ft.); this is consistent with County zoning which allows 1 d.u./20,000 sq. ft. (Exhibits 3,4). The applicant's parcel is located on the western shore of the Monterey Peninsula in a subdivided and partially developed area of the Asilomar Dunes (Exhibit 2). The Asilomar Dunes are composed of white silica sand; unlike the dunes fronting on Monterey Bay, there is no apparent source of replenishment of the sand other than the slow accumulation of mineral fragments eroded from the highly resistant granitic shoreline. On this dune complex, a unique indigenous flora has evolved which, prior to the intervention of man, provided stability for the dune environment.

The dunes have been substantially altered by various types of development. The southern portion of the dunes has been mined extensively for the commercially valuable white silica sand and the north portion of the dunes has been developed into a golf course known as Point Pinos Lighthouse Reservé. The central portion of the dunes contains the Asilomar Conference Center, the Asilomar State Beach, and the subdivided area within which the applicant's parcel is located. The applicant's lot fronts on Sunset Drive, the major coastal access road which parallels the coast and delineates the eastern boundary of Asilomar State Beach.

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2. Environmentally Sensitive Habitat. Section 30240 of the Coastal Act provides that:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The proposed project site is located within the Asilomar Dune complex. The dunes, comprised of white silica sand, provide the native habitat for several endangered plant species, including the Seaside painted cup, Tedestrom's lupine, and the Menezies wallflower. Because of the large amount of development taking place on the dunes, the continued existence of these species is being threatened.

A staff inspection of the site in December of 1977 revealed that there were no endangered plant species on the subject lot. The majority of the site has been over-taken by the aggressive "hottentot iceplant". Because of the aggressive nature of this iceplant, it is unlikely that any of the rare and endangered plant species native to the dunes could successfully compete with the iceplant for available habitat on the project site at its present state. There are numerous sites which because of being sited adjacent to other undeveloped parcels and because of their having some rare and endangered species existing on the sites at the present time could become part of a dune restoration and botanical reserve project. This possibility is presently under consideration by the Coastal Conservancy as a potential restoration project. However, since the subject site is surrounded by developed parcels, has no endangered species presently on the site and is currently over run by iceplant, it unlikely that this parcel would be considered in a dune restoration project.

As conditioned, the applicant will remove the iceplant and attempt to revegetate the site using some of the rare and endangered species native to the dune environment. In addition, site disturbance and coverage will be minimized and that portion of the site not covered by the development (approximately 90%) will be maintained in open space for the preservation of the dune environment. The Commission finds that, as conditioned, the project would be sited and designed to prevent impacts which would significantly degrade adjacent environmentally sensitive habitat areas and would, in fact, act to restore a partially degraded habitat site. The project is, therefore, consistent with the provisions of Section 30240 of the Coastal Act.

3. Scenic Resources. Section 30251 of the Coastal Act provides, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...

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The proposed project site is at the intersection of Ocean View Boulevard and Sunset Drive; the primary scenic Drives in the Pt. Pinos -- Asilomar area, commonly known as the "poor man's 17-mile Drive." The proposed development will be visible from both roads. The proposed project site is, however, surrounded by developed parcels; the structures on each of the adjacent lots are also visible from the roads. As conditioned, requiring a reduction in the height of the structure to one-story, not exceeding 15 ft. in height, the visual impacts of a structure on the lot at the intersection of the scenic roads will be minimized. In addition, by requiring the residence to be set back 100 ft. from Sunset Drive as proposed by the applicant and behind existing dune formations on the site, the intrusion of this structure on the scenic resources of the area will be significantly reduced. The Commission finds, that as conditioned, the impacts of the development on scenic resources in the area will be minimized and that the project is, therefore, consistent with the provisions of Section 30251 of the Act.

4. Cumulative Impacts. The subject parcel is located within the subdivided and partially developed area in the central portion of the Asilomar Dune area. There are approximately 100 acres which have been subdivided into approximately 111 lots with 83 existing residences on 76 of these parcels. County zoning allows development at a density of one d.u./20,000 sq. ft. (2 d.u./acre). Because of the potential impacts full buildout at the County approved density could have on the biotic resources of the Asilomar dune area, possible dune restoration projects encompassing the vacant parcels of biotic significance have been addressed by both the County and the Coastal Conservancy.

Section 30250(A) of the Coastal Act provides, in part:

New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it, or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

As conditioned, the development, a single family residence, would be allowed on a one acre parcel having no rare and endangered species currently on the site. Because of the lack of rare flora on the site and the surrounding development patterns, this site would not be appropriate for a restoration project. In addition, due to the site location adjacent to a highly scenic drive, the site would not be appropriate for increased density as part of a density transfer program to effectuate a restoration project.

Since the project would, in fact, restore some of the botanical significance to the dune site through revegetation and retention in open space, the development would not have an adverse impact individually on the dune environment. Since this site would not be an appropriate site for incorporation into a dune restoration project due to the lack of botanic resources on the site and the siting of the parcel on a highly scenic drive surrounded by developed parcels and because the site is twice the size required under existing County zoning, the Commission finds that the project, as conditioned, would not have an adverse cumulative impact on coastal resources. Also this approval would not prejudice the ability of the local government having jurisdiction over the area from addressing the possibility of a dune restoration project through the Local Coastal Program planning process.

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**TEREY PENINSULA
AND VICINITY STREET MAP**

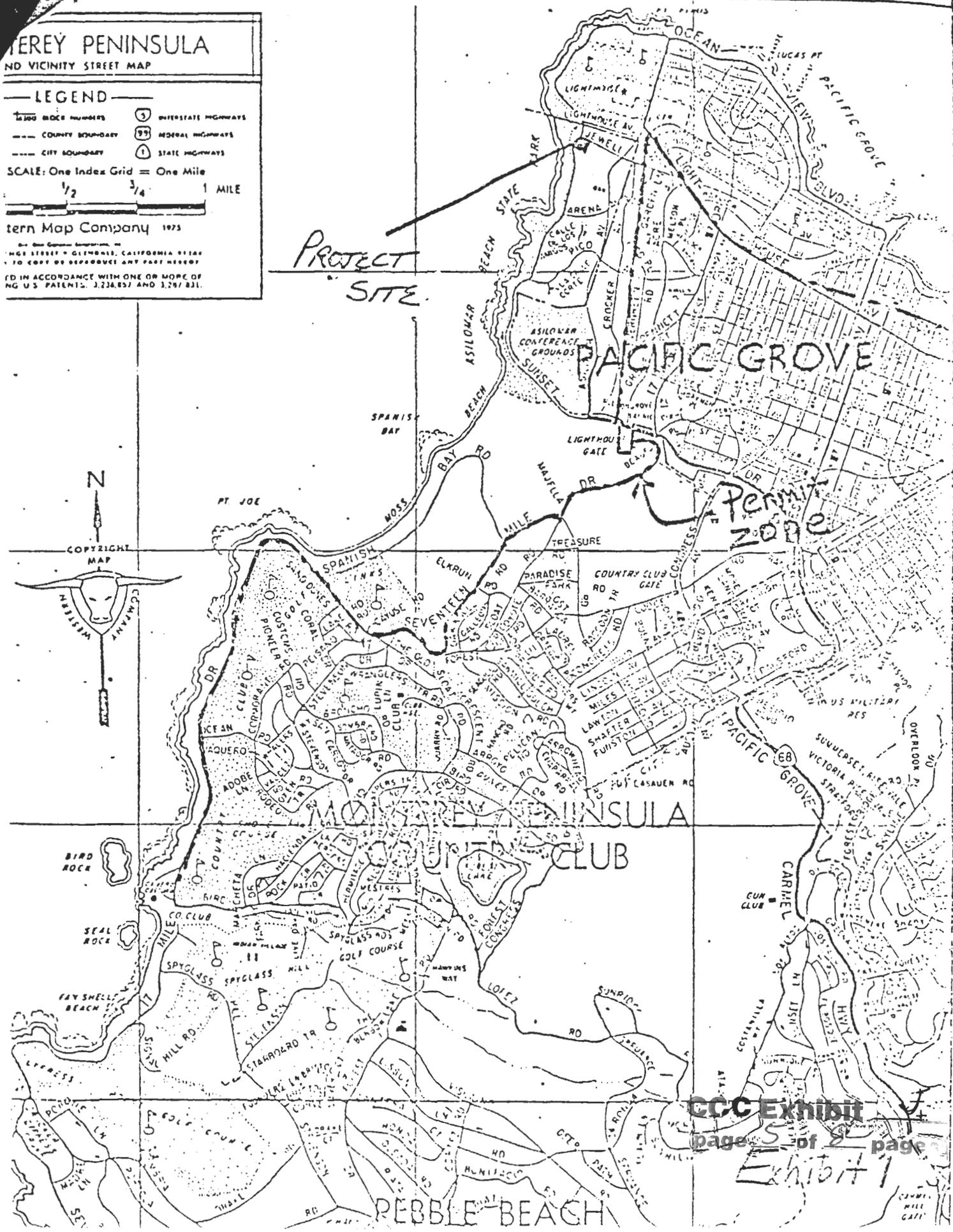
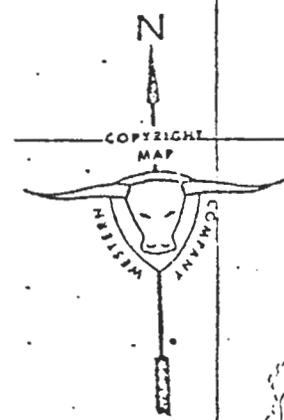
LEGEND

- COUNTY BOUNDARY
- CITY BOUNDARY
- INTERSTATE HIGHWAYS
- FEDERAL HIGHWAYS
- STATE HIGHWAYS

SCALE: One Index Grid = One Mile

Western Map Company 1975

Copyright © 1975 by Western Map Company, Inc. All rights reserved. No part of this map may be reproduced without the written permission of Western Map Company, Inc. Printed in accordance with one or more of the following U.S. Patents: 3,234,857 and 3,247,831.



CCC Exhibit
 Page 5 of 8 page
 Exhibit 1

LAND USE

POINT PIÑOS

LEGEND: 1" = 100'
○ = ST



THE GREAT TIDE POOL

OCEAN

U.S. LIGHTHOUSE RES.

VIEW

PROJECT SITE
249020

ASILOMAR STATE BEACH

249030

P-1564

STATE BEACH

DUNES 115-77

ASILOMAR CONF. GROUNDS

SAND

SUNSET DR.

DUNES

DUNES

ASILOMAR BLVD.

S.P.R.R.

CONSTITUTION ZONE

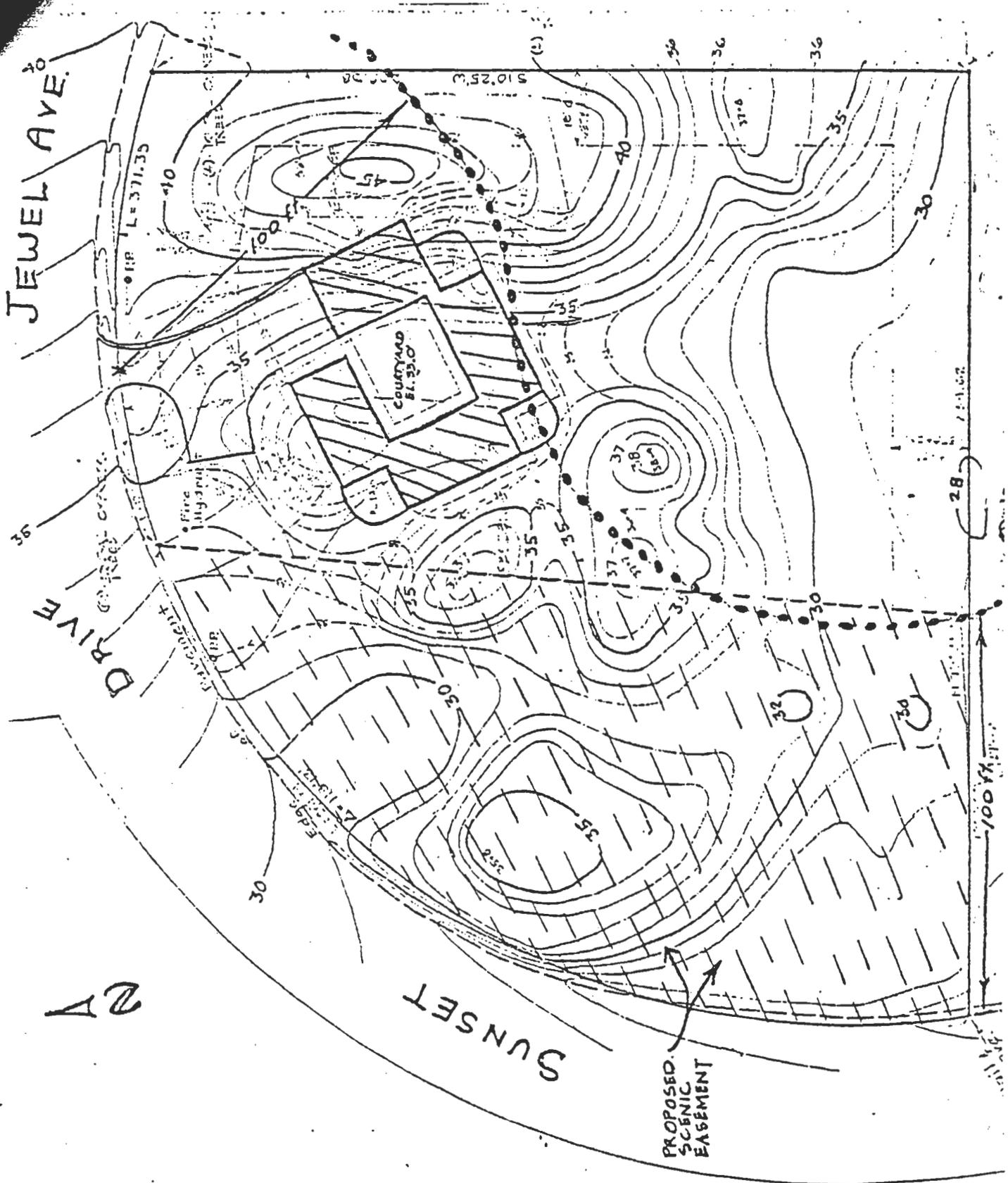
ST. HWY. 68

PACIFIC GROVE

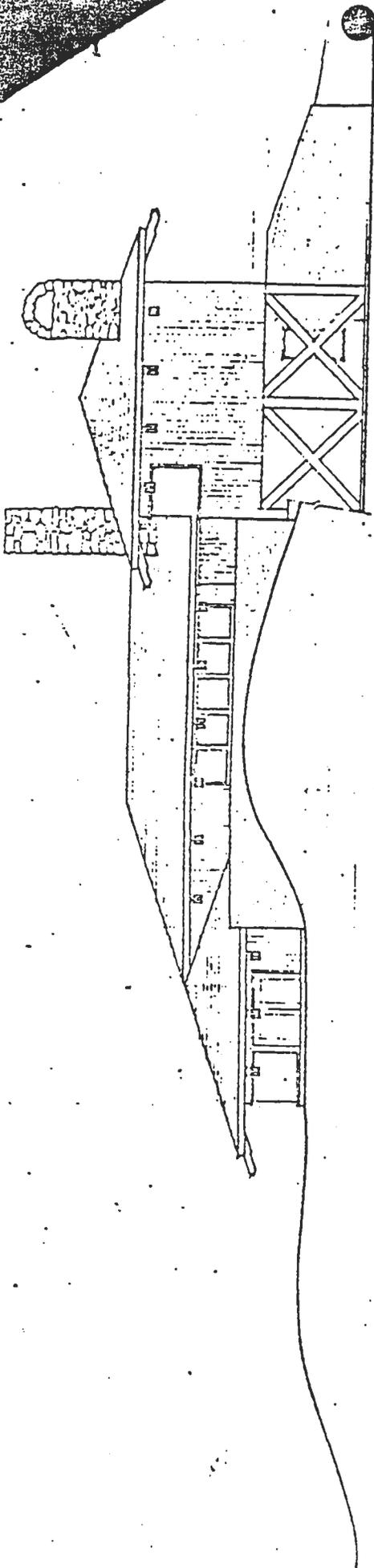
APPEAL No. 115-77
(CANFIELD)

CCC Exhibit J
(page 6 of 8 pages)
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Exhibit 2

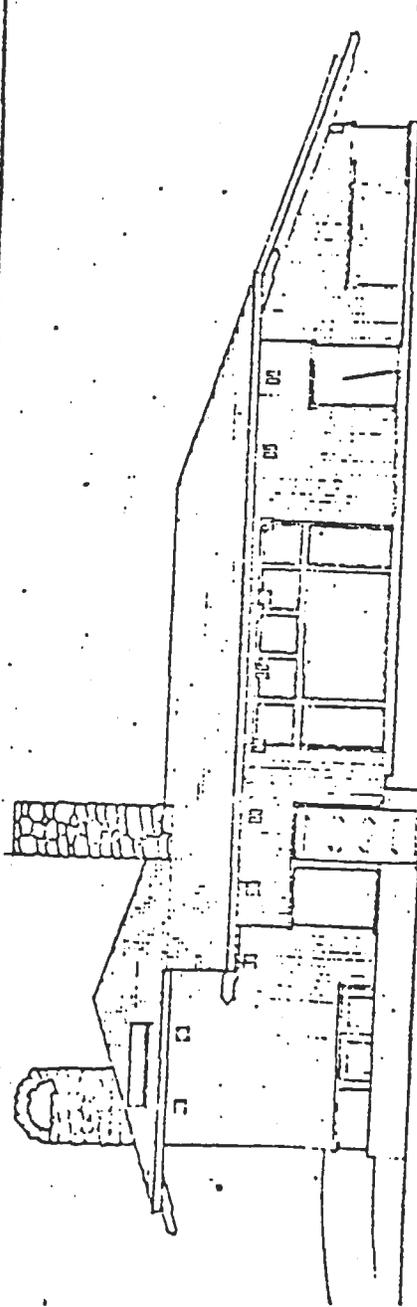


CCC Exhibit J
 (page 7 of 8 page
 A-94-78-A1 Staff Report
 Exhibit 3



EAST ELEVATION

SCALE: 1/4" = 1'-0"



WEST ELEVATION

CCC Exhibit J
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Exhibit 4

WHEN RECORDED MAIL TO:

JUDITH MIDGLEY
c/o P.O. Box 1471
Monterey, CA 93900

RECEIVED

RECORDED AT REQUEST OF

Judith Midgley

SEP 21 2005

AUG 7 8 30 AM '79

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

OFFICE OF RECORDER
COUNTY OF MONTEREY
SALINAS, CALIFORNIA

6

DECLARATION OF PROTECTIVE RESTRICTIONS

REEL 1350 PAGE 725

THIS DECLARATION is made on the date hereinafter set forth by JUDITH MIDGLEY, an unmarried woman, hereinafter referred to as "Declarant".

R E C I T A L S :

A. Declarant is the owner of certain real property located in Monterey County, California, described as follows:

Lot 15, Block 317, Pacific Grove Acres, as shown on Exhibit "B" attached hereto and made a part hereof

and hereinafter referred to as "the subject property".

B. The subject property is within the Coastal zone as defined in Public Resources Code section 30103.

C. On June 7, 1978, the California Coastal Commission granted Declarant's appeal No. 94-78, and authorized issuance of a coastal development permit to Declarant for the construction on the subject property of a single family residence ("the permit").

D. Condition Number Two of the permit requires Declarant to record a deed restriction over portions of the subject property for the protection of the scenic and natural values over that portion of the subject property not covered by impervious surfaces. The reasons for the restriction include the prevention of impacts which could substantially degrade adjacent environmentally sensitive habitat areas and the restoration of partially degraded habitat site (see Public Resources Code Section 30240); the avoidance of cumulative impacts on coastal resources (see Public Resources Code, Section 0250[a]); and the protection of Monterey County's ability to prepare a local coastal program that is in conformity with the provisions of the Coastal Act of 1976.

E. Declarant intends the recordation of this Declaration to fulfill the requirements of said condition.

G. 32626

CCC Exhibit

K

(page 1 of 4 page)

A-94-78-A1

DECLARATION

NOW, THEREFORE, Declarant hereby declares that the portions of the subject property hereinafter described are held and shall be owned, held, conveyed, hypothecated, encumbered, occupied, and improved subject to the following limitations, restrictions and conditions:

1. FURTHER DEVELOPMENT PROHIBITED. No further development, as the term is defined in Public Resources Code Section 30106, including land divisions or subdivisions, other than that authorized by the permit, shall be permitted on the subject property except as authorized by duly approved amendment to the permit.

2. NATURAL GROUND COVER AND WILDLIFE. Except as authorized by the permit, and the landscaping plan approved in accordance with the permit, no natural ground cover, vegetation or wildlife located on the subject property shall be removed or disturbed.

3. MAINTENANCE OF LANDSCAPING. All plants and vegetation placed on the subject property pursuant to the permit and the landscaping plan approved in accordance with the permit, shall be maintained continuously in a healthy growing condition.

4. RESTRICTION BOUNDARIES. The restrictions contained herein shall be applicable to those portions of the subject property not covered by impervious surfaces, as said areas are generally depicted on the site plan attached hereto as Exhibit "A" and incorporated herein by reference.

5. BINDING EFFECT. The terms of this Declaration shall run with the land, and be binding upon all heirs, assigns and successors in interest to the subject property.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of August, 1979.

Melvin C. Midgley
Melvin C. Midgley

by Judith C. Midgley her attorney in fact

Judith Midgley
Judith Midgley

Lois June Midgley
Lois June Midgley

by Judith C. Midgley her attorney in fact

CCC Exhibit K
(page 2 of 4 pages)
A-94-78-A1

All that real property situate in the County of Monterey, State of California, described as follows:

Beginning at a point distant 40.00 feet South 28° 56' 30" West from Corner 7 in Block 314, as said corner and block are shown and so designated on that certain map entitled, "Map of Pacific Grove Acres", etc., filed for record at page 13 in Volume 3 of Cities and Towns, Records of Monterey County, and running thence

- (1) South 10° 25' West 200.98 feet; thence
- (2) North 29° 35' West 234.62 feet; thence
- (3) Northeasterly and curving to the right 371.39 feet along the arc of a circle of 180 feet radius (Long Chord bears North 59° 58' East 308.93 feet) to the point of beginning, of said Pacific Grove Acres.

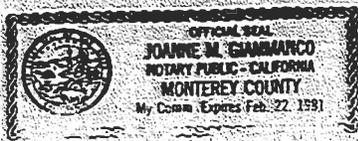
STATE OF CALIFORNIA }
COUNTY OF Monterey } ss.

On August 6, 1979 before me, the undersigned, a Notary Public in and for said State, personally appeared Judith Midgley

known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same.

WITNESS my hand and official seal.

Signature *Joanne M. Giammanco*



TO 444 C
(Attorney-in-Fact)

STATE OF CALIFORNIA }
COUNTY OF Monterey } ss.

On August 6, 1979 before me, the undersigned, a Notary Public in and for said State, personally appeared Judith I. Midgley

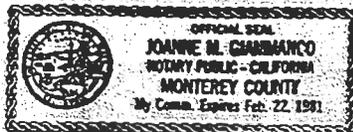
known to me to be the person whose name is subscribed to the within instrument, as the Attorney in fact of Melvin C. Midgley and Lois June Midgley

and acknowledged to me that she subscribed the name S of Melvin C. Midgley thereto as principal S, and her own name as Attorney in fact.

WITNESS my hand and official seal.

Signature *Joanne M. Giammanco*

Joanne M. Giammanco
Name (Typed or Printed)



END OF DOCUMENT

(This area for official notarial seal.)

CCC Exhibit K
page 3 of 4 page
A-94-78-A1

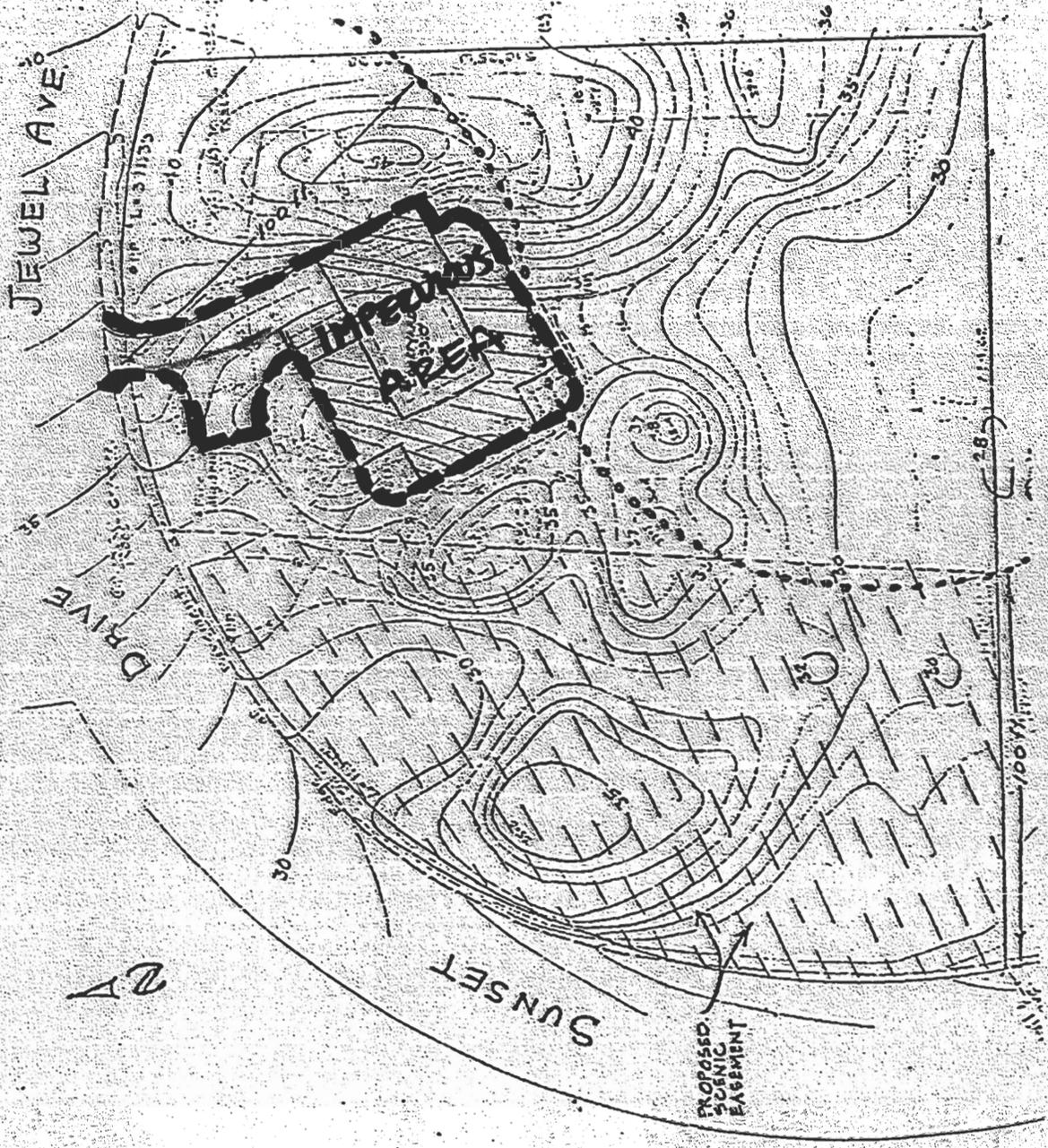


Exhibit A

3/17/78
JP

SUGGESTED FINDINGS AND CONDITIONS (For Use in Event of Project Approval)

P-77-1097 JUDITH MIDGLEY: Two-story single-family dwelling and ±400 foot extension of sewer main along Sunset Drive; southwest corner of Sunset and Jewell, Asilomar Dunes area of Monterey County.
APN 7-041-15

FINDINGS:

CKGROUND

1. Applicant's parcel lies within the Asilomar dune complex on the western shore of the Monterey Peninsula. Located between a rocky shoreline and the native Monterey pine forest, this area is a unique environment of great scenic and habitat value.

The rocky intertidal region is famous for its classic tidepool habitat and unusual concentration of marine algae species. The adjacent dunes of white silica sand are said to be relics of past geologic events; unlike the dunes fronting on Monterey Bay, there is no apparent source of replenishment other than the slow accumulation of mineral fragments eroded from the highly resistant granitic shoreline. On this dune complex a unique indigenous flora has evolved, and prior to the intervention of man, provided stability for the dune environment.

The ecosystem has been considerably altered by diversified uses and developments. The white silica sand is of a purity and uniformity that makes it commercially valuable for the manufacture of higher quality glass products. Exploitation of the mineral resource has often been at the expense of the natural form of the landscape. The southern portion of the dune complex is nearly gone due to mining. Recently, the last remaining sand plant ceased operation.

A large section of the northern dunes (shown as Point Pinos Lighthouse Reservation) has been developed as a golf course. The central portion of the dune complex, an unincorporated area of the county, is partially subdivided and partially developed with residential units. The applicant's parcel lies in this central dune area on the corner of Jewell and Sunset Drive. Sunset Drive delineates the eastern boundary of Asilomar State Beach.

ND RESOURCE

240b

2. The Asilomar dune complex is stabilized by low dune vegetation, including both native and introduced iceplants, the attractive beach sagewort, sand verbenas, beach primrose, and an unusual concentration of rare and endangered species. This last category includes the Seaside painted cup, Tidestrom's lupine, and the Menzies' (or Beach) wallflower. There is particular concern

for the survival of the last two species because much of their native habitat has already been lost to sand mining, golf course development, and residential construction. Those areas which remain are, for the most part, threatened by the spread of the aggressive "hottentot iceplant", pampas grass, and by trampling incident to recreational use. As a result, on a brief reconnaissance in the Spring of 1974, less than 50 Beach wallflower plants were found by staff in the entire Asilomar Dune complex.

Although the dunes of the applicant's site undoubtedly could be restored as natural habitat for all of the above native vegetation including the rare and endangered species, during inspection in December 1977 and January 1978 only iceplant and beach sagewort were identifiable on the parcel. Applicant has resited the house to a position that permits reduction of length of the driveway. Substantial excavation and coverage of the dunes will still be necessary at the new location, however. Additional and substantial modification in design and siting of the house to reduce disturbance of the dunes and their flora, in combination with a careful landscaping program to re-establish native dune plant cover, and in particular endangered species, would provide partial mitigation of the displacement and alteration of the dune habitat area; and would be essential to insure consistency with Section 30240(b) of the Coastal Act of 1976 which requires that "development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas"

ENIC
SOURCES
251

3. The proposed residence is located at the intersection of Ocean View Blvd./Sunset Drive and Jewell Avenue. Ocean View and Sunset are the primary scenic drives in the Point Pinos and Asilomar State Beach area. The proposed house has been resited to a dune trough location nearer Jewell, although still less than 100 feet from Sunset Drive. Travelling north on Sunset, the resiting provides a substantial visual improvement for the viewer, as compared to the original location astride the dune on the western section of the parcel. Southbound travelers will still be confronted with a significant visual impact. Additionally, the house in its presently designed scale and configuration does not lend itself to arrangement between the dunes, and therefore cannot be said to be "subordinate to the character of its setting" nor to "minimize the alteration of natural landforms," as required by Section 30251 of the Coastal Act.

Because alternative siting more than 100 feet from Sunset Drive appears feasible, and because of the importance of protecting the 100-foot scenic setback concept as an LCP alternative, resiting of the proposed residence appears essential in order to insure Coastal Act conformity.

BLIC
CREATION
221 &
223

4. The nearby, adjacent Asilomar State Beach is a highly popular recreational destination of statewide significance. However, the area in public ownership (99 acres) is apparently insufficient in size to accommodate the park's annual visitation (in excess of 200,000) without perceptible signs of "human erosion" on fragile botanic resources. While various park expansion proposals have been put forth to resolve this problem (including a 148-acre expansion proposed by the Department of Parks and Recreation in 1971 as part of the California Coastline Preservation and Recreation Plan), applicant's parcel is not included in any current acquisition proposal. Furthermore, applicant's parcel by itself has limited value for general on-site recreation, since it comprises a sensitive dune habitat area.

CCC Exhibit L
(page 2 of 5 pages)

A-94-78-A4

Therefore, no presently feasible options for general on-site recreation are expected to be compromised by this development. No finding is made relative to the value of the site for deliberately limited forms of recreational use where managed to minimize the adverse impacts of visitor use.

DEVELOPMENT
PATTERNS
1250

5. Applicant's parcel meets the P.U.C. requirements for water service in the Cal-Am service district; and the City of Pacific Grove and the County of Monterey have agreed to permit the extension of the sewer main some 400 feet north along Sunset Drive to the parcel, thereby eliminating the potential impact of a septic system on the nearby marine environment. Since the extension of the sewer main permits potential hookup to only one vacant site, no substantial growth inducing impact is expected, especially if measured against the urban context of the adjoining City of Pacific Grove.

SERVICES

The unincorporated Asilomar Dunes area, an approximate 100 acre tract of land bounded by the City of Pacific Grove and Asilomar State Beach, has been partially subdivided (111 lots) and partially developed (83 homes on 76 lots). Few parcel sizes are less than the current 20,000 sq. ft. county minimum. The largest parcel size is 6.4 acres. The current density is less than one unit per acre. However, a theoretical full buildout of the area would result in more than twice as many homes as currently exist. Even if only one home per vacant building site is constructed, forty new residences would result - a 48% increase over existing density.

DEVELOPMENT

However, because the proposed residence will follow the general development trend of very slow infilling, at the present rate of growth Local Coastal Program options for overall limits to growth will not be seriously compromised.

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6. A number of potential Local Coastal Program (LCP) alternatives have been mentioned for the Asilomar Dune area. Given the need to attain Coastal Act conformity in terms of preserving scenic coastal landscapes, protecting environmentally sensitive habitat areas, and avoiding densities in excess of the area's ability to accommodate growth, the following alternatives represent some (but by no means all) of the techniques which should be evaluated by Monterey County as part of the LCP process: larger minimum parcel size (subdivision criteria); reduced overall densities to reflect limited capacities of water supply, sewage disposal, and highway transportation systems; restrictions on alteration of dune landforms and native vegetation; tightened restrictions on height and site coverage; visually significant setback requirements along Sunset Drive; public acquisition of certain vacant parcels for view preservation, recreational, restoration, or nature preserve purposes; undergrounding of utility lines; and better control of parking and recreational impacts.

This project, as conditioned to require a setback behind the dune crests, dedication of scenic easement, undergrounding of utility lines, restoration of native vegetation, resiting to preserve dune land forms, and to provide for restrictions on height and site coverage, would preserve the majority of the above-mentioned LCP alternatives. While some of the planning options would be partially compromised by the development, no local or state programs which would make these alternatives workable presently exist.

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7. Therefore, as conditioned below, the permitted development:

a. Appears to have no presently feasible alternatives, and no additional feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the development as finally proposed may have on the environment;

b. In accordance with application and plans on file with the Regional Commission, will conform with Chapter 3 of the California Coastal Act of 1976 (commencing with Public Resources Code Section 30200); and

c. Will not prejudice the ability of any affected local government to prepare a local coastal program that conforms to Chapter 3 of the California Coastal Act of 1976.

SUGGESTED CONDITIONS:

1. Prior to the commencement of construction, applicant shall submit, for verification by the Executive Director, confirmation by the Cal-Am Water Company that the conditions for service pursuant to Public Utilities Commissions Decisions 86807 and 87715 have been met.

2. Prior to commencement of construction permittee shall submit to the Executive Director for review and approval final site plan and elevations showing minimal site coverage (including driveway and patios) and a roof height not greater than the crest of the highest dune on the parcel, beyond the publicly visible dunes. Both house and driveway shall be site and designed to minimize alteration of significant dune landforms. Improved driveway surface shall generally not exceed 8 feet in width.

3. Prior to commencement of excavation, applicant shall submit for review and approval by the Executive Director a detailed grading plan. All excavated sand shall be retained on site; or, if necessary and with prior consent of Executive Director, placed elsewhere within the Asilomar dune complex.

4. Applicant shall retain a landscape contractor experienced in the propagation of endangered local dune flora for purposes of re-establishing native dune plant cover on the parcel, with particular attention to disturbed surfaces and fill areas. A brief outline of the proposed landscape restoration and maintenance program shall be submitted for staff approval prior to any grading or other site disturbance.

5. All utility connections shall be installed underground.

6. The residence shall be connected to a municipal sewer system; no septic system is authorized. When installing the necessary sewer connection, care shall be taken to minimize surface disturbance of the scenic easement area described below. Plans for the extension of the sewer main shall be submitted for staff review prior to commencement of construction. Any dune area disturbed will also be subject to revegetation in accordance with condition no. 4 above.

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7. Prior to commencement of construction an easement for the protection of the scenic and natural values of the site shall be recorded, covering all of subject parcel except that portion of the property containing the permitted development as approved pursuant to condition no. 2 above.

Such easement shall be granted to an appropriate public agency or conservation foundation, and shall include provisions to prohibit further development, including but not limited to land divisions or subdivisions of the property; to prevent disturbance if native groundcover and wildlife; to provide for maintenance needs; and to specify conditions under which non-native species may be planted or removed. Provisions for a driveway and for necessary utility corridors may be included in the terms of the easement.

The grantee for such easement and all provisions thereof, including designation of precise boundaries, shall be subject to advance written approval by the Executive Director in consultation with the Office of the Attorney General. The request for such approval shall be accompanied by parcel map showing location of easement boundary.

The easement document may provide provision that if on completion of the Local Coastal Program the conditions of the easement are found more stringent than the requirements of the LCP, the applicant may submit to the Commission for consideration a request to amend the permit.

8. Unless waived by the Executive Director, a separate permit shall be required for any addition to this development.