

STANDARD SUBDIVISION COMMITTEE  
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 04015

SUBDIVISION NO. 010252

AP # 419-371-016-000

**FINDINGS & DECISION**

In the matter of the application of  
**Philip Coelho (PLN010252)**

for a Standard Subdivision in accordance with Chapter 19.03, Title 19 (Subdivision) of the County of Monterey Code, consisting of a Vesting Tentative Map to subdivide a 94.8 acre parcel into 9 lots ranging in size between 10 and 12.3 acres; one additional 1.03 acre lot will be deeded to CDF South County. The project includes individual septic systems & a mutual water system. The property is located northerly of Arroyo Seco Road, approximately one mile south of Carmel Valley Road, Arroyo Seco area, came on regularly for hearing before the Standard Subdivision Committee on August 12, 2004.

Said Standard Subdivision Committee, having considered the application and the evidence presented relating thereto,

1. **FINDING:** The proposed standard subdivision consists of a Vesting Tentative Map to subdivide a 94.8 acre parcel into 9 lots ranging in size between 10 and 12.3 acres, one additional 1.03 acre lot will be deeded to CDF South County. The project includes individual septic systems & a mutual water system. The project, as conditioned, conforms with the plans, policies, requirements, and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, the South County Area Plan, and the Monterey County Zoning Ordinance (Title 21) which designates this area as appropriate for one single family dwelling per 10 acres.

**EVIDENCE:** The Planning and Building Inspection staff reviewed the project as contained in the application and accompanying materials for conformity with the:

- a. Monterey County General Plan
- b. South County Area Plan
- c. Monterey County Subdivision Ordinance (Title 19)
- d. Monterey County Zoning Ordinance (Title 21)

**EVIDENCE:** The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, Housing & Redevelopment Agency, and the South County Fire Protection District. There has been no indication from these agencies that the site is not suitable for the proposed development. The Initial Study demonstrates that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed

development. Each agency has recommended conditions for subdivision improvements.

**EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in project file PLN010252.

2. **FINDING:** The project will not have a significant adverse impact on the environment. An Initial Study was prepared for the project and it was determined that the project would have no significant impacts. A Mitigated Negative Declaration was filed with the County Clerk on April 27, 2004, noticed for public review and circulated to the State Clearinghouse. The public review period ends March 5, 2003. The mitigated negative declaration reflects the independent judgment and analysis of the County.

**EVIDENCE:** County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on April 27, 2004 and noticed for public review. The public review period ended May 27, 2004. All comments received on the Initial Study were considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

- a. Project application/plans and technical reports within project file PLN010252; including Traffic, Archaeological, Geological, Hydrogeologic, and Biological studies and Percolation Tests
- b. General Plan, South County Area Plan, Zoning Code (Title 21)
- c. Subdivision Map Act and Monterey County Subdivision Ordinance (Title 19)
- d. Inter Departmental Review Comments and Conditions

**EVIDENCE:** The Monterey County Planning and Building Inspection Department prepared an Initial Study pursuant to CEQA. The Initial Study identified several potentially significant effects, but mitigation measures reduce the identified impacts to a less than significant level. The Initial Study is on file in the office of Planning and Building Inspection and is hereby incorporated by reference in project file (PLN010252). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval.

**EVIDENCE:** A Condition Compliance and Mitigation Monitoring and Reporting Plan has been prepared in accordance with Monterey County regulations to ensure compliance during project implementation. Applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan" as a condition of project approval (Condition #77).

