MONTEREY COUNTY MINOR SUBDIVISION COMMITTEE

Meeting: February 23, 2012 Time: 9:00 a.m.	**Agenda Item No.: 1**
Project Description: Coastal Development Permit for a Lot Line Adjustment between three legal lots of record of approximately 5.2 acres (Parcel A, Assessor's Parcel Number 418-091-012-000), 113.9 acres (Parcel B, Assessor's Parcel Number 418-011-012-000) and 34.7 acres (Parcel C, Ass), resulting in three lots of approximately 64.2 acres (Parcel A-1), 40.8 acres (Parcel B-1) and 48.6 acres (Parcel C-1). The properties are located at 37863 Palo Colorado Road and 38493 Palo Colorado Road, Carmel (Assessor's Parcel Numbers 418-091-012-000, 418-011-012-000, 418-011-014-000), Big Sur Coast Land Use Plan Area, Coastal zone.	
Project Location: 37863 Palo Colorado Road & 38493 Palo Colorado Road, Carmel	**APN:** 418-091-012-000, 418-011-012-000 & 418-011-014-000
Planning File Number: PLN100547	**Owner:** El El Sea, LLC & Eichorn, Peter Michael TR ET AL **Agent:** Dave Edson, Central Coast Surveyor
Planning Area: Big Sur Coast Land Use Plan	**Flagged and staked:** No
Zoning Designation: : "RDR/40-D(CZ) & WSC/40-D(CZ)" [Rural Density Residential, 40 acres per unit with Design Control overlay and Watershed Scenic Conservation 40 acres per unit with a Design Control overlay (Coastal Zone)]	
CEQA Action: Categorically Exempt per Section 15305 (a)	
Department: RMA - Planning Department	

RECOMMENDATION:
Staff recommends that the Minor Subdivision Committee adopt a resolution (**Exhibit B**) to:

1) Categorically Exempt per CEQA Section 15305 (a); and
2) Approve PLN100547, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**)

PROJECT OVERVIEW:
The subject properties are located in the Palo Colorado Road area of Big Sur. The zoning on the properties is "RDR/40-D(CZ) & WSC/40-D(CZ)" [Rural Density Residential, 40 acres per unit with Design Control overlay and Watershed Scenic Conservation 40 acres per unit with a Design Control overlay (Coastal Zone)]. The applicant proposes a lot line adjustment between three contiguous parcels of approximately 5.2 acres (Parcel A), 113.9 acres (Parcel B), and 34.7 acres (Parcel C), resulting in three parcels of approximately 64.2 acres (Parcel A-1), 40.8 acres (Parcel B-1) and 48.6 acres (Parcel C-1).The proposed lot line adjustment requires a Coastal Development Permit pursuant to Section 20.16.050.QQ of the Monterey County Zoning Ordinance (Title 20, Coastal).

Existing parcel A does not conform to the minimum parcel size requirements (40 acre) under the zoning designation. The proposed parcel sizes and configuration have been found consistent with the minimum parcel size requirement under the zoning designations and with the regulations of the Subdivision Ordinance. CEQA guidelines exempt lot line adjustments (Finding No. 5 of Exhibit B). No unusual circumstances were identified to exist for the proposed project that would necessitate environmental review and therefore, this project is found to be categorically exempt from environmental review per the Guidelines. Staff recommends approval of the project subject to the recommended conditions.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

√ RMA - Public Works Department
Environmental Health Bureau
Water Resources Agency
CDF Big Sur Coastal
California Coastal Commission

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by RMA – Public Works Department and RMA – Planning Department have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit B**).

The project was not referred to a Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the lot line adjustment is exempt from CEQA and no inconsistencies or controversy have been identified.

Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

/S/ Maria López and Luis A. Osorio

Luis A. Osorio, Senior Planner
osoriol@co.monterey.ca.us
(831) 755-5177,
February 14, 2012

cc: Front Counter Copy; Minor Subdivision Committee; CDF Big Sur Coastal; Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Luis Osorio, Senior Planner; Maria Lopez, Project Planner; Carol Allen; El El Sea, LLC & Eichorn, Owner; Dave Edson, Agent; Planning File PLN100547

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Draft Resolution, including: • Conditions of Approval • Lot Line Adjustment Map
	Exhibit C	Vicinity Map

This report was prepared by Maria Lopez and Luis Osorio, Senior Planner

EXHIBIT A

Project Information for PLN100547

Project Information:

Project Name:	EL EL SEA LLC		
Location:	38493 PALO COLORADO RD BIG SUR		
Permit Type:	Coastal Development Permit		
Environmental Status:	Exempt	**Final Action Deadline (884):**	11/21/2011
Existing Structures (sf):	0	**Coverage Allowed:**	10%
Proposed Structures (sf):	0	**Coverage Proposed:**	none
Total Sq. Ft.:	0	**Height Allowed:**	30 feet
Tree Removal:	0	**Height Proposed:**	n/a
Water Source:	private wells	**FAR Allowed:**	n/a
Water Purveyor:		**FAR Proposed:**	N/a
Sewage Disposal (method):	septic system	**Lot Size:**	153.6
Sewer District:		**Grading (cubic yds.):**	0

Parcel Information:

Primary APN:	418-011-012-000	**Seismic Hazard Zone:**	RELATIVELY STABLE AREAS
Applicable Plan:	Big Sur Coast LUP	**Erosion Hazard Zone:**	High
Advisory Committee:	Big Sur Coast Advisory Committee	**Fire Hazard Zone:**	Very High
Zoning:	RDR/40-D(CZ) & WSC/40-D(CZ)	**Flood Hazard Zone:**	No
Land Use Designation:	RDR & WSC	**Archaeological Sensitivity:**	moderate
Coastal Zone:	Big Sur LCP	**Viewshed:**	No
Fire District:	CDF Big Sur Coast	**Special Setbacks on Parcel:**	No

Reports on Project Parcel:

Soils Report #:	LIB090168
Biological Report #:	N/A
Geologic Report #:	LIB090168
Forest Management Rpt. #:	LIB090169
Archaeological Report #:	LIB090181
Traffic Report #:	N/A

EXHIBIT B
DRAFT RESOLUTION

Before the Minor Subdivision Committee in and for the County of Monterey, State of California

In the matter of the application of:
El El Sea, LLC & Eichorn (PLN100547)
RESOLUTION NO. ----
Resolution by the Monterey County Hearing Body:
1) Categorically Exempting per CEQA Section 15305 (a); and
2) Approving Coastal Development Permit to allow a Lot Line Adjustment between three contiguous parcels of approximately 5.2 acres (Parcel A), 113.9 acres (Parcel B), and 34.7 acres (Parcel C), resulting in three parcels of approximately 64.2 acres (Parcel A-1), 40.8 acres (Parcel B-1) and 48.6 acres (Parcel C-1).

(PLN100547, El El Sea, LLC & Eichorn, 37863 Palo Colorado Road & 38493 Palo Colorado Road, Carmel, Big Sur Coast Land Use Plan (APNs: 418-091-012, 418-011-012, and 418-011-014-000)

The El El Sea, LLC & Eichorn application (PLN100547) came on for public hearing before the Monterey County Subdivision Committee on February 23, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Subdivision Committee finds and decides as follows:

FINDINGS

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

EVIDENCE:

a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 1982 Monterey County General Plan;
- Big Sur Coast Land Use Plan;
- Monterey County Coastal Implementation Plan (Part 3);
- Monterey County Zoning Ordinance (Title 20);
- Monterey County Subdivision Ordinance (Title 19);

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents

b)

c) The parcels are located at 37863 Palo Colorado Road & 38493 Palo Colorado Road, east of Highway 1, (Assessor's Parcel Numbers: 418-

091-012, 418-011-012, and 418-011-014-000), Big Sur Coast Land Use Plan Area. The parcels are zoned "RDR/40-D (CZ) & WSC/40-D (CZ)" [Rural Density Residential, 40 acres per unit with Design Control overlay and Watershed Scenic Conservation 40 acres per unit with a Design Control overlay (Coastal Zone)] which allow for lot line adjustments consistent with the minimum building site of one acre. The proposed parcel sizes of approximately 64.4, 40.8 and 48.6 acres conform to the zoning and land use designations. Therefore, the project is consistent with the zoning designation.

d) The project planner conducted a site inspection on May 13, 2011 to verify that the project on the subject parcel conforms to the plans listed above.

e) The subject properties are located within a moderate archaeological sensitivity (See Finding No. 2, Evidence b). However, the parcels are not located within 750 feet of a known archaeological resource. The parcels are also located within Environmentally Sensitive Habitat (ESHA) (See Finding No. 2, Evidence b). The proposed lot line adjustment does not include any physical development. Therefore, no impact would result on these resources and no additional permits are required.

f) The project was not referred to the Big Sur Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the lot line adjustment is exempt from CEQA (See Finding No. 5), the lot line adjustment does not include any conflicts.

g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100547.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

EVIDENCE:

a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, CDF Big Sur Coastal, Public Works, Environmental Health Bureau, Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

b) Staff did not identify potential impacts caused by the proposed lot line adjustment. In addition, the project was found to be exempt from environmental review (Finding 5). Therefore, no technical reports by outside consultants were required to be submitted by the applicant.

c) Staff conducted a site inspection on May 13, 2011 to verify that the site is suitable for this use.

d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100547.

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

EVIDENCE:

a) The project was reviewed by RMA – Planning Department, Public Works, Environmental Health Bureau, Cal-Fire Coastal Fire Protection District. The respective departments/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) The proposed project was reviewed by the Monterey County Environmental Health Department. No issues were found regarding septic and well capabilities and the project was deemed complete with no conditions.

c) Parcels A and C contain existing residential development for which there is existing water and septic disposal facilities. No further development is included as part of the project. Any potential future development on Parcel B-1 will be reviewed for consistency with applicable policies of the Big Sur Coast Land Use Plan and the Zoning Ordinance (Title 20). As a requirement by the Bureau of Environmental Health, feasibility for water and septic disposal systems will be reviewed prior to the establishment of a single family dwelling on Parcel B-1.

d) Preceding Finding No. 1 and subsequent Finding Nos. 5, 6, 7, 7A and 7B and supporting evidence contained in the file.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

EVIDENCE:

a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any current violations existing on subject property. The County records contain history of a past code violation (File No. CE080270) which has been corrected and the case closed.

b) Staff conducted a site inspection on May 13, 2011 and researched County records to assess if any violation exists on the subject property.

c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100547.

5. **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

15305, Class 5 (a) categorically exempts minor lot line adjustments.

b) Two of the three resulting parcels (Parcels A-1 and C-1) are developed with single family dwellings. Parcel B-1 has adequate areas for future development consistent with the policies of the Coastal Implementation Plan (Part 3).

c) The proposed lot line adjustment does not include any additional development and meets all the requirements of the Subdivision Ordinance (Title 19 – Coastal) and the Zoning Ordinance (Title 20).

d) The slope analysis map identifies areas appropriate for future development in accordance with the policies of the Coastal Implementation Plan (Part 3) and the development standards of the zoning district. Further development would be required to obtain permits consistent with those policies.

e) A biological report would be required for all further development on Parcel B-1; development shall avoid any impacts to environmentally sensitive areas (ESHA), slopes, and viewshed. Any request to develop in a manner that impacts ESHA, slopes or viewshed would require a Coastal Development Permit and, therefore, would be subject to separate environmental review.

f) CEQA Guidelines Section 15300.2 lists exceptions to categorical exceptions. None of these exceptions can be made because the lot line adjustment will not impact an environmental resource of hazardous or critical concern; create a cumulative impact; does not have any unusual circumstance; result in the damage of a scenic resource; the subject properties are not located on a hazardous waste site; nor are there any historical resources on the property which would be affected by the lot line adjustment. Therefore, none of the exceptions apply and the project is exempt from environmental review.

g) No adverse environmental effects were identified during staff review of the development application during a site visit on May 13, 2011.

h) Preceding and following findings and supporting evidence.

6. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

EVIDENCE:

a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.145.150.C.a of the Monterey County Coastal Implementation Plan can be demonstrated.

b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 2, Shoreline Access Plan of the Big Sur Coast Land Use Plan).

c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100547

e) The project planner conducted a site inspection on May 13, 2011.

7. **FINDING:** **LOT LINE ADJUSTMENT** – The parcels resulting from the lot line adjustment conform to the County's General Plan, any applicable specific plan, any applicable coastal plan and zoning ordinance.

EVIDENCE:

a) The Planning Department has reviewed the project as contained in the application and accompanying materials for conformity with:
   1. Monterey Count Coastal Subdivision Ordinance (Title 19);
   2. Chapter 20.17 of the Monterey County Zoning Ordinance, Regulations for Watershed Scenic Conservation and Residential Zoning or "WSC (CZ) Districts.
   3. Chapter 20.16 of the Monterey County Zoning Ordinance, Regulations for Rural Density Residential Zoning or "RDR (CZ) Districts.
   4. Chapter 20.70 of the Monterey County Zoning Ordinance, Regulations for Coastal Development Permits.

b) The parcels are zoned RDR/40-D (CZ) & WSC/40-D (CZ) [Rural Density Residential, 40 acres per unit with Design Control Overlay (Coastal Zone)] and [Watershed Scenic Conservation 40 acres per unit with a Design Control Overlay, (Coastal Zone)]. The lots resulting from the proposed lot line adjustment are all greater than 40 acres. No additional development is proposed at this time.

c) The project area has a total of 153.8 acres. The proposed lot line adjustment includes increasing Parcel A (Assessor's Parcel Number: 418-091-012-000) from approximately 5.2 acres to 64.4 acres; reducing Parcel B (Assessor's Parcel Number: 418-011-012-000) from approximately 113.9 acres to 40.8 acres; and increasing Parcel C (Assessor's Parcel Number: 418-011-014-000) from approximately 34.7 acres to 48.6 acres.

d) Pursuant to Government Code Section 66412 (Subdivision Map Act) and Monterey County Subdivision Ordinance (Section 19.09.025.B.1) the lot line adjustment is between two or more and less than four existing adjacent parcels. The lot line adjustment will adjust the boundaries between three existing adjacent parcels of record.

e) The existing parcels have been deemed as separate legal lots of record as follows:
   1. Assessor's Parcel Number 418-091-012-000: Grant Deed recorded September 23, 1971 describing this parcel as being under separate ownership. The parcel was in conformance with the "T-B-5, 5 Acre Minimum" zoning classification in existence at the time;
   2. Assessor's Parcel Number 418-011-012-000: Per the 1964 Assessor's Book which reflects the parcel as a separate parcel under separate ownership.
   3. Assessor's Parcel Number 418-011-014-000: Per the 1964 Assessor's Book which reflects the parcel as a separate parcel under separate ownership.

f) The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 20). Staff verified that the subject properties are in compliance with all rules and regulations pertaining to

their use and no violations exist on the property. The existing building areas will not be affected by the lot line adjustment and will remain consistent with the Site Development Standards of the Watershed and Scenic Conservation and Rural Density Residential Zoning Districts. Existing development on Parcels A-1 and C-1 will be in compliance with yard setbacks, minimum lot size and site coverage limits. Existing septic systems and wells will not be affected by the lot line adjustment. Resulting Parcel B-1 will have the potential for development with a single family dwelling that meet s the site development standards of the zoning district.

g) As an exclusion to the Subdivision Map Act, no map is recorded for a Lot Line Adjustment. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required per a standard condition of approval.

h) The project planner conducted a site inspection on May 13, 2011 to verify that the project would not conflict with zoning or building ordinances.

i) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100547.

7A. **FINDING:** **LOT LINE ADJUSTMENT** – the lot line adjustment is between two or more existing parcels

EVIDENCE: a) The application, plans, and supporting materials submitted by the project applicant to the Monterey County Planning Department and contained in Project File No. PLN100547.

7B. **FINDING:** **LOT LINE ADJUSTMENT** – A greater number of parcels than originally existed will not be created as a result of the lot line adjustment.

EVIDENCE: a) The lot line adjustment is between more than one and less than four existing adjacent parcels.

b) Three existing contiguous parcels of record exist and three contiguous parcels will result from the lot line adjustment.

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

EVIDENCE: a) Section 20.86.030 Monterey County Coastal Implementation Plan – Part 1 (Board of Supervisors).

b) The project may be appealed to the California Coastal Commission pursuant to Section 20.86.080 Monterey County Coastal Implementation Plan – Part 1 (A).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Minor Subdivision Committee does hereby:

1. Categorically Exempt per CEQA Section 15305 (a); and
2. Approving Coastal Development Permit to allow a Lot Line Adjustment between three contiguous parcels of approximately 5.2 acres (Parcel A), 113.9 acres (Parcel B), and 34.7 acres (Parcel C), resulting in three parcels of approximately 64.2 acres (Parcel A-1), 40.8 acres (Parcel B-1) and 48.6 acres (Parcel C-1).

PASSED AND ADOPTED this 23rd day of February, 2012 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Tom Moss, Minor Subdivision Committee Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS AND THE CALIFORNIA COASTAL COMMISSION

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

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

Form Rev. 09-22-2011

Monterey County Planning Department

Condition Compliance Status Report for PLN100547

(as of 02/15/2012)

1. PD001 - SPECIFIC USES ONLY

Current Status: Applied

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.
(RMA - Planning Department)

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

Comments By Staff	*Last Update on:*	*Updated By:*
	2/15/2012 9:27:45AM	*LOPEZMD*

2. PD002 - NOTICE PERMIT APPROVAL

Current Status: Applied

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a notice which states: "A permit (Resolution) was approved by the Minor Subdivision Committee for Assessor's Parcel Numbers: 418-091-012-000, 418-011-012-000 & 418-011-014-000) on February 23, 2012. The permit was granted subject to 8 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

Comments By Staff	*Last Update on:*	*Updated By:*
	2/15/2012 9:28:23AM	*LOPEZMD*

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

Current Status: Applied

Responsible Department: Planning Department

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. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society 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 Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis. Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department 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.

Comments By Staff	*Last Update on:*	*Updated By:*
	2/15/2012 9:27:45AM	*LOPEZMD*

4. PD032(A) - PERMIT EXPIRATION

Current Status: Applied

Responsible Department: Planning Department

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

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.

Comments By Staff	*Last Update on:*	*Updated By:*
	2/15/2012 9:27:45AM	*LOPEZMD*

5. PD004 - INDEMNIFICATION AGREEMENT

Current Status: Applied

Responsible Department: Planning Department

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

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

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

Comments By Staff	*Last Update on:*	*Updated By:*
	2/15/2012 9:27:45AM	*LOPEZMD*

6. PD045 - COC (LOT LINE ADJUSTMENTS)

Current Status: Applied

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall request unconditional certificates of compliance for the newly configured parcels.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Concurrent with recording the Record of Survey, the Owner/Applicant/Surveyor shall submit legal descriptions for each newly configured parcel as prepared by the Surveyor. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the certificates.

Comments By Staff	*Last Update on:*	*Updated By:*
	2/15/2012 9:27:45AM	*LOPEZMD*

7. PW0034 - LOT LINE ADJUSTMENT

Current Status: Not Met

Responsible Department: Public Works Department

Condition/Mitigation Monitoring Measure: Obtain a survey of the new line and have the line monumented. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to recordation of survey Owner/Applicant shall have a surveyor monument the new lines. Evidence of completion of monumentation shall be submitted to DPW for review and approval.

Comments By Staff	*Last Update on:*	*Updated By:*
	2/15/2012 9:27:45AM	*LOPEZMD*

8. PW0035 - RECORD OF SURVEY

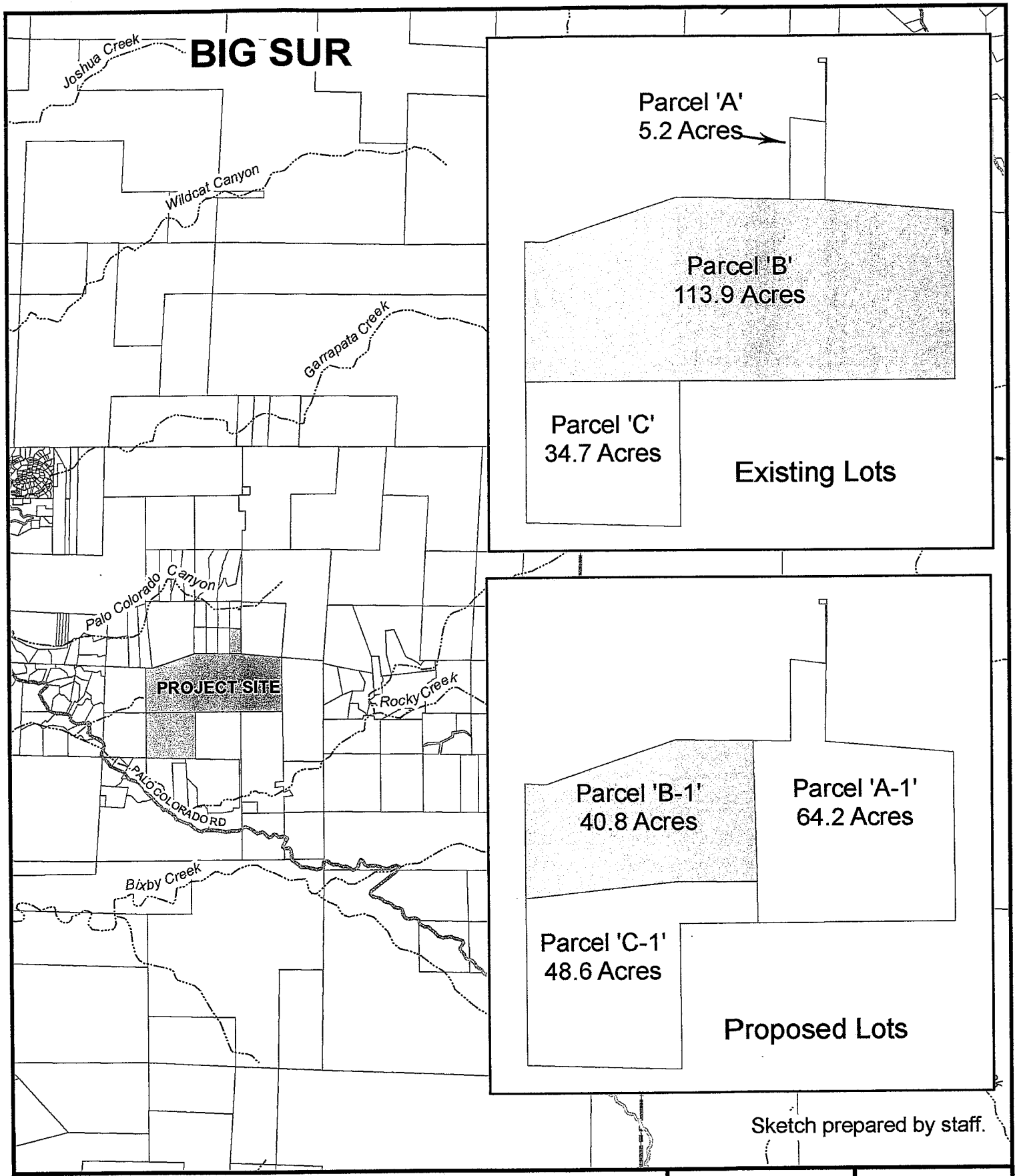
Current Status: Not Met

Responsible Department: Public Works Department

Condition/Mitigation Monitoring Measure: File a Record of Survey showing the new line and it's monumentation. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to recordation of record of survey Owner's Surveyor to prepare record of survey, Owner/Surveyor shall submit to DPW for review and approval.

Comments By Staff	*Last Update on:*	*Updated By:*
	2/15/2012 9:27:45AM	*LOPEZMD*



APPLICANT: EL EL SEA LLC & EICHORN

APN: 418-091-012-000 & 418-011-012, 014 **FILE #** PLN100547

Water | 2500' Limit | 300' Limit | City Limits

N

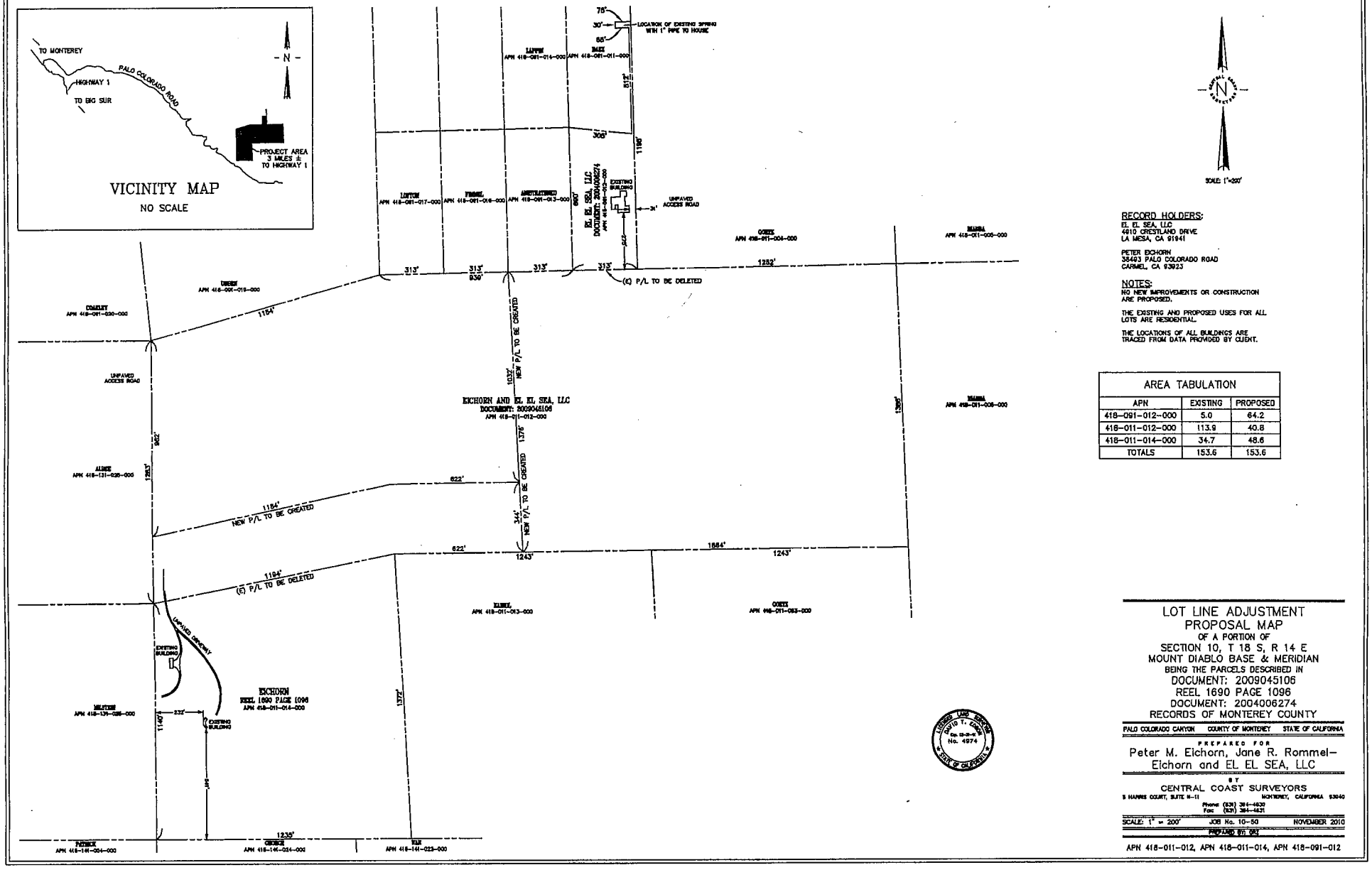
0 2,000
Feet

MONTEREY COUNTY CALIFORNIA 1850

PLANNER: LOPEZ

VICINITY MAP

NO SCALE



RECORD HOLDERS:
EL EL SEA, LLC
4810 CRESTLAND DRIVE
LA MESA, CA 91941

PETER EICHORN
35493 PALO COLORADO ROAD
CARMEL, CA 93923

NOTES:
NO NEW IMPROVEMENTS OR CONSTRUCTION ARE PROPOSED.

THE EXISTING AND PROPOSED USES FOR ALL LOTS ARE RESIDENTIAL.

THE LOCATIONS OF ALL BUILDINGS ARE TRACED FROM DATA PROVIDED BY CLIENT.

AREA TABULATION

APN	EXISTING	PROPOSED
418-091-012-000	5.0	64.2
418-011-012-000	113.9	40.8
418-011-014-000	34.7	48.6
TOTALS	153.6	153.6

LOT LINE ADJUSTMENT
PROPOSAL MAP
OF A PORTION OF
SECTION 10, T 18 S, R 14 E
MOUNT DIABLO BASE & MERIDIAN
BEING THE PARCELS DESCRIBED IN
DOCUMENT: 2009045106
REEL 1690 PAGE 1096
DOCUMENT: 2004006274
RECORDS OF MONTEREY COUNTY

PALO COLORADO CANYON | COUNTY OF MONTEREY | STATE OF CALIFORNIA

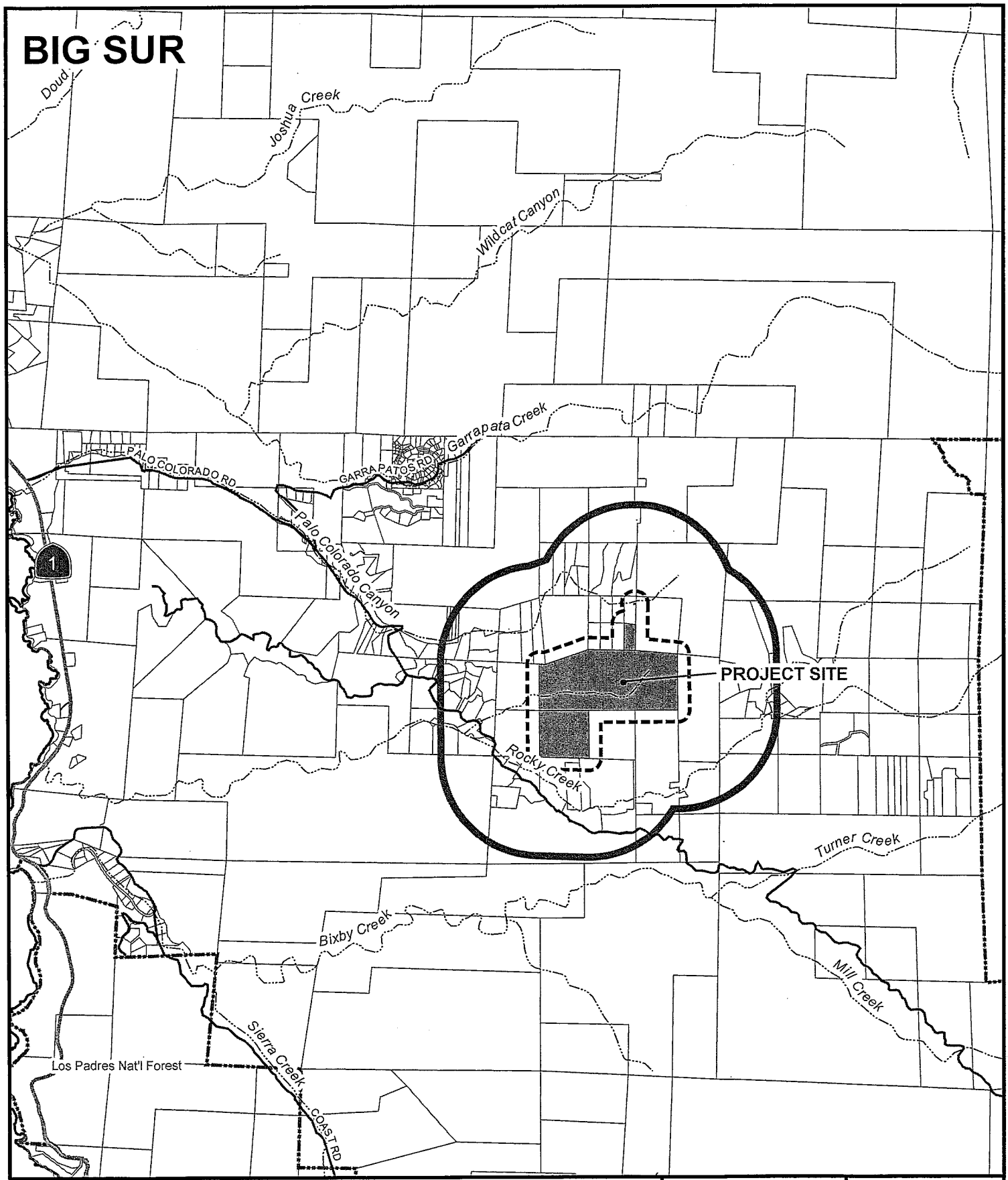
PREPARED FOR
Peter M. Eichorn, Jane R. Rommel-Eichorn and EL EL SEA, LLC

BY
CENTRAL COAST SURVEYORS
5 HARRIS COURT, SUITE N-11 MONTEREY, CALIFORNIA 93940
Phone (831) 394-4630
Fax (831) 394-4631

SCALE: 1" = 200' | JOB No. 10-50 | NOVEMBER 2010

PREPARED BY: DRZ

APN 418-011-012, APN 418-011-014, APN 418-091-012



APPLICANT: EL EL SEA LLC & EICHORN

APN: 418-091-012-000 & 418-011-012, 014 **FILE #** PLN100547

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