

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: October 31, 2013 Time: 2:50 P.M	Agenda Item No.: 7
<p>Project Description: Consider an Extension and Amendment to a previously approved Combined Development Permit (PLN990440) which consisted of a Coastal Administrative Permit and Design Approval for a multi-story single family dwelling with an attached two car garage (2,510 square feet), a horse barn with corrals, a perimeter fence, retaining walls, new driveway, well, septic system, grading (200 cubic yards), and tree removal (7) Coast live oaks; and grading of approximately 200 cubic yards of cut and fill. Previous Extensions include PLN080111, PLN060176, PLN040077, and PLN020073. This Amendment consists of an update to the project description to include all required entitlements and revisions to the conditions of approval. As amended, the project is a Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a 2,577 square foot two-story single family dwelling with a 528 square foot attached garage, 795 square feet of covered patios, a well, a septic system and grading of approximately 2,100 cubic yards (1,700 cubic yards cut/400 cubic yards fill); 2) a Coastal Administrative Permit for a 1,918 square foot horse barn with a 200 square foot covered porch and fenced corrals; 3) a Coastal Development Permit for the removal of 7 Coast live oak trees; and 4) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat.</p>	
<p>Project Location: 38025 Rocky Creek Road, Carmel</p>	<p>APN: 418-132-002-000</p>
<p>Planning File Number: PLN100119</p>	<p>Owner: Giles Hayward Agent: Robert Carver, Studio Carver</p>
<p>Planning Area: Big Sur Coast Land Use Plan</p>	<p>Flagged and staked: No</p>
<p>Zoning Designation: WSC/40-D (CZ) "Watershed and Scenic Conservation, 40 acres per unit with Design Control overlay in the Coastal Zone"</p>	
<p>CEQA Action: Categorically Exempt per Section 15303</p>	
<p>Department: RMA - Planning Department</p>	

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit A**) to:

- 1) Find the project categorically exempt per Section 15303 of the CEQA Guidelines; and
- 2) Approve PLN100119, based on the findings and evidence and subject to the conditions of approval (**Exhibit A**)

PROJECT OVERVIEW:

The applicant requests an extension to a Combined Development Permit (PLN990440) consisting of a Coastal Administrative Permit and Design Approval, which was originally approved by the Zoning Administrator on March 8, 2000. The project expiration date was subsequently extended by the Director of Planning and Building Inspection four times, with the most recent expiration date being March 10, 2010 (PLN080111). As originally approved, the project was publicly noticed as a Combined Development Permit but the description included only two entitlements, a Coastal Administrative Permit and Design Approval to allow construction of a single family dwelling, horse barn (1,918 square feet), well, septic system, associated site improvements and the removal of 7 Coast live oak trees. The project description should have included a separate Coastal Administrative Permit to allow construction of the barn and a Coastal Development Permit to allow removal of protected trees. Staff recommends amending the project description to include all of the individual entitlements.

The original biological assessment for the project did not record conditions outside the proposed development area, however the updated biological assessment submitted with this extension application (LIB120039) identified environmentally sensitive habitat (Central maritime chaparral) outside, but within 30 feet of the development area. A Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat is thus required. Staff recommends that the project description be amended to include this additional entitlement and that Condition No. 25, which calls for a deed restriction requiring that all development be in accordance with the reports prepared for the project, be amended to include the updated biological assessment in the list of reports.

All of the previously approved conditions of approval have been updated to reflect the current format and three new conditions of approval have been added. Condition No. 28 (EHSP01-Onsite Wastewater Treatment System Design), which was added by the Environmental Health Bureau, was not required with the original approval but is now a standard condition applicable to a new single-family dwelling. Similarly, Condition No. 29 (PW0043-Regional Development Impact Fee), was added by RMA-Public Works because the Regional Development Impact Fee is now required for all new single-family dwellings.

The request for extension was submitted on March 10, 2010, but was not deemed complete until July 7, 2013. Since the extension request was submitted, the property was sold by David Wheeler to new owner, Giles Hayward. The architect has indicated that the new owner intends to revise the project and requests that this extension be granted to September 26, 2013 to allow time to prepare new plans and submit an application for an Amendment. Staff recommends that the expiration date be extended to September 26, 2013 and that Condition No. 30 be added to specify the expiration date of the permit.

As amended, the project is a Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a 2,577 square foot two-story single family dwelling with a 528 square foot attached garage, 795 square feet of covered patios, a well, a septic system and grading of approximately 2,100 cubic yards (1,700 cubic yards cut/400 cubic yards fill); 2) a Coastal Administrative Permit for a 1,918 square foot horse barn with a 200 square foot covered porch and fenced corrals; 3) a Coastal Development Permit for the removal of 7 Coast live oak trees; and 4) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. The Combined Development Permit consists of 1) a Coastal Administrative Permits for a 1,991 square foot two-story single family dwelling with a 528 square foot attached garage, a 280 square foot screened porch, and a 738 square foot covered porch, a perimeter fence, retaining walls, new driveway, well, and septic system; 2) a Coastal Administrative Permit for a 1, 918 square foot horse barn with a 200 square foot covered porch, and corral; 3) a Coastal Development Permit for the removal of seven coast live oak trees; and Design Approval. Grading consists of approximately 200 cubic yards of cut and fill.

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

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Cal Fire Coastal
California Coastal Commission

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by each agency have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit A**).

The project was not referred to the Big Sur Land Use Advisory Committee. Pursuant to the Land use Advisory Committee Guidelines adopted by the Board of Supervisors (Resolution No. 08-338), a permit extension or amendment is not required to be reviewed by the Land Use Advisory Committee.

Note: The decision on this project is appealable to the Board of Supervisors.



Delinda Robinson, Senior Planner
(831) 755-5198, robinsond@co.monterey.ca.us
October 25, 2013

cc: Front Counter Copy; Zoning Administrator; Cal Fire Coastal; RMA-Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Delinda Robinson, Senior Planner; Laura Lawrence, Planning Services Manager; Cynthia Bettencourt, Project Planner; Giles Hayward, Owner; Robert Carver, Agent; The Open Monterey Project; LandWatch; Planning File PLN100119.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Draft Resolution, including: <ul style="list-style-type: none">• Conditions of Approval• Project plans
	Exhibit C	Vicinity Map
	Exhibit D	Permit Extension Request letters dated March 10, 2010 and July 20, 2013
	Exhibit E	Previously approved Resolution No. 990440 (PLN990440)

EXHIBIT A

Project Information for PLN100119

Application Name: Wheeler David W Et Al
Location: 38025 Rocky Creek Rd, Big Sur
Applicable Plan: Coast-Big Sur
Advisory Committee: Big Sur Coast Advisory Committee
Permit Type: Permit Extension
Environmental Status: Statutory Exemption
Zoning: WSC/40-D(CZ)

Primary APN: 418-132-002-000
Coastal Zone: Yes
Final Action Deadline (884): 9/15/2013
Land Use Designation: Watershed & Scenic Conservation

Project Site Data:

Lot Size: 194874
Existing Structures (sf): 0
Proposed Structures (sf): 5655
Total Sq. Ft.: 5655

Coverage Allowed: 10%
Coverage Proposed: 2.5%
Height Allowed: 24'
Height Proposed: 22'

Special Setbacks on Parcel:
FAR Allowed: N/A
FAR Proposed: N/A

Resource Zones and Reports:

Seismic Hazard Zone: RELATIVELY STABLE AREAS
Erosion Hazard Zone: High|Moderate
Fire Hazard Zone: Very High
Flood Hazard Zone: X (unshaded)
Archaeological Sensitivity: high|moderate
Visual Sensitivity: None

Soils Report #: 24.01.042
Biological Report #: LIB110295, 26.06.061
Forest Management Rpt. #: 33.05.020
Geologic Report #: N/A
Archaeological Report #: 04.01.138
Traffic Report #: N/A

Other Information:

Water Source: WELL
Water Purveyor: N/A
Fire District: Mid-Coast VFC
Tree Removal: 7 Coast live oak

Grading (cubic yds.): 2100
Sewage Disposal (method): SEPTIC
Sewer District Name: N/A

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

GILES HAYWARD (PLN100119)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Finding the project categorically exempt per CEQA Guidelines Section 15303; and
- 2) Approving an Extension and Amendment to a previously approved Combined Development Permit (PLN990440) which consists of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a 2,577 square foot two-story single family dwelling with a 528 square foot attached garage, 795 square feet of covered patios, a well, a septic system and grading of approximately 2,100 cubic yards (1,700 cubic yards cut/400 cubic yards fill); 2) a Coastal Administrative Permit for a 1,918 square foot horse barn with a 200 square foot covered porch and fenced corrals; 3) a Coastal Development Permit for the removal of 7 Coast live oak trees; and 4) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat.

[PLN100119, Giles Hayward, 38025 Rocky Creek Road, Carmel, Big Sur Coast Land Use Plan (APN: 418-132-002-000)]

The Hayward application (PLN100119) came on for public hearing before the Monterey County Zoning Administrator on October 31, 2013. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **PROJECT DESCRIPTION** – The proposed project is an Extension and Amendment to a previously approved Combined Development Permit (PLN990440) which consisted of a Coastal Administrative Permit and Design Approval for a multi-story single family dwelling with an attached two car garage (2,510 square feet), a horse barn with

corrals, a perimeter fence, retaining walls, new driveway, well, septic system, grading (200 cubic yards), and tree removal (7) Coast live oaks; and grading of approximately 200 cubic yards of cut and fill. Previous Extensions include PLN080111, PLN060176, PLN040077, and PLN020073. This Amendment consists of an update to the project description to include all required entitlements and revisions to the conditions of approval. As amended, the project is a Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a 2,577 square foot two-story single family dwelling with a 528 square foot attached garage, 795 square feet of covered patios, a well, a septic system and grading of approximately 2,100 cubic yards (1,700 cubic yards cut/400 cubic yards fill); 2) a Coastal Administrative Permit for a 1,918 square foot horse barn with a 200 square foot covered porch and fenced corrals; 3) a Coastal Development Permit for the removal of 7 Coast live oak trees; and 4) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat.

EVIDENCE: 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 Files PLN100119, PLN080111, PLN060176, PLN040077, PLN020073 and PLN990440.

2. **FINDING:** **EXTENSION** – The County has received and processed a Permit Extension to PLN990440.

EVIDENCE:

- a) An application for a Permit Extension was submitted on March 10, 2010. See letters from agent Jay Auburn dated March 10, 2010 and July 20, 2010 (**Exhibit D**). The current permit (PLN080111) is set to expire on March 10, 2010.
- b) The property is located at 38025 Rocky Creek Road, Carmel (Assessor's Parcel Number 418-132-002-000), Big Sur Coast Land Use Plan. The parcel is zoned WSC/40-D (CZ) "Watershed and Scenic Conservation, 40 acres per unit with Design Control overlay in the Coastal Zone, which allows development of the first single family residence on the site subject to the approval of a Coastal Administrative Permit. Therefore, the project is an allowed land use for this site.
- c) The project includes the removal of 7 Coast live oak trees which is allowed pursuant to the Section 20.145.060.A.1 of the Monterey County Coastal Implementation Plan, Part 3, subject to the approval of a Coastal Development Permit.
- d) The project includes development within 100 feet of environmentally sensitive habitat, which is allowed pursuant to Section 20.17.030.E, subject to the approval of a Coastal Development Permit.
- e) On March 8, 2000, the Zoning Administrator approved the original Combined Development Permit (PLN990440/Hellge) under Resolution No. 990440 (**Exhibit E**) to allow construction of a multi-story single family dwelling with an attached two car garage (2,510 square feet), a horse barn with corrals, a perimeter fence, retaining walls, new driveway, well, septic system, grading (200 cubic yards), and tree removal (7) Coast live oaks; and grading of approximately 200 cubic

- yards of cut and fill. The original expiration date was March 8, 2002.
- f) On March 28, 2002, the Monterey County Director of RMA-Planning approved a two-year Extension (PLN020073/Hellge) to PLN990440, extending the expiration date to March 8, 2004. No changes were proposed or approved with this extension.
 - g) On May 4, 2004, the Monterey County Director of RMA-Planning approved a second two-year Extension (PLN040077/Hellge) to PLN990440, extending the expiration date to March 8, 2006. No changes were proposed or approved with this extension.
 - h) On April 13, 2006, Monterey County Director of RMA-Planning approved a third two-year Extension (PLN060176/Queensmith) to PLN990440, extending the expiration date to March 8, 2008. No changes were proposed or approved with this extension.
 - i) On April 11, 2008, Monterey County Director of RMA-Planning approved a fourth two-year Extension (PLN080111/Queensmith) to PLN990440, extending the expiration date to March 10, 2010. No changes were proposed or approved with this extension.
 - j) The following documents were recorded to comply with conditions of approval from Resolution No. 990440:
 - Condition No. 25: Deed Restriction to require that all development be in accordance with the reports prepared for the project;
 - Condition No. 26: Indemnification Agreement;
 - Condition No. 27: Permit Approval Notice.
 - k) Condition No. 25, which requires recordation of a deed restriction stating that all development on the parcel shall be in accordance with the reports prepared for the parcel, has been amended to include the new biological report prepared by Fred Ballerini on May 20, 2011 (LIB110295) and the new biological letter report prepared by Fred Ballerini on April 3, 2013.
 - l) Four new conditions of approval have been applied to the project:
 - Condition No. 28:** Onsite Wastewater Treatment System Design – This condition is now standard for projects in this area.
 - Condition No. 29:** Regional Traffic Impact Fee - The Regional Traffic Impact fee was adopted after the original project approval but the project is subject to the fee and this condition is now standard for projects that are subject to the fee.
 - Condition No. 30:** Conservation and Scenic Easement Deed – Pursuant to LUP Policy 3.3.2.3 the project has been conditioned to require recordation of a Conservation and Scenic Easement Deed over those areas of the site that have been identified as environmentally sensitive habitat.
 - Condition No. 31:** Project Expiration – This condition is added to give notice that the new expiration date for the project is September 26, 2014. This is the fifth extension of the expiration date for PLN990440. Through the agent, the current owner requests that the expiration date be extended a minimum of one year from the September 26, 2013 date that the project was originally scheduled to be heard to allow time for revised drawings to be prepared.
 - m) All of the conditions of approval from Resolution 990440 have been updated to reflect current formatting. The same condition numbers have

been transferred to the updated conditions. Condition Nos. 4 and 5 (requirement for landscaping and requirement that landscaped areas be continuously maintained) have been combined into one condition in the condition as currently formatted and appear in the Condition Compliance matrix as Condition No. 4. The revised conditions of approval do not include a Condition No. 5 so that the numbering of the remainder of the conditions remains consistent with the numbering used in Resolution 990440. The applicant will be required to record new documents (Deed Restriction, Indemnification Agreement and Permit Approval Notice).

- n) No other conditions of approval from Resolution No. 990440 have been satisfied and construction permits have not been issued for this project.

3. **FINDING:** **CHANGED CIRCUMSTANCES** – The Permit Extension includes changed circumstances from the previously approved permit and related extensions. Therefore an Amendment is required.

EVIDENCE: a) The extension request was submitted on March 10, 2010 on behalf of former owner, David Wheeler. Ownership of the subject property transferred to Giles Hayward on June 25, 2013. An extension to September 26, 2014 is requested to allow time for the new owner to prepare construction plans. See the letters from agent Jay Auburn dated March 10, 2010 and July 20, 2010 (**Exhibit D**).

- b) The biological assessment prepared for the project on November 30, 1999 by Jud Vandevere did not include a survey of any areas of the subject parcel outside of the proposed development area. No environmentally sensitive habitat was identified within the proposed development area. The project was conditioned (Condition No. 25) to require the recordation of a deed restriction stating that all development on the subject parcel must be in accordance with the reports prepared for the project, including the Vandevere report.
- c) An updated biological assessment (LIB110295) prepared by Fred Ballerini on May 20, 2011 for the project identified environmentally sensitive habitat (Central maritime chaparral) within 30 feet to the north and east of the development area and access road, and Small-leaved lomatium, Monterey ceanothus and Redwood forest in other areas of the site. No environmentally sensitive habitat was identified within the proposed development area. A second updated biological assessment prepared by Fred Ballerini on April 3, 2013 found that compliance with the recommendations found in the biological reports and forest management plan prepared for the project would reduce impacts to an acceptable level. Condition No. 25 has been modified to include the two Ballerini biological reports in the required deed restriction.
- d) Although no additional development is proposed as part of this Extension and the proposed development footprint remains the same, pursuant to Section 20.17.030.E, a Coastal Development Permit for development within 100 feet of mapped or field identified environmentally sensitive habitat is required.

4. **FINDING:** **CONSISTENCY** – The Project, as proposed, is consistent with the previously approved permits pursuant to Monterey County Code Section

20.70.105 and does not cause impacts not already assessed in original permit action. As approved and amended, permit number PLN100119 will become and be referred to as the approved permit.

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);

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) No additional development or modification to the previously approved development is proposed as part of this application.

c) **ESHA** – The subject project minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and policies of the applicable area plan and zoning codes.

The project includes development within 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the Big Sur Coast Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the criteria to grant said permit have been met. The project is consistent with LUP Policy No. 3.3.2.7, which requires that land uses adjacent to environmentally sensitive habitat be compatible with the long-term maintenance of the resource. The biological reports and forest management plan provide recommendations for the protection and preservation of ESHA on the property, and the project has been conditioned (Condition No. 25) to require compliance with all of the recommendations of the reports prepared for the project, including all of the biology reports and the forest management plan. Pursuant to LUP Policy 3.3.2.3, the project has also been conditioned to require that a conservation easement be recorded over those areas of the property containing environmentally sensitive habitat. See also **Finding 3 and related Evidence**.

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 Files PLN100119, PLN080111, PLN060176, PLN040077, PLN020073 and PLN990440.

5. **FINDING:** **CEQA** – The Extension and Amendment does not require subsequent environmental review pursuant to CEQA Guidelines Section 15162. The original CEQA action on the project was a Categorical Exemption per CEQA Guidelines Section 15303(a).

EVIDENCE: a) No modifications or additions to the previously approved development are proposed as part of this Extension and Amendment. The recent discovery of environmentally sensitive habitat (ESHA) within 30 feet of the proposed development triggered the requirement for an amendment to add a Coastal Development Permit to allow development within 100 feet of known or mapped ESHA. However, as no development is

proposed outside of the previously approved development area and the project is conditioned to comply with all of the recommendations of the biological reports prepared for the project, which include a recommendation for protective habitat fencing during construction, there will be no impacts to ESHA that were not previously anticipated.

- b) 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 Files PLN100119, PLN080111, PLN060176, PLN040077, PLN020073 and PLN990440.

6. **FINDING:** **AMENDMENT** – Consideration of the request for the amendment has been carried out pursuant to Monterey County Code Section 20.84.040.

- EVIDENCE:**
- a) On October 15, 2013, a notice appeared in the Monterey County Weekly. On October 16, 2013, notices were mailed to residents within 300 feet of the project site and posted in at least 3 different public places on and near the subject property.
 - b) No comments were received from the public prior to the hearing.
 - c) 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 Files PLN100119, PLN080111, PLN060176, PLN040077, PLN020073 and PLN990440.

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

- EVIDENCE:**
- a) Section 20.86.030 of the Monterey County Zoning Ordinance states that an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
 - b) Section 20.86.080 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the project involves development that is permitted in the underlying zone as a conditional use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

1. Find the project categorically exempt per CEQA Guidelines Section 15303(a);
2. Approve the Extension and Amendment (PLN100119) to a previously approved Combined Development Permit (PLN990440) which consists of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a 2,577 square foot two-story single family dwelling with a 528 square foot attached garage, 795 square feet of covered patios, a well, a septic system and grading of approximately 2,100 cubic yards (1,700 cubic yards cut/400 cubic yards fill); 2) a Coastal Administrative Permit for a 1,918 square foot horse barn with a 200 square foot covered porch and fenced corrals; 3) a Coastal Development Permit for the removal of 7 Coast live oak trees; and 4) a Coastal Development Permit to allow development within 100 feet of environmentally

sensitive habitat, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference. [PLN100119, Hayward, 38025 Rocky Creek Road, Carmel, Big Sur Coast Land Use Plan (APN: 418-132-002-000)]

PASSED AND ADOPTED this 31st day of October, 2013.

Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

(Coastal Projects)

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.

Form Rev. 01-31-2013

Monterey County Planning Department

DRAFT Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan

PLN100119

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This project is an Extension and Amendment to a previously approved Combined Development Permit (PLN990440) which consists of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a 2,577 square foot two-story single family dwelling with a 528 square foot attached garage, 795 square feet of covered patios, a well, a septic system and grading of approximately 2,100 cubic yards (1,700 cubic yards cut/400 cubic yards fill); 2) a Coastal Administrative Permit for a 1,918 square foot horse barn with a 200 square foot covered porch and fenced corrals; 3) a Coastal Development Permit for the removal of 7 Coast live oak trees; and 4) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. The project is located at 38025 Rocky Creek Road, Carmel, Big Sur Coast Land Use Plan (APN: 418-132-002-000). 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: Adhere to conditions and uses specified in the permit.

2. WR40 - WATER CONSERVATION MEASURES

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:

- a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
- b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)

Compliance or Monitoring: Prior to final building inspection/occupancy

Action to be Performed: Compliance to be verified by building inspector at final inspection.

3. SUBMIT COLOR SAMPLES (PLANNING)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Per the approval of the Big Sur Land Use Advisory Committee (January 25, 2000) the applicant shall submit color samples of the signal family residence and fencing for approval to the Big Sur Land Use Advisory Committee, prior to final inspection or Occupancy. (RMA-Planning Department)

Compliance or Monitoring:

Action to be Performed:

4. PD012(F) - LANDSCAPE PLAN & MAINTENANCE (SFD ONLY)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. The landscape plan shall include the recommendation from the Forest Management Plan prepared by Stephan R. Staub. The landscape plan shall include the recommendation from the Biological Preort prepared by Jud Vandever. The landscape plan shall include native plants. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

6. WP0008 - ROADWAY TURNAROUNDS-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be minimum of 60 feet in length. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

7. WP0009 - ROADWAY TURNOUTS-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper on each end. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

8. WP0018 - DRIVEWAYS-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Driveways shall not be less than 12 feet wide unobstructed. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400 foot intervals. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading or building permits.

9. WP0031 - ADDRESSES FOR BLDGS-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

10. WP0032 - SIGNS-SIZE OF NUMBERS & SYMBOLS-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Size of letters, numbers and symbols for addresses shall be a minimum of 3-inch letter height, 3/8-inch stroke, contrasting with the background color of the sign. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance or Grading or Building Permits

11. WP0033 - SIGNS-PERM. POSTED ADDRESSES- FIRE

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

12. WP0040 - EMERGENCY WATER-ACT STDS-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: A minimum fire protection water supply of 3,000 gallons shall be provided regardless of parcel size. Minimum storage requirements for single family dwelling may be reduced to 2,000 gallons if an approved automatic fire sprinkler is required. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

13. WP0044 - HYDRANT LOCATION-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

14. WP0045 - HYDRANT SPACING-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The hydrant serving any building shall be not less than 50 feet nor more than 1000 feet by road from the building it is to serve. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

15. WP0046 - HYDRANT CONSTRUCTION-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2-inch National Hose outlet supplied by a minimum 4 inch main and riser. The Reviewing Authority may apply more restrictive hydrant requirements. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

16. WP0056 - FIRE SPRINKLER SYSTEM-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

"The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection." (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

17. WP0059 - ROADWAY SURFACE-ALT-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Where road grades exceed 8 percent, a minimum structural roadway surface thickness of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

18. WP0062 - ROOF CONSTRUCTION-FIRE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: In high and very high fire hazard areas, as defined by the California Department of Forestry and Fire Protection (CDF), roof construction shall be a Class A or Class B, with fire resistive materials, or as approved by the Reviewing Authority. This requirement shall apply to all new construction and existing roofs that are repaired or modified so as to affect 50 percent or more of the roof. Vegetation removal will not be allowed as a means of removing high or very high fire hazard area designation from an entire parcel. (Cal-Fire Coastal)

Compliance or Monitoring Action to be Performed: Prior to issuance of Grading or Building Permits

19. EH8 - WELL CONSTRUCTION PERMIT

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Obtain a water well drilling permit from the Division of Environmental Health and construct the well. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to the issuance of a building permit
Submit the Well Completion Report to the Division of Environmental Health.

20. WR2 - STORMWATER CONTROL

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

Compliance or Monitoring: Prior to issuance of any grading or building permits

Action to be Performed: Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.

21. WR45 - WELL INFORMATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)

Compliance or Monitoring: Prior to issuance of any grading or building permits

Action to be Performed: Submit all applicable well information to the Water Resources Agency for review and approval.

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

Responsible Department: Planning Department

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

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

Action to be Performed: Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

23. PD035 - UTILITIES UNDERGROUND

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: All new utility and distribution lines shall be placed underground.
(RMA - Planning Department; Public Works)

Compliance or Monitoring: On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.

24. PD003(A) - RESOURCES NEG ARCH

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: 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.

25. PD017 - DEED RESTRICTION-USE

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Prior to issuance of a building permit the applicant shall record a deed restriction as a condition of project approval which states: "The following reports have been prepared for this parcel:
A Biological report and Addendum (Library No. 26.06.061), by Jud Vandever, dated June 27, 1990;
An Addendum to the Biological Report by Bruce Cowan dated June 27, 1990;
A Biological Report dated May 20, 2011, by Fred Ballerini;
A Biological Report dated April 3, 2013, by Fred Ballerini;
A Forest Management Plan (LN 33.05.020) dated January, 2000, by Stephen R. Staub;
An Addendum (Geotechnical Repor (LN 24.01.042) to the Geologic Report contained in the Rocky Creek Ranch EIR, dated August 1990, prepared by Geoconsultants, Inc.; and
An Archaeological Reconnaissance (LN 04.01.138), dated December 1999, prepared by Archaeological Consulting.
All development shall be in accordance with these reports." (RMA - Planning)

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

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

26. PD004 - INDEMNIFICATION AGREE

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: Submit 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.

27. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice to contain the Resolution Number, Name of Hearing Body, Assessor's Parcel Number, Date the permit was approved, and the statements "The permit was granted subject to 30 conditions of approval which run with the land" and "A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Proof of recordation of this notice shall be furnished to the RMA - Planning Department.

28. EHSP01ONSITE WASTEWATER TREATMENT SYSTEM DESIGN

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Environmental Health has determined that a adequate area exists for onsite wastewater disposal for the proposed project. Submit onsite wastewater treatment system plans for review and approval indicating the location, design layout and size specifications that meets standards found in Monterey County Code Chapter 15.20, Sewage Disposal Ordinance, and the Central Coast Basin Plan, Regional Water Quality Control Board.

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit Submit onsite wastewater treatment system design plans for review and approval by the Environmental Health Bureau. Applicant shall obtain a permit to install the onsite wastewater treatment system from Environmental Health

29. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: Public Works Department

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

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

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

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: A conservation and scenic easement shall be conveyed to the County over those portions of the property where environmentally sensitive habitat areas exist(s) in accordance with the procedures in Monterey County Code § 20.64.280.A. A Subordination Agreement shall be required, where necessary. The easement shall be developed in consultation with certified professional. An easement deed shall be submitted to, reviewed and approved by the Director of RMA - Planning and the Executive Director of the California Coastal Commission, and accepted by the Board of Supervisors prior to recording the parcel/final map or prior to issuance of grading and building permits. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to recording the parcel/final map or prior to issuance of grading and building permits, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to RMA - Planning for review and approval.

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

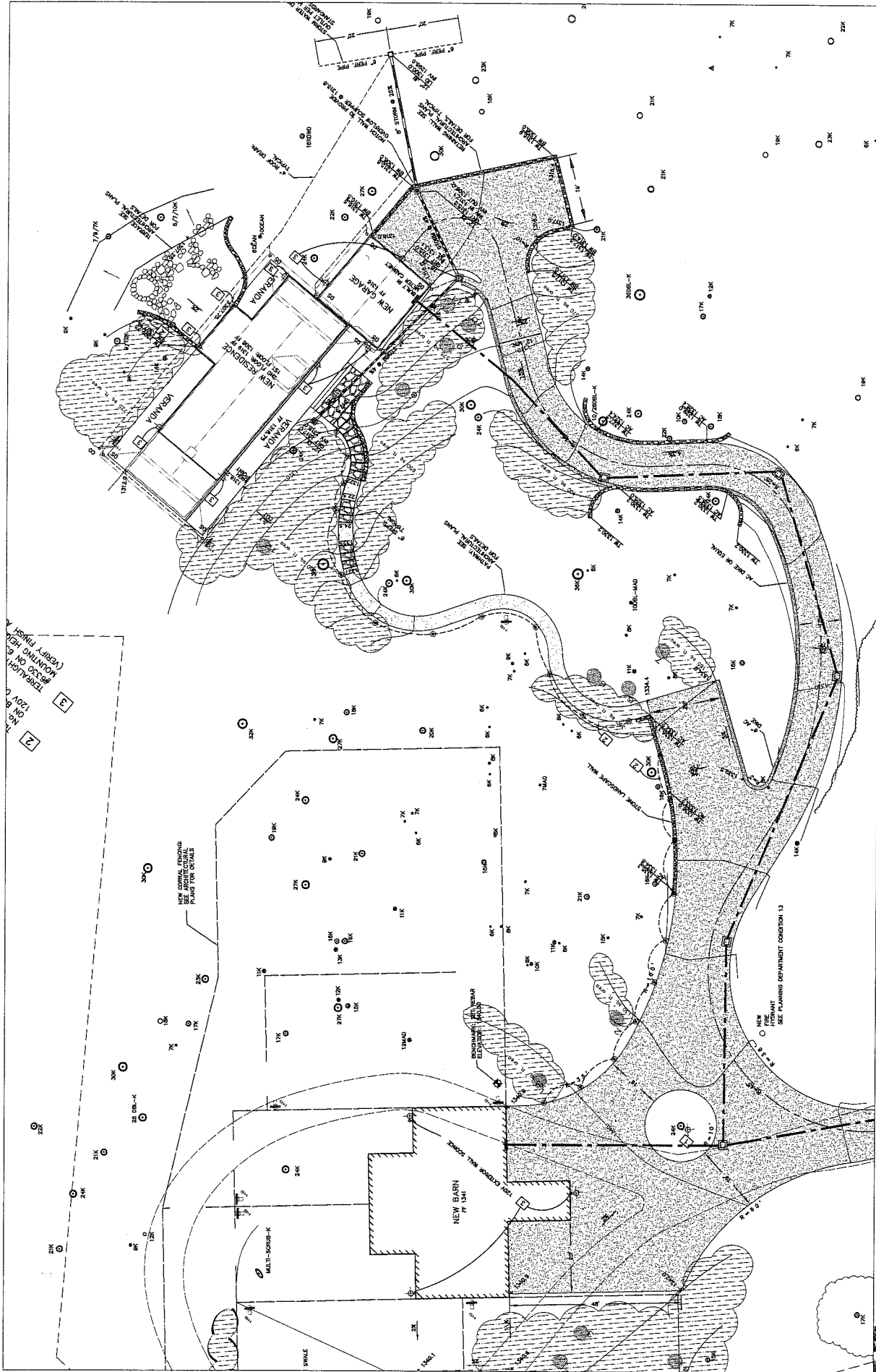
Prior to or concurrent with recording the parcel/final map or prior to issuance of grading and building permits, the Owner/Applicant shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to RMA - Planning.

31. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 1 year from September 26, 2013, to expire on September 26, 2014, unless use of the property or actual construction has begun within this period. (RMA-Planning)

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 RMA-Director of Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

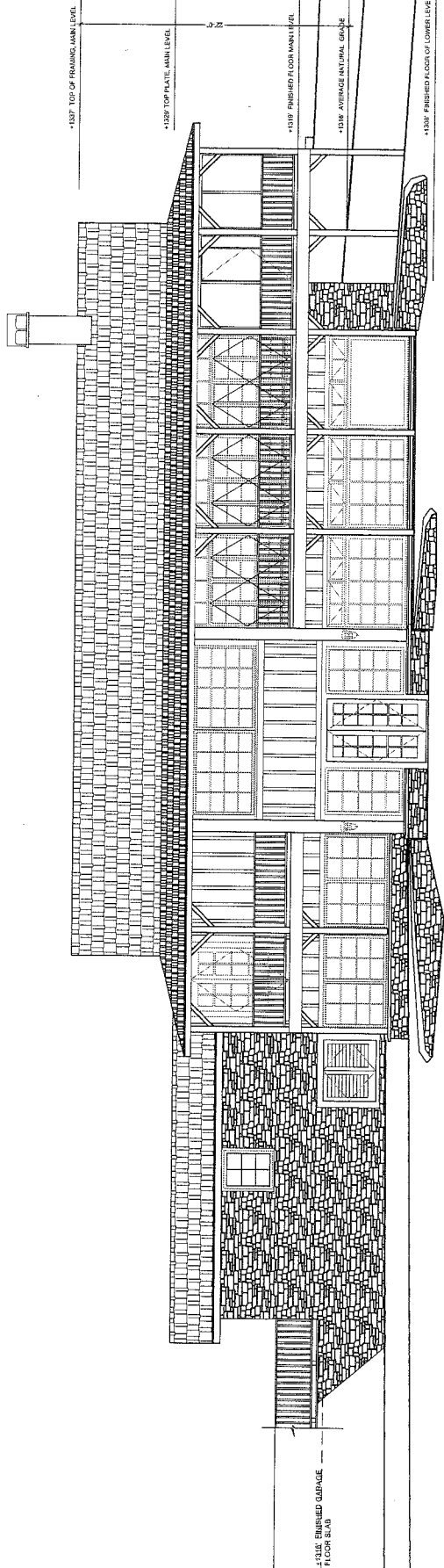


ELECTRICAL SITE PLAN
 SCALE: 1/8" = 1'-0"

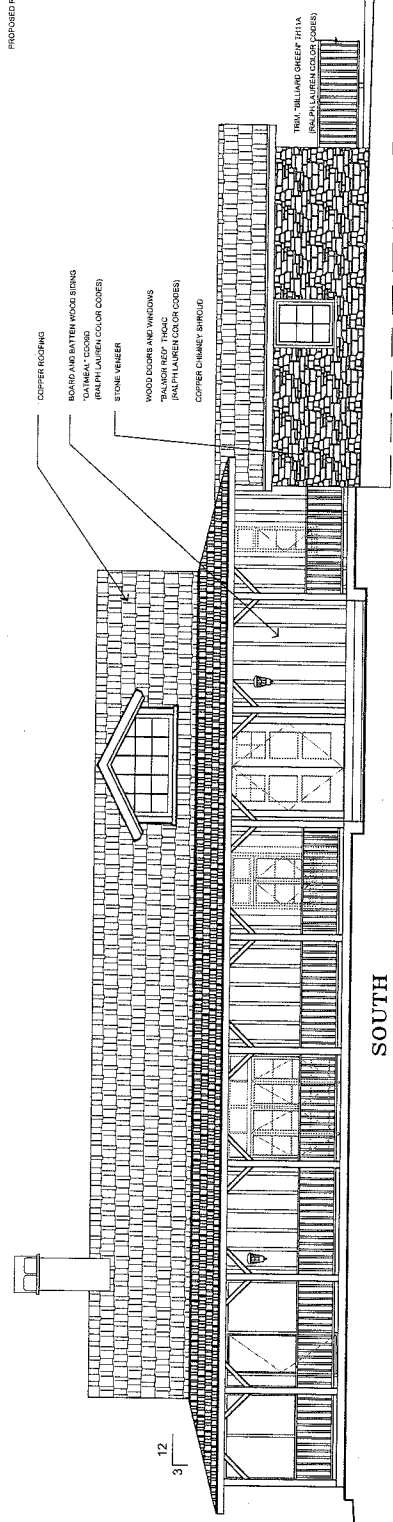
HELLIGE FARMHOUSE
 BIG SUR CALIFORNIA

PE 3

Carver + Schickelanz Architects
 P.O. BOX 2884 DANFEL CALIFORNIA 93921, USA
 PHONE: 831.624.2224 FACSIMILE: 831.624.2228



NORTH



SOUTH

HEIGHT CALCULATION TABLE

EXISTING NATURAL GRADE - HIGH	+1507
EXISTING NATURAL GRADE - LOW	+1512
AVERAGE NATURAL GRADE	+1519
ALLOWABLE HEIGHT	+2'
PROPOSED FINISH - LIVING AREA - Z2	(17) 151

- COPPER ROOFING
- BOARD AND BATTEN WOOD SIDING
- WALNUT SIDING
- PAINT (LAUREN COLOR CODES)
- STONE WRENER
- WOOD DOORS AND WINDOWS
- TRAILBLAZER TRUCK
- PAINT (LAUREN COLOR CODES)
- COPPER CHIMNEY BRICK

TRAILBLAZER TRUCK
PAINT (LAUREN COLOR CODES)

PRELIMINARY
NOT FOR CONSTRUCTION
05 FEBRUARY 2002

HELLGE FARMHOUSE
BIG SUR
CALIFORNIA

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

Carver + Schickelanz Architects
P.O. BOX 4884, CARPENTER, CALIFORNIA 93021, USA
PHONE: 925.824.2204 FAX: 925.824.2204

+1317 TOP OF FRAMING MARK LEVEL
 +1327 TOP PLATE MARK LEVEL
 +1319 FINISHED FLOOR MARK LEVEL
 +1328 FINISHED FLOOR OF LOWER LEVEL

ATTIC 35 SQ. FT. (10' x 3.4' SF. COPPER SCREEN WITH LOGS)

EAST

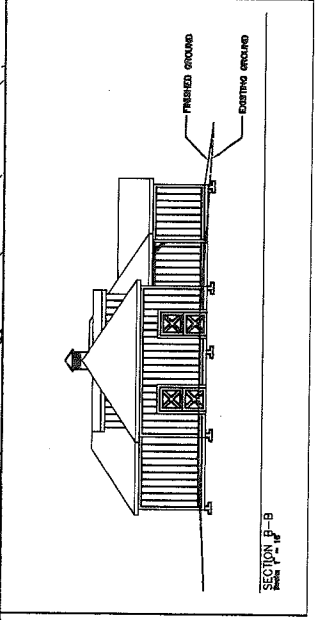
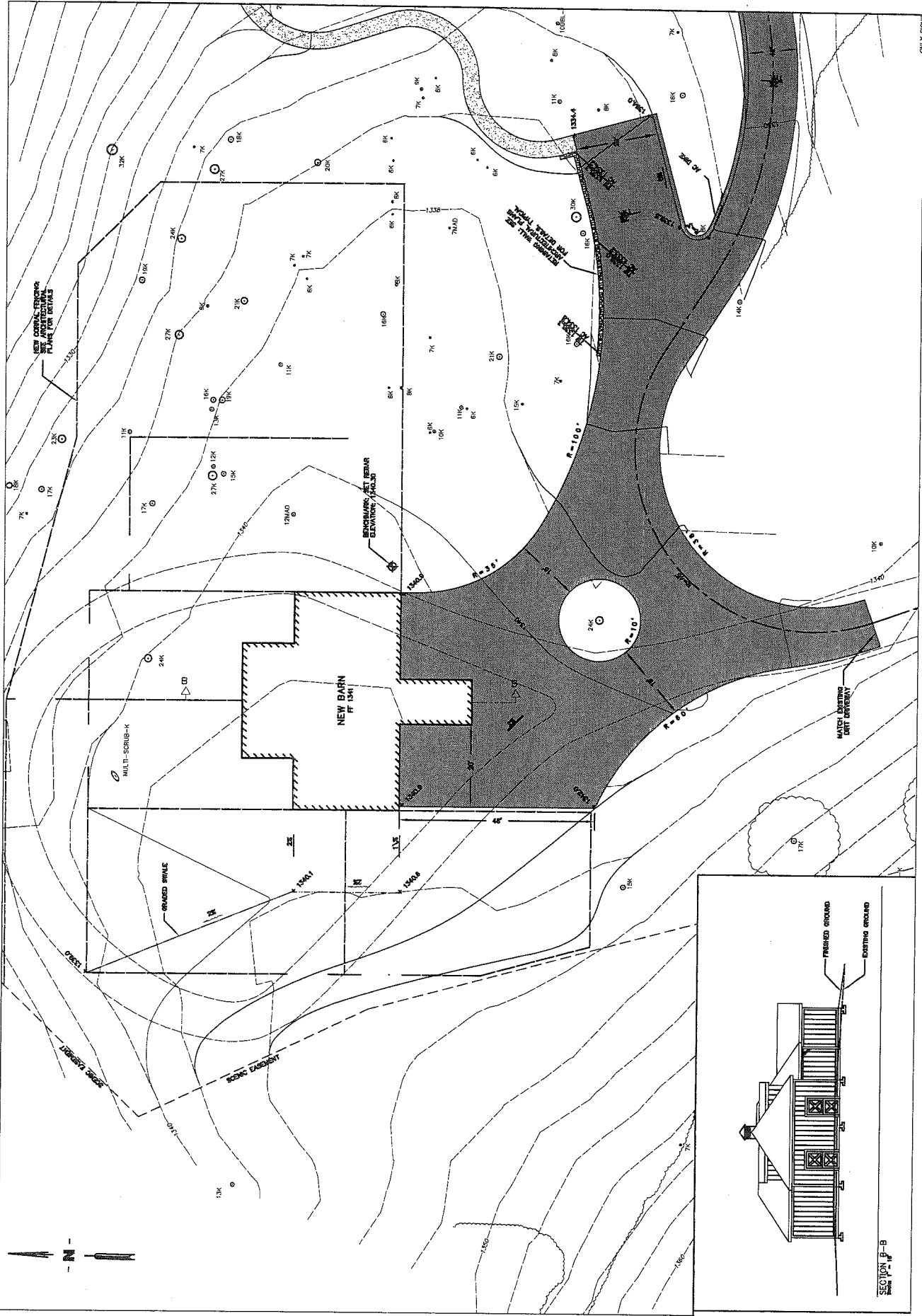
HEIGHT CALCULATION TABLE
 EXISTING NATURAL GRADE - HIGH +1120'
 EXISTING NATURAL GRADE - LOW +1112'
 AVENUE NATURAL GRADE +1130'
 ALLOWABLE HEIGHT = 2'
 PROPOSED ROOF - LIVING AREA = 22' (21'2 1/2')

WEST

PRELIMINARY
 NOT FOR CONSTRUCTION
 08 FEBRUARY 2009

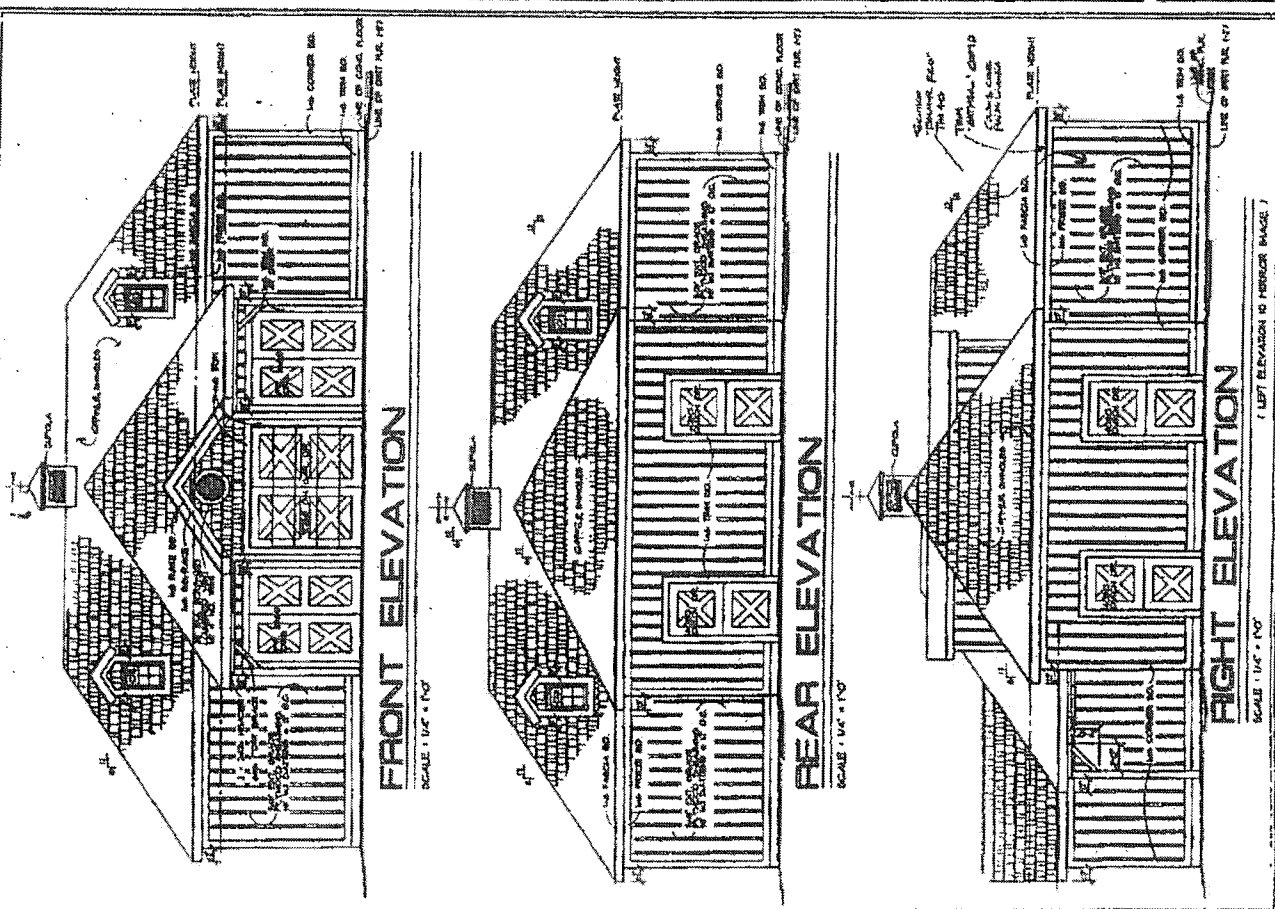
HELLGE FARMHOUSE
 BIG SUR
 CALIFORNIA

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



SECTION B-B

ONLY SOUTH



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

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

RIGHT ELEVATION
SCALE: 1/4" = 1'-0"
(LEFT ELEVATION IS REVERSE IMAGE.)

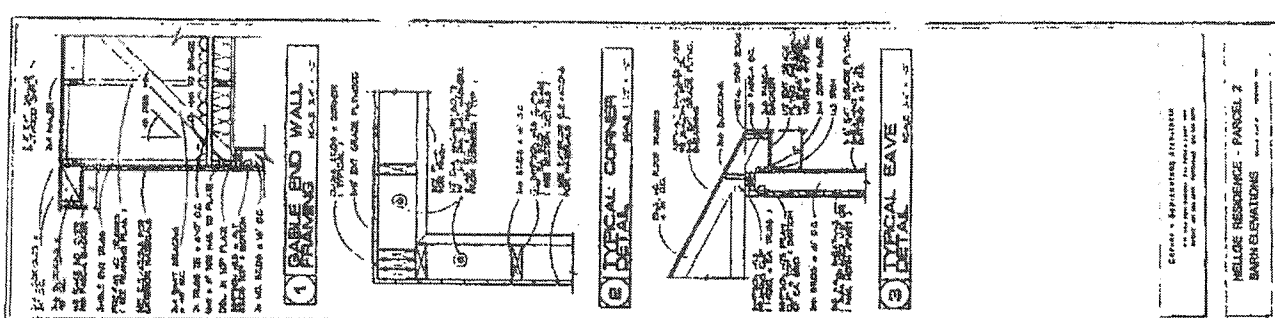
ARCHITECTURAL NOTES

1. STRUCTURAL STEEL SHALL BE AISC 360, GRADE 50, UNLESS OTHERWISE SPECIFIED.
2. ALL STEEL SHALL BE GALVANNEAL, UNLESS OTHERWISE SPECIFIED.
3. ALL WELDS SHALL BE PERFORMED BY A LICENSED WELDER.
4. ALL BOLTS SHALL BE PERFORMED BY A LICENSED BOLTER.
5. ALL CONNECTIONS SHALL BE PERFORMED AS SHOWN.
6. ALL DIMENSIONS SHALL BE IN FEET AND INCHES, UNLESS OTHERWISE SPECIFIED.
7. ALL MATERIALS SHALL BE AS SHOWN.
8. ALL MATERIALS SHALL BE AS SHOWN.
9. ALL MATERIALS SHALL BE AS SHOWN.
10. ALL MATERIALS SHALL BE AS SHOWN.

STRUCTURAL NOTES

NOTE 10

1. ALL DIMENSIONS SHALL BE IN FEET AND INCHES, UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS SHALL BE IN FEET AND INCHES, UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS SHALL BE IN FEET AND INCHES, UNLESS OTHERWISE SPECIFIED.
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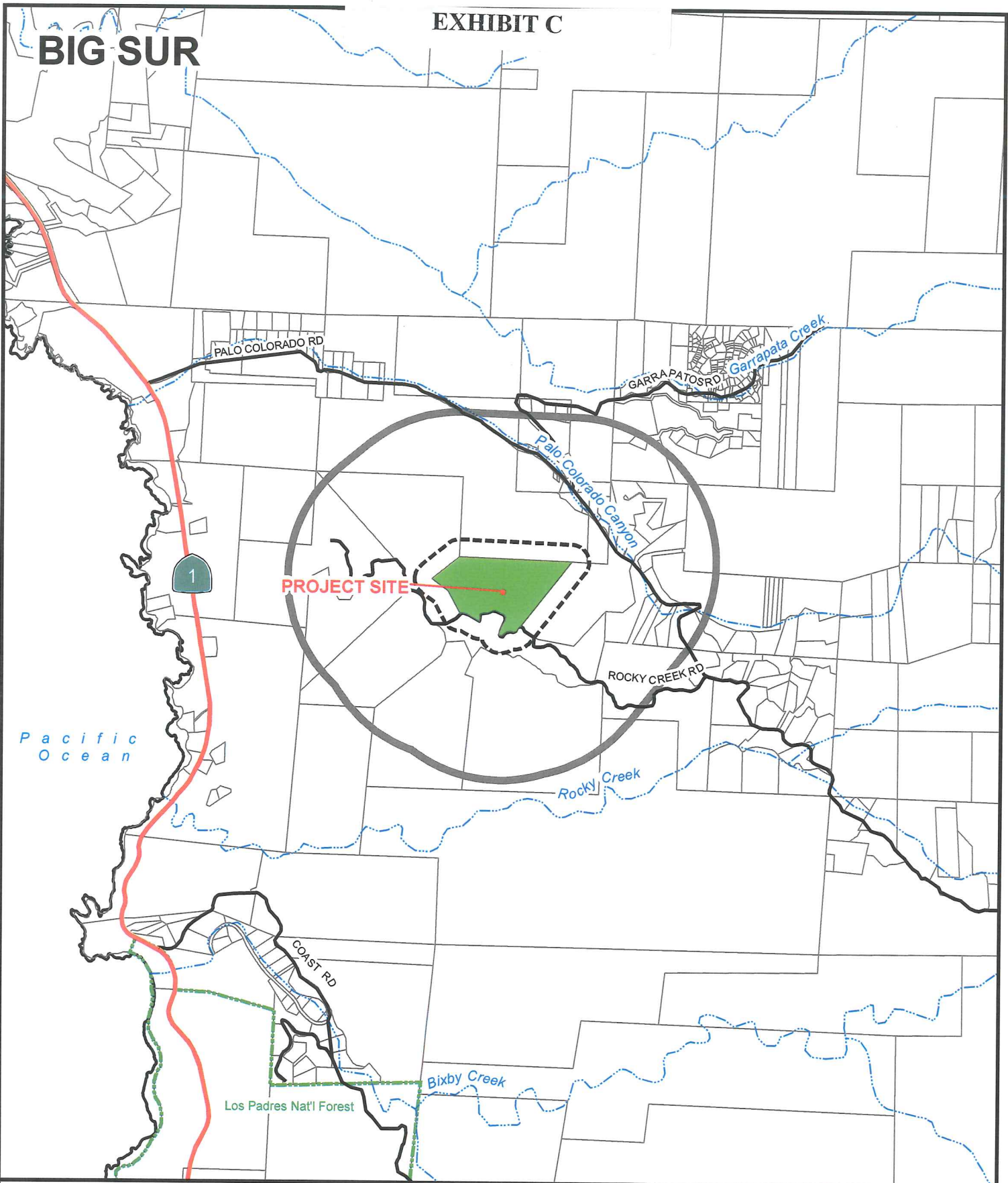


HOME PLANNERS, INC.
1000 WEST 10TH AVENUE, SUITE 100, DENVER, COLORADO 80202
TEL: 303.733.1111 FAX: 303.733.1112

DATE: 10/15/10
DRAWN BY: J. SMITH
CHECKED BY: M. JONES
PROJECT: WELLS RESIDENCE - PARCEL 2
SHEET: 10 OF 10

EXHIBIT C

BIG SUR

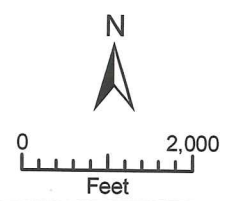


APPLICANT: WHEELER

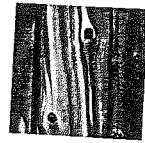
APN: 418-132-002-000

FILE # PLN100119

 Water
  2500' Limit
  300' Limit
  City Limits



PLANNER: BETTENCOURT



March 10, 2010

Ms. Liz Gonzales
Monterey County Planning & Building Dept.
168 W. Alisal St., 2nd Floor
Salinas, CA 93901

RE: WHEELER – PLN:080111 CDP Extension.

Dear Liz,

On behalf of Mr. David Wheeler, owner of APN:418-132-002, we hereby request an extension to Planning Permit PLN:080111. The permit will be extended 'as is'; there will be no changes or amendments. We understand the permit will be extended for three years which would put the new proposed expiration date at March 11, 2013.

Please don't hesitate to contact me if any questions or comments. Thank you for your diligence.

Sincerely,

Jay Auburn

July 20, 2010

Ms. Cynthia Bettencourt
Monterey County Planning & Building Dept.
168 W. Alisal St., 2nd Floor
Salinas, CA 93901

RE: WHEELER - PLN 080111, CDP Extension.

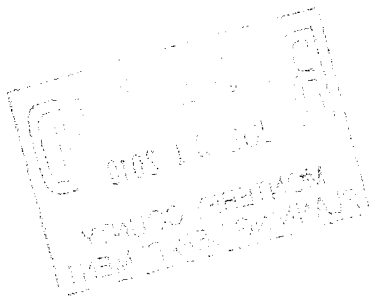
Dear Cynthia,

On behalf of Mr. David Wheeler, owner of APN:418-132-002, we hereby request an extension to Planning Permit PLN:080111 due to the financial market collapse. The permit is to be extended 'as is'; there will be no changes or amendments. We understand the permit will be extended for three years which would put the new proposed expiration date at March 11, 2013.

Please don't hesitate to contact me if any questions or comments. Thank you for your diligence.

Sincerely,

Jay Auburn



NO. 990440

A. P. # 418-132-002-000

In the matter of the application of
HELLGE ALEXANDER M & JACQUELINE (990440)

FINDINGS AND DECISION

for a Coastal Administrative Permit in accordance with Chapter 20.76 (Coastal Administrative Permits) of Title 20, Monterey County Code (Zoning), and Design Approval for a multi-story single family dwelling with an attached two car garage (2,519 sq. ft.), a horse barn with corrals (1,918 sq. ft.), a perimeter fence, retaining walls, new driveway, well, septic system, grading (200 cubic yards), and tree removal (7) Coast live oaks; located on Lot 2, Rocky Creek Ranch, southerly of Palo Colorado Road, Big Sur, Coastal Zone, came on regularly for meeting before the Zoning Administrator on March 8, 2000.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

1. **FINDING:** The project is a Coastal Administrative Permit and Design Approval for a multi-story single family dwelling with an attached two car garage (2,519 sq. ft.), a horse barn with corrals (1,918 sq. ft.), a perimeter fence, retaining walls, new driveway, well, septic system, grading (200 cubic yards), and tree removal (7) Coast live oaks. The project is located on Rocky Creek Road, Lot 2, Rocky Creek Ranch, southerly of Palo Colorado Road, Big Sur, Coastal Zone. (Assessor's Parcel Number 418-132-002-000). The proposed development, described in the application and accompanying materials, and as conditioned, together with the provisions of its design, is consistent with the plans, policies, requirements, and standards of the Monterey County Local Coastal Program.

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

- 1) The certified Big Sur Coast Land Use Plan, Local Coastal Program, and
- 2) The certified Monterey County Coastal Implementation Plan, regulations for WSC/40(CZ) (Watershed and Scenic Conservation) zoning districts in the Coastal Zone, and
- 3) Chapter 20.145 of the Monterey County Coastal Implementation Plan, "Regulations for Development in the Big Sur Coast Land Use Plan Area."

EVIDENCE: Plans and materials in Coastal Administrative Permit File 990440.

EVIDENCE: The project as described in the application and the Department of Planning and Building Inspection, Health Department, Public Works Department, Fire Department, and the Water Resources Agency reviewed accompanying materials. 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: The Biological Report prepared for the project by Jud Vandevere, Biological Consultant, on November 30, 1999 determined that with implementation of the mitigation measures listed in the report as conditions, the project would not have a significant impact on the plant and wildlife onsite. No rare or endangered plants or animals were identified onsite. With the conditions, the project would conform to requirements, of the Big Sur Coast Land Use Plan.

- EVIDENCE: The Forest Management Plan prepared for the project by Stephen R. Staub, Forester, on January 2000 determined that the seven (7) Coast Live Oaks could be removed with implementation of the recommended conditions.
- EVIDENCE: The Geologic Report contained in the Rocky Creek Ranch EIR identified the building site on Lot 2 as suitable for development.
- EVIDENCE: The Archaeological report prepared for the project by Archaeological Consulting on December 1999 did not identify any archaeological or cultural resources onsite.
- EVIDENCE: The project as proposed is consistent with policies of the Big Sur Coast Land Use Plan dealing with visual resources and will have no significant impact on the public viewshed. Staff made a site visit and determined that the project as proposed would not be ridgeline or impact the public viewshed.
- EVIDENCE: The Big Sur Coast Land Use Advisory Committee reviewed and recommended approval of the Coastal Administrative Permit on January 25, 2000 with conditions.
2. FINDING: The proposed project will not have a significant environmental impact.
EVIDENCE: Section 15303 (a) of the Monterey County CEQA Guidelines categorically exempts this type of project from environmental review. No adverse environmental impacts were identified during review of the proposed project.
3. FINDING: The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
EVIDENCE: Finding and evidence 1-2 above.
4. FINDING: The project, as approved by the Coastal Administrative Permit, is appealable to the Board of Supervisors. The project is not appealable to the California Coastal Commission.
EVIDENCE: Section 20.86 of the Monterey County Coastal Implementation Plan.

DECISION

It is the decision of the Zoning Administrator of the County of Monterey that said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the following conditions:

1. This permit consists of a Coastal Administrative Permit and Design Approval for a multi-story single family dwelling with an attached two car garage (2,519 sq. ft.), a horse barn with corrals (1,918 sq. ft.), a perimeter fence, retaining walls, new driveway, well, septic system, grading (200 cubic yards), and tree removal (7) Coast live oaks. This project is approved in accordance with County ordinances and land use regulations subject to the following terms and condition. 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 Planning and Building Inspection. 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 actions. No use or construction other than that specified by this permit is allowed unless the appropriate authorities approve additional permits.
(Planning and Building Inspection Department)

Prior to Final Building Inspection/Occupancy:

2. The applicant shall comply with Ordinance No. 3932 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
 - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
 - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency & Planning and Building Inspection Department)**
3. Per the approval of the Big Sur Land Use Advisory Committee (January 25, 2000), the applicant shall submit color samples of the single family residence and fencing for approval to the Big Sur Land Use Advisory Committee, prior to final inspection or Occupancy. **(Planning and Building Inspection Department)**
4. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. The landscape plan shall include the recommendations from the Forest Management Plan prepared by Stephan R. Staub. The landscape plan shall include the recommendations from the Biological Report prepared by Jud Vandevere. The landscape plan shall include native plants. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for the cost estimate, shall be submitted to the Monterey County Planning and Building Inspection Department. **(Planning and Building Inspection Department)**

Continuous Permit Conditions:

5. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. **(Planning and Building Inspection Department)**

Prior to issuance of Grading or Building Permits:

6. Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be minimum of 60 feet in length. **(Carmel Fire Protection Association)**

7. Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper on each end. **(Carmel Fire Protection Association)**
8. Driveways shall not be less than 12 feet wide unobstructed. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400 foot intervals. **(Carmel Fire Protection Association)**
9. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. **(Carmel Fire Protection Association)**
10. Size of letters, numbers and symbols for addresses shall be a minimum of 3-inch letter height, 3/8-inch stroke, contrasting with the background color of the sign. **(Carmel Fire Protection Association)**
11. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located. **(Carmel Fire Protection Association)**
12. A minimum fire protection water supply of 3,000 gallons shall be provided regardless of parcel size. Minimum storage requirements for single family dwelling may be reduced to 2,000 gallons if an approved automatic fire sprinkler is required. **(Carmel Fire Protection Association)**
13. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. **(Carmel Fire Protection Association)**
14. The hydrant serving any building shall be not less than 50 feet nor more than 1000 feet by road from the building it is to serve. **(Carmel Fire Protection Association)**
15. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2-inch National Hose outlet supplied by a minimum 4 inch main and riser. The Reviewing Authority may apply more restrictive hydrant requirements. **(Carmel Fire Protection Association)**
16. The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

"The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection." **(Carmel Fire Protection Association)**

17. Where road grades exceed 8 percent, a minimum structural roadway surface thickness of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. **(Carmel Fire Protection Association)**
18. In high and very high fire hazard areas, as defined by the California Department of Forestry and Fire Protection (CDF), roof construction shall be a Class A or Class B, with fire resistive materials, or as approved by the Reviewing Authority. This requirement shall apply to all new construction and existing roofs that are repaired or modified so as to affect 50 percent or more of the roof. Vegetation removal will not be allowed as a means of removing high or very high fire hazard area designation from an entire parcel. **(Carmel Fire Protection Association)**
19. Prior to issuance of a building permit, obtain a well permit form the Division of Environmental Health, and construct the well. **(Environmental Health Division)**
20. A drainage plan shall be prepared by a registered civil engineer or architect to address on-site impacts. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. **(Water Resources Agency)**
21. The applicant shall provide to the Water Resources Agency information on the water system to serve the project, including the location of all water wells on the property, any well logs available, and the number of current hookups. **(Water Resources Agency)**
22. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. That the applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection Department)**
23. All new utility and distribution lines shall be placed underground. **(Planning and Building Inspection, Public Works Department)**
24. 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 (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection 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 the discovery. **(Planning and Building Inspection Department)**

25. Prior to issuance of building or grading permits, a deed restriction shall be recorded with the Monterey County Recorder which states: "A Biological report and Addendum (Library No. [LN] 26.06.061) have been prepared by Jud Vandevere, Biological Consultant, dated November 1999, an Addendum to the Biological Report prepared by Bruce Cowan, Environmental Landscape Consultant, dated June 27, 1990; a Forest Management Plan (LN. 33.05.020) prepared for this parcel by Stephen R. Staub, Forester, dated January 2000; an Addendum (Geotechnical Report) (LN. 24.01.042) to the Geologic Report contained in the Rocky Creek Ranch EIR, prepared by Geoconsultants, Inc, dated August 1990, and an Archaeological Reconnaissance (LN. 04.01.138), prepared by Archaeological Consulting, dated December 1999 have been prepared for the subject parcel and are on record in the Monterey County Planning and Building Inspection Department. All development shall be in accordance with these reports." **(Planning and Building Inspection Department)**
26. The property owner agrees as a condition and in consideration of the 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. 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 the 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. **(Planning and Building Inspection Department)**
27. The applicant shall record a notice which states: "A permit (Resolution 990440) was approved by the Zoning Administrator for Assessor's Parcel Number's 418-132-002-000 on March 8, 2000. The permit was granted subject to 27 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection Department)**

PASSED AND ADOPTED this 8th day of March, 2000.


DALE ELLIS, AICP
ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON MARCH 8, 2000.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE MARCH 20, 2000.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE BOARD OF SUPERVISORS. IT IS NOT APPEALABLE TO THE COASTAL COMMISSION.

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 and Building Inspection Department office in Monterey.

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