3. **FINDING:** For Purposes of the Fish and Game Code, the project will change fish and wildlife resources upon which the wildlife depends.
- EVIDENCE:** Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein will affect changes to native and non-native plant life and soils. Specifically, the pallid bat and barn owl may be impacted.
- EVIDENCE:** Initial Study and Negative Declaration contained in the project file.
4. **FINDING:** That in approving the final map, the decision-making body has complied with the County's Inclusionary Housing Ordinance (#04185) .
- EVIDENCE:** The applicant will be required to comply with the Inclusionary Housing Ordinance as a condition of approval. See condition No. 76
5. **FINDING:** The recommended conditions regarding recreation requirements, and underground utilities have been applied to ensure that the health, safety, and welfare is preserved and protected.
- EVIDENCE:** Section 18.40 of the Monterey County Code (Inclusionary Housing Ordinance).
- EVIDENCE:** Section 19.12.010 of the Monterey County Code (Recreation Ordinance) (See Condition No. 26).
- EVIDENCE:** Section 19.10.095 of the Monterey County Code (underground utilities) (see Condition No. 11)
6. **FINDING:** That none of the findings found in Section 19.03.025.F of the Monterey County Code Title 19 Subdivision Ordinance can be made.
- EVIDENCE:** Section 19.03.025.F requires that the subdivision be denied if any one of the findings contained therein can be made. Planning staff has analyzed the project against the findings for denial outlined in this section. The design and improvements are consistent with the County General Plan, the South County Area Plan, and the Zoning Ordinance. No specific plan has been prepared for this area. The site has been determined to be physically suitable for the type and density of development (See Evidence in Finding #1). The design and improvements are not likely to cause substantial environmental damage, substantially and avoidably injure fish or wildlife or their habitat, or cause serious public health problems as demonstrated in the Mitigated Negative Declaration adopted for this project. The design and improvements will not conflict with easements for access through or use of property within the proposed subdivision. Planning staff reviewed the Title Report and applicable recorded documents to identify all easements and ensure that the project does not conflict with existing easements.
- EVIDENCE:** The property provides for adequate building sites as evidenced by the application materials submitted for the project in project file PLN010252. The project was found to be in compliance with the California Subdivision Map Act.

**EVIDENCE:** The application, plans, and support materials, including the technical reports submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development. The reports are:

- a. Preliminary Archaeological Reconnaissance of Nine Proposed Subdivision Home Sites on APN 419-371-016-000 by Archaeological Consulting, dated. June 19, 2001
- b. Geological Hazards Report, Proposed Coelho Development (APN 419-371-016-000) by Fugro West, Inc. dated July 2001 and Addendum No. 1 dated July 5, 2001; and Supplemental Geologic Hazard Report, Lot 3 of Proposed Coelho Development (APN419-371-016-000), Arroyo Seco Road, Monterey County California
- c. Hydrogeologic Investigation Philip Coelho Property (PLN 010252) Arroyo Seco Area Monterey County, California, by Kleinfelder Project No. 17149 dated June 17, 2003
- d. Traffic Analysis for Coelho Subdivision Monterey County, California prepared by Higgings Associates dated August 9, 2001.
- e. Coelho Subdivision Biological Assessment by Bryan Mori Biological Consulting Services dated June 15, 2001 and August 10, 2001.
- f. Percolation Test: Environmental Strategies Corporation dated April 10, 2002

**EVIDENCE:** The on-site inspection of the parcel by the project planner(s) and maps and application materials contained in project file PLN010252.

**EVIDENCE:** Evidence for Findings 1, and 2.

7. **FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to 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 improvement in the neighborhood, or to the general welfare of the County.

**EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, Environmental Health Division, Public Works Department, California Department of Forestry – South County Fire Protection District, Sheriff’s Department, Housing and Redevelopment Agency, Water Resources Agency and the City of Salinas. The respective departments 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; or the County in general.

**EVIDENCE:** Adoption of the Mitigated Negative Declaration includes mitigation measures that address potential impacts to traffic, biotic resources geology and soils, and hydrology and water quality . No other significant issues have been identified for the project.

**EVIDENCE:** Application materials in project file PLN010252, Initial Study with mitigation measures, and Mitigated Negative Declaration contained in the project file.

**DECISION**

THEREFORE, it is the recommendation of said Standard Subdivision Committee that the Negative Declaration be adopted and that said application for a Standard Subdivision be forwarded to the Planning Commission recommending approval, subject to the attached conditions.

**PASSED AND ADOPTED** this 12th day of August, 2004 the following vote:

AYES: McPharlin, Hawkins, Mounday, Hori, Lawrence, Moss, Clovis  
NOES: None  
ABSENT: None

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LYNNE MOUNDAY  
Acting Secretary

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON: