

MONTEREY COUNTY PLANNING COMMISSION

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| Meeting: April 11, 2012 Time: 9:00 A.M | Agenda Item No.: 2 |
| Project Description: Birnberg (PLN110474): Four year extension request for a previously approved permit Combined Development Permit (PLN060760, Resolution No. 07037) consisting of of: 1) Administrative Permit and Design Approval for development in the "S" (Site Review) Zoning District to allow the construction of a 5,795 sq. ft., two-story with basement level single family residence with an attached 562 sq. ft. garage, a 420 sq. ft. detached bedroom suite, a 598 sq. ft. guest house, a 254 sq. ft. workshop, a 257 sq. ft. pool house, swimming pool, septic system, and a 566 sq. ft. artist studio, and grading (approximately 2,664 cubic yards cut/1,122 cubic yards fill); 2) Use Permit for the removal of 33 protected Oak trees; 3) Use Permit for development on slopes in excess of 30%. | |
| Project Location: 8 Corral Run, Carmel | APN: 239-101-017-000 |
| Planning File Number: PLN110474 | Owner: Diane and Howard Birnberg Agent: Joel Panzer, Maureen Wruck Planning Consultants, LLC |
| Planning Area: Carmel Valley Master Plan | Flagged and staked: No |
| Zoning Designation: : RG/10-D-S-RAZ [Rural Grazing, 10 acres per unit, with Design Control, and Site Plan Review Overlays, Residential Allocation Zoning District] | |
| CEQA Action: Technical Addendum to the certified Final EIR for the Santa Lucia Preserve Comprehensive Development Plan (EIR No. 94-005) prepared for the original approval of the Combined Development Permit. | |
| Department: RMA - Planning Department | |

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Consider the Technical Addendum to the certified Final EIR for the Santa Lucia Preserve Comprehensive Development Plan (EIR No. 94-005) prepared for the original approval of the Combined Development Permit; and
2. Approve a four year extension to the Combined Development Permit based on the Findings and Evidence and subject to the recommended Conditions (Exhibit C).

PROJECT OVERVIEW:

The approved Combined Development Permit (PLN060760, Resolution No. 07037; Exhibit E) allows the construction of a 5,795 sq. ft., two-story with basement level single family residence with an attached 562 sq. ft. garage, a 420 sq. ft. detached bedroom suite, a 598 sq. ft. guest house, a 254 sq. ft. workshop, a 257 sq. ft. pool house, swimming pool, septic system, and a 566 sq. ft. artist studio, and grading (approximately 2,664 cubic yards cut/1,122 cubic yards fill). The approval also includes the removal of 33 coast live oak trees and some development on slopes greater than 30%. The applicant submitted the extension request timely per the provisions of the Zoning Ordinance. According to the applicant (See Exhibit B), the current economic climate and difficulty securing the construction loan have contributed to the delay of the construction of the project and hence the need for the extension. No changes to the project are proposed as part of the extension request.

The original approval of the project by the Commission included consideration of a technical addendum to the certified Final EIR (EIR) for the Santa Lucia Preserve Comprehensive Development Plan. The addendum (Exhibit D) was prepared to address the tree removal component of the subject application which was not addressed in the EIR. Over 400 oak trees exist on the property. The addendum concluded that "Overall the tree removal proposