

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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SANTA CRUZ, CA 95060
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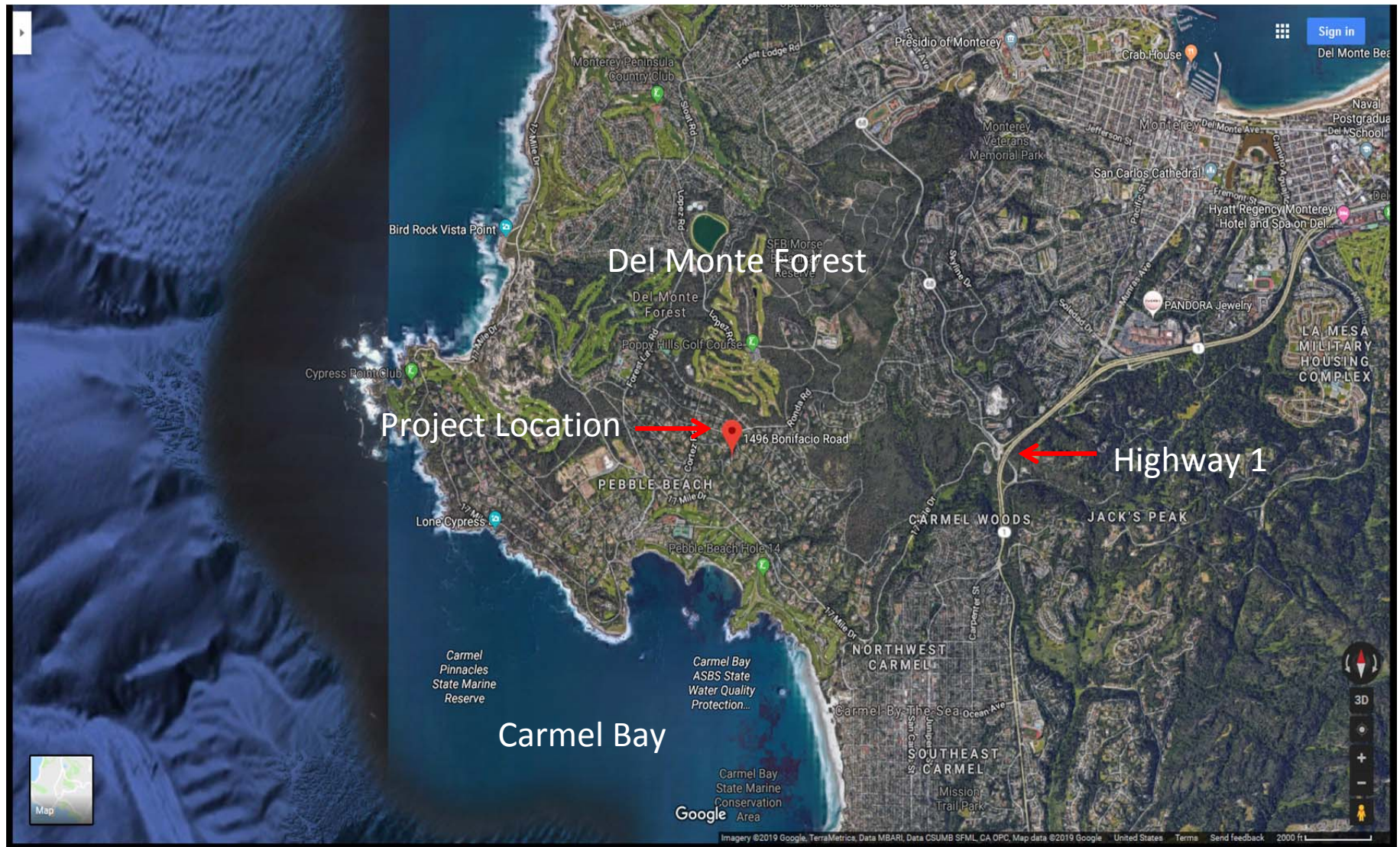
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A-3-MCO-19-0024 (ALFORD)

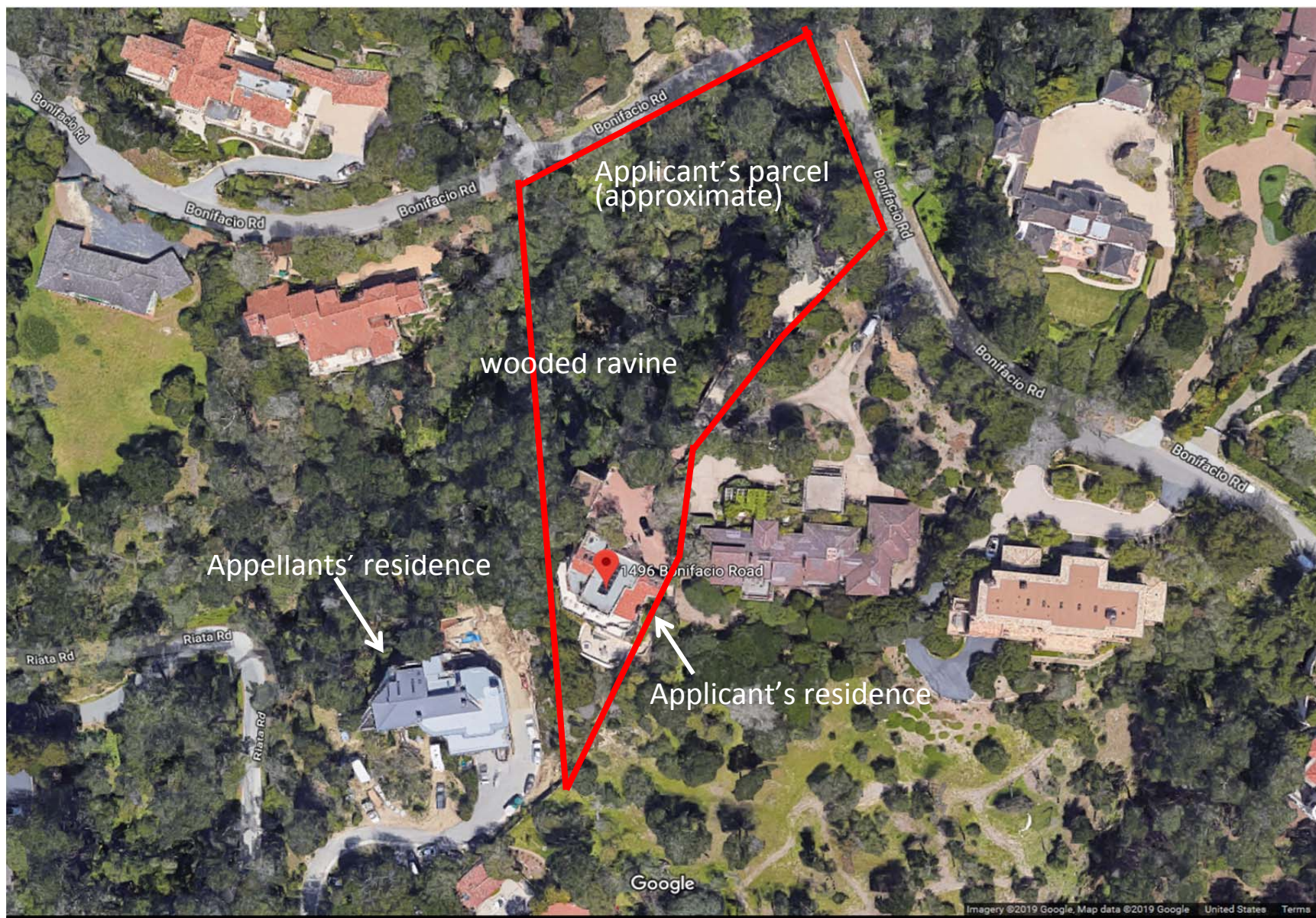
JUNE 13, 2019 HEARING

EXHIBITS

- Exhibit 1 – Regional Location Map
- Exhibit 2 – Aerial Photo
- Exhibit 3 – County's Final Local Action Notice
- Exhibit 4 – Appeal of County Coastal Administrative Permit Decision
- Exhibit 5 – Applicable LCP Provisions
- Exhibit 6 – Final Stormwater Control Plan
- Exhibit 7 – Site Photos
- Exhibit 8 – Scenic and Conservation Easement Area Map



Regional Location Map



Site Photo

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director

Building Services / Environmental Services / Planning Services / Public Works & CENTRAL COAST AREA
1441 Schilling Place South 2nd Floor
Salinas, California 93901
www.co.monterey.ca.us/rma

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APR 02 2019

CALIFORNIA

COASTAL COMMISSION
CENTRAL COAST AREA
(831)755-4800



FINAL LOCAL ACTION NOTICE

Date: March 28, 2019
To: California Coastal Commission, Central Coast District Office
Owner/Applicant: Alford Tracy Tr
Agent: Tina Hannas-De Freitas C/O Beeber Designs
From: Monterey County Resource Management Agency Planning
Subject: Final Local Action on Coastal Permit Application PLN171011

FINAL LOCAL
ACTION NOTICE

REFERENCE # 3-MCO-19-0504
APPEAL PERIOD 4/3/19-4/16/19

Please note the following **Final Monterey County Action** for the following coastal development permit type:

- ☒ CDP/CAP ☐ CDP Amendment ☐ Extension ☐ Emergency CDP
☐ Exemption ☐ Exclusion ☐ LCP Amendment ☐ Other: _____
☒ all local appeals processes have been exhausted for this matter
☐ The project includes an amendment to the LCP

Project Information

Resolution #:

Project Applicant: Alford Tracy Tr, 6416 Outabounds Ct, Oklahoma City, OK, 73116
Applicant's Rep: Tina Hannas De-Freitas C/O Beeber Designs, 37748 Palo Colorado Rd, Carmel, CA, 93923
Project Location: 1496 Bonifacio Road, Pebble Beach; Assessor's Parcel Number 008-341-037-000
Project Description: Coastal Administrative Permit and Design Approval to clear Code Enforcement case (17CE00253) to replace 4,600 square feet of impervious driveway with pervious materials to correct impervious site coverage in excess of 9,000 square feet and construct a 660 square foot rear patio where a lawn area previously existed; extend a gas line to the rear patio, grill and fireplace; and install new on-site drainage improvements. The property is located at 1496 Bonifacio Road, Pebble Beach (Assessor's Parcel Number 008-341-037-000), Del Monte Forest Land Use Plan, Coastal Zone.

Final Action Information

Final Action Date: March 12, 2019 **Local Appeal Period Ends:** Not Applicable
Final Action: ☒ Approved w/conditions ☐ Approved w/o conditions ☐ Denied
Final Action Body: ☐ Zoning Administrator ☐ Planning Commission ☒ Board of Supervisors ☐ Dir. of Planning

For Coastal Commission Use Only

MCO

Reference #:
FLAN received:
Appeal period:

Exhibit 3
A-3-MCO-19-0024
Page 1 of 31

Final Local Action Notice Attachments Included

Required Materials Supporting the Final Action	Enclosed	Previously Sent (date)	Notes/Comments
Staff Report (Administrative Hearing)		8/8/18	
Staff Report (Zoning Administrator)		9/20/18	
Staff Report (Board of Supervisors)		3/8/19	
Adopted Findings	X		
Adopted Conditions	X		
Site Plans	X		
Elevations	X		
Location/Vicinity Map		8/8/18 & 9/20/18	

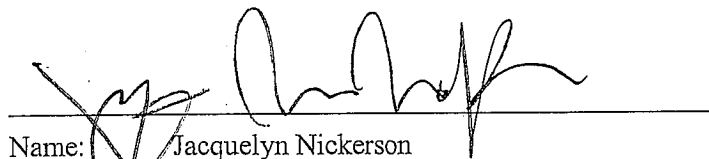
Coastal Commission Appeal Information

Monterey County has determined that this Final Local Action is:

- ☐ **NOT APPEALABLE** to the California Coastal Commission. The Final Monterey County Action is now effective.
- ☒ **APPEALABLE** to the California Coastal Commission. The Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this Final Monterey County Action. The Final Monterey County Action is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission Central Coast District Office in Santa Cruz; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact the Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.

Submitted by

Signature:



Name: Jacquelyn Nickerson

Title: Assistant Planner

Phone/Fax: (831) 755-5240/(831) 757-9516

email: nickersonj@co.monterey.ca.us



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Resolution No.: 19-072

Upon motion of Supervisor Phillips, seconded by Supervisor Adams and carried by those members present, the Board of Supervisors hereby:

PLN171011 - ALFORD TRACY TR

Public hearing to consider an appeal by Chris and Sara Bardis from the September 27, 2018 Zoning Administrator decision approving an after-the-fact permit (PLN171011/Alford) to clear a Code Enforcement Case (17CE00253) to construct a 660 square foot rear-yard patio and to replace 4,600 square feet of impervious driveway surfaces with pervious material.

Project Location: 1496 Bonifacio Road, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone

Proposed CEQA action: Categorically Exempt per Section 15303(e) of the CEQA Guidelines

PASSED AND ADOPTED on this 12th day of March 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Lopez, Phillips, Parker and Adams

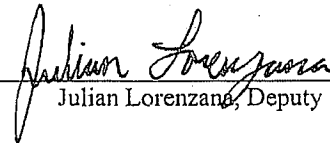
NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 81 for the meeting March 12, 2019.

Dated: March 13, 2019
File ID: RES 19-016

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Julian Lorenzana, Deputy

**Before the Board of Supervisors
in and for the County of Monterey, State of California**

In the matter of the application of:

ALFORD TRACY TR (PLN171011)

RESOLUTION NO. 19-072

Resolution by the Monterey County Board of Supervisors:

1. Deny the appeal of Chris and Sara Bardis from the September 27, 2018 Zoning Administrator's decision approving an after-the-fact Coastal Administrative Permit and Design Approval (PLN171011/Alford);
2. Find that the project involves the construction of an accessory structure, which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 (e) of the CEQA Guidelines;
and
3. Approve an after-the-fact Coastal Administrative Permit and Design Approval, clearing Code Enforcement case (17CE00253), to:
 - a. Replace 4,600 square feet of impervious driveway with pervious materials to correct impervious site coverage in excess of 9,000 square feet,
 - b. Construct a 660 square foot rear patio where a lawn area previously existed; extend a gas line to the rear patio, grill and fireplace; and install new on-site drainage improvements.

[PLN171011, Alford Tracy TR, 1496 Bonifacio Road, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone (Assessor's Parcel Number 008-341-037-000)]

The appeal by Chris and Sara Bardis from the decision by the Monterey County Zoning Administrator to approve a Coastal Administrative Permit and Design Approval (PLN171011/Tracy Alford Trust) came on for a public hearing before the Monterey County Board of Supervisors on March 12, 2019. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS

1. **FINDING:** **PROCESS** – The County has processed the subject Coastal Administrative Permit application (RMA-Planning File No. PLN171011 – ALFORD) (“project”) in compliance with all applicable procedural requirements
- EVIDENCE:**
- a) On May 22, 2018, pursuant to Section 20.76 of Monterey County Code (Title 20), Tracy Alford Trust (“applicant”) filed an application for an after-the-fact Coastal Administrative Permit and Design Approval to clear a Code Enforcement violation (17CE00253) by replacing 4,708 square feet of impervious surface driveway with pervious materials and constructing a 1,052 square foot rear patio, grill and fireplace, and install new on-site drainage improvements on a project site located on 1496 Bonifacio Road, Pebble Beach (Assessor's Parcel Number 008-341-037-000), Del Monte Forest Land Use Plan, Coastal Zone. Since the appellant filed the appeal, the applicant obtained a survey from a licensed professional to identify the square footage of the existing impervious surfaces on the property (see attached plans). The project being recommended for approval is an after-the-fact Coastal Administrative Permit and Design Approval to clear a Code Enforcement violation (17CE00253) by replacing 4,600 square feet of impervious surface driveway with pervious materials and constructing a 660 square foot rear patio, grill and fireplace, and install new on-site drainage improvements.
 - b) The project was set for an administrative hearing on August 15, 2018. Notices for administrative hearing were published in the Monterey County Weekly on August 3, 2018; posted at and near the project site on August 2, 2018; and mailed to vicinity property owners and interested parties on August 1, 2018. The County received two letters requesting a public hearing on August 9, 2018. See Finding No. 2, Evidence h.
 - c) The project was subsequently set for a public hearing before the Monterey County Zoning Administrator on September 27, 2018. Notices for the public hearing before the Zoning Administrator were published in the Monterey County Weekly on September 13, 2018; posted at and near the project site on September 12, 2018; and mailed to vicinity property owners and interested parties on September 12, 2018.
 - d) On September 27, 2018, the Zoning Administrator approved an after-the-fact Coastal Administrative Permit and Design Approval to clear Code Compliance case No. 17CE00253 (Monterey County Zoning Administrator Resolution No. 18-056).
 - e) Pursuant to Section 20.86.030.C of Title 20, Anthony Lombardo & Associates, on behalf of Chris and Sara Bardis (neighbors), timely filed an appeal from the September 27, 2018, decision of the Zoning Administrator. The appeal challenged the Zoning Administrator’s approval and contends that the findings and decision are not

supported by the evidence and the decision was contrary to law. See Finding No. 8 (Appeal) for the summary of the Appellants' specific contentions and the County responses to those contentions.

- f) Pursuant to Sections 20.86.030.C and E, an appeal shall be filed with the Clerk of the Board of Supervisors within 10 days after written notice of the decision of the Appropriate Authority. Monterey County Zoning Administrator Resolution No. 18-056 was mailed to the Applicant on September 28, 2018. An appeal was filed with the Clerk of the Board of Supervisors on October 8, 2018, within the 10-day timeframe prescribed by Section 20.86.030.C of Title 20. The appeal hearing is de novo. A complete copy of the appeal, including the additional contentions, is on file with the Clerk of the Board, and is attached to the March 12, 2019, staff report to the Board of Supervisors as Attachment C.
- g) On October 12, 2018, staff received correspondence from the applicant and appellant agreeing to postpone the public hearing to January 29, 2019. On January 8, 2019, the applicant requested another continuance to March 12, 2019 to allow time to revise the plans to address concerns of the appellant. On January 11, 2019, Staff received correspondence from the appellant agreeing to the additional continuance. Accordingly, the hearing before the Board of Supervisors was scheduled and duly noticed for March 12, 2019.
- h) Notice of the hearing on the matter before the Board of Supervisors was published on February 28, 2019, in the Monterey County Weekly; notices were mailed and emailed on February 28, 2019, to all property owners and occupants within 300 feet of the project site, and to persons who requested notice; and at least three (3) notices were posted at and near the project site by March 2, 2019. The Board conducted the public hearing on March 12, 2019.
- i) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011; Clerk of the Board of Supervisors' file(s) related to the appeal.

2. FINDING:

CONSISTENCY – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE:

- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 1982 Monterey County General Plan (General Plan);
 - Del Monte Forest Land Use Plan (DMF LUP);
 - Monterey County Coastal Implementation Plan, Part 5 (DMF CIP);
 - Monterey County Coastal Implementation Plan (Title 20)

Communications were received during the course of review of the project alleging inconsistencies with the text, policies, and regulations in these documents. Comments were fully analyzed to ensure no issues remain.

- b) Allowed Use. The site is located at 1496 Bonifacio Road in the Del Monte Forest Land Use Plan area (in Pebble Beach) and is zoned Low Density Residential, with a maximum density of 1.5 acres per unit, with a Design Control Overlay, Coastal Zone [LDR/1.5-D (CZ)]. The LDR zoning district permits single family dwellings as a principally permitted use subject to a Coastal Administrative Permit in each case (Section 20.14.040.A). The project includes development related to the residential use of the property, and therefore, the proposed project is a use allowed on the site with the Coastal Administrative Permit. Standards for granting a Coastal Administrative Permit have been met in this case.
- c) Design. The property is subject to the Design Control District "D" zoning standards (Chapter 20.44 of Title 20), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. The neighborhood consists of colors and materials that are earth toned. The as-built patio consists of tan and light brown stone material. The driveway surface is composed of pavers, granite and cement materials. A portion of the driveway will be replaced with truegrid and turf block permeable materials. Another section as shown on the plans, will be replaced with crushed stone and replaced with existing pavers, allowing for a 40% pass through. The materials, location, and nature of the project are consistent with neighborhood character and will not detract from the visual integrity of the site or the area. Pursuant to Section 20.147.070 of the DMF CIP, the as-built patio and driveway are not visible from a public viewing area.
- d) Review of Development Standards. The project includes a patio and driveway improvements which do not change the existing coverage or FAR on the site. The patio is attached to the rear of the existing house and meets the required setbacks for patios, decks, and similar improvements. The driveway is not subject to setbacks.
- e) Freshwater and Marine Resources: Pursuant to Policy 77 of the DMF LUP and Section 20.147.030 of the DMF CIP, impervious surface coverage for residential development within the Pescadero Watershed shall be limited to a maximum of 9,000 square feet. As built, inclusive of the rear patio, impervious surfaces total 13,100 square feet which is more than 9,000 square feet of impervious surface allowed on the site. The project includes after-the- fact permitting of the 660 square foot patio and replacement of 4,600 square feet of impervious driveway surfaces with pervious materials such as truegrid and turf block permeable pavers and re-paving an area to

allow for a 40% pass through, which will bring the site into compliance with 9,000 square feet of impervious coverage limitation. In addition, the project will also include installation of 551 square feet of turf block that was required under previous planning approvals but have not yet been installed. A portion of the driveway that was supposed to be converted to turf block in accordance with Condition No. 13 of Resolution No. 000489 was not completed. This project proposes to come into compliance with Condition No. 13 of Resolution No. 000489 by installing 551 square feet of turf block, which is included in the total 4,600 square feet of proposed pervious materials. In total 8,500 square feet of impervious site coverage will remain on the subject property.

- f) The subject property is not in compliance with all rules and regulations pertaining to zoning uses applicable of the County's zoning ordinance (see Finding No. 4). However, approval of the Coastal Administrative Permit and Design Approval will legalize the patio, gas line, address the impervious site coverage limitation and come into compliance with the previously approved permit (see Finding 2, Evidence e). The project, with replacement of the impervious driveway surface with pervious materials, is in conformance to the County's zoning ordinance. The County has evaluated the project as though the work has not already occurred.
- g) Cultural Resources. The project site is in an area identified in County records as having a high archaeological sensitivity. A previous archaeological report (LIB090047) has been completed and concluded that there was no surface evidence of potentially significant archaeological resources. The site is developed and has been previously disturbed. The potential for inadvertent impacts to cultural resources is addressed through incorporation of a standard condition of approval which requires the contractor to stop work while resources are evaluated if previously unidentified resources are discovered during construction.
- h) The project planner conducted site inspections on July 20, 2018 and February 20, 2019 to verify that the project on the subject parcel conforms to the plans submitted.
- i) The project was not referred to the Del Monte Land Use Advisory Committee (LUAC) for review. Based on the LUAC procedure guidelines adopted by the Monterey County Board of Supervisors, this application did not warrant referral to the LUAC.
- j) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

3. **FINDING:** **SITE SUITABILITY** - The site is physically suitable for the proposed use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA-Planning, Pebble Beach CSD Fire Protection District, RMA-Public Works, RMA-Environmental Services, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development and any conditions recommended have been incorporated.
 - b) The project includes minor improvements associated with an established residential use on a residential property within a residential neighborhood.
 - c) The site is not located in an urbanized area as defined in Chapter 16.14 of the Monterey County Code; however, RMA-Environmental Services has applied conditions of approval requiring drainage improvements in accordance Pescadero watershed policies contained in the Del Monte Forest Land Use Plan. Drainage improvements will include the use of permeable materials to reduce the quantity of stormwater run-off and reconstructing the current drainage system and infrastructures to be entirely on the subject property. With the condition in place, the project will not have adverse impacts on freshwater and marine resources in the vicinity.
 - d) Staff conducted site inspections on July 20, 2018 and February 20, 2019 to verify that the site is suitable for this use.
 - e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

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

- EVIDENCE:**
- a) The project was reviewed by the RMA-Planning, Pebble Beach CSD Fire Protection District, RMA-Public Works, RMA-Environmental Services, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities are existing on the subject property. California American Water Company is the domestic water purveyor and the Monterey Peninsula Water Management District provides wastewater services. The project would not require intensification of services provided.

7. **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) The subject project site is not described as an area where the Local Coastal Program requires physical public access (Figure 8, Major Public Access and Recreational Facilities, in the Del Monte Forest Land Use Plan).
 - b) The subject project site is not identified as an area where the Local Coastal Program requires visual public access (Figure 3, Visual Resources, in the Del Monte Forest Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over the project site.
 - d) Staff conducted site inspections on July 20, 2018 and February 20, 2019.
 - e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

8. **FINDING:** **APPEAL** - Pursuant to Section 20.86.030.C of Title 20, the Appellant, Anthony Lombardo & Associates on behalf of Chris and Sara Bardis (neighbors), timely filed an appeal from the September 27, 2018, decision of the Zoning Administrator (see also Finding No. 1, Process). The appeal challenged the Zoning Administrator's approval and contends that the findings and decision are not supported by the evidence and the decision was contrary to law. Upon consideration of the documentary evidence, the staff report, the oral and written testimony, and all other evidence in the record as a whole, the Board responds as follows to the Appellant's contentions:
- EVIDENCE:**
- a) The text of the Appellant's contentions and the County's responses to those contentions are set forth in Evidences b, c, d, e, f, g h, and i below.
 - b) **Appellant's Contention No. 1:** *A finding of consistency with 20.147.030 is not supported by the evidence. Protection of the water quality and biological value of the Del Monte Forest's coastal streams, wetlands, open coastal waters, and the Carmel Bay through the application of adequate buffers and setbacks, maintaining hydrologic inputs, protecting riparian and wetland vegetation, carefully controlling grading to minimize erosion and sedimentation, and effective collection, filtration, and treatment of runoff cannot be confirmed based on the inadequate plans provided with the application. Deferral of a full drainage plan describing the existing and post-project drainage layout to a date post-approval does not support the finding and approval. The project plans propose to modify the driveway surface from impervious to pervious in order to*

comply with conditions of a prior coastal permit (existing violation of that prior permit). As part of this change, a drainage plan was prepared noting several updates and/or additions of catch basins in the driveway for storm-water capture and dispersal. As part of this change, a drainage plan was prepared noting several updates and/or additions of catch basins in the driveway for storm-water capture and dispersal. The drainage plan is incomplete as:

- 1) It does not explain where the storm-water goes after entering the catch basins.
- 2) It does not describe existing drainage conditions (inclusive of all captured storm water on the property from structures and impervious coverage areas.
- 3) It does not provide drainage calculations to verify the capability of the system to manage the existing stormwater capture plus areas being added to the system.
- 4) It does not describe the method or point of discharge for all captured stormwater (i.e. Dispersion trench).
- 5) It does not verify retention of all captured storm-water on-site in compliance with the requirements of the Pebble Beach Community Services District and RWQCB standards.

Internal correspondence from the county staff notes a prior drainage plan from 2001 showing transfer of storm-water runoff to "the bottom of an existing ravine" as being adequate and implies "off-site" dispersal. The discharge pipe(s) are in fact installed improperly outside the property boundaries and are discharging improperly to a tributary to the Carmel Bay. The current engineer notes "no need for a drainage design" due to "a net decrease in impervious area." This is incorrect and inadequate.

- 1) Drainage off-site is inconsistent with Pebble Beach and RWQCB standards. Modifications to an existing condition must be compliant with current regulations.
- 2) Any modifications to a portion of the drainage does require a review and design for the system in its entirety. As water is in fact being collected from what is now proposed to be "pervious", that water does contribute to the load of the entire system; and it must be reviewed for consistency with regulations.
- 3) As the previous coastal permit concluded that the driveway would be "pervious" to achieve the 9000 sq. ft. limitation, and other impervious areas were in fact added to the site without permits since that time, there is an increased load to the drainage system.
- 4) We note that the existing system is in fact transferring all storm-water via an illegally placed large pipe(s) off-site onto the property of our client, which is improper and illegal. In

addition, the area is in fact part of a conservation easement dedication in favor of the Coastal Commission, to which this dispersal of drainage would be a trespass and violation. As cited by Ms. Alford's representation to the County and the Coastal Commission in other projects, this ravine is considered an area of biological significance to which discharge of collected stormwater is improper and in violation of CEQA.

Response No. 1: Section 20.147.030.A of the CIP requires development within the Pescadero Watershed that drains into the Carmel Bay ASBS to be sited and designed to minimize run-off, site disturbance erosion and sedimentation, and have a maximum of 9,000 square feet of impervious surfaces. The project proposes to permit a 660 square foot rear patio (new impervious area) and replace 4,600 square feet of impervious driveway surfaces to pervious materials, reducing the overall impervious site coverage from 13,100 square feet to 8,500 square feet, thereby complying with the 9,000 square foot impervious site coverage limitation. The project includes approval of two catch basins for stormwater run-off for all stormwater not absorbed naturally through pervious surfaces at the site. A preliminary stormwater control plan (drainage plan) was required and provided only for the scope of the project being considered, not for the existing house. RMA-Environmental Services conditioned the project to require the applicant to submit a final drainage plan that complies with Section 20.147.030 of the CIP, which would identify the dispersal of stormwater run-off that is captured through these catch basins. From Staff's site visit on July 20, 2018 and February 20, 2019, there are drainage pipes that are not entirely on the subject property. The drainage improvements will require the applicant to have a drainage system and supporting infrastructure for the proposed project that is entirely on subject property. A non-standard Condition of Approval has been applied to the project for the drainage system and infrastructure must be screened by vegetation to ensure non-visibility (See Condition No. 8). RMA-Environmental Services has not approved or received a final drainage plan with the requirements detailed above. The engineered drainage plans are required following consideration of the planning entitlements addressed herein. The conditioned of approval states that the drainage plan must minimize run-off, site disturbance erosion and sedimentation through the use of permeable materials (See Condition No. 9).

County staff has confirmed with the Coastal Commission staff that a special condition has been applied to Application Number A-3-MCO-17-0038, that went before the Coastal Commission on July 12, 2018 for the neighboring property as identified above, 1525 Riata Road,

Pebble Beach. The special condition to dedicate a conservation easement stated, "No development, as defined in Section 30106 of the Coastal Act, shall occur within the open space conservation area, which shall include that portion of the property shown on Exhibit 7, except for removal of non-native, diseased, or dead vegetation; habitat restoration; and necessary drainage and utility work (and where such drainage/utility work cannot be located elsewhere, is the minimum amount necessary, and does not impair Monterey pine forest habitat values)." The natural ravine is on both the applicant's property and the appellant's property; however, the conservation easement is for an area on the appellant's property. The previous 2001 approved drainage plan allowed for dispersal to the bottom of the ravine that is on the applicant's property. A Condition of Approval has been added to the project that requires submittal of a final engineered drainage plan. The drainage plan is required to minimize run-off through use of permeable surfaces on the driveway (See Condition No. 9). With replacement of driveway surfaces with pervious materials, the property will have 8,500 square feet of impervious surface coverage which is consistent with the CIP maximum of 9,000 square feet of impervious surfaces.

In addition, the applicant must also submit an erosion control plan (See Condition No. 10) that complies with Monterey County Code Chapter 16.12, which eliminates and prevents conditions of accelerated erosion that have led to, or could lead to, degradation of water quality, loss of fish habitat, damage to property, loss of topsoil or vegetation cover, disruption of water supply, and/or increased danger from flooding. In accordance with Chapter 16.12, an erosion control plan must be provided prior to the issuance of a construction permit. Further, the subject property is not located within an area that is subject to the Municipal General Permit (Phase II Small MS4 General Permit); therefore, the Regional Water Quality Control Board (RWQCB) post-construction requirements do not apply. The County does not enforce Pebble Beach Community Services District requirements.

- c) **Appellant's Contention No. 2:** *The project is not CEQA exempt. An exemption to CEQA cannot be supported if (c): Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The deferral of the drainage plan until after the coastal permit and CEQA determination is made is improper given the existing and proposed increased discharge of stormwater on to the property of another and into an area of biological significance. Section 15604 (d) states that: In evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the*

environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.

Given uncertainty regarding the accuracy of the existing coverage numbers provided in this application versus prior representations, policies relevant to Pescadero watershed could not have been verified. Also, "the ravine" noted in file correspondence as the point of dispersal in a past drainage plan for collected storm-water is an environmentally sensitive area. Failure to address this improper drainage system is not compliant with CEQA. We note also again that the point of dispersal is off-site onto property of another which is improper, illegal, and a violation of coastal commission conversation easement dedication.

Response No. 2: As discussed in Response No. 1, the project proposes to permit a 660 square foot impervious patio and to replace 4,600 of impervious driveway surfaces to pervious materials, reducing the overall impervious site coverage from 13,100 square feet to 8,500 square feet. Previous permits on the property required replacement of approximately 535 square feet of impervious driveway surfaces with turf block. This approval does not rely on the square footage of previously approved replacement of pervious surfaces; rather it relies on licensed surveyor information that demonstrates that the site will be in compliance with the pervious surface limitations of the Pescadero Watershed within the CIP as proposed herein regardless of previous approvals and actions. Since the appellant filed the appeal, the applicant obtained a survey from a licensed professional for accurate square footages of the impervious areas of the property as it exists today. The survey concluded there was a total of 13,100 square feet. The areas are itemized by structure or area. Based on this information, the applicant was able to revise the plans than what was initially approved by the Monterey County Zoning Administrator, to provide accurate square footages for the impervious areas and proposed pervious areas, which are shown are reflected within the recommendation and shown on the attached plans. The project has been conditioned for the applicant to provide a survey to verify the impervious and pervious square footages were installed in accordance with the attached plans (See Condition No. 7).

Reduction in the impervious surfaces would result in a decrease in the amount of stormwater run-off that is currently being dispersed through the catch basins. As discussed in Response No. 1, the project has been conditioned for a final engineered drainage plan to be submitted by the applicant. Areas of stormwater run-off dispersal would be identified and modified to ensure stormwater run-off is

minimized through use of permeable surfaces on the driveway. With replacement of driveway surfaces with pervious materials, the property will have 8,500 square feet of impervious surface coverage which is consistent with the CIP maximum of 9,000 square feet of impervious surfaces. The Condition of Approval applied by RMA-Environmental Services would require the drainage system and infrastructures to be entirely on the subject property. The drainage system and infrastructures must be screened by vegetation to ensure non-visibility (See Condition No. 8). Engineered drainage plans meeting Monterey County standards in Chapter 16.12 of the Monterey County Code are required at the Building Permit stage. Therefore, the proposed project does not present unusual circumstances, and there is no substantial evidence of a reasonable possibility of a significant effect on the environment, as the project reduces the amount of stormwater run-off, complying with the 9,000 square foot impervious coverage limitation.

The project does not present unusual circumstances that would render the categorical exemption inapplicable: stormwater run-off and release of stormwater into natural drainage systems is a regular part of residential development. Additionally, there is no substantial evidence that the project would result in stormwater run-off that has a significant environmental impact. The project will comply with the impervious surface limitations for the area provided in the certified Land Use Plan for Del Monte Forest and the project will not alter any existing drainage patterns on or off the site. Treatment of stormwater run-off water quality is addressed in accordance with standard conditions.

- d) **Appellant's Contention No. 3:** *The finding of consistency with Policy 77 of the DMF LUP and Section 20.147.030 of the DMF CIP is premature, in that inconsistencies in existing and proposed impervious coverages were not adequately verified. In the prior coastal permit action, the project plans attesting to coverage totals for structures, driveways, patios, et al (pervious and impervious) were provided to and accepted by the County. The planning approval and conditions applied to the previous permit were based on those square footage totals, which indicated that that the final total impervious coverage after conversion of the driveway to pervious would be exactly 9000 sq. ft. In addition to the noncompliance with the original permit conditions (to modify the driveway to a pervious surface), the owners have since added additional impervious areas (rear patio, etc.) after the fact without planning approval or permits. In the current application and plans, numerous "square footages" have mysteriously changed without explanation from the prior project plans. We have questioned the new numbers, and how the simple action of complying with the original project condition for the*

driveway will make the site compliant with the 9000 sq. ft. impervious coverage limitation, even though other impervious areas have been added since the last project that was determined to hit the maximum. We noted objection and concern as to what conclusive evidence was given to establish that the new numbers are correct. We suggested that a survey by a licensed surveyor is necessary to verify the calculations, but this has yet to be required. Deferral of the requirement for a full survey until after the approval is inappropriate.

Response No. 3: Since the appellant filed the appeal, the applicant has obtained a survey of the impervious areas of the property and submitted the calculations to County staff (See attached plans). The survey noted a current "as built" total of 13,100 square feet of impervious surfaces. Based on this information, the applicant was able to revise the plans to provide accurate square footages for the impervious areas and proposed pervious areas. As proposed, 4,600 square feet of existing impervious surface will be removed and replaced with pervious materials, resulting in a total impervious surface of 8,500 square feet. The proposed project is conditioned for the applicant to obtain a survey of the impervious and pervious square footages prior to the final of a construction permit. Further, the project site was not in compliance with a condition from a previously approved permit. A Condition of Approval from a previously approved permit required the project to install a portion of the driveway with permeable turf block material. Although the condition was met through the recordation of a deed restriction, the permeable turf block material was never installed. To come into compliance with this condition of approval, the project includes installation of 551 square feet of permeable turf block material on a portion of the driveway as shown in the attached plans (See Response No. 2). The proposed project would have a total of 4,600 square feet of existing impervious surface to be replaced with pervious materials, resulting in a decrease from 13,100 square feet to 8,500 square feet of impervious site coverage for the subject property.

- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

9. **FINDING:**

EVIDENCE:

APPEALABILITY - The decision on this project may be appealed to the California Coastal Commission.

Coastal Commission. Pursuant to Section 20.86.080.A of Monterey Title 20, the project is subject to appeal by/to the California Coastal Commission because it involves development between the sea and the first through public road paralleling the sea (i.e., State

Route/Highway 1). The project does not include development that is permitted in the underlying zone as a conditional use.

DECISION

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

1. Deny the appeal of Chris and Sara Bardis from the September 27, 2018 Zoning Administrator decision approving an after-the-fact Coastal Administrative Permit and Design Approval (RMA-Planning File No. PLN171011/Alford);
2. Find that the project involves the construction of an accessory structure, which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 (e) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
3. Approve an after-the-fact Coastal Administrative Permit and Design Approval, clearing Code Enforcement case (17CE00253), to:
 - a. Replace 4,600 square feet of impervious driveway with pervious materials to correct impervious site coverage in excess of 9,000 square feet,
 - b. Construct a 660 square foot rear patio where a lawn area previously existed; extend a gas line to the rear patio, grill and fireplace; and install new on-site drainage improvements, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED on this 12th day of March 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Lopez, Phillips, Parker and Adams

NOES: None

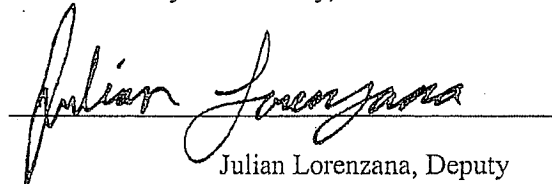
ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 81 for the meeting March 12, 2019.

Dated: March 13, 2019

File ID: RES 19-01

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Julian Lorenzana, Deputy

Monterey County RMA Planning

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

PLN171011

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

This Coastal Administrative Permit and Design Approval (PLN171011) allows an after-the-fact Coastal Administrative Permit and Design Approval to clear Code Enforcement case (17CE00253) to replace 4,600 square feet of impervious driveway with pervious materials to correct impervious site coverage in excess of 9,000 square feet and construct a 660 square foot rear patio where a lawn area previously existed; extend a gas line to the rear patio, grill and fireplace; and install new on-site drainage improvements. The property is located at 1496 Bonifacio Road, Pebble Beach (Assessor's Parcel Number 008-341-037-000), Del Monte Forest Land Use Plan, Coastal Zone. 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 RMA Chief of 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. (RMA - Planning)

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

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

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure:

"A Coastal Administrative Permit and Design Approval (Resolution Number 19-072) was approved by Monterey County Board of Supervisors for Assessor's Parcel Number 008-341-037-000 on March 12, 2019. The permit was granted subject to 12 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

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

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

Responsible Department: RMA-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 RMA - 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.
(RMA - 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 RMA - 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. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

5. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the County Counsel for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel.

6. COMPLETION OF WORK (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The owner/applicant/agent shall complete the permitted work as described in Condition No. 1 within one (1) year from the date of approval. (RMA – Planning)

Compliance or Monitoring Action to be Performed: Within one (1) year of the date of approval, owner/applicant/agent shall submit proof to RMA-Planning that all work associated with this permit has been completed and final construction permits have been obtained.

7. IMPERVIOUS SITE COVERAGE CALCULATION (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The owner/applicant/agent shall comply with the 9,000 square foot impervious site coverage limitation per Section 20.147.030 of the Del Monte Forest Land Use Plan and identify the square footage of total impervious and pervious site coverage on the construction plans. The owner/applicant/agent shall provide a survey from a licensed civil surveyor, to RMA-Planning for review and approval, that the impervious and pervious site coverages identified on the plans is consistent with what was approved on the planning permit associated with this project. (RMA – Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of construction permits –
The owner/applicant/agent shall have the square footage of total impervious and pervious site coverage identified on the construction plans that complies with Section 20.147.030 of the Del Monte Forest Land Use Plan and the approved planning permit.

Prior to the final inspection –

The owner/applicant/agent shall provide a survey from a licensed civil surveyor, to RMA-Planning for review and approval, that the as-built impervious and pervious site coverage identified on the plans is consistent with what was approved on the planning permit associated with this project.

8. DRAINAGE SYSTEM/INFRASTRUCTURE SCREENING (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To reduce any visual impacts, the drainage system and supporting infrastructure must be screened by vegetation to ensure non-visibility. The owner/applicant/agent must provide evidence to RMA-Planning demonstrating the reduction in visual impacts. (RMA-Planning)

Compliance or Monitoring Action to be Performed: Prior to final of the construction permit -
the owner/applicant/agent must provide evidence that the drainage system and supporting infrastructure installed according to the approved plans is be screened by vegetation ensuring non-visibility. RMA-Planning shall conduct a site visit to verify the site with the evidence submitted.

9. STORMWATER CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit a stormwater control plan with supporting calculations, prepared by a registered civil engineer or other qualified professional, to mitigate on-site and off-site impacts. The plan shall show impervious surface stormwater runoff dispersed at multiple points on-site, away from and below structures and foundations, with erosion control at the outlets. Drainage improvements shall be constructed in accordance with plans by RMA-Environmental Services. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit a stormwater control plan to RMA-Environmental Services for review and approval.

10. EROSION CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit an erosion control plan in conformance with the requirements of Monterey County Code Chapter 16.12. The erosion control plan shall include a construction entrance, concrete washout, stockpile area(s), material storage area(s), portable sanitation facilities and waste collection area(s), as applicable. The plan shall also include RMA-Environmental Services standard inspection notes 1, 2, & 3. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit an erosion control plan to RMA-Environmental Services for review and approval.

11. GEOTECHNICAL PLAN REVIEW

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from the licensed practitioner that the geotechnical recommendations have been incorporated into the stormwater control plan. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or construction permit, the applicant shall provide certification from the licensed practitioner(s).

12. AS-BUILT CERTIFICATION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: Prior to final inspection, the applicant shall provide a letter from a licensed engineer certifying that all development has been constructed in accordance with the recommendations in the Geotechnical Investigation and the approved stormwater control plan. (RMA- Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed professional engineer.

TINA HANNAS-DE FREITAS
 PERMIT COORDINATOR
 37748 PALO COLORADO RD.
 CARMEL, CA 93923
 P: (831) 620-0622
 E: tina.hannas@gmail.com

PROJECT:

ALFORD RESIDENCE
 1496 BONIFACIO RD.
 PEBBLE BEACH, CALIFORNIA
 APN: 008-341-037-000

TITLE:

ISSUED FOR:

REVISIONS:

APR 2019 P06/REVISION PREP

SHEET DESCRIPTION:
TITLE SHEET
 SHEET: **A1**

PROJECT INFORMATION:

APN: 008-341-037-000
 SITE AREA: 761,700 SF = 1.749 AC
 ADDRESS: 1496 BONIFACIO RD., PEBBLE BEACH, CA
 PLANNING FILE: PM173011
 Grading: Approximate, 2007 CAL/POST RM
 Tree Removal: None
 Governing Codes: SBE, CEC, CFC, CEC & HPA Code & California 174
 Construction Type: Type VB
 Parking: 2 Covered, 2 Uncovered
 Hoisted Area: 5397.8 SF
 Floor Area: Existing and Proposed: 5312.57 SF

SHEET INDEX:

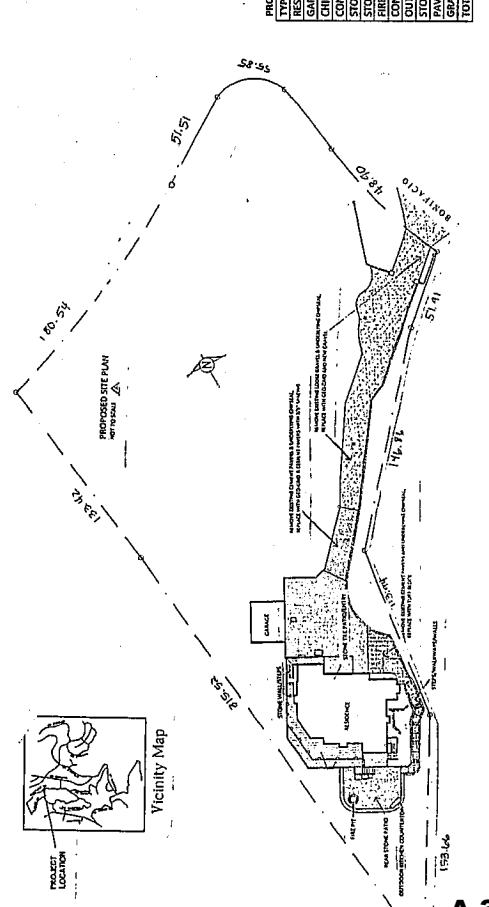
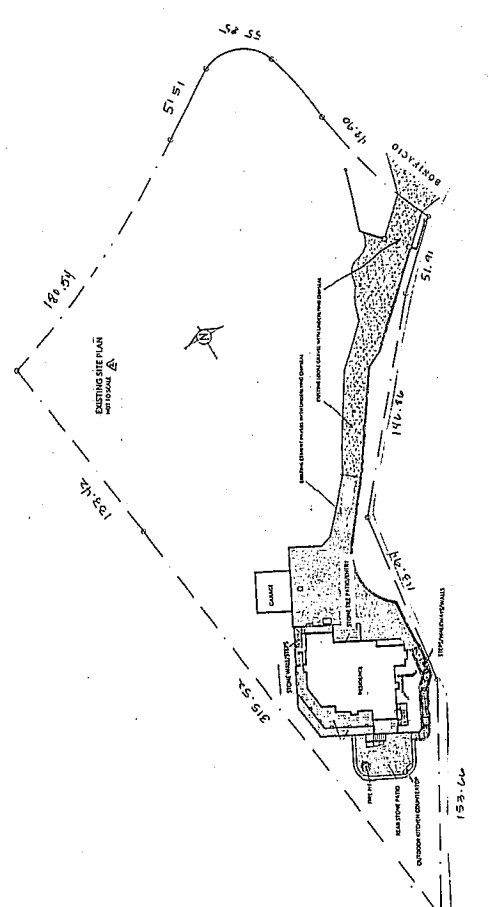
- A1 SITE PLAN/TITLE SHEET
- T1 TOPO MAP/70 SCALE
- T2 TOPO MAP/100 SCALE
- C1 COVER SHEET/GENERAL NOTES
- C2 SITE PLAN
- C3 EROSION CONTROL/CHP
- P21 GAS LAYOUT/SCHEMATIC

PROJECT TEAM:

Owner:
 Tony Allard
 1413 Kitchell Rd.
 Gilroy, CA 95020
 PH: (408) 845-1000
Architect:
 Tina Hannas-De Freitas
 37748 Palo Colorado Rd.
 Carmel, CA 93923
 PH: (831) 620-0622
 Email: tina.hannas@gmail.com
Engineer:
 Tom Henschel
 Wilson Engineers
 5 Hunt Court
 San Jose, CA 95128
 PH: (408) 645-5125
 Email: thenschel@wilsoneng.com
Geotechnical Engineer:
 Soil Science Group, Inc.
 109 Church St.
 San Jose, CA 95131
 PH: (408) 752-2172
Civil Engineer:
 C3 Engineering, Inc.
 135 Bonifacio Rd. Ste C
 Pebble Beach, CA 93955
 PH: (831) 627-1192
 Email: c3eng@earthlink.net

DEVELOPMENT ANALYSIS:

Scope of Work:
 After the first permits to clear violations per 37C00053 to correct impervious site coverage
 and 37C00054 to correct impervious site coverage, the applicant shall submit a revised site plan
 and comply with the following conditions:
 (a) remove concrete and underlying asphalt at North-East end of driveway and replace with
 a new gas grill and gas line ring. For installation of TWO (2) IN-CATCH BASINS to replace 2 existing
 basins and install new catch basins. Estimated 2007 CAL/POST RM. No tree removal.
 No Exterior Lighting Proposed.

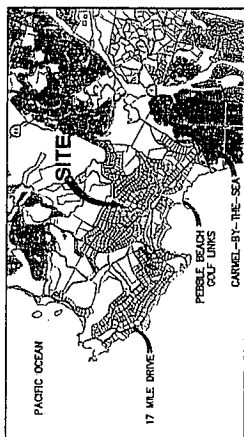


TYPE	SQ. FT.
RESIDENCE	2,006
GARAGE	505
CHIMNEY	11
CONCRETE	101
STONE TILE PATIO/ENTRY	1,179
STONE PATIO/REAR	620
FREE PIT	15
CONCRETE WALLS/COLUMNS	387
OUTDOOR KITCHEN COUNTERTOP	25
PAVER DRIVEWAY/PAVEMENT	3,357
GRAVEL DRIVEWAY/PAVEMENT	3,589
TOTAL EXISTING IMPERVIOUS SITE COVERAGE	13,100

TYPE	SQ. FT.
TOTAL EXISTING IMPERVIOUS SITE COVERAGE	13,100
TOTAL EXISTING IMPERVIOUS DRIVEWAY	4,600
TOTAL EXISTING IMPERVIOUS SITE COVERAGE	8,500
MAXIMUM ALLOWABLE	9,000

TYPE	SQ. FT.
RESIDENCE	2,006
GARAGE	505
CHIMNEY	11
CONCRETE	101
STONE TILE PATIO/ENTRY	1,179
STONE PATIO/REAR	620
FREE PIT	15
CONCRETE WALLS/COLUMNS	387
OUTDOOR KITCHEN COUNTERTOP	25
PAVER DRIVEWAY/PAVEMENT	2,841
GRAVEL DRIVEWAY/PAVEMENT	2,841
TOTAL PROPOSED IMPERVIOUS SITE COVERAGE	8,500

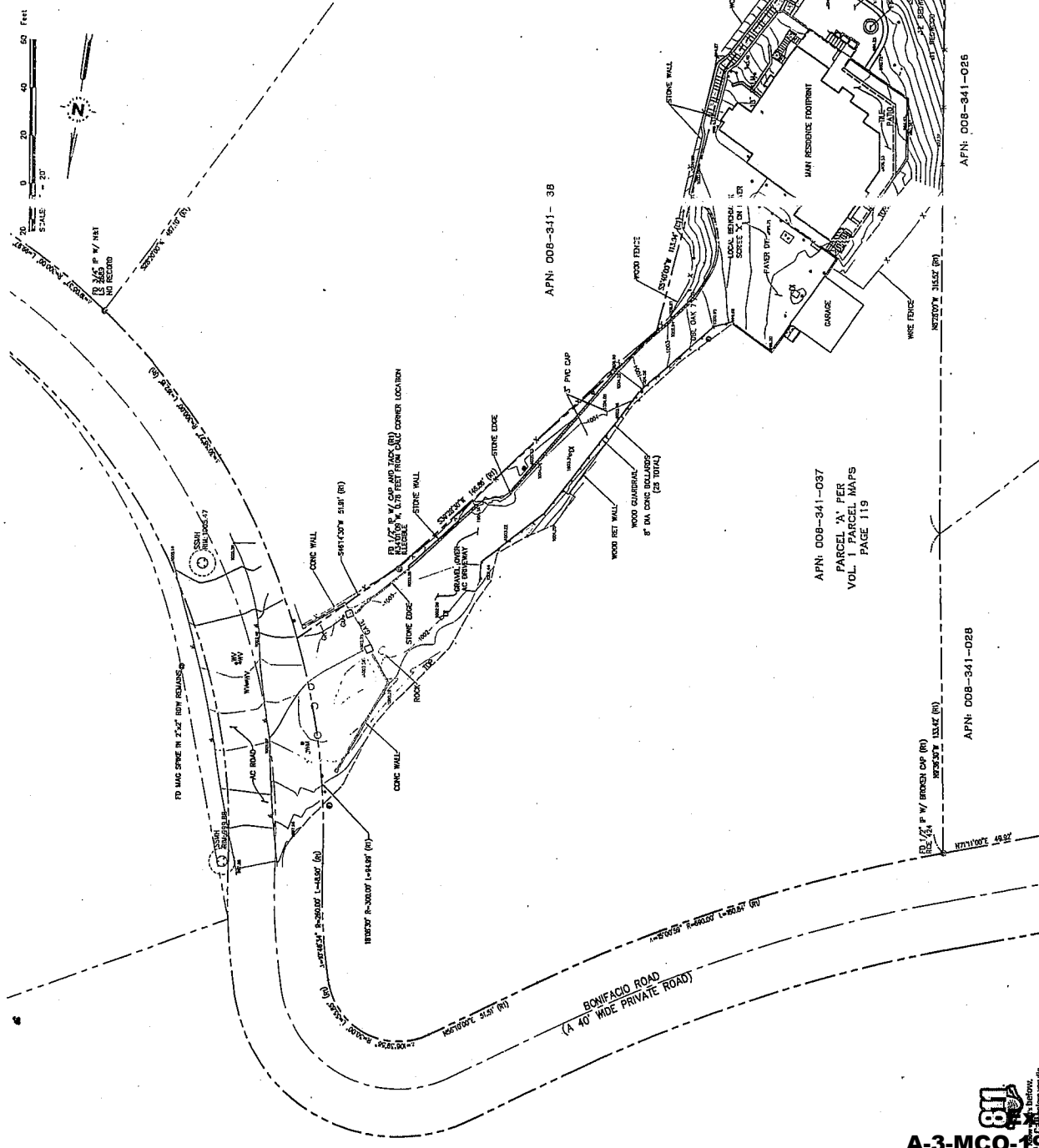
TYPE	SQ. FT.
PREVIOUS TURF BLOCK DRIVEWAY PAVERS	551
PREVIOUS PAVERS	596
PREVIOUS GRAVEL DRIVEWAY	3,453
TOTAL PROPOSED IMPERVIOUS DRIVEWAY COVERAGE	4,600

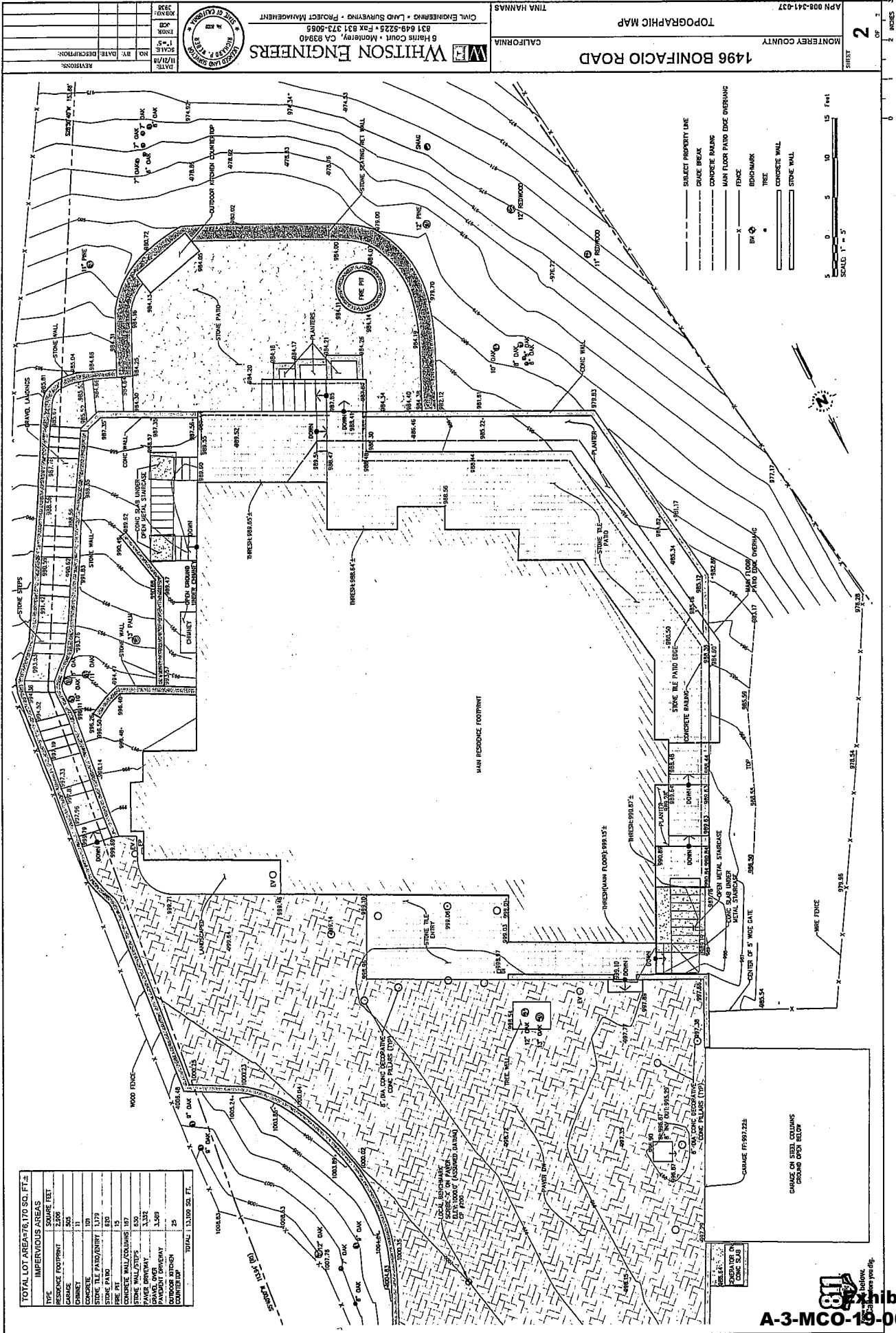
 VICINITY MAP

NOTES:

1. THIS MAP REPRESENTS A TOPOGRAPHIC SURVEY OF THE AREA CONDUCTED BY WILSON DUNSTON ON NOVEMBER 10TH, 1974. THE DATE OF THIS SURVEY IS NOT KNOWN, BUT IS PROBABLY FROM NOVEMBER 10TH, 1974. THIS MAP PORTRAITS THE SITE AT THE TIME OF THE SURVEY AND DOES NOT SHOW SOILS OR ECOTONE INFORMATION, UNDERGROUND CONDITIONS, ELEVATIONS, ZONING OR REGULATORY INFORMATION OR ANY OTHER INFO NOT SPECIFICALLY REQUESTED BY THE CLIENT.
2. THE SURVEY WAS CONDUCTED BY WILSON DUNSTON AND WAS DETERMINED BY THE RESULTS OF A FIELD SURVEY OF THE AREA. THE SURVEY WAS CONDUCTED BY WILSON DUNSTON AND WAS DETERMINED BY THE RESULTS OF A FIELD SURVEY OF THE AREA. THE SURVEY WAS CONDUCTED BY WILSON DUNSTON AND WAS DETERMINED BY THE RESULTS OF A FIELD SURVEY OF THE AREA.
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LEGEND

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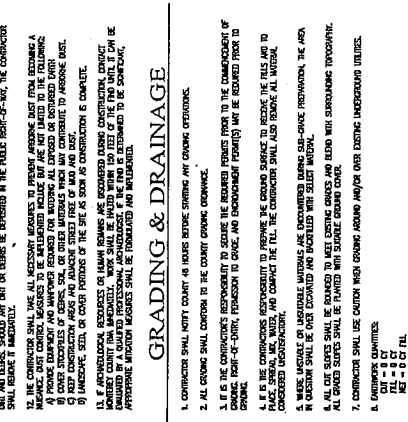
GENERAL NOTES

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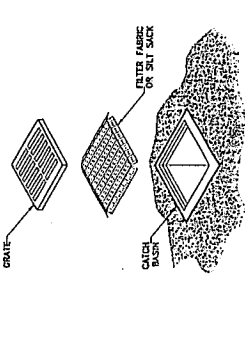
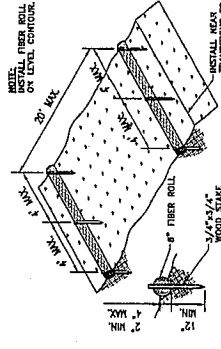
TO VERIFY THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND MAINTAIN A CURRENT RECORD OF THE LOCATION OF ALL UTILITIES THROUGHOUT THE PROJECT.

[illegible]

ASSOCIATED WITH THE CHANGE OR REMOVAL.



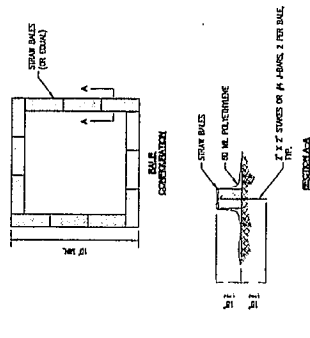
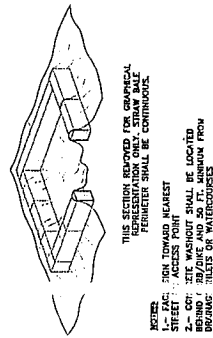


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INSPECTIONS

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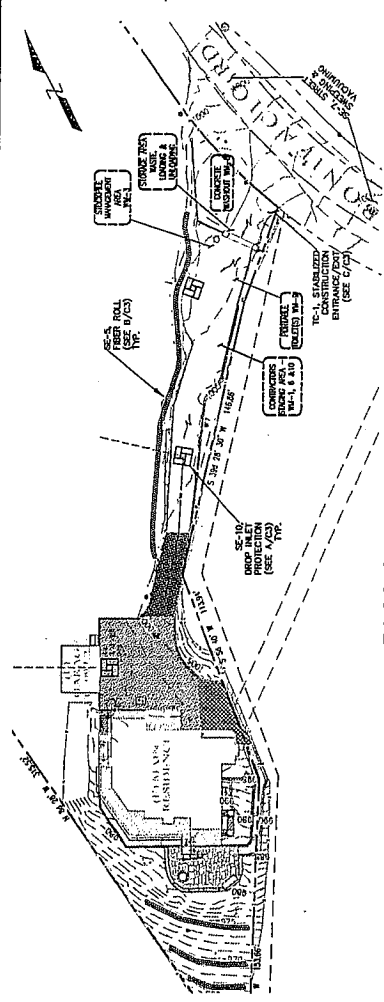
CONCRETE WASHOUT



②

THIS SECTION REMOVED FOR GRAPHICAL REPRESENTATION ONLY. STRAW BALL PERIMETER SHALL BE CONTINUOUS.

STORMWATER MANAGEMENT



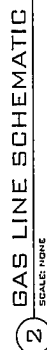
4. NO PART OF THE EXHAUSTION SYSTEM SHALL BE NECESSARY MEASURES TO MINIMIZE SOOT, OILS AND INSULANT SEDIMENT LADEN RUN-OFF FROM ENTERING THE STORM DRAINAGE SYSTEM. ACCEPTABLE MEASURES MAY INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING: INSULATION OF PIPES, SLOTTED, SLANTING BARS, CHECK DAMS, SOOT FILTERS, CATCH BASINS, FIBER GLASS BARRIERS, FIBER GLASS, STAINLESS

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1. FOR SOME REASONS TO MOTIVATE (SEE LIST) OF UNEMPLOYED INDIVIDUALS ARE CHOICE INDICATOR COUNTY AND -
PLANNING AND A DIVERSE AND VARIOUS MARKETING / CULTURE, MANAGEMENT, HISTORY, OR PLANNING
INDICATORS ARE INDICATED.

INSTITUTE OF MANAGEMENT AND MATERIALS
FOODS CONTROL
NATIONAL DEPT. OF AGRICULTURE
WASHINGTON, D.C. 20250-1144

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APR 16 2019

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060-4508
VOICE (831) 427-4863 FAX (831) 427-4877

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Christo & Sara Bardis

Mailing Address: 5125 Riata Road

City:

Pebble Beach

Zip Code:

93940

Phone:

916-798-5999

SECTION II. Decision Being Appealed

1. Name of local/port government:

County of Monterey

2. Brief description of development being appealed:

After the fact Coastal Administrative Permit and Design Approval to clear a code enforcement case to correct impervious coverage in excess of 9000 sq. ft. in non-compliance with a prior CDP requirement and to legalize improvements built without permits.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

1496 Bonifacio Road, Pebble Beach (008-341-037-000) Del Monte Forest LCP

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

A-3-MCO-19-0024

DATE FILED:

April 16, 2019

DISTRICT:

Central Coast

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
- ☐ City Council/Board of Supervisors
- ☐ Planning Commission
- ☐ Other

6. Date of local government's decision: _____

7. Local government's file number (if any): _____

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1)

(2)

(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

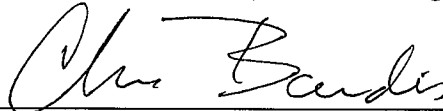
PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: 4-15-19

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize

to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

Attachment to Appeal (Alford – PLN171011/County of Monterey)

Consistence with 20.147.030 is not supported by the evidence. Deferral of a drainage plan is inappropriate and causes undue burden upon surrounding property owners. Protection of the water quality and biological value of the Del Monte Forest's coastal streams, wetlands, open coastal waters, and the Carmel Bay cannot be confirmed based on the inadequate plans provided with the application. The engineer (c-3 engineers) repeatedly state that a drainage pan is not necessary for the changed occurring to the driveway. Unfortunately, the report ignores and fails to analyze drainage improvements installed inconsistent with prior approvals and disregarding the property deed restrictions, and does not analyze the other areas of impervious coverage that were added to the property without permits after development of the former drainage plan and system. This complain will focus on the following: 1) A review of inadequacies and problems with the County's decision, 2) An analysis and outline of the drainage, sedimentation, and erosion damages on our property, 3) the County's misguided application of CEQA, and 4) other serious health and safety concerns.

As noted in our appeal:

- Internal correspondence from county staff notes a prior drainage plan from 2001 showing transfer of storm-water runoff to "the bottom of an existing ravine" as being adequate. While the discharge pipe(s) are in fact installed illegally outside the property boundaries, they are now and would potentially continue to discharge improperly to a tributary to the Carmel Bay, an area of biological significance, even if they are relocated "on-site" as hypothesized in the permit conditions.
- The County decision discusses and cites to the Coastal Commission decision and findings relative to the "area of biological significance" in Bardis (A-3-MCO-17-0038), but then fails to apply the same findings and conditions to Alford PLN171011.

"The Coastal Commission "identified this wooded canyon as an environmentally sensitive habitat area {ESHA} and a major drainage swale. To ensure its protection consistent with the LCP's ESHA policies, the easement was required as a condition... to ensure its protection in perpetuity"

The ravine that is the subject of the Coastal Commission finding in Bardis of ESHA is also present on the Alford property (see attached image). As presented in the remedial plans provided by the applicant in the Alford application, the existing and proposed drainage facilities will daylight/discharge into the ravine (ESHA).

A condition for the dedication of a Conservation Easement over those areas of ravine (ESHA) on the Alford property should be required.

- The engineer claimed "no need for a drainage design" due to "a net decrease in impervious area". This is incorrect in that: a.) some components of the existing drainage facilities are unpermitted and illegal (see original approved driveway plan

attached), b.) the existing drainage system that discharges illegally on to the conservation easement area of the Bardis property has not been explained/documentated, and the applicant has provided no plan or evidence that they intend to reroute that drainage (structural drainage) or to where. All drainage exhibits provided to the County address only proposed drainage outlets for the driveway and the rear patio (albeit improperly to the ravine). c.) new areas of impervious coverage were added without connectivity to the existing drainage for which no analysis of storm water management was provided, and d.) the existing unpermitted catch basins in the unpermitted impervious driveway are proposed to be retained and rebuilt. The plans show that these catch basins will discharge directly into the ravine (ESHA). The County decision failed to address the purpose/need for drainage catch basins in an area purported to become "pervious" and failed to require dispersal of all drainage to other areas outside the ravine (ESHA).

The Alford property and now the County determination has caused drainage, erosion, and sedimentation damages to the Bardis property, as further examined below.

This claim arises out of an action by Monterey County on the referenced property for drainage, erosion and sedimentation damages to our property that have and will continue to occur as a result of the County's willful and negligent approvals of various permitted and non-permitted development activities on the Alford Property. The County's March 12, 2019, denial of our appeal of the after-the-fact Coastal Administrative Permit and Design Approval for the Alford Property is just one more example of how the County has willfully and negligently allowed various permitted and non-permitted development activities to occur on the Alford Property over time without regard to the adverse impacts those approvals have caused and will continue to cause to our property and without regard to certain recorded restrictions on the Alford property. It is unreasonable for the down slope neighbor to be responsible for additional drainage.

The long history of numerous development approvals and code enforcement actions on the Alford Property is well documented in the administrative record. The administrative record, as well as the outline above, sufficiently document the various actions taken by the County to willfully and negligently approve development activities on the Alford Property, often retroactively.

Accordingly, we will not attempt to recite or dwell on the details of those activities here, however they are listed below. This long history of actions by the County clearly documents the County's willful and negligent disregard for the incremental and cumulative adverse drainage, erosion and sedimentation impacts those actions have caused and will continue to cause to our property.

The damages caused to our property as a result of the County's willful and negligent approvals of development activities on the Alford Property include, but are not limited to, erosion of our hillside, drainage and sedimentation problems on our property requiring costly repairs and improvements, and degradation of the value of our property.

An estimate of the amount of these damages is currently being prepared. Once completed, the estimate will be forwarded to the County of Monterey for reimbursement. When received by the County, the estimate should be included with this claim just as if it were attached to and incorporated within this letter.

Specifically, the County has willfully and negligently approved and/or allowed the ongoing improper development activities on the Alford Property in blatant disregard for the reasonably foreseeable

adverse impacts to our property. These improper development activities include, but are not limited to, the following:

1. Watershed Diversion.

- a. Approximately 80% of the residence impervious area on the Alford Property, including additional sidewalks and the new patio, falls within a micro-shed that drains directly onto the buildable portions of our property (the Bardis Micro-Shed), and not directly to the ravine (the Ravine Micro-Shed).
- b. The permitted and non-permitted development activities on the Alford Property have and/or will continue to alter the historical drainage patterns on the Alford Property to our detriment.
- c. The permeable surfacing to mitigate for the increase runoff from the residence, additional walkway and new patio areas is and/or will be installed in an area of the Alford Property that is located in the Ravine Micro-Shed.
- d. The failure to mitigate for increased impervious coverage within the same micro-shed as the increased impervious areas are located constitutes an illegal shed diversion. The increased impervious areas from the residence, additional walkways and patio areas will result in increased rates and volumes of runoff leaving the Alford Property and immediately entering our property without corresponding mitigation. The resulting increased runoff being discharged onto our property will further exacerbate the drainage, erosion and sedimentation problems occurring on our property.
- e. Inspection of the conceptual-level engineering plans submitted in support of the Alford Application indicates that it may not be physically possible to gravity drain the increased runoff from the Bardis Micro-Shed to the Ravine Micro-Shed without trespassing across our property.

2. Increased Runoff.

- a. The absence of drainage conveyance facilities to transfer the resulting increase in runoff from the Bardis Micro-shed to the Ravine Micro-Shed results in increased runoff illegally entering onto our property.
- b. The proposed mitigation, replacement of existing impervious driveway areas with permeable surfacing materials only further exacerbates the watershed division discussed above.
- c. The increased runoff resulting from the improperly designed drainage system has and will continue to cause drainage, erosion and sedimentation problems on our property.

3. Improper Improvements.

- a. The discharge pipes from the Ravine Micro-Sed were previously installed on the Bardis Property without our knowledge and consent, and without proper easements.
- b. The discharge pipes were installed improperly across the surface of the ground on our property and not buried in accordance with County regulatory requirements.
- c. The illegal and improper installation of the discharge pipes on our property not only constitutes an illegal taking of our property, it is prima-facie evidence that the County's inspection program failed to identify and correct this problem at the time of installation and final inspection of previous development activities on the Alford Property.

- d. The removal of the discharge pipes from our property will require restoration of the disturbed areas to pre-existing conditions. These repairs and surface restoration should be included in the yet to be submitted and approved stormwater control plan for the Alford Property
 - e. The above ground discharge pipes on the Alford Property cause visual blight and degrade the value of all properties in the neighborhood. These improper installations need to be corrected.
4. Negligent Design.
- a. Existing Geologic Conditions.
 - i. Notwithstanding the shed diversion issue mentioned above, both the previously and proposed permeable surfacing to mitigate for increased impervious areas on the Alford Property fail to recognize the existence of geologic conditions under the driveway area that will prevent and/or significantly restrict the ability to percolate of the captured runoff on the Alford Property. The soil profile existing under the driveway area consists of a very thin layer of topsoil overlaying bedrock which is impermeable.
 - ii. The use of permeable surfacing over bedrock is contraindicated from a design perspective. Clearly, this mitigation strategy is fatally flawed. Continuation of the use of this mitigation strategy for the recently approved Alford Application will result in further increases in runoff leaving the Alford Property and causing further drainage, erosion and sedimentation problems on our property. An alternative mitigation strategy must be devised and implemented to prevent further damage to our property.
 - b. Unsafe Structural Conditions.
 - i. Reconstruction of the existing driveway to accomplish the permeable surfacing mitigation strategy will jeopardize the structural integrity of an existing and failing retaining wall system that retains the driveway fill. The heavy construction loads that will be placed on the fill to remove the exiting driveway surfacing materials and install the permeable surfacing will in all likelihood result in further degradation of the structural integrity of the existing retaining wall system unless the retaining wall system is repaired to adequately retain the driveway fill and construction loads.
 - ii. The condition of the existing retaining wall system constitutes a clear and present threat to the public health and safety. This condition must be immediately rectified to prevent its failure.
 - iii. In the absence of structural improvements to the failing retaining wall system, it is reasonably foreseeable that the wall will fail and cause a washout of the driveway resulting in significant erosion and additional sediment being washed down the hill onto our property and into the ravine.
 - c. Inadequate Drainage System.
 - i. The grading of the driveway and the number and location of the existing and proposed driveway drains appear to be inadequate to capture and underground

runoff from the driveway. Failure to capture and underground this runoff will result in greater surface runoff into the ravine and across our property.

- ii. Existing discharge pipes from the driveway drainage systems appear to be installed improperly. Failure to properly capture and convey runoff from the driveway has and will continue to cause erosion and sedimentation problems on both the Alford Property and our property. These problems will result in further damage to our property.

These improper development activities have caused and will continue to cause drainage, erosion and sedimentation problems on our property. The County's continuing failure to identify and adequately address these adverse impacts to our property was and is unconscionable.

The incremental and cumulative adverse impacts created on our property by the County's willful and negligent approvals of the improper development activities on the Alford Property have caused damage to our property. Unless corrected, these improper development activities will further damage our property.

The County decision also lacks merit as it failed to analyze the project as a whole in applying CEQA exemptions. The project is not CEQA exempt. An exemption to CEQA cannot be supported if: (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The deferral of the drainage plan until after the coastal permit and CEQA determination is made is improper given the existing and proposed increased discharge of storm water on to the property of another and into an area of biological significance. Section 15604 (d) states that:

In evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.

In order to bring the impervious coverage into compliance, the applicant proposes to remove and replace driveway surface along the entire length of the driveway, with a combination of pervious pavers (replaced/reset to meet minimum permeability) and removal of chip seal pavement to be replaced with a geogrid system over a recompacted base soil. The proposed changes and construction activities will impact the existing large retaining wall structure that supports the driveway along its perimeter above the ravine on the Alford property. Modifications to the driveway for installation of a "geo-grid" system and pervious pavers are noted in the plans to require consideration excavation of existing non-pervious materials and compaction of new base materials. The existing large retaining wall supporting the driveway is currently aging and appears to be failing. The County review and decision failed to review the structural integrity of the existing retaining wall or to analyze the potential for failure at the wall from the proposed activities in this area. Potential failure of the existing retaining wall could cause the driveway to collapse, which would slide/discharge directly into the ravine (ESHA).

Lastly, the County failed to address the illegal, unpermitted, patio that increased the water draining into our property and has created a dangerous condition by installing an unpermitted, exposed gas line running on top of the surface, as well as underneath the unpermitted patio. This is a dangerous

condition that is a continued public health and safety risk and we are concerned that the County is not taking adequate measures to address these very serious concerns.

We hereby request that the California Coastal Commission investigate these improper development activities and immediately take the corrective actions necessary to mitigate all past and future damages to our property. In the absence of the California Coastal Commission taking corrective action, we will pursue legal action against the County and Coastal Commission to compensate us for the damages to our property.

As state earlier, the list below encompasses a number of concerns related to the Alford property, with photo exhibits attached.

1. There are two illegal unpermitted catch basins in driveway that drain unfiltered run off into the Carmel Bay. Exhibit A. Note on Exhibit A following the downspouts that may illegally divert water to a different water shed by illegally placing a drainage system that diverts unfiltered water into Carmel Bay identified on Exhibit B.
2. Turf block was required pursuant to an irrevocable deed restriction, that was not installed. Exhibit B
3. Pavers that were installed pursuant to that irrevocable deed restriction that are not pervious and do not have the 40% retention that is required. Exhibit C
4. The property has not maintained the pervious condition that is subject to County approval conditions. Exhibit D
5. There is unpermitted increase of impervious materials installed on the east side of the property. Exhibit E
6. There is a 12 foot wall that was installed unpermitted, on which was later received an after-the-fact permit. Exhibit F
7. Worst of all, there is a gas line installed of approximately 300 feet with no permitted connection, some of which is exposed above the surface, which could threaten other life and property. Exhibit G
8. The illegal back patio was converted to impervious without a permit. Exhibit H
9. Applying concrete and stone over the pervious deed restricted patio is increasing drainage to neighbor's property. Exhibit H
10. Filling the patio on land that appears to be a 30% slope.
11. Installation has taken place of a patio wall as a seating area that has 12 foot drop and no railing. Exhibit F
12. There has been installation of surface electrical conduit without permitting. Exhibit I

13. There are massive pipes on appellant's property, illegally installed, draining indirectly into Carmel Bay affecting the Pescadero Water Shed without a filtration system. Exhibit J
14. County is not responding to the potential failing retaining wall that could discharge into Carmel Bay. Exhibit H
15. There has been illegal rental of the property in violation of the Coastal Commission Regulations. Exhibit K

**Before the Board of Supervisors
in and for the County of Monterey, State of California**

In the matter of the application of:

ALFORD TRACY TR (PLN171011)

RESOLUTION NO. 19-072

Resolution by the Monterey County Board of
Supervisors:

1. Deny the appeal of Chris and Sara Bardis from the September 27, 2018 Zoning Administrator's decision approving an after-the-fact Coastal Administrative Permit and Design Approval (PLN171011/Alford);
2. Find that the project involves the construction of an accessory structure, which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 (e) of the CEQA Guidelines; and
3. Approve an after-the-fact Coastal Administrative Permit and Design Approval, clearing Code Enforcement case (17CE00253), to:
 - a. Replace 4,600 square feet of impervious driveway with pervious materials to correct impervious site coverage in excess of 9,000 square feet,
 - b. Construct a 660 square foot rear patio where a lawn area previously existed; extend a gas line to the rear patio, grill and fireplace; and install new on-site drainage improvements.

[PLN171011, Alford Tracy TR, 1496 Bonifacio Road, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone (Assessor's Parcel Number 008-341-037-000)]

The appeal by Chris and Sara Bardis from the decision by the Monterey County Zoning Administrator to approve a Coastal Administrative Permit and Design Approval (PLN171011/Tracy Alford Trust) came on for a public hearing before the Monterey County Board of Supervisors on March 12, 2019. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS

1. **FINDING:** **PROCESS** – The County has processed the subject Coastal Administrative Permit application (RMA-Planning File No. PLN171011 – ALFORD) (“project”) in compliance with all applicable procedural requirements
- EVIDENCE:** a) On May 22, 2018, pursuant to Section 20.76 of Monterey County Code (Title 20), Tracy Alford Trust (“applicant”) filed an application for an after-the-fact Coastal Administrative Permit and Design Approval to clear a Code Enforcement violation (17CE00253) by replacing 4,708 square feet of impervious surface driveway with pervious materials and constructing a 1,052 square foot rear patio, grill and fireplace, and install new on-site drainage improvements on a project site located on 1496 Bonifacio Road, Pebble Beach (Assessor's Parcel Number 008-341-037-000), Del Monte Forest Land Use Plan, Coastal Zone. Since the appellant filed the appeal, the applicant obtained a survey from a licensed professional to identify the square footage of the existing impervious surfaces on the property (see attached plans). The project being recommended for approval is an after-the-fact Coastal Administrative Permit and Design Approval to clear a Code Enforcement violation (17CE00253) by replacing 4,600 square feet of impervious surface driveway with pervious materials and constructing a 660 square foot rear patio, grill and fireplace, and install new on-site drainage improvements.
- b) The project was set for an administrative hearing on August 15, 2018. Notices for administrative hearing were published in the Monterey County Weekly on August 3, 2018; posted at and near the project site on August 2, 2018; and mailed to vicinity property owners and interested parties on August 1, 2018. The County received two letters requesting a public hearing on August 9, 2018. See Finding No. 2, Evidence h.
- c) The project was subsequently set for a public hearing before the Monterey County Zoning Administrator on September 27, 2018. Notices for the public hearing before the Zoning Administrator were published in the Monterey County Weekly on September 13, 2018; posted at and near the project site on September 12, 2018; and mailed to vicinity property owners and interested parties on September 12, 2018.
- d) On September 27, 2018, the Zoning Administrator approved an after-the-fact Coastal Administrative Permit and Design Approval to clear Code Compliance case No. 17CE00253 (Monterey County Zoning Administrator Resolution No. 18-056).
- e) Pursuant to Section 20.86.030.C of Title 20, Anthony Lombardo & Associates, on behalf of Chris and Sara Bardis (neighbors), timely filed an appeal from the September 27, 2018, decision of the Zoning Administrator. The appeal challenged the Zoning Administrator’s approval and contends that the findings and decision are not

supported by the evidence and the decision was contrary to law. See Finding No. 8 (Appeal) for the summary of the Appellants' specific contentions and the County responses to those contentions.

- f) Pursuant to Sections 20.86.030.C and E, an appeal shall be filed with the Clerk of the Board of Supervisors within 10 days after written notice of the decision of the Appropriate Authority. Monterey County Zoning Administrator Resolution No. 18-056 was mailed to the Applicant on September 28, 2018. An appeal was filed with the Clerk of the Board of Supervisors on October 8, 2018, within the 10-day timeframe prescribed by Section 20.86.030.C of Title 20. The appeal hearing is de novo. A complete copy of the appeal, including the additional contentions, is on file with the Clerk of the Board, and is attached to the March 12, 2019, staff report to the Board of Supervisors as Attachment C.
- g) On October 12, 2018, staff received correspondence from the applicant and appellant agreeing to postpone the public hearing to January 29, 2019. On January 8, 2019, the applicant requested another continuance to March 12, 2019 to allow time to revise the plans to address concerns of the appellant. On January 11, 2019, Staff received correspondence from the appellant agreeing to the additional continuance. Accordingly, the hearing before the Board of Supervisors was scheduled and duly noticed for March 12, 2019.
- h) Notice of the hearing on the matter before the Board of Supervisors was published on February 28, 2019, in the Monterey County Weekly; notices were mailed and emailed on February 28, 2019, to all property owners and occupants within 300 feet of the project site, and to persons who requested notice; and at least three (3) notices were posted at and near the project site by March 2, 2019. The Board conducted the public hearing on March 12, 2019.
- i) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011; Clerk of the Board of Supervisors' file(s) related to the appeal.

2. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 1982 Monterey County General Plan (General Plan);
 - Del Monte Forest Land Use Plan (DMF LUP);
 - Monterey County Coastal Implementation Plan, Part 5 (DMF CIP);
 - Monterey County Coastal Implementation Plan (Title 20)

Communications were received during the course of review of the project alleging inconsistencies with the text, policies, and regulations in these documents. Comments were fully analyzed to ensure no issues remain.

- b) Allowed Use. The site is located at 1496 Bonifacio Road in the Del Monte Forest Land Use Plan area (in Pebble Beach) and is zoned Low Density Residential, with a maximum density of 1.5 acres per unit, with a Design Control Overlay, Coastal Zone [LDR/1.5-D (CZ)]. The LDR zoning district permits single family dwellings as a principally permitted use subject to a Coastal Administrative Permit in each case (Section 20.14.040.A). The project includes development related to the residential use of the property, and therefore, the proposed project is a use allowed on the site with the Coastal Administrative Permit. Standards for granting a Coastal Administrative Permit have been met in this case.
- c) Design. The property is subject to the Design Control District "D" zoning standards (Chapter 20.44 of Title 20), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. The neighborhood consists of colors and materials that are earth toned. The as-built patio consists of tan and light brown stone material. The driveway surface is composed of pavers, granite and cement materials. A portion of the driveway will be replaced with truegrid and turf block permeable materials. Another section as shown on the plans, will be replaced with crushed stone and replaced with existing pavers, allowing for a 40% pass through. The materials, location, and nature of the project are consistent with neighborhood character and will not detract from the visual integrity of the site or the area. Pursuant to Section 20.147.070 of the DMF CIP, the as-built patio and driveway are not visible from a public viewing area.
- d) Review of Development Standards. The project includes a patio and driveway improvements which do not change the existing coverage or FAR on the site. The patio is attached to the rear of the existing house and meets the required setbacks for patios, decks, and similar improvements. The driveway is not subject to setbacks. *more than 30' above grade*
- e) Freshwater and Marine Resources: Pursuant to Policy 77 of the DMF LUP and Section 20.147.030 of the DMF CIP, impervious surface coverage for residential development within the Pescadero Watershed shall be limited to a maximum of 9,000 square feet. As built, inclusive of the rear patio, impervious surfaces total 13,100 square feet which is more than 9,000 square feet of impervious surface allowed on the site. The project includes after-the- fact permitting of the 660 square foot patio and replacement of 4,600 square feet of impervious driveway surfaces with pervious materials such as truegrid and turf block permeable pavers and re-paving an area to

allow for a 40% pass through, which will bring the site into compliance with 9,000 square feet of impervious coverage limitation. In addition, the project will also include installation of 551 square feet of turf block that was required under previous planning approvals but have not yet been installed. A portion of the driveway that was supposed to be converted to turf block in accordance with Condition No. 13 of Resolution No. 000489 was not completed. This project proposes to come into compliance with Condition No. 13 of Resolution No. 000489 by installing 551 square feet of turf block, which is included in the total 4,600 square feet of proposed pervious materials. In total 8,500 square feet of impervious site coverage will remain on the subject property.

- f) The subject property is not in compliance with all rules and regulations pertaining to zoning uses applicable of the County's zoning ordinance (see Finding No. 4). However, approval of the Coastal Administrative Permit and Design Approval will legalize the patio, gas line, address the impervious site coverage limitation and come into compliance with the previously approved permit (see Finding 2, Evidence e). The project, with replacement of the impervious driveway surface with pervious materials, is in conformance to the County's zoning ordinance. The County has evaluated the project as though the work has not already occurred.
- g) Cultural Resources. The project site is in an area identified in County records as having a high archaeological sensitivity. A previous archaeological report (LIB090047) has been completed and concluded that there was no surface evidence of potentially significant archaeological resources. The site is developed and has been previously disturbed. The potential for inadvertent impacts to cultural resources is addressed through incorporation of a standard condition of approval which requires the contractor to stop work while resources are evaluated if previously unidentified resources are discovered during construction.
- h) The project planner conducted site inspections on July 20, 2018 and February 20, 2019 to verify that the project on the subject parcel conforms to the plans submitted.
- i) The project was not referred to the Del Monte Land Use Advisory Committee (LUAC) for review. Based on the LUAC procedure guidelines adopted by the Monterey County Board of Supervisors, this application did not warrant referral to the LUAC.
- j) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

3. **FINDING:** **SITE SUITABILITY** - The site is physically suitable for the proposed use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA-Planning, Pebble Beach CSD Fire Protection District, RMA-Public Works, RMA-Environmental Services, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development and any conditions recommended have been incorporated.
 - b) The project includes minor improvements associated with an established residential use on a residential property within a residential neighborhood.
 - c) The site is not located in an urbanized area as defined in Chapter 16.14 of the Monterey County Code; however, RMA-Environmental Services has applied conditions of approval requiring drainage improvements in accordance Pescadero watershed policies contained in the Del Monte Forest Land Use Plan. Drainage improvements will include the use of permeable materials to reduce the quantity of stormwater run-off and reconstructing the current drainage system and infrastructures to be entirely on the subject property. With the condition in place, the project will not have adverse impacts on freshwater and marine resources in the vicinity.
 - d) Staff conducted site inspections on July 20, 2018 and February 20, 2019 to verify that the site is suitable for this use.
 - e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

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

- EVIDENCE:**
- a) The project was reviewed by the RMA-Planning, Pebble Beach CSD Fire Protection District, RMA-Public Works, RMA-Environmental Services, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities are existing on the subject property. California American Water Company is the domestic water purveyor and the Monterey Peninsula Water Management District provides wastewater services. The project would not require intensification of services provided.

- c) The project application includes a **preliminary drainage plan addressing stormwater and erosion control**. Per the recommendation of RMA Environmental Services, the County has conditioned the project for the applicant to submit final drainage and erosion control plans that are consistent with Section 20.147.030 of the CIP and Monterey County Code Chapter 16.12 prior to issuance of construction permits. Implementation of the final approved plans will occur prior to final of construction permits. As recommended by RMA-Environmental Services, a condition requiring an as-built certification has been applied to the project to ensure all development has been constructed in accordance with the recommendations of the geotechnical investigation, grading and stormwater control (drainage) plans.
- d) The project includes minor improvements associated with an established residential use in a residential neighborhood.
- e) Staff conducted site inspections on July 20, 2018 and February 20, 2019 to verify that the site is suitable for this use.
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

5. **FINDING:**

VIOLATIONS - The subject property is not compliance with all rules and regulations pertaining to zoning. Violations exist on the property. The approval of this permit will correct the violations and bring the property into compliance.

EVIDENCE:

- a) Staff reviewed Monterey County RMA-Planning and RMA-Building Services records which indicate an existing violation (Code Enforcement case No. 17CE00253) on the subject property. This violation includes construction of a patio, installation of a new gas line, drainage improvements, non-compliance with previous conditions of approval (Condition No. 13 of Resolution No. 000489) relative to impervious surfaces on the driveway (551 square feet of turf block) and use of a residential unit for overnight accommodations and assemblages of people without a Coastal Development Permit. County staff received a letter from the owner stating that overnight accommodations and assemblages of people are not and will not occur on the property. The letter and this Coastal Administrative Permit and Design Approval will clear this violation.
- b) This Coastal Administrative Permit and Design Approval permits construction of a rear patio, extension of a gas line, **on-site drainage improvements along the driveway and replacing impervious surface driveway materials to pervious materials**, subject to the conditions of approval.
- c) Portions of the Code enforcement case not addressed in this permit – the alleged short-term rentals – have been cleared with the Code

Enforcement unit. Granting approval of this application will clear the violation on this property.

- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

6. **FINDING:**

CEQA (Exempt): - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

EVIDENCE:

- a) California Environmental Quality Act (CEQA) Guidelines Section 15303 (e) categorically exempts new construction of accessory structures such as garages, carports, patios, swimming pools, and fences.
- b) The proposed project is an after-the-fact permit for the construction of a 660 square foot patio where a lawn previously existed, extension of a gas line, and drainage improvements; 4,600 square feet of impervious driveway surfaces will also be replaced with pervious materials to bring the site into conformance with Pescadero watershed coverage limitations. These improvements represent minor alterations and small additions to an existing residential use in a residential zone; Therefore, the project qualifies for a Class 3 categorical exemption pursuant to Section 15303 of the CEQA guidelines.
- c) No adverse environmental effects were identified during staff review of the development application during site visits on July 20, 2018 and February 20, 2019. Concerns raised by the appellant about drainage within Environmentally Sensitive Habitat have been addressed. Drainage will be directed to a swale that is currently on the property, which was previously approved. The area where drainage is directed has been recognized under previous permits as an acceptable drainage feature (see Finding 8). Drainage from the improvements will not adversely affect any resources found within the drainage course or downstream from site.
- d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

7. **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) The subject project site is not described as an area where the Local Coastal Program requires physical public access (Figure 8, Major Public Access and Recreational Facilities, in the Del Monte Forest Land Use Plan).
 - b) The subject project site is not identified as an area where the Local Coastal Program requires visual public access (Figure 3, Visual Resources, in the Del Monte Forest Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over the project site.
 - d) Staff conducted site inspections on July 20, 2018 and February 20, 2019.
 - e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

8. **FINDING:** **APPEAL** - Pursuant to Section 20.86.030.C of Title 20, the Appellant, Anthony Lombardo & Associates on behalf of Chris and Sara Bardis (neighbors), timely filed an appeal from the September 27, 2018, decision of the Zoning Administrator (see also Finding No. 1, Process). The appeal challenged the Zoning Administrator's approval and contends that the findings and decision are not supported by the evidence and the decision was contrary to law. Upon consideration of the documentary evidence, the staff report, the oral and written testimony, and all other evidence in the record as a whole, the Board responds as follows to the Appellant's contentions:
- EVIDENCE:**
- a) The text of the Appellant's contentions and the County's responses to those contentions are set forth in Evidences b, c, d, e, f, g h, and i below.
 - b) **Appellant's Contention No. 1:** *A finding of consistency with 20.147.030 is not supported by the evidence. Protection of the water quality and biological value of the Del Monte Forest's coastal streams, wetlands, open coastal waters, and the Carmel Bay through the application of adequate buffers and setbacks, maintaining hydrologic inputs, protecting riparian and wetland vegetation, carefully controlling grading to minimize erosion and sedimentation, and effective collection, filtration, and treatment of runoff cannot be confirmed based on the inadequate plans provided with the application. Deferral of a full drainage plan describing the existing and post-project drainage layout to a date post-approval does not support the finding and approval. The project plans propose to modify the driveway surface from impervious to pervious in order to*

comply with conditions of a prior coastal permit (existing violation of that prior permit). As part of this change, a drainage plan was prepared noting several updates and/or additions of catch basins in the driveway for storm-water capture and dispersal. As part of this change, a drainage plan was prepared noting several updates and/or additions of catch basins in the driveway for storm-water capture and dispersal. The drainage plan is incomplete as:

- 1) It does not explain where the storm-water goes after entering the catch basins.
- 2) It does not describe existing drainage conditions (inclusive of all captured storm water on the property from structures and impervious coverage areas.
- 3) It does not provide drainage calculations to verify the capability of the system to manage the existing stormwater capture plus areas being added to the system.
- 4) It does not describe the method or point of discharge for all captured stormwater (i.e. Dispersion trench).
- 5) It does not verify retention of all captured storm-water on-site in compliance with the requirements of the Pebble Beach Community Services District and RWQCB standards.

Internal correspondence from the county staff notes a prior drainage plan from 2001 showing transfer of storm-water runoff to "the bottom of an existing ravine" as being adequate and implies "off-site" dispersal. The discharge pipe(s) are in fact installed improperly outside the property boundaries and are discharging improperly to a tributary to the Carmel Bay. The current engineer notes "no need for a drainage design" due to "a net decrease in impervious area." This is incorrect and inadequate.

- 1) Drainage off-site is inconsistent with Pebble Beach and RWQCB standards. Modifications to an existing condition must be compliant with current regulations.
- 2) Any modifications to a portion of the drainage does require a review and design for the system in its entirety. As water is in fact being collected from what is now proposed to be "pervious", that water does contribute to the load of the entire system; and it must be reviewed for consistency with regulations.
- 3) As the previous coastal permit concluded that the driveway would be "pervious" to achieve the 9000 sq. ft. limitation, and other impervious areas were in fact added to the site without permits since that time, there is an increased load to the drainage system.
- 4) We note that the existing system is in fact transferring all storm-water via an illegally placed large pipe(s) off-site onto the property of our client, which is improper and illegal. In

addition, the area is in fact part of a conservation easement dedication in favor of the Coastal Commission, to which this dispersal of drainage would be a trespass and violation. As cited by Ms. Alford's representation to the County and the Coastal Commission in other projects, this ravine is considered an area of biological significance to which discharge of collected stormwater is improper and in violation of CEQA.

Response No. 1: Section 20.147.030.A of the CIP requires development within the Pescadero Watershed that drains into the Carmel Bay ASBS to be sited and designed to minimize run-off, site disturbance erosion and sedimentation, and have a maximum of 9,000 square feet of impervious surfaces. The project proposes to permit a 660 square foot rear patio (new impervious area) and replace 4,600 square feet of impervious driveway surfaces to pervious materials, reducing the overall impervious site coverage from 13,100 square feet to 8,500 square feet, thereby complying with the 9,000 square foot impervious site coverage limitation. The project includes approval of two catch basins for stormwater run-off for all stormwater not absorbed naturally through pervious surfaces at the site. A preliminary stormwater control plan (drainage plan) was required and provided only for the scope of the project being considered, not for the existing house. RMA-Environmental Services conditioned the project to require the applicant to submit a final drainage plan that complies with Section 20.147.030 of the CIP, which would identify the dispersal of stormwater run-off that is captured through these catch basins. From Staff's site visit on July 20, 2018 and February 20, 2019, there are drainage pipes that are not entirely on the subject property. The drainage improvements will require the applicant to have a drainage system and supporting infrastructure for the proposed project that is entirely on subject property. A non-standard Condition of Approval has been applied to the project for the drainage system and infrastructure must be screened by vegetation to ensure non-visibility (See Condition No. 8). RMA-Environmental Services has not approved or received a final drainage plan with the requirements detailed above. The engineered drainage plans are required following consideration of the planning entitlements addressed herein. The conditioned of approval states that the drainage plan must minimize run-off, site disturbance erosion and sedimentation through the use of permeable materials (See Condition No. 9).

County staff has confirmed with the Coastal Commission staff that a special condition has been applied to Application Number A-3-MCO-17-0038, that went before the Coastal Commission on July 12, 2018 for the neighboring property as identified above, 1525 Riata Road,

Pebble Beach. The special condition to dedicate a conservation easement stated, "No development, as defined in Section 30106 of the Coastal Act, shall occur within the open space conservation area, which shall include that portion of the property shown on Exhibit 7, except for removal of non-native, diseased, or dead vegetation; habitat restoration; and necessary drainage and utility work (and where such drainage/utility work cannot be located elsewhere, is the minimum amount necessary, and does not impair Monterey pine forest habitat values)." The natural ravine is on both the applicant's property and the appellant's property; however, the conservation easement is for an area on the appellant's property. The previous 2001 approved drainage plan allowed for dispersal to the bottom of the ravine that is on the applicant's property. A Condition of Approval has been added to the project that requires submittal of a final engineered drainage plan. The drainage plan is required to minimize run-off through use of permeable surfaces on the driveway (See Condition No. 9). With replacement of driveway surfaces with pervious materials, the property will have 8,500 square feet of impervious surface coverage which is consistent with the CIP maximum of 9,000 square feet of impervious surfaces.

In addition, the applicant must also submit an erosion control plan (See Condition No. 10) that complies with Monterey County Code Chapter 16.12, which eliminates and prevents conditions of accelerated erosion that have led to, or could lead to, degradation of water quality, loss of fish habitat, damage to property, loss of topsoil or vegetation cover, disruption of water supply, and/or increased danger from flooding. In accordance with Chapter 16.12, an erosion control plan must be provided prior to the issuance of a construction permit. Further, the subject property is not located within an area that is subject to the Municipal General Permit (Phase II Small MS4 General Permit); therefore, the Regional Water Quality Control Board (RWQCB) post-construction requirements do not apply. The County does not enforce Pebble Beach Community Services District requirements.

- c) **Appellant's Contention No. 2:** *The project is not CEQA exempt. An exemption to CEQA cannot be supported if (c): Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The deferral of the drainage plan until after the coastal permit and CEQA determination is made is improper given the existing and proposed increased discharge of stormwater on to the property of another and into an area of biological significance. Section 15604 (d) states that: In evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the*

environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.

Given uncertainty regarding the accuracy of the existing coverage numbers provided in this application versus prior representations, policies relevant to Pescadero watershed could not have been verified. Also, "the ravine" noted in file correspondence as the point of dispersal in a past drainage plan for collected storm-water is an environmentally sensitive area. Failure to address this improper drainage system is not compliant with CEQA. We note also again that the point of dispersal is off-site onto property of another which is improper, illegal, and a violation of coastal commission conversation easement dedication.

Response No. 2: As discussed in Response No. 1, the project proposes to permit a 660 square foot impervious patio and to replace 4,600 of impervious driveway surfaces to pervious materials, reducing the overall impervious site coverage from 13,100 square feet to 8,500 square feet. Previous permits on the property required replacement of approximately 535 square feet of impervious driveway surfaces with turf block. This approval does not rely on the square footage of previously approved replacement of pervious surfaces; rather it relies on licensed surveyor information that demonstrates that the site will be in compliance with the pervious surface limitations of the Pescadero Watershed within the CIP as proposed herein regardless of previous approvals and actions. Since the appellant filed the appeal, the applicant obtained a survey from a licensed professional for accurate square footages of the impervious areas of the property as it exists today. The survey concluded there was a total of 13,100 square feet. The areas are itemized by structure or area. Based on this information, the applicant was able to revise the plans than what was initially approved by the Monterey County Zoning Administrator, to provide accurate square footages for the impervious areas and proposed pervious areas, which are shown are reflected within the recommendation and shown on the attached plans. The project has been conditioned for the applicant to provide a survey to verify the impervious and pervious square footages were installed in accordance with the attached plans (See Condition No. 7).

Reduction in the impervious surfaces would result in a decrease in the amount of stormwater run-off that is currently being dispersed through the catch basins. As discussed in Response No. 1, the project has been conditioned for a final engineered drainage plan to be submitted by the applicant. Areas of stormwater run-off dispersal would be identified and modified to ensure stormwater run-off is

minimized through use of permeable surfaces on the driveway. With replacement of driveway surfaces with pervious materials, the property will have 8,500 square feet of impervious surface coverage which is consistent with the CIP maximum of 9,000 square feet of impervious surfaces. The Condition of Approval applied by RMA-Environmental Services would require the drainage system and infrastructures to be entirely on the subject property. The drainage system and infrastructures must be screened by vegetation to ensure non-visibility (See Condition No. 8). Engineered drainage plans meeting Monterey County standards in Chapter 16.12 of the Monterey County Code are required at the Building Permit stage. Therefore, the proposed project does not present unusual circumstances, and there is no substantial evidence of a reasonable possibility of a significant effect on the environment, as the project reduces the amount of stormwater run-off, complying with the 9,000 square foot impervious coverage limitation.

The project does not present unusual circumstances that would render the categorical exemption inapplicable: **stormwater run-off and release of stormwater into natural drainage systems is a regular part of residential development.** Additionally, there is no substantial evidence that the project would result in stormwater run-off that has a significant environmental impact. The project will comply with the impervious surface limitations for the area provided in the certified Land Use Plan for Del Monte Forest and the project will not alter any existing drainage patterns on or off the site. Treatment of stormwater run-off water quality is addressed in accordance with standard conditions.

- d) **Appellant's Contention No. 3:** *The finding of consistency with Policy 77 of the DMF LUP and Section 20.147.030 of the DMF CIP is premature, in that inconsistencies in existing and proposed impervious coverages were not adequately verified. In the prior coastal permit action, the project plans attesting to coverage totals for structures, driveways, patios, et al (pervious and impervious) were provided to and accepted by the County. The planning approval and conditions applied to the previous permit were based on those square footage totals, which indicated that that the final total impervious coverage after conversion of the driveway to pervious would be exactly 9000 sq. ft. In addition to the noncompliance with the original permit conditions (to modify the driveway to a pervious surface), the owners have since added additional impervious areas (rear patio, etc.) after the fact without planning approval or permits. In the current application and plans, numerous "square footages" have mysteriously changed without explanation from the prior project plans. We have questioned the new numbers, and how the simple action of complying with the original project condition for the*

driveway will make the site compliant with the 9000 sq. ft. impervious coverage limitation, even though other impervious areas have been added since the last project that was determined to hit the maximum. We noted objection and concern as to what conclusive evidence was given to establish that the new numbers are correct. We suggested that a survey by a licensed surveyor is necessary to verify the calculations, but this has yet to be required. Deferral of the requirement for a full survey until after the approval is inappropriate.

Response No. 3: Since the appellant filed the appeal, the applicant has obtained a survey of the impervious areas of the property and submitted the calculations to County staff (See attached plans). The survey noted a current "as built" total of 13,100 square feet of impervious surfaces. Based on this information, the applicant was able to revise the plans to provide accurate square footages for the impervious areas and proposed pervious areas. As proposed, 4,600 square feet of existing impervious surface will be removed and replaced with pervious materials, resulting in a total impervious surface of 8,500 square feet. The proposed project is conditioned for the applicant to obtain a survey of the impervious and pervious square footages prior to the final of a construction permit. Further, the project site was not in compliance with a condition from a previously approved permit. A Condition of Approval from a previously approved permit required the project to install a portion of the driveway with permeable turf block material. Although the condition was met through the recordation of a deed restriction, the permeable turf block material was never installed. To come into compliance with this condition of approval, the project includes installation of 551 square feet of permeable turf block material on a portion of the driveway as shown in the attached plans (See Response No. 2). The proposed project would have a total of 4,600 square feet of existing impervious surface to be replaced with pervious materials, resulting in a decrease from 13,100 square feet to 8,500 square feet of impervious site coverage for the subject property.

- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File No. PLN171011.

9. **FINDING:**

APPEALABILITY - The decision on this project may be appealed to the California Coastal Commission.

EVIDENCE:

Coastal Commission. Pursuant to Section 20.86.080.A of Monterey Title 20, the project is subject to appeal by/to the California Coastal Commission because it involves development between the sea and the first through public road paralleling the sea (i.e., State

Route/Highway 1). The project does not include development that is permitted in the underlying zone as a conditional use.

DECISION

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

1. Deny the appeal of Chris and Sara Bardis from the September 27, 2018 Zoning Administrator decision approving an after-the-fact Coastal Administrative Permit and Design Approval (RMA-Planning File No. PLN171011/Alford);
2. Find that the project involves the construction of an accessory structure, which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 (e) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
3. Approve an after-the-fact Coastal Administrative Permit and Design Approval, clearing Code Enforcement case (17CE00253), to:
 - a. Replace 4,600 square feet of impervious driveway with pervious materials to correct impervious site coverage in excess of 9,000 square feet,
 - b. Construct a 660 square foot rear patio where a lawn area previously existed; extend a gas line to the rear patio, grill and fireplace; and install new on-site drainage improvements, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED on this 12th day of March 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Lopez, Phillips, Parker and Adams

NOES: None

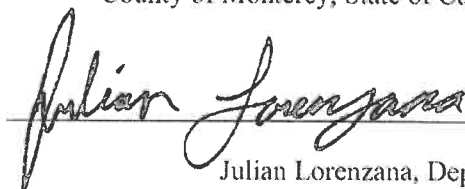
ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 81 for the meeting March 12, 2019.

Dated: March 13, 2019

File ID: RES 19-01

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Julian Lorenzana, Deputy

Monterey County RMA Planning

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

PLN171011

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Coastal Administrative Permit and Design Approval (PLN171011) allows an after-the-fact Coastal Administrative Permit and Design Approval to clear Code Enforcement case (17CE00253) to replace 4,600 square feet of impervious driveway with pervious materials to correct impervious site coverage in excess of 9,000 square feet and construct a 660 square foot rear patio where a lawn area previously existed; extend a gas line to the rear patio, grill and fireplace; and install new on-site drainage improvements. The property is located at 1496 Bonifacio Road, Pebble Beach (Assessor's Parcel Number 008-341-037-000), Del Monte Forest Land Use Plan, Coastal Zone. 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 RMA Chief of 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. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Coastal Administrative Permit and Design Approval (Resolution Number 19-072) was approved by Monterey County Board of Supervisors for Assessor's Parcel Number 008-341-037-000 on March 12, 2019. The permit was granted subject to 12 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

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

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

Responsible Department: RMA-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 RMA - 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.
(RMA - 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 RMA - 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. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

5. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the County Counsel for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel.

6. COMPLETION OF WORK (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The owner/applicant/agent shall complete the permitted work as described in Condition No. 1 within one (1) year from the date of approval. (RMA – Planning)

Compliance or Monitoring Action to be Performed: Within one (1) year of the date of approval, owner/applicant/agent shall submit proof to RMA-Planning that all work associated with this permit has been completed and final construction permits have been obtained.

7. IMPERVIOUS SITE COVERAGE CALCULATION (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The owner/applicant/agent shall comply with the 9,000 square foot impervious site coverage limitation per Section 20.147.030 of the Del Monte Forest Land Use Plan and identify the square footage of total impervious and pervious site coverage on the construction plans. The owner/applicant/agent shall provide a survey from a licensed civil surveyor, to RMA-Planning for review and approval, that the impervious and pervious site coverages identified on the plans is consistent with what was approved on the planning permit associated with this project. (RMA – Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of construction permits –
The owner/applicant/agent shall have the square footage of total impervious and pervious site coverage identified on the construction plans that complies with Section 20.147.030 of the Del Monte Forest Land Use Plan and the approved planning permit.

Prior to the final inspection –
The owner/applicant/agent shall provide a survey from a licensed civil surveyor, to RMA-Planning for review and approval, that the as-built impervious and pervious site coverage identified on the plans is consistent with what was approved on the planning permit associated with this project.

8. DRAINAGE SYSTEM/INFRASTRUCTURE SCREENING (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To reduce any visual impacts, the drainage system and supporting infrastructure must be screened by vegetation to ensure non-visibility. The owner/applicant/agent must provide evidence to RMA-Planning demonstrating the reduction in visual impacts. (RMA-Planning)

Compliance or Monitoring Action to be Performed: Prior to final of the construction permit -
the owner/applicant/agent must provide evidence that the drainage system and supporting infrastructure installed according to the approved plans is be screened by vegetation ensuring non-visibility. RMA-Planning shall conduct a site visit to verify the site with the evidence submitted.

9. STORMWATER CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit a stormwater control plan with supporting calculations, prepared by a registered civil engineer or other qualified professional, to mitigate on-site and off-site impacts. The plan shall show impervious surface stormwater runoff dispersed at multiple points on-site, away from and below structures and foundations, with erosion control at the outlets. Drainage improvements shall be constructed in accordance with plans by RMA-Environmental Services. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit a stormwater control plan to RMA-Environmental Services for review and approval.

10. EROSION CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit an erosion control plan in conformance with the requirements of Monterey County Code Chapter 16.12. The erosion control plan shall include a construction entrance, concrete washout, stockpile area(s), material storage area(s), portable sanitation facilities and waste collection area(s), as applicable. The plan shall also include RMA-Environmental Services standard inspection notes 1, 2, & 3. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit an erosion control plan to RMA-Environmental Services for review and approval.

11. GEOTECHNICAL PLAN REVIEW

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from the licensed practitioner that the geotechnical recommendations have been incorporated into the stormwater control plan. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or construction permit, the applicant shall provide certification from the licensed practitioner(s).

12. AS-BUILT CERTIFICATION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: Prior to final inspection, the applicant shall provide a letter from a licensed engineer certifying that all development has been constructed in accordance with the recommendations in the Geotechnical Investigation and the approved stormwater control plan. (RMA- Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed professional engineer.

TINA HANNAS-DE FREITAS
PERMIT COORDINATOR
 37748 PALO COLORADO RD.
 CARMEL, CA 93923
 P: (831) 620-0622
 E: tina.hannas@gmail.com

PROJECT:

ALFORD RESIDENCE
 1496 BONIFACIO RD.
 PEBBLE BEACH, CALIFORNIA

APN: 008-341-037-000

PROJECT INFORMATION:

APN: 008-341-037-000
 SITE AREA: 76,170 SF = 1.749 AC
 ADDRESS: 1496 BONIFACIO RD., PEBBLE BEACH, CA
 PLANNING FILE: PLN427011

Grading: Approximately 200 CY/2800' FILL
 Tree Removal: None

Governing Codes: 2016 CDE, CFC, CEC & NPSA Codes & California T24

Occupancy: R-3 Residential, 1 Garage

Construction Type: Type VB

Finishing: Covered, 2 Uncovered

Heated Area: 5,977.5 SF

Floor Area: Existing and Proposed 5,236 SF/77%

SHEET INDEX:

- A1 SITE PLAN/TITLE SHEET
- T1 TOPO MAP/700 SCALE
- T2 TOPO MAP/100 SCALE: SITE CALC
- C1 COVER SHEET/GENERAL NOTES
- C2 SITE PLAN
- C3 EROSION CONTROL/IMP
- P2.1 GAS LAYOUT/SCHEMATIC

PROJECT TEAM:

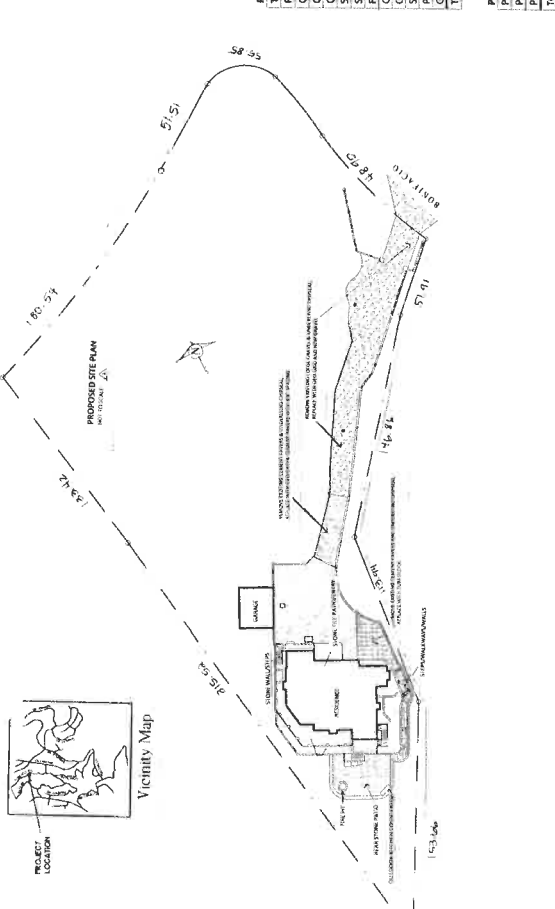
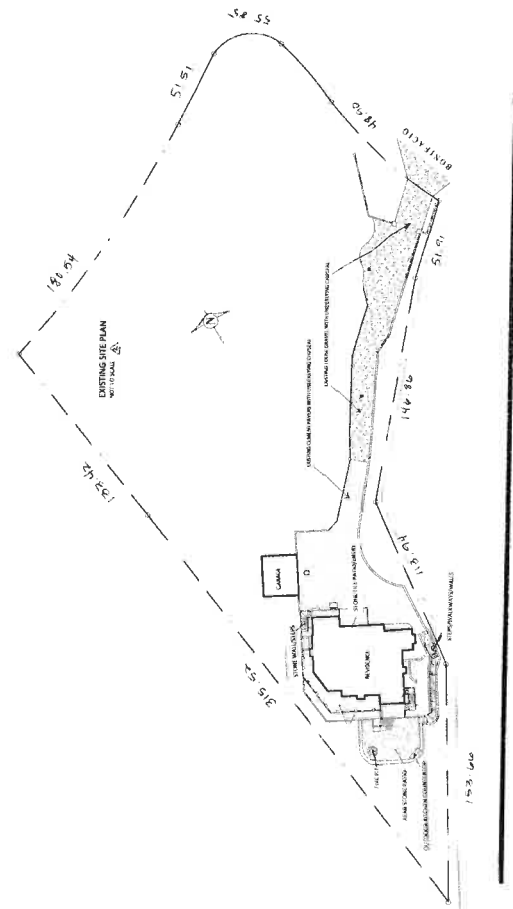
Owner:
 TINA HANNAS-DE FREITAS
 3411 KIRKWOOD RD.
 OAKLAND, CA 94612
 PH: (415) 816-1805

Agent:
 TINA HANNAS-DE FREITAS
 37748 PALO COLORADO RD.
 CARMEL, CA 93923
 PH: (831) 620-0622
 Email: tina.hannas@gmail.com

Surveyor:
 Tom Henshaw
 6 Harris Court
 Monterey, CA 93940
 PH: (831) 646-5229

Geotechnical Engineer:
 GEOTECHNICAL ENGINEERING, INC.
 103 Church St.
 Salinas, CA 93901
 PH: (831) 757-2377

Chief Engineer:
 Frank Campos
 C-3 Engineering, Inc.
 Monterey, CA 93940
 PH: 647-1132



DEVELOPMENT ANALYSIS

Scope of Work:
 The project consists of the construction of a new residence on the site. The project includes the construction of a new residence, including the foundation, walls, roof, and interior finishes. The project also includes the construction of a new driveway and the removal of existing structures. The project is located on a residential lot and is subject to the same regulations as other residential projects in the area.

EXISTING IMPERVIOUS SITE COVERAGE

TYPE	SQ. FT.
RESIDENCE	2,906
GARAGE	505
CHIMNEY	11
CONCRETE	1,179
STONE TILE PATIO/ENTRY	620
FIRE PIT	15
CONCRETE WALLS/COLUMNS	25
OUTDOOR KITCHEN COUNTERTOP	630
PAVER DRIVEWAY/COVER PAVEMENT	3,352
GRAVEL DRIVEWAY/COVER PAVEMENT	3,589
TOTAL EXISTING IMPERVIOUS SITE COVERAGE	13,100

SITE COVERAGE COMPLIANCE

TOTAL EXISTING IMPERVIOUS SITE COVERAGE	13,100
TOTAL PROPOSED IMPERVIOUS DRIVEWAY COVERAGE	4,600
TOTAL PROPOSED IMPERVIOUS SITE COVERAGE	8,500
MAXIMUM ALLOWABLE	9,000

PROPOSED IMPERVIOUS SITE COVERAGE

TYPE	SQ. FT.
RESIDENCE	2,906
GARAGE	505
CHIMNEY	11
CONCRETE	1,179
STONE TILE PATIO/ENTRY	620
FIRE PIT	15
CONCRETE WALLS/COLUMNS	167
OUTDOOR KITCHEN COUNTERTOP	25
STONE WALL/STEPS	630
PAVER DRIVEWAY/COVER PAVEMENT	2,941
GRAVEL DRIVEWAY/COVER PAVEMENT	2,941
TOTAL PROPOSED IMPERVIOUS SITE COVERAGE	8,500

PROPOSED IMPERVIOUS DRIVEWAY COVERAGE

EXISTING IMPERVIOUS DRIVEWAY COVERAGE	511
PROPOSED IMPERVIOUS DRIVEWAY COVERAGE	596
PERVIOUS GRAVEL DRIVEWAY	3,453
TOTAL PROPOSED IMPERVIOUS DRIVEWAY COVERAGE	4,600

SHEET DESCRIPTION:
TITLE SHEET
EXIST/PROP SITE PLAN
SHEET: A1

TIMELINE

DATE	ISSUED FOR:

REVISIONS

NO.	DATE	DESCRIPTION
1	02/05/2015	POW/HEARING PREP

3. ALL SECOND CLASS HAMS SHALL HAVE A MINIMUM OF 12" COOK.

4. ALL CURED UNITED OPERATORS (BETWEEN OCTOBER 11 AND APRIL 13) THE FOLLOWING MEASURES MUST BE TAKEN:

A. CURED SURFACES NOT INCLUDED IN MEASURE OPERATIONS MUST BE PROTECTED BY PAINTING AND OR OTHER EFFECTIVE MEANS OF SEAL PROTECTION.

B. ALL HAMS AND OPERATORS SHALL HAVE COOKING SUFFICIENT TO PREVENT GROWTH OR ADJACENT TO THE MEASURE OR ON COMBUSTIBLE PROPERTIES.

[illegible]

CONTRACTOR SHALL EXPOSE AND VENTILATE LOCATION AND ELONGATION OF EXISTING UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS AND WATER LINES, BEFORE EXCAVATING INTERVALS AND/OR CONSTRUCTING NEW FACILITIES. ALL EXISTING SANITARY AND UTILITY LINES FROM THE PROJECT AREA ARE TO BE FLUSH WITH PRESSURIZED WATER. CONTRACTOR SHALL BE RESPONSIBLE FOR CONDUCTING ALL STREET CLOSURES AND THE APPLICABLE LOCAL ORDINANCES OF CALIFORNIA AND FEDERAL, LOCAL, EXISTING AND OTHER APPLICABLE STATE ORDINANCES. CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR TRAFFIC SIGNALING AND REGULATION.

THE MATERIALS AND REGULATION REQUIREMENTS SHALL BE IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE CALIFORNIA SUBDIVISION AND REGULATION REQUIREMENTS AND THE MANUFACTURER'S RECOMMENDATIONS.

THEY SHOULD NOT BE DAMAGED BY THE CONTRACTOR. THE UNITS SYSTEM SHALL

TO MARINA

TO SALINAS

LAURELES GRADE ROAD

CARMEL VALLEY ROAD

CARMEL VALLEY

CARMEL RIVER

MONTEREY

166

1

1 MILE

CARMEL

PACIFIC OCEAN

TO BIG SUR

NOVA

PEBBLE BEACH

SITE

DOMS & COASTAL WORKS
ENGINEERING CONSULTING, PLANNING

[illegible]

SITE

1 MILE

CARMEL

CARMEL VALLEY ROAD

CARMEL VALLEY

CARMEL RIVER

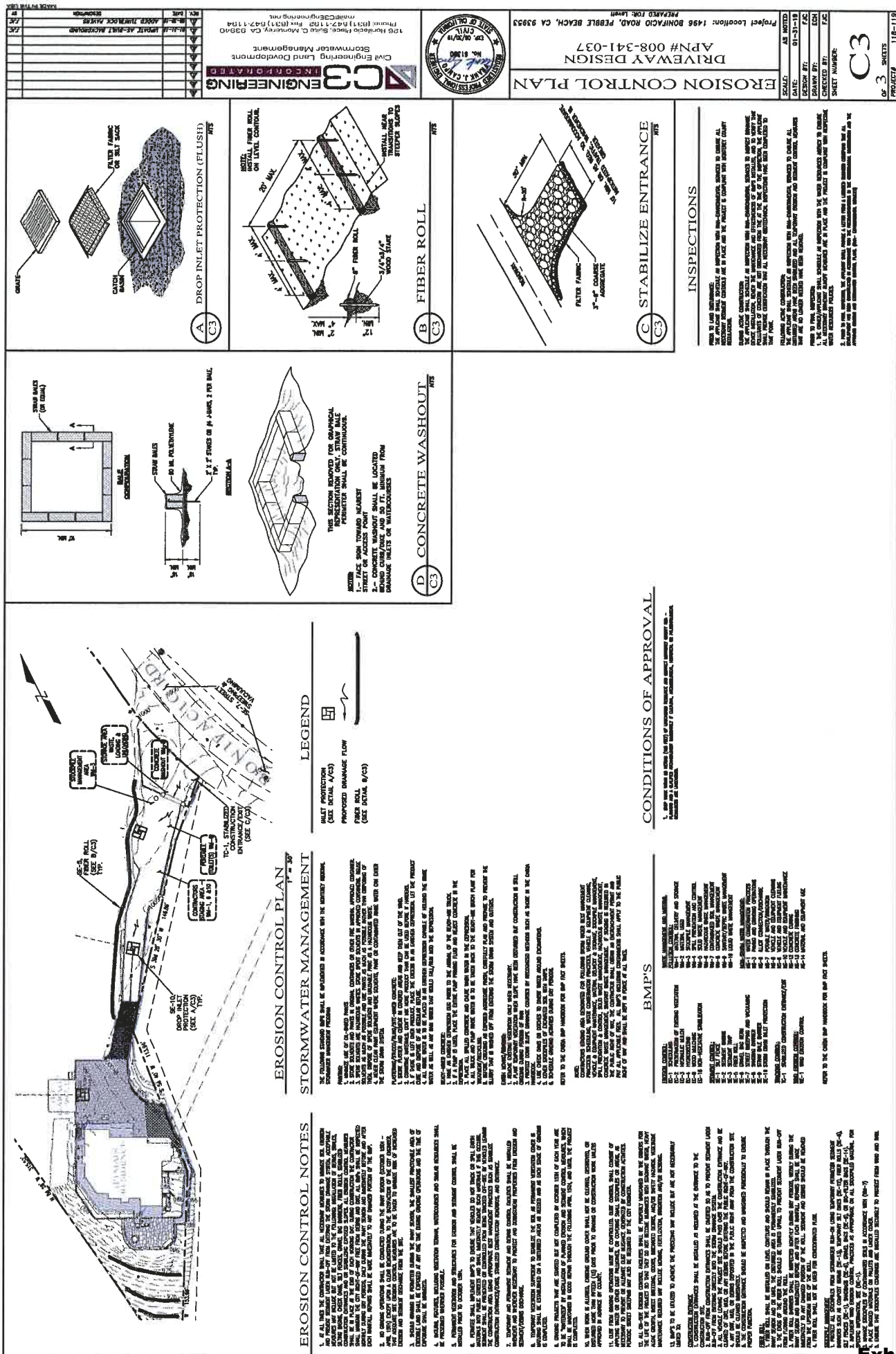
PACIFIC OCEAN

LAURELES GRADE ROAD

VICINITY MAP

TO BIG SUR







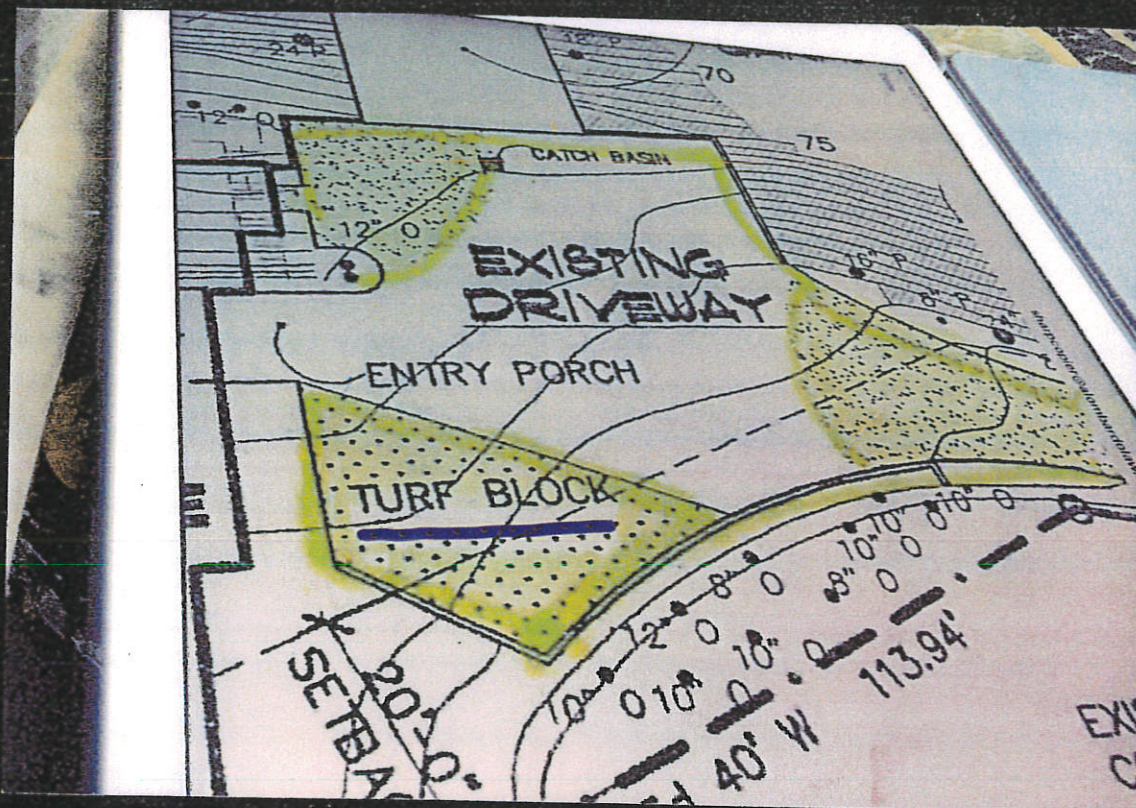
PLAN 171011

Curtain Drain near Gate

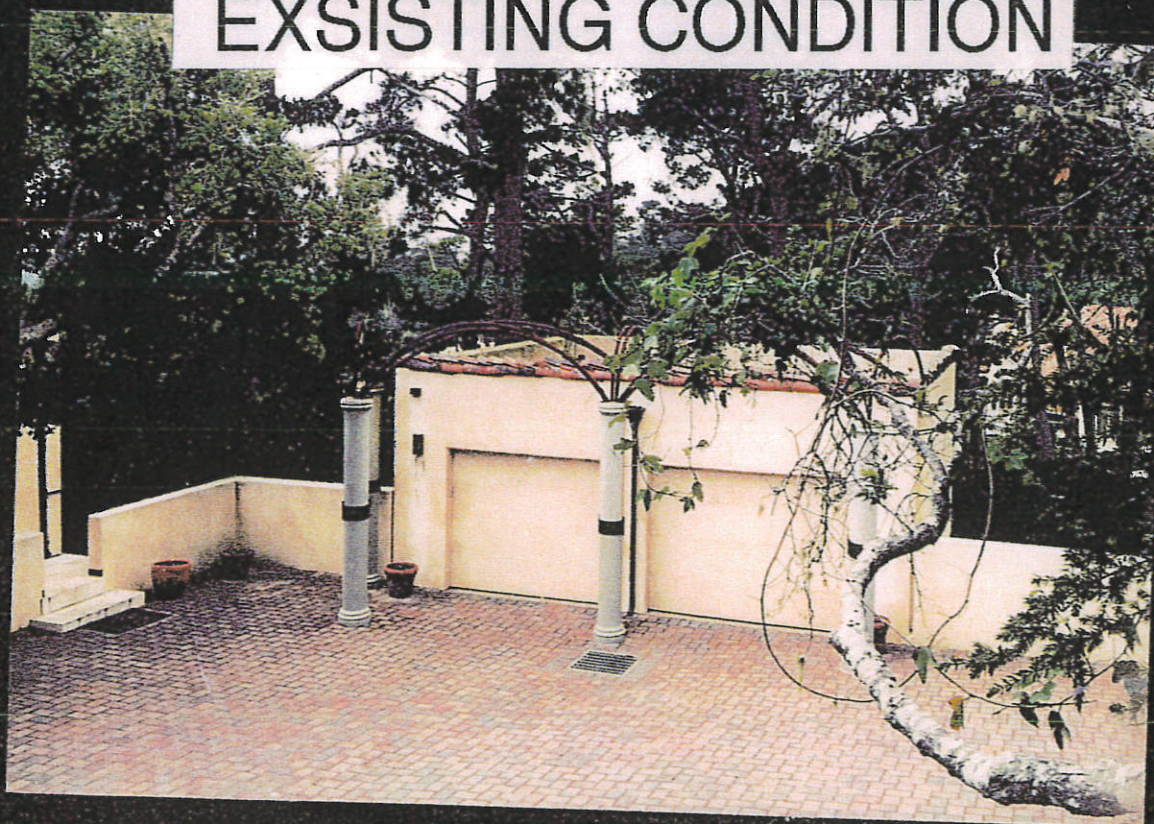
Curtain Drain at Center of Driveway

DG and Gravel Covering Chip Seal

APPROVED PLAN



EXISTING CONDITION



Referenced Exhibit C

ALFORD Residence | 1496 Bonafacio Rd., Pebble Beach | Driveway Site Pics | 28NOV2017



Pavers to be removed to about here, chip seal removed, and pavers re-applied over sand base.

RECEIVED

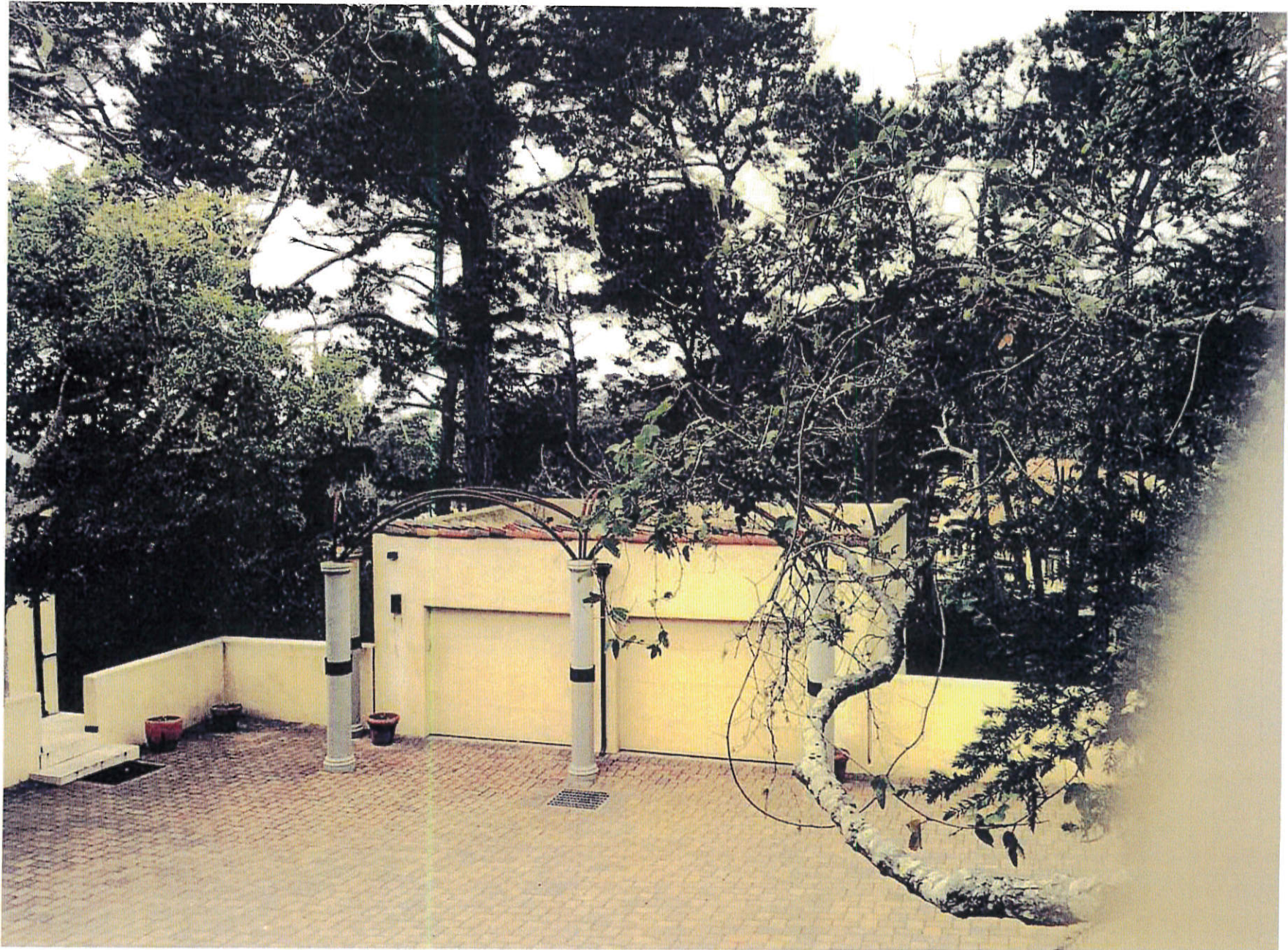
MAY 22 2018

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY
LAND USE DIVISION

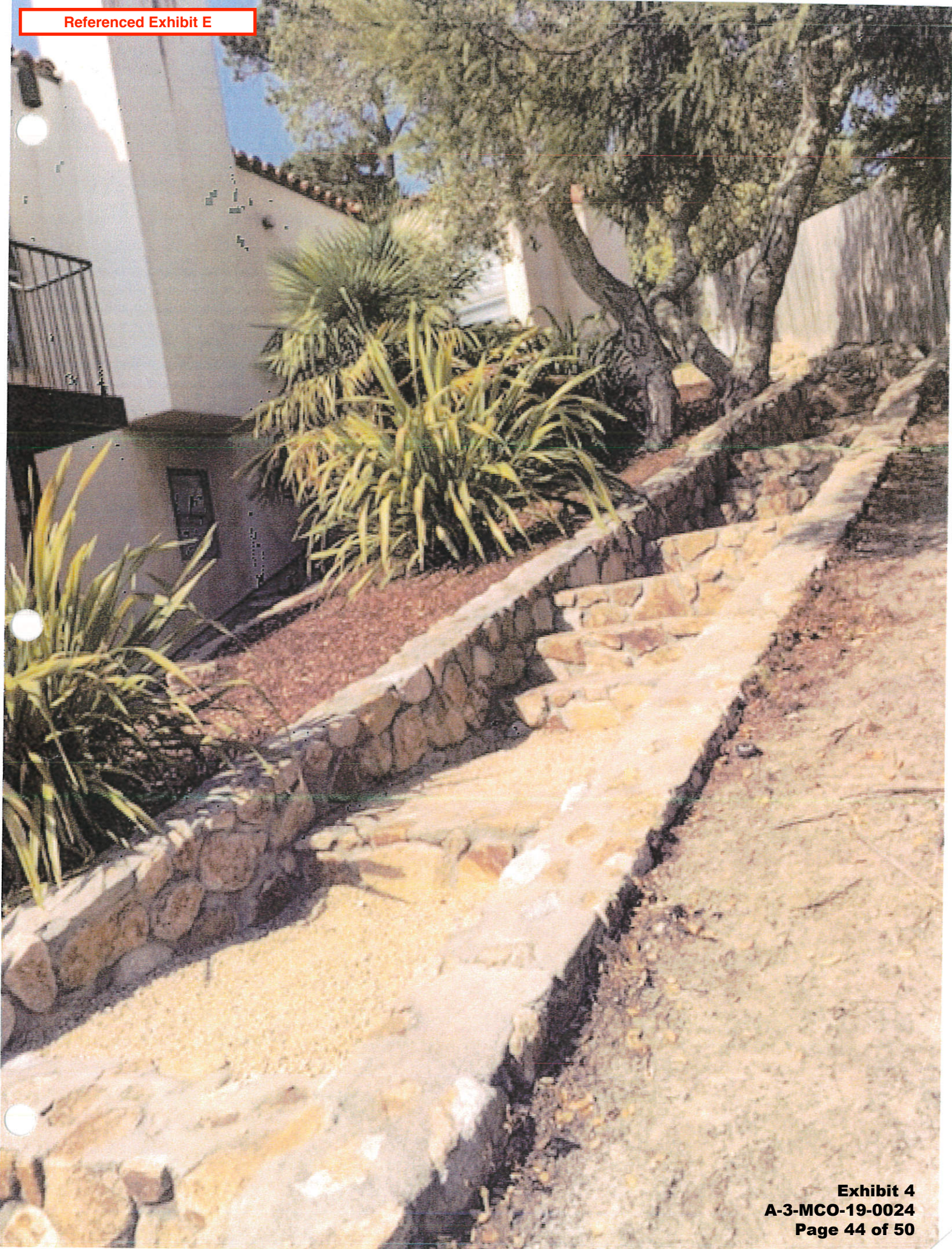
Exhibit 4

A-3-MCO-19-0024

Page 42 of 50



Current condition



Referenced Exhibit F



Referenced Exhibit G

ALFORD Residence | 1496 Bonafacio Rd., Pebble Beach | Driveway Site Pics | 28NOV2017



Back Patio, formally Grass, now covered in Pavers (impervious surface) with new gas grill and fire ring.



New Gas line connection to Back Patio Gas Grill and Fire Ring





Existing Condition



Illegal Pipes Installed
Without Permission of
Bardis

Referenced Exhibit K



PHONE: 831.622.1000



BONIFACIO

PEBBLE BEACH

4 BEDS, 4.5 BATHS

Perched just above the Pebble Beach Lodge, this home has an absolutely spectacular views all the way to Point Lobos. This custom built, professionally designed SMART home has four bedrooms (K,K,Q,Q), four and one half baths, main level master suite, fine linens, gracious comfortable guest living downstairs with a separate living area and play

BONIFACIO

Real Estate Listings

VACATION RENTALS

LONG-TERM RENTALS

ABOUT THE AREA

ABOUT US

CONTACT US



Dolores Street between 7th & 8th • PO Drawer C • Carmel-by-the-Sea, CA 93921

p: 831.622.1000 • F: 831.624.7338 • info@carmelrealtycompany.com



CHRISTIE'S REAL ESTATE

Applicable Del Monte Forest LCP Provisions

Freshwater and Marine Resources

LUP Policy 1: New development shall be sited and designed to minimize runoff, site disturbance, erosion, and sedimentation. All new development shall be designed to conform to site topography as much as possible. New residential driveways and other vehicular surfaces shall be kept to the minimum length and width to provide simple, direct access, and surfaces shall be designed to minimize runoff (including through use permeable materials, filtration strips, and use of engineered collection/treatment units). Other impervious vehicular surfaces shall be limited to the minimum required to meet daily (not occasional) parking needs. This policy shall not be read to preclude safe bicycle lanes or adequate parking for commercial visitor-serving development and access points.

LUP Policy 2: Non-point sources of pollution to Carmel Bay, rocky intertidal areas, and wetlands shall be avoided to the maximum extent possible, and where unavoidable, minimized and mitigated, through use of appropriately sited and designed drainage and runoff control systems.

LUP Policy 3: Grading and site preparation activities shall incorporate design features to prevent soil erosion, repair existing erosion damage within the development footprint and prevent pollution of coastal waters.

LUP Policy 4: All development shall employ adequate erosion/sediment control and water quality construction best management practices (BMPs) during construction, and all such BMPs shall be in place prior to the commencement of construction and shall be maintained in good operating condition through the construction period.

LUP Policy 6: Provisions shall be made to collect and conduct runoff to drainage areas/devices capable of polluted runoff filtration/treatment (e.g., vegetated filtration strips, detention/retention basins, storm drains, etc.) to ensure maximum on-site filtration/treatment. Permanent onsite drainage areas/devices shall be designed to accommodate increased runoff resulting from site modification. Where necessitated by good drainage design considerations, on-site retention of storm water may be considered to reduce the size requirements for drainage structures, consistent with resource protection policies.

CIP Section 20.147.030 Intent: It is the intent of this section to ensure that the water quality and biological value of the Del Monte Forest's coastal streams, wetlands, open coastal waters, and the Carmel Bay are protected and maintained, including through application of adequate buffers and setbacks, maintaining hydrologic inputs, protecting riparian and wetland vegetation, carefully controlling grading to minimize erosion and sedimentation, and effective collection, filtration, and treatment of runoff.

CIP Section 20.147.030.A. Development Standards

1. New development in the Pescadero watershed and the smaller unnamed watersheds of the Pebble Beach planning area which drain into the Carmel Bay Area of Special Biological Significance (ASBS) and in the watersheds of Seal Rock Creek and Sawmill

Gulch (see LUP Figure 2b for affected watersheds), shall be subject to the following development restrictions and criteria:

(a) New development shall be sited and designed to minimize runoff, site disturbance, erosion, and sedimentation. All new development shall be designed to conform to site topography as much as possible. New residential driveways and other vehicular surfaces shall be kept to the minimum length and width necessary to provide simple, direct access, and surfaces shall be designed to minimize runoff (including through use of permeable materials, filtration strips, and use of engineered collection/treatment units). Other impervious vehicular surfaces shall be limited to the minimum required to meet daily (not occasional) parking needs. This standard shall not be read to preclude safe bicycle lanes or adequate parking for commercial visitor-serving development and access points.

(b) Impervious surface (structural and site improvements) coverage for residential development shall be limited to a maximum of 9,000 square feet.

CIP Section 20.147.030.A.3. Point and non-point sources of pollution to the Carmel Bay "Area of Special Biological Significance," rocky intertidal areas, and wetlands shall be avoided to the maximum extent possible, and where unavoidable, minimized and mitigated through use of appropriately sited and designed drainage and runoff control systems. It shall be determined through staff review of the project whether or not the project contains, as a course of its operation or as any other result of its existence, the ability or possibility to contribute to the degradation of the water and marine resources of the area. Projects determined to have such an effect shall supply to the Planning staff proof of adequate erosion and runoff control systems to control any off-site effects of the projects. These erosion control and runoff plans shall be routed to the Building Services Department and the Flood Control District for their review and comment upon the adequacy of the report. ...

CIP Section 20.147.030.A.4. Grading and site preparation activities shall incorporate design features to prevent soil erosion, repair existing erosion damage within the development footprint and prevent pollution of coastal waters.

CIP Section 20.147.030.A.5. All development shall employ adequate erosion/sediment control and water quality construction best management practices (BMPs) during construction, and all such BMPs shall be in place prior to the commencement of construction and shall be maintained in good operating condition through the construction period.

CIP Section 20.147.030.A.7. Provisions shall be made to collect and conduct runoff to drainage areas/devices capable of polluted runoff filtration/treatment (e.g., vegetated filtration strips, detention/retention basins, storm drains, etc.) to ensure maximum on-site filtration/treatment. Permanent onsite drainage areas/devices shall be designed to accommodate increased runoff resulting from site modification. Where necessitated by good drainage design considerations, on-site retention of storm water may be considered to

reduce the size requirements for drainage structures, consistent with resource protection policies.

Environmentally Sensitive Habitat Area (ESHA)

LUP Policy 13. Environmentally sensitive habitat areas shall be protected through deed restrictions or permanent open space conservation and scenic easements granted to the Del Monte Forest Foundation. Where developments are proposed within or near areas containing environmentally sensitive habitat, such restrictions or easements shall be established through the development review process. Where development has already occurred within or near areas containing environmentally sensitive habitat, property owners are encouraged to voluntarily grant conservation and scenic easements to the Del Monte Forest Foundation. Except in the case of voluntary easements, each instrument for effecting such restriction or easement shall be subject to approval by the County and the Coastal Commission as to form and content; shall provide for enforcement, if need be, by the County or other appropriate enforcement agency; and shall name the County as beneficiary in the event the Foundation ceases or is unable to adequately manage these easements for the intended purpose of natural habitat preservation. Permanent open space conservation and scenic easements shall be dedicated to the Del Monte Forest Foundation for all areas of the Forest designated Open Space Forest and Open Space Shoreline.

CIP Section 20.147.040.C.3. Where sensitive species and/or other environmentally sensitive habitat areas are encountered during project review, the following mitigation measures must be undertaken:

- (a) Performance standards covering building locations, lot setbacks, roadway and driveway width, grading, and landscaping shall be established as a means of carrying out the recommendations of the biological report and as necessary to meet the requirements of the LCP. These standards are intended to isolate use and development from identified locations of sensitive species or other environmentally sensitive habitat areas.
- (b) Open space conservation and scenic easements covering the environmentally sensitive habitat area and required setback areas shall be dedicated to the Del Monte Forest Foundation along with funding adequate to ensure their management and protection over time.

CIP Section 20.147.040.C.8. The protection of environmentally sensitive habitat areas shall be provided through deed restrictions or permanent open space conservation and scenic easements granted to the Del Monte Forest Foundation. Parcels proposed for development containing areas of environmentally sensitive habitat shall require, as a condition of approval, that the sensitive habitat area (including a 100 foot buffer around the habitat area) be placed in an open space conservation and scenic easement. Where development has already occurred within or near areas containing environmentally sensitive habitat, property owners are encouraged to voluntarily grant conservation and scenic easements to the Del

Monte Forest Foundation. Except in the case of voluntary easements, each instrument for effecting such restriction or easement shall be subject to approval by the County and Coastal Commission as to form and content; shall provide for enforcement, if need be, by the County or other appropriate enforcement agency; shall be accompanied by adequate funding to allow the management and protection objectives and requirements of the easement to be fully realized; and shall name the County as beneficiary in event the Del Monte Forest Foundation ceases or is unable to adequately manage these easements for the intended purpose of natural habitat preservation.

Hazards

LUP Policy 38. New development shall be sited and designed to minimize risk from geologic, flood, or fire hazards; to assure stability and structural integrity; and to not threaten the stability of a site, contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas. Areas that are subject to the highest category of fire hazard in the California Department of Forestry and Fire Protection Fire Hazard Rating System shall be considered unsuitable for development, unless it can be clearly demonstrated that design measures can adequately mitigate the fire hazard. Mitigation of hazards shall be demonstrated by detailed technical reports specific to the hazard type in question (e.g., soils, geologic, geotechnical, erosion control, fire hazard, etc.) that are prepared by persons who are appropriately qualified in the hazard field in question (e.g., civil engineers and engineering geologists familiar with coastal processes, geotechnical engineers, etc.) and that are submitted as part of any permit application. All technical reports shall be prepared consistent with County criteria for such reports (e.g., criteria for detail on seismic hazards are contained in the General Plan Safety Element; criteria for detail on fire hazards are based on the fire hazard rating system of the California Department of Forestry and Fire Protection; criteria for detail on shoreline hazards are based on Coastal Commission guidelines). All technical reports and analyses shall accompany development applications and/or be part of any required environmental documentation (e.g., that associated with CEQA).

GENERAL NOTES

1. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THESE PLANS AND ACCOMPANYING SPECIFICATIONS, IN ADDITION ALL WORK SHALL ALSO CONFORM WITH THE FOLLOWING:
- LATEST EDITION OF THE MONTEREY COUNTY DESIGN STANDARDS AND SPECIFICATIONS
 - THE LATEST EDITION OF THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION STANDARDS AND SPECIFICATIONS (STATE SPECIFICATIONS)
 - THE 2016 EDITIONS OF THE CALIFORNIA BUILDING CODE (CBC), CALIFORNIA PLUMBING CODE (CPC), CALIFORNIA MECHANICAL CODE (CMC), CALIFORNIA ENERGY CODE (CEC), CALIFORNIA ELECTRICAL CODE (CEC), CALIFORNIA FIRE CODE (CFC).
2. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE PLANS, DETAILS, AND SPECIFICATIONS AND SITE CONDITIONS PRIOR TO THE START OF CONSTRUCTION. IN THE EVENT THAT THE CONTRACTOR FINDS ANY DISCREPANCIES, OMISSIONS, OR DEFICIENCIES IN THE PLANS, THE CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO SECURE ALL REQUIRED PERMITS PRIOR TO THE START OF CONSTRUCTION. GRADING PERMITS EXPIRE 180 DAYS FROM ISSUANCE DATE.
4. THE LOCATIONS AND SIZE OF UNDERGROUND UTILITIES AND OR OTHER STRUCTURES SHOWN HEREON WERE OBTAINED FROM A FIELD SURVEY (BY OTHERS) AND OR FROM RECORD INFORMATION. NEITHER THE ENGINEER NOR THE OWNER MAKES ANY REPRESENTATION TO THE ACCURACY OF SIZE AND OR LOCATION OF ANY OF THE UTILITIES OR STRUCTURES SHOWN ON THESE PLANS NOR FOR THE EXISTENCE OF ANY OTHER BURIED OBJECTS OR UTILITIES WHICH MAY BE ENCOUNTERED THAT ARE NOT SHOWN ON THIS PLAN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE SIZE AND LOCATION OF EXISTING UNDERGROUND UTILITIES, SURFACE IMPROVEMENTS, AND OTHER STRUCTURES AND TAKE ALL NECESSARY PRECAUTIONS TO PROTECT THEM FROM DAMAGE DURING CONSTRUCTION.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTRACTING APPROPRIATE UTILITY COMPANIES AND REQUESTING VERIFICATION OF SERVICE POINTS, FIELD VERIFICATION OF LOCATION, SIZE, DEPTH, ETC. FOR ALL THEIR FACILITIES AND TO COORDINATE WORK SCHEDULES.
6. THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT AT (800) 227-2600 AT LEAST 48 HOURS PRIOR TO EXCAVATION TO VERIFY THE LOCATION OF EXISTING UNDERGROUND UTILITIES AND MAINTAIN A CURRENT DIG ALERT/811 TICKET THROUGHOUT THE PROJECT.
7. CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH ANY CURRENTLY APPLICABLE SAFETY LAW OF ANY JURISDICTIONAL BODY. FOR INFORMATION REGARDING THIS PROVISION, THE CONTRACTOR IS DIRECTED TO CONTACT THE STATE OF CALIFORNIA, DIVISION OF OCCUPATIONAL SAFETY AND HEALTH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL GUARDRAILS, SAFETY DEVICES, AND THE CONTROL OF TRAFFIC WITHIN THE CONSTRUCTION AREA. FOR ALL TRENCH EXCAVATION THE (5) FEET OR MORE IN DEPTH, THE CONTRACTOR SHALL OBTAIN A PERMIT FROM THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH PRIOR TO BEGINNING ANY EXCAVATION. A COPY OF THIS PERMIT SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES.
8. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS AND SAFETY OF ALL PERSONS AND PROPERTY DURING THE COURSE OF CONSTRUCTION OF THE PROJECT. THE CONTRACTOR AGREES TO HOLD HARMLESS, INDEMNIFY AND DEFEND THE OWNER, THE ENGINEER, AND ALL DESIGN CONSULTANTS FROM ANY AND ALL LIABILITY, CLAIMS, LOSSES OR DAMAGES ARISING FROM THE PERFORMANCE OF THE WORK DESCRIBED HEREIN EXCEPT THOSE ARISING FROM THE SOLE NEGLIGENCE OF ANY OF THE PREVIOUSLY MENTIONED PEOPLE OR ENTITIES. THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL, OFF-HAUL AND DISPOSE OF ALL ITEMS TO BE REMOVED INCLUDING BUT NOT LIMITED TO: ASPHALT, CONCRETE STRIPING, ANY AND ALL OTHER DEBRIS FROM THE SITE, EXCESS FROM TRENCHING AND PAVEMENT CONSTRUCTION, TREES AND ROOT-BALLS FENCING AND SPOILS FROM EXCAVATION AT THE CONTRACTOR'S EXPENSE.
10. ALL REVISIONS TO THESE PLANS MUST BE APPROVED BY THE ENGINEER AND BUILDING OFFICIALS AS WELL AS THE OWNER PRIOR TO THEIR CONSTRUCTION AND SHALL BE ACCURATELY SHOWN ON RECORD DRAWINGS PRIOR TO THE ACCEPTANCE OF THE WORK. ANY CHANGES TO OR DEVIATIONS FROM THE PLANS MADE WITHOUT AUTHORIZATION SHALL BE AT THE CONTRACTOR'S SOLE RISK AND SHALL ABSOLVE THE ENGINEER OF ANY AND ALL RESPONSIBILITY ASSOCIATED WITH THE CHANGE OR DEVIATION.
11. THE CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO KEEP THE SITE AND ADJACENT AREAS FREE FROM DIRT AND DEBRIS. SHOULD ANY DIRT OR DEBRIS BE DEPOSITED IN THE PUBLIC RIGHT-OF-WAY, THE CONTRACTOR SHALL REMOVE IT IMMEDIATELY.
12. THE CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO PREVENT AIRBORNE DUST FROM BECOMING A NUISANCE. DUST CONTROL MEASURES TO BE IMPLEMENTED INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:
- A) PROVIDE EQUIPMENT AND MANPOWER REQUIRED FOR WATERING ALL EXPOSED OR DISTURBED EARTH
 - B) COVER STOCKPILES OF DEBRIS, SOIL, OR OTHER MATERIALS WHICH MAY CONTRIBUTE TO AIRBORNE DUST.
 - C) KEEP CONSTRUCTION AREAS AND ADJACENT STREET FREE OF MUD AND DUST.
 - D) LANDSCAPE, SEED, OR COVER PORTIONS OF THE SITE AS SOON AS CONSTRUCTION IS COMPLETE.
13. IF ARCHEOLOGICAL RESOURCES OR HUMAN REMAINS ARE DISCOVERED DURING CONSTRUCTION, CONTACT MONTEREY COUNTY RMA IMMEDIATELY. WORK SHALL BE HALTED WITHIN 150 FEET OF THE FIND UNTIL IT CAN BE EVALUATED BY A QUALIFIED PROFESSIONAL ARCHEOLOGIST. IF THE FIND IS DETERMINED TO BE SIGNIFICANT, APPROPRIATE MITIGATION MEASURES SHALL BE FORMULATED AND IMPLEMENTED.

GRADING & DRAINAGE

1. CONTRACTOR SHALL NOTIFY COUNTY 48 HOURS BEFORE STARTING ANY GRADING OPERATIONS.
2. ALL GRADING SHALL CONFORM TO THE COUNTY GRADING ORDINANCE.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO SECURE THE REQUIRED PERMITS PRIOR TO THE COMMENCEMENT OF GRADING. RIGHT-OF-ENTRY, PERMISSION TO GRADE, AND ENCROACHMENT PERMIT(S) MAY BE REQUIRED PRIOR TO GRADING.
4. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PREPARE THE GROUND SURFACE TO RECEIVE THE FILLS AND TO PLACE, SPREAD, MIX, WATER, AND COMPACT THE FILL. THE CONTRACTOR SHALL ALSO REMOVE ALL MATERIAL CONSIDERED UNSATISFACTORY.
5. WHERE UNSTABLE OR UNSUITABLE MATERIALS ARE ENCOUNTERED DURING SUB-GRADE PREPARATION, THE AREA IN QUESTION SHALL BE OVER EXCAVATED AND BACKFILLED WITH SELECT MATERIAL.
6. ALL CUT SLOPES SHALL BE ROUNDED TO MEET EXISTING GRADES AND BLEND WITH SURROUNDING TOPOGRAPHY. ALL GRADED SLOPES SHALL BE PLANTED WITH SUITABLE GROUND COVER.
7. CONTRACTOR SHALL USE CAUTION WHEN GRADING AROUND AND/OR OVER EXISTING UNDERGROUND UTILITIES.
8. EARTHWORK QUANTITIES:
- CUT = 0 CY
 - FILL = 0 CY
 - NET = 0 CY FILL
 - MAXIMUM HEIGHT OF EXCAVATION 0
 - MAXIMUM HEIGHT OF EMBANKMENT 0
- EARTHWORK QUANTITIES ARE ESTIMATES ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ACTUAL EARTHWORK QUANTITIES. NO ALLOWANCE HAS BEEN MADE TO ACCOUNT FOR QUANTITIES FROM TRENCHING FOR FOUNDATION, FOOTINGS, PIERS AND/OR UTILITIES TRENCHES.
9. ALL SURFACE DRAINAGE SHALL MAINTAIN 2% SLOPE MINIMUM.
11. PERVIOUS SURFACES IMMEDIATELY ADJACENT TO THE FOUNDATION SHALL BE SLOPED AWAY FROM THE BUILDING AT A SLOPE OF NOT LESS THAN 5% FOR A MINIMUM DISTANCE OF 10 FEET MEASURED PERPENDICULAR TO THE FACE OF THE WALL. IF PHYSICAL OBSTRUCTIONS OR LOT LINES PROHIBIT TO FEET OF HORIZONTAL DISTANCE, A 5% SLOPE SHALL BE PROVIDED TO AN APPROVED ALTERNATIVE METHOD OF DIVERTING WATER AWAY FROM THE FOUNDATION. SWALES USED FOR THIS PURPOSE SHALL BE SLOPED A MINIMUM OF 2% WHERE LOCATED WITHIN 10 FEET OF THE BUILDING FOUNDATION. IMPERVIOUS SURFACES WITHIN 10 FEET OF THE BUILDING FOUNDATION SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM THE BUILDING.
12. INVERTS OF ALL STORM DRAIN LINES CONNECTING RETAINING WALL SUB-DRAINS AND FOUNDATION SUB-DRAINS SHALL BE FIELD VERIFIED AFTER FOOTINGS ARE PLACED.

GRADING & DRAINAGE

3. ALL STORM DRAIN MAINS SHALL HAVE A MINIMUM OF 12" COVER.
14. DURING WINTER OPERATIONS (BETWEEN OCTOBER 15 AND APRIL 15) THE FOLLOWING MEASURES MUST BE TAKEN:
- A. DISTURBED SURFACES NOT INVOLVED IN IMMEDIATE OPERATIONS MUST BE PROTECTED BY MULCHING AND OR OTHER EFFECTIVE MEANS OF SOIL PROTECTION.
 - B. ALL ROADS AND DRIVEWAYS SHALL HAVE DRAINAGE FACILITIES SUFFICIENT TO PREVENT EROSION ON OR ADJACENT TO THE ROADWAY OR ON DOWNHILL PROPERTIES.
 - C. RUN-OFF FROM THE SITE SHALL BE DETAINED OR FILTERED BY BERMS, VEGETATED FILTER STRIPS, AND OR CATCH BASINS TO PREVENT THE ESCAPE OF SEDIMENT FROM THE SITE.
 - D. DRAINAGE CONTROL MEASURES SHALL BE MAINTAINED AND IN PLACE AT THE END OF EACH DAY AND CONTINUOUSLY THROUGH THE LIFE OF THE PROJECT DURING WINTER OPERATIONS (MONTEREY COUNTY GRADING/EROSION ORD.2806-16.12.090)
15. PREPARATION OF GROUND FOR FILL. THE GROUND SURFACE SHALL BE PREPARED TO RECEIVE FILL BY THE REMOVAL OF TOPSOIL AND OTHER UNSUITABLE MATERIALS.
16. PREPARATION OF THE GROUND. THE GROUND SURFACE SHALL BE PREPARED TO RECEIVE FILL BY REMOVING VEGETATION, NON-COMPLYING FILL, TOPSOIL AND OTHER UNSUITABLE MATERIALS SCARPING TO PROVIDE A BOND WITH THE NEW FILL.
17. FILL MATERIAL PERMITTED. NO ORGANIC MATERIAL SHALL BE PERMITTED IN FILL EXCEPT AS TOPSOIL USED FOR SURFACE PLANT GROWTH ONLY AND WHICH DOES NOT EXCEED 4 INCHES IN DEPTH.

UNDERGROUND UTILITIES

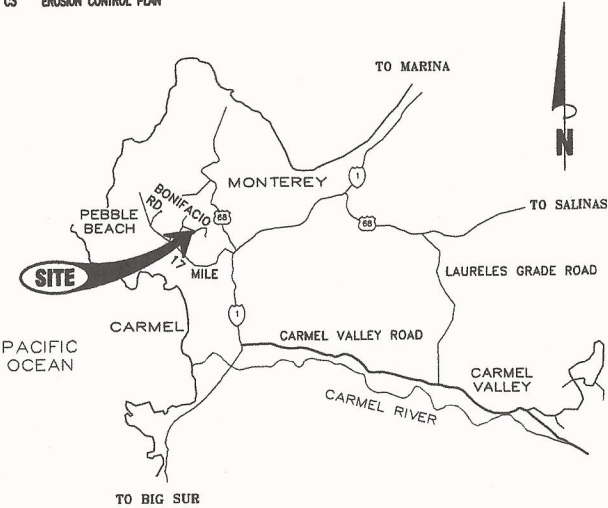
1. CONTRACTOR SHALL EXPOSE AND VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES, INCLUDING STORM DRAINS, SANITARY SEWERS AND WATER LINES, BEFORE ORDERING MATERIALS AND/OR CONSTRUCTING NEW FACILITIES.
2. ALL EXISTING MANHOLES AND UTILITY BOXES WITHIN THE PROJECT AREA ARE TO BE SET FLUSH WITH FINISHED GRADE, UNLESS OTHERWISE NOTED.
3. ALL TRENCHES AND EXCAVATIONS SHALL BE CONSTRUCTED IN STRICT COMPLIANCE WITH THE APPLICABLE SECTIONS OF CALIFORNIA AND FEDERAL O.S.H.A. REQUIREMENTS AND OTHER APPLICABLE SAFETY ORDINANCES, CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR TRENCH SHORING DESIGN AND INSTALLATION.
4. PIPE MATERIALS AND INSTALLATION PROCEDURE SHALL BE IN ACCORDANCE WITH APPLICABLE SECTIONS OF THE STANDARD SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS.
5. SHOULD ANY WATER SYSTEM MAINS OR SERVICES BE DAMAGED BY THE CONTRACTOR, THE WATER SYSTEM SHALL BE REPAIRED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS OF THE COUNTY.

LEGEND

EXISTING		PROPOSED
-----	BOUNDARY LINE	-----
-----	EASEMENT (ESMT)	-----
-----	CENTERLINE (CL)	-----
-----	STORM DRAIN MAIN	-----
-----	ROOF DRAIN LATERAL	-----
-----	SANITARY SEWER MAIN	-----
-----	WATER MAIN	-----
-----	DRAINAGE FLOW LINE	-----
-----	SAWCUT	-----
-----	GRADE BREAK	-----
-----	ACCESSIBLE PATH OF TRAVEL	-----
-----	MAJOR CONTOUR	-----
-----	MINOR CONTOUR	-----
-----	FENCE	-----
-----	SPOT ELEVATION	-----
-----	DROP INLET (DI)	-----
-----	CURB INLET (CI)	-----
-----	AREA DRAIN (AD)	-----
-----	STORM DRAIN MANHOLE (SDMH)	-----
-----	SANITARY SEWER MANHOLE (SSMH)	-----
-----	FIRE DEPARTMENT CONNECTION (FDC)	-----
-----	FIRE HYDRANT (FH)	-----
-----	POST INDICATOR VALVE (PIV)	-----
-----	WATER METER (WM)	-----
-----	WATER VALVE (WV)	-----
-----	CHECK VALVE	-----
-----	DOUBLE CHECK VALVE	-----
-----	CLEANOUT (CO)	-----

SHEET INDEX

- C1 COVER & GENERAL NOTES
C2 DRAINAGE PLAN
C3 EROSION CONTROL PLAN



VICINITY MAP

AC3 ENGINEERING INCORPORATED

Civil Engineering Land Development Stormwater Management

126 Bonifacio Place, Suite C, Monterey, CA 93940
Phone: (831) 647-1192 Fax: (831) 647-1194
mailto:ac3engineering.net

REGISTERED PROFESSIONAL ENGINEER

STATE OF CALIFORNIA

NO. 61350

EXP. 06/30/19

CIVIL

COVER SHEET & GENERAL NOTES

DRIVEWAY DESIGN

APN# 008-341-037

Project Location: 1496 BONIFACIO ROAD, PEBBLE BEACH, CA 93953

SCALE: AS NOTED

DATE: 03-08-19

DESIGN BY: FJC

DRAWN BY: ECH

CHECKED BY: FJC

SHEET NUMBER: C1

OF 3 SHEETS

PROJECT# 118-119

DATE: 03-08-19

BY: FJC

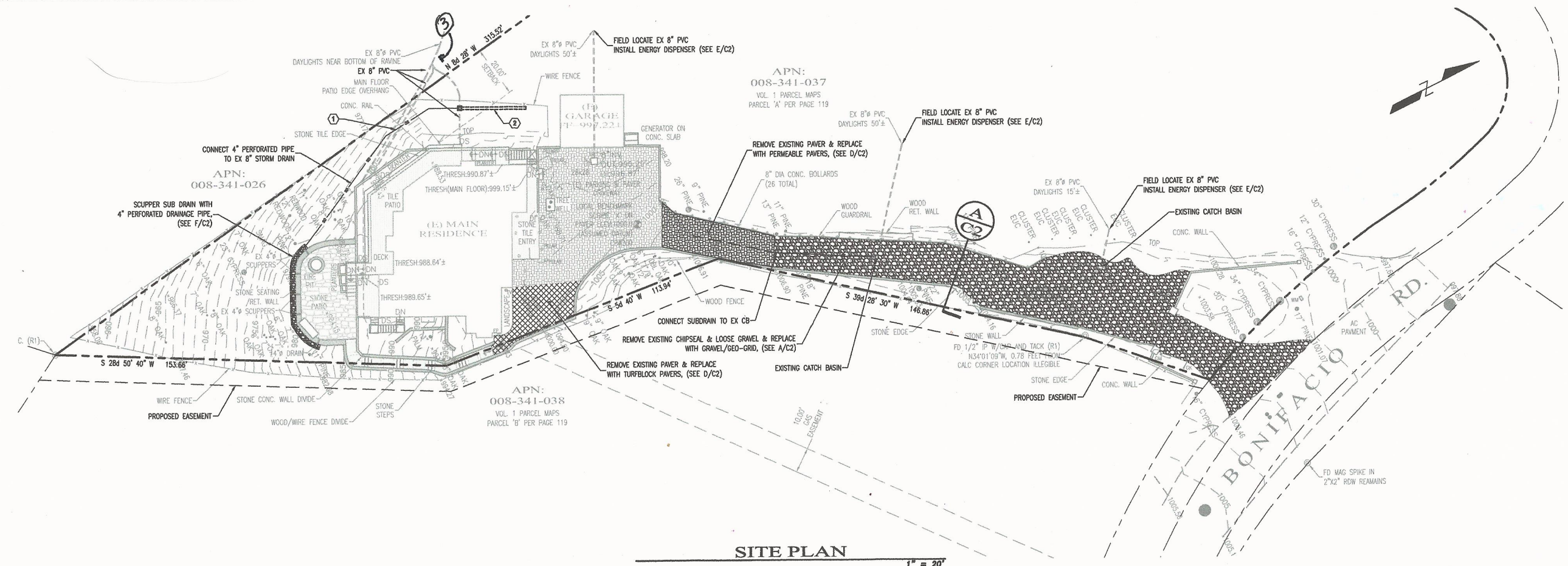
DESCRIPTION: UPDATE AS-BUILT BACKGROUND ADDED TURF BLOCK PAVERS

MADE IN THE USA

Exhibit 6
A-3-MCO-19-0024
Page 1 of 3

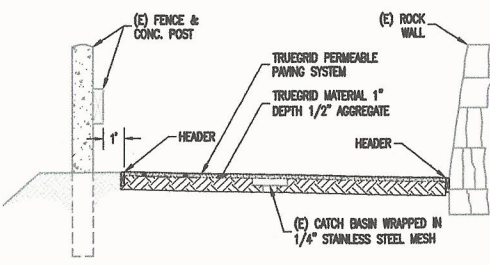
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Date: 03/08/2019 - 4:52pm



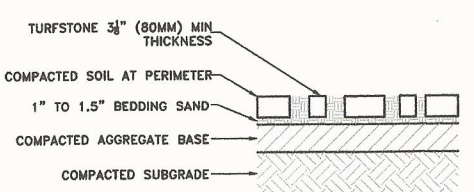
SITE PLAN

1" = 20'



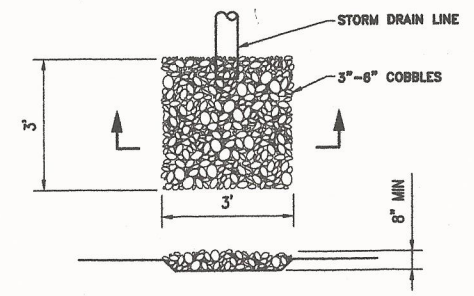
A GRAVEL DRIVEWAY SECT.

NTS



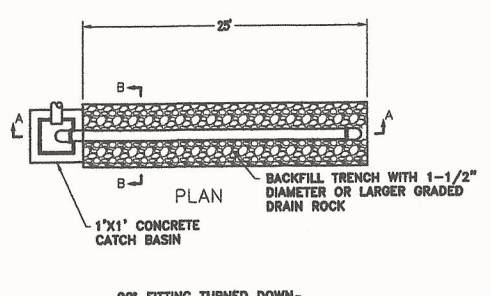
C TURF BLOCK PAVERS

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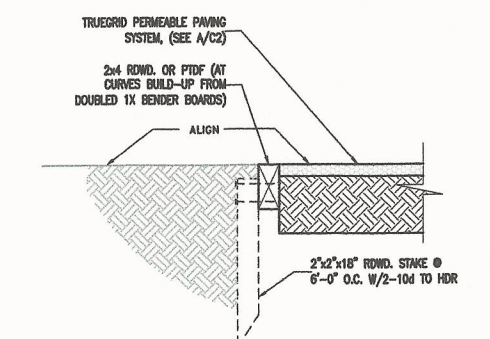
E ENERGY DISSIPATER

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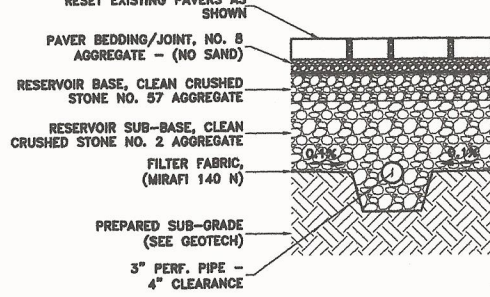
G DISPERSION TRENCH

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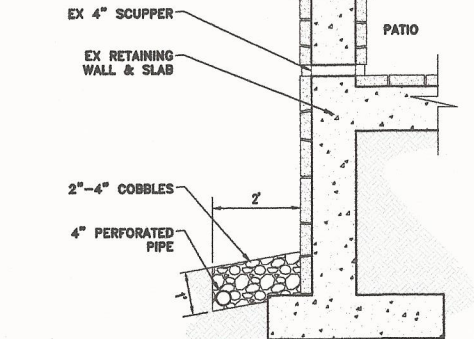
B HEADER

NTS



D PERVIOUS PAVER SECTION

NTS



F SCUPPER SUB DRAIN

NTS

HATCH LEGEND

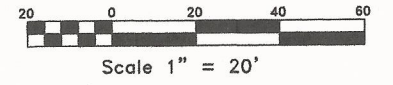
- REMOVE (EXISTING) CHIPSEAL & LOOSE GRAVEL & REPLACE WITH NEW GRAVEL/GEO-GRIP, (SEE A/C2) (3,483SF REDUCTION OF IMPERVIOUS AREA)
- REMOVE EXISTING PAVERS AND REPLACE WITH PERMEABLE PAVERS (D/C2) (598SF REDUCTION OF IMPERVIOUS AREA)
- TURF BLOCK PAVERS (SEE C/C2) (551 SF REDUCTION OF IMPERVIOUS AREA)

PRE-PROJECT IMPERVIOUS AREA = 13,100 SF
REDUCTION OF IMPERVIOUS AREA = 4,600 SF
NET POST-PROJECT IMPERVIOUS AREA = 8,500 SF

THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH THE WATER RESOURCES AGENCY TO ENSURE ALL NECESSARY DRIVEWAY RUNOFF MEASURES ARE IN PLACE AND THE PROJECT IS COMPLIANT WITH RESPECTIVE WATER RESOURCES POLICIES.

KEY NOTES

- 1. CONNECT EX DRAIN LINES TO NEW 8" PVC WITH 1% SLOPE MIN.
- 2. INSTALL PERCOLATION TRENCH, (SEE G/C2)
- 3. Remove (E) drain pipes once (A) installed and restore area.



Scale 1" = 20'

C2 ENGINEERING
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mailto:C2Engineering.net

REGISTERED PROFESSIONAL ENGINEER
Mark J. Campo
No. 61360
Exp. 06/30/19
CIVIL
STATE OF CALIF.

SITE PLAN
DRIVEWAY DESIGN
APN# 008-341-037

Project Location: 1496 BONIFACIO ROAD, PEBBLE BEACH, CA 93953

SCALE: AS NOTED
DATE: 03-08-19
DESIGN BY: FJC
DRAWN BY: ECH
CHECKED BY: FJC
SHEET NUMBER:

C2
OF 3 SHEETS
PROJECT# 118-119

REV.

DATE

DESCRIPTION

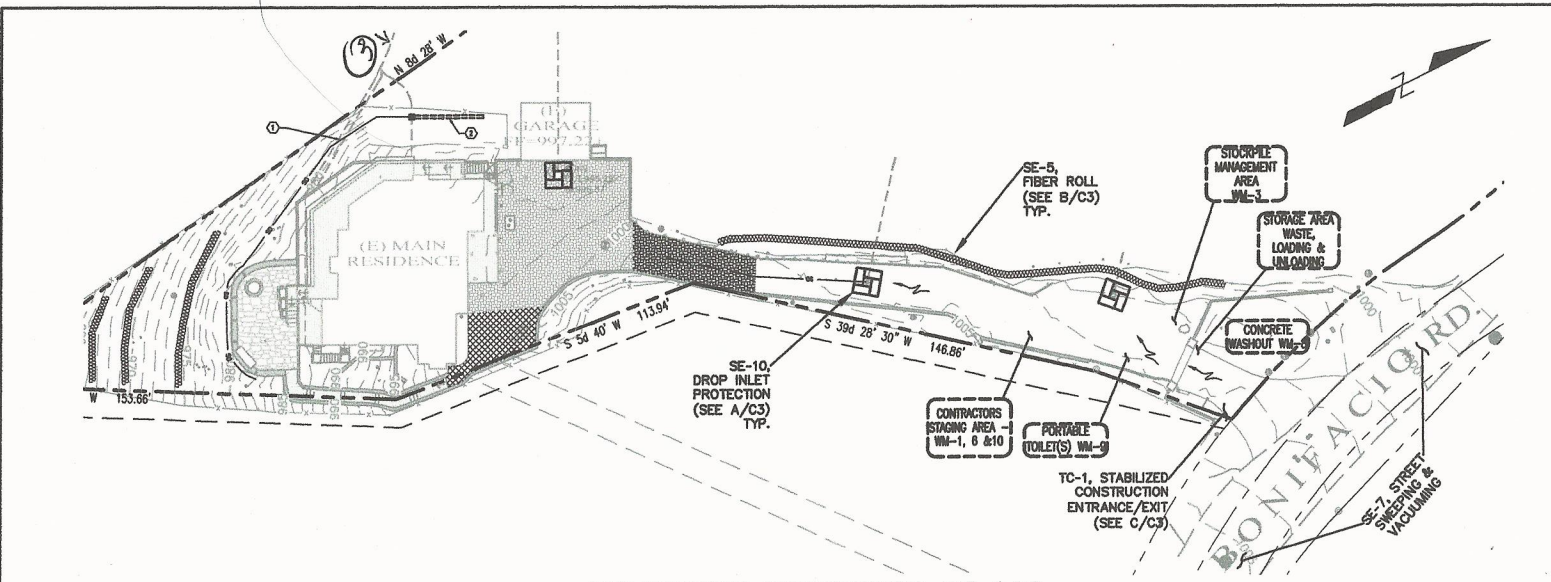
1	03/08/2019	CD prep.
2	03/08/2019	UPDATE AS-BUILT BACKGROUND
3	03/08/2019	ADDED TURFBLOCK PAVERS

MADE IN THE USA

03/08/2019 - Bos

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User: C3
Date: 08/20/2019 11:43:20am



EROSION CONTROL PLAN

1" = 30'

STORMWATER MANAGEMENT

EROSION CONTROL NOTES

1. AT ALL TIMES THE CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO MINIMIZE SOIL EROSION AND PREVENT SEDIMENT LADEN RUN-OFF FROM ENTERING THE STORM DRAINAGE SYSTEM. ACCEPTABLE MEASURES MAY INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING: INSTALLATION OF BERM, SWALES, SLOTTED DITCHES, CHECK DAMS, SILT FENCES, GRASS, FIBER ROLLS, STABILIZED CONSTRUCTION ENTRANCES AND OR STABILIZED EXPOSED SLOPES. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH WORKING DAY. DURING CONSTRUCTION THE CONTRACTOR SHALL MAINTAIN THE CITY RIGHT-OF-WAY FREE FROM DEBRIS AND DIRT. ALL BMPs SHALL BE INSPECTED MONTHLY DURING DRY PERIODS, ONLY DURING THE RAINY SEASON AND IMMEDIATELY BEFORE AND AFTER EACH RAINFALL. REPAIRS SHALL BE MADE IMMEDIATELY TO ANY DAMAGED PORTION OF THE BMP.
2. NO GRADING OPERATIONS SHALL BE CONDUCTED DURING THE RAINY SEASON (OCTOBER 15TH - APRIL 15TH) EXCEPT UPON A CLEAR DEMONSTRATION, TO THE SATISFACTION OF THE CITY ENGINEER, THAT ADEQUATE SITE EROSION CONTROL MEASURES ARE TO BE TAKEN TO MINIMIZE RISK OF INCREASED EROSION AND SEDIMENT DISCHARGE FROM THE SITE.
3. SHOULD GRADING BE PERMITTED DURING THE RAINY SEASON, THE SMALLEST PRACTICABLE AREA OF EXPOSED LAND SHALL BE EXPOSED AT ANY ONE TIME DURING GRADING OPERATIONS AND THE TIME OF EXPOSURE SHALL BE MINIMIZED.
4. NATURAL FEATURES, INCLUDING VEGETATION TERRAIN, WATERCOURSES AND SIMILAR RESOURCES SHALL BE PRESERVED WHEREVER POSSIBLE.
5. PERMANENT VEGETATION AND STRUCTURES FOR EROSION AND SEDIMENT CONTROL SHALL BE INSTALLED PRIOR TO OCTOBER 15TH.
6. PERMITS SHALL IMPLEMENT BMP'S TO ENSURE THAT VEHICLES DO NOT TRACK OR SPILL EARTH MATERIALS INTO PUBLIC STREETS AND SHALL IMMEDIATELY REMOVE SUCH MATERIALS IF THIS OCCURS. SEDIMENT SHALL BE PREVENTED OR CONTROLLED FROM BEING TRACKED OFF-SITE BY VEHICLES LEAVING THE CONSTRUCTION AREA USING APPROPRIATE BEST MANAGEMENT PRACTICES SUCH AS STABILIZED CONSTRUCTION ENTRANCES/EXITS, STABILIZED CONSTRUCTION ROWWAYS, AND ENTRANCE.
7. TEMPORARY AND PERMANENT SEDIMENT AND DEBRIS CONTROL FACILITIES SHALL BE INSTALLED WHENEVER AND WHEREVER NECESSARY TO PROTECT AND DOWNSTREAM PROPERTIES FROM EROSION AND SEDIMENT/DEBRIS DISCHARGE.
8. TEMPORARY VEGETATION SUFFICIENT TO STABILIZE THE SOIL AS PERMANENT VEGETATION COVER IS MATURING SHALL BE ESTABLISHED ON A DISTURBED AREAS AS NEEDED AND AS EACH STAGE OF GRADING IS COMPLETED.
9. GRADING PROJECTS THAT ARE STARTED BUT NOT COMPLETED BY OCTOBER 15TH OF EACH YEAR ARE TO BE "WINTERIZED" BY INSTALLATION OF PLANNED EROSION AND SEDIMENT CONTROL MEASURES, WHICH SHALL BE MAINTAINED IN GOOD REPAIR THROUGH THE FOLLOWING APRIL 15TH, AND UNTIL THE PROJECT IS COMPLETED.
10. WHEN WORK IS ALLOWED, EXISTING GROUND COVER SHALL NOT BE CLEARED, DESTROYED, OR DISTURBED MORE THAN FIFTEEN (15) DAYS PRIOR TO GRADING OR CONSTRUCTION WORK UNLESS APPROVED IN ADVANCE BY CDD.
11. DUST FROM GRADING OPERATIONS MUST BE CONTROLLED. DUST CONTROL SHALL CONSIST OF APPLYING WATER OR OTHER DUST SUPPRESSANTS, OR COVERING SHALL STOCKPILES OR AREAS, AS NECESSARY TO PREVENT OR ALLEVIATE DUST HARMFUL GENERATED BY CONSTRUCTION ACTIVITIES. PERIODIC STREET SWEEPING MAY ALSO BE REQUIRED BY THE CITY ENGINEER.
12. ALL ON-SITE EROSION CONTROL FACILITIES SHALL BE PROPERLY MAINTAINED BY THE OWNERS FOR THE LIFE OF THE PROJECT SO THAT THEY DO NOT BECOME HURDLES WITH STAGNANT WATER, HEAVY ALGAE GROWTH, INSECT BREEDING, ODORS, DISCARDED DEBRIS, AND/OR SAFETY HAZARDS. VEGETATIVE MAINTENANCE REQUIRED MAY INCLUDE MOWING, FERTILIZATION, IRRIGATION AND/OR RESODING.
13. BMP'S TO BE UTILIZED TO ACHIEVE THE PRECEDING MAY INCLUDE BUT ARE NOT NECESSARILY LIMITED TO:

BMP'S

- | | |
|--|--|
| EROSION CONTROL:
EC-1 SCHEDULING
EC-2 PRESERVATION OF EXISTING VEGETATION
EC-3 HYDRAULIC MULCH
EC-4 HYDROSEEDING
EC-5 WOOD MULCHING
EC-6 NON-VEGETATIVE STABILIZATION | WASTE MANAGEMENT AND MATERIAL POLLUTION CONTROL:
WM-1 MATERIAL DELIVERY AND STORAGE
WM-2 MATERIAL USED
WM-3 STOCKPILE MANAGEMENT
WM-4 SPILL PREVENTION AND CONTROL
WM-5 SOLID WASTE MANAGEMENT
WM-6 HAZARDOUS WASTE MANAGEMENT
WM-7 CONTAMINATED SOIL MANAGEMENT
WM-8 CONCRETE WASTE MANAGEMENT
WM-9 SANITARY/SEPTIC WASTE MANAGEMENT
WM-10 LIQUID WASTE MANAGEMENT |
| SEDIMENT CONTROL:
SE-1 SILT FENCE
SE-2 SEDIMENT BASINS
SE-3 SEDIMENT TRAP
SE-4 FIBER ROLL
SE-5 GRAVEL BAG BERM
SE-6 STREET SWEEPING AND VACUUMING
SE-7 SWAGING BARRIER
SE-8 STRAW BALE BARRIER
SE-9 STORM DRAIN INLET PROTECTION | NON-STORM WATER MANAGEMENT:
NS-1 WATER CONSERVATION PRACTICES
NS-2 PAVING AND GRADING OPERATIONS
NS-3 ILLICIT CONNECTION/DISCHARGE
NS-4 POTABLE WATER/FLOODATION
NS-5 VEHICLE AND EQUIPMENT CLEANING
NS-6 VEHICLE AND EQUIPMENT FUELING
NS-7 VEHICLE AND EQUIPMENT MAINTENANCE
NS-8 CONCRETE CURING
NS-9 CONCRETE FINISHING
NS-10 MATERIAL AND EQUIPMENT USE |
| TRACKING CONTROL:
TC-1 STABILIZED CONSTRUCTION ENTRANCE/EXIT | |
| WIND EROSION CONTROL:
WE-1 WIND EROSION CONTROL | |

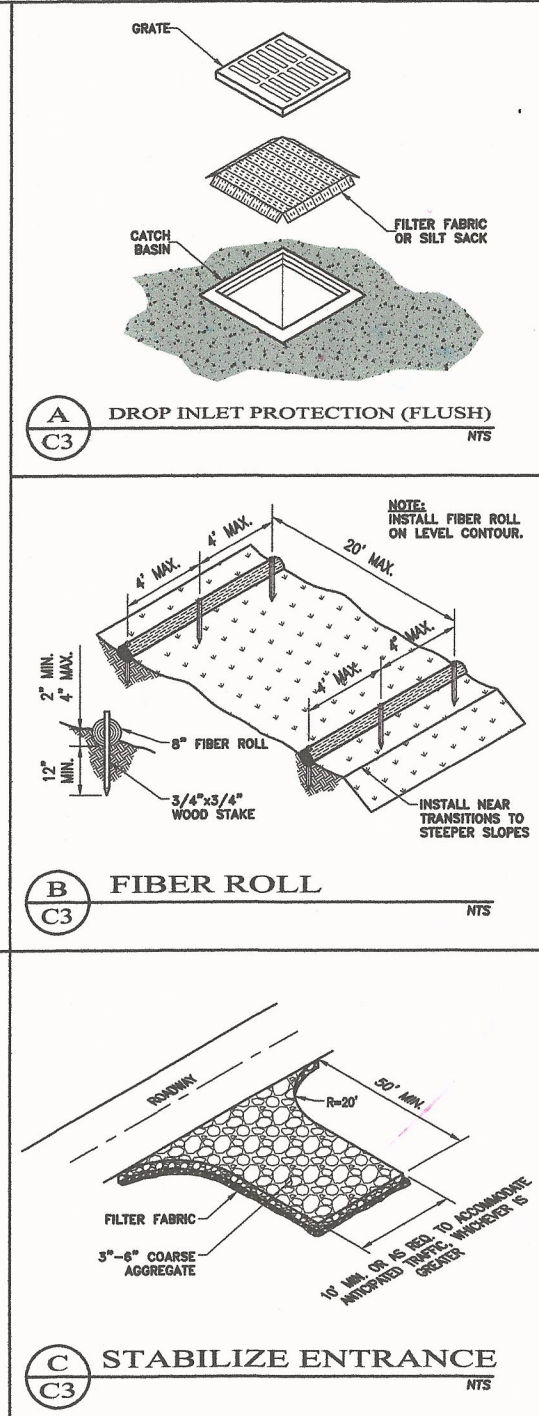
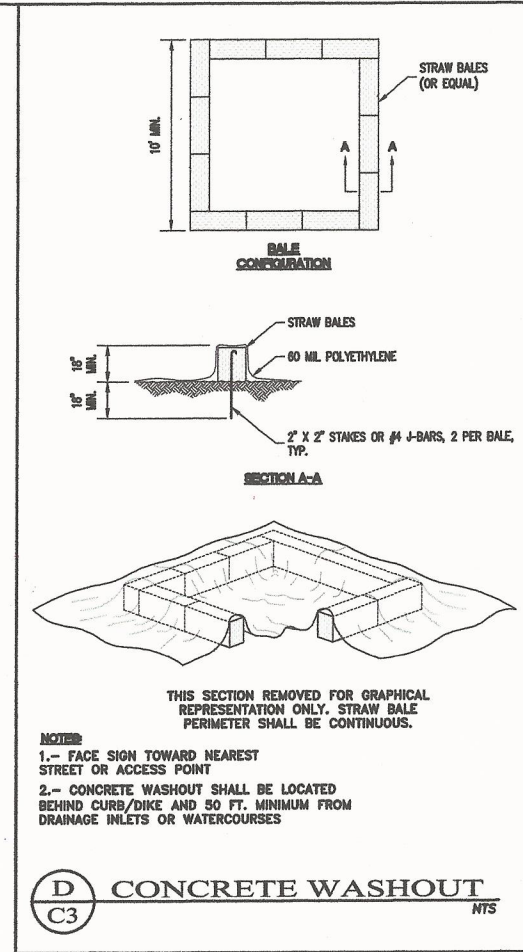
REFER TO THE CDDA BMP HANDBOOK FOR BMP FACT SHEETS.

CONDITIONS OF APPROVAL

1. STOP WORK WITHIN 30 METERS (100 FEET) OF UNCOVERED RESOURCE AND CONTACT MONTEREY COUNTY RMA - PLANNING AND A QUALIFIED ARCHAEOLOGIST IMMEDIATELY IF CALYPTUS, ANACARDIUM, HISTORICAL OR PALEONTOLOGICAL RESOURCES ARE UNCOVERED.

LEGEND

- INLET PROTECTION (SEE DETAIL A/C3)
PROPOSED DRAINAGE FLOW
FIBER ROLL (SEE DETAIL B/C3)

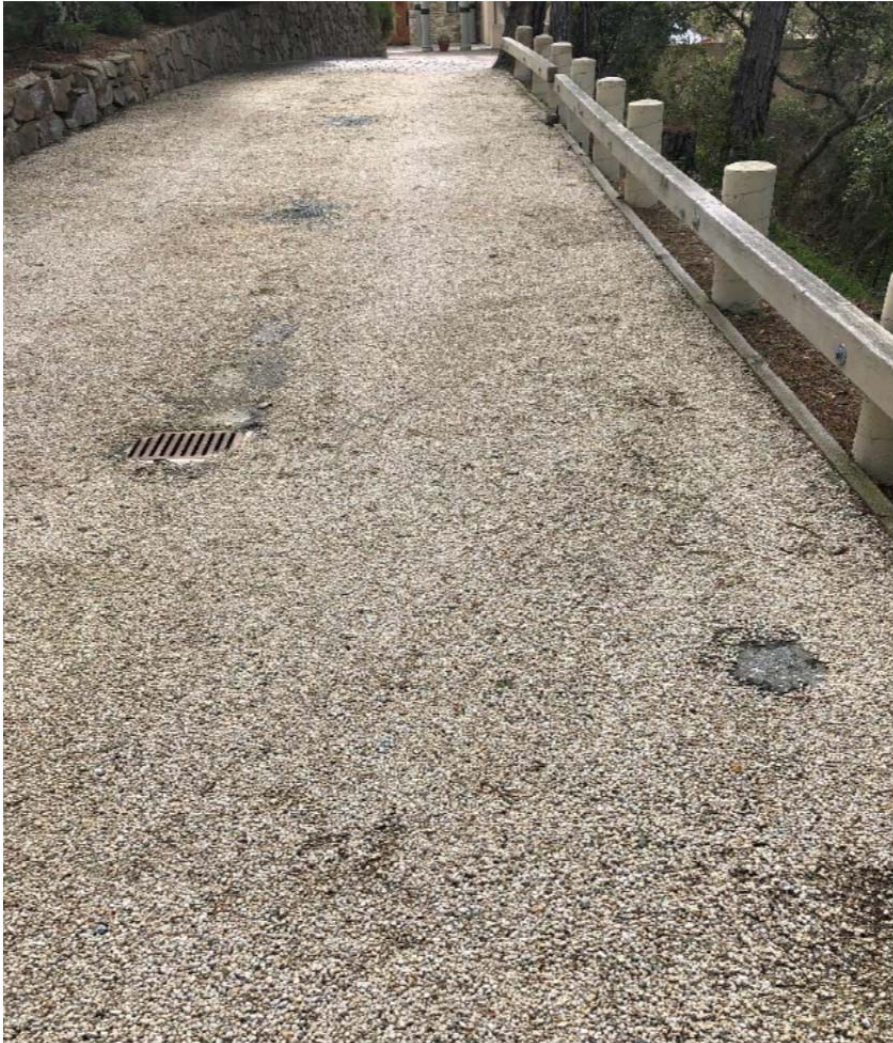


INSPECTIONS

- PRIOR TO LAND DISTURBANCE:
THE 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 REGULATIONS.
- DURING ACTIVE CONSTRUCTION:
THE APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO INSPECT DRAINAGE DEVICE INSTALLATION, REVIEW THE MAINTENANCE AND EFFECTIVENESS OF BMPs INSTALLED, AND TO VERIFY THAT POLLUTANTS OF CONCERN ARE NOT DISCHARGED FROM THE AT THE TIME OF THE INSPECTION, THE APPLICANT SHALL PROVIDE CERTIFICATION THAT ALL NECESSARY GEOTECHNICAL INSPECTIONS HAVE BEEN COMPLETED TO THAT POINT.
- FOLLOWING ACTIVE CONSTRUCTION:
THE 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 REGULATIONS.
- PRIOR TO FINAL INSPECTION:
1. THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH THE WATER RESOURCES AGENCY TO ENSURE ALL NECESSARY DRAINAGE RUNOFF MEASURES ARE IN PLACE AND THE PROJECT IS COMPLIANT WITH RESPECTIVE WATER RESOURCES POLICIES.
2. PRIOR TO FINAL INSPECTION, THE APPLICANT SHALL PROVIDE A LETTER FROM A LICENSED ENGINEER CERTIFYING THAT ALL DEVELOPMENT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE RECOMMENDATIONS IN THE GEOTECHNICAL INVESTIGATION AND THE APPROVED GRADING AND STORMWATER CONTROL PLANS (RMA- ENVIRONMENTAL SERVICES).

C3 ENGINEERING INCORPORATED		Civil Engineering Land Development Stormwater Management	
126 Bonifacio Place, Suite C, Monterey, CA 93940 Phone: (831) 847-1182 Fax: (831) 847-1184 mailto:C3Engineering.net		Project Location: 1496 BONIFACIO ROAD, PEBBLE BEACH, CA 93953	
APN# 008-341-037		DRIVEWAY DESIGN	
SCALE: AS NOTED		DATE: 08-20-19	
DESIGN BY: FJC		DRAWN BY: ECH	
CHECKED BY: FJC		SHEET NUMBER:	
C3		OF 3 SHEETS	
PROJECT# 118-119			

03/08/2019 - Bos (JW)



Looking south down Applicant's driveway toward house with existing drain inlet and existing retaining wall system (on right). Ravine is located downhill to the right of the driveway. (County photo)



Looking northwest down into ravine from driveway with example of one of the partially buried drain pipes. (County photo)



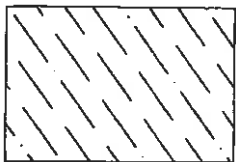
End of motor court discharge pipe at bottom of ravine on Applicant's property. New energy dissipators will be located at outlets of each existing pipe on Applicant's property (County photo)



View north from near Appellants' property to Applicant's patio. (Applicant photo)

60 0 60 120 180 Feet

SCALE: 1" = 60'



PROPOSED SCENIC
EASEMENT AREA



BONIFACIO ROAD
(A 40' WIDE PRIVATE ROAD)

$\Delta=10^{\circ}46'34''$ $\Delta=5^{\circ}17'16''$
R=260.00' R=300.00'
L=48.90' L=27.69'

$\Delta=106^{\circ}39'56''$
R=30.00'
L=55.85'

N56°10'00"E
51.51'

BONIFACIO ROAD
(A 40' WIDE PRIVATE ROAD)

PARCEL 'A' PER
VOL. 1 PARCEL
MAPS PAGE 119
APN: 008-341-037

PARCEL 'B' PER
VOL. 1 PARCEL
MAPS PAGE 119
APN: 008-341-038

DRIVEWAY

S30°42'32"W 164.02'

S31°35'52"W
73.52'

S46°15'26"W 26.78'

N63°22'29"W 20.65'

S82°23'49"W 24.76'

GARAGE

RESIDENCE

S37°29'53"W 64.92'

N9°36'30"W 133.42'

N8°28'00"W 120.00'

APN: 008-341-028

APN: 008-341-026

EXISTING OPEN
SPACE EASEMENT
LINE (R2238 P1)

POINT OF BEGINNING

(R) N18°49'01"W

1/2" IRON PIPE

PLAT TO ACCOMPANY LEGAL DESCRIPTION

PROPOSED SCENIC EASEMENT

APN 008-341-037

Exhibit 8

1496 BONIFACIO ROAD, PEBBLE BEACH, CALIF. A-3-MCO-19-0024

MAY 15, 2019

Page 1 of 1



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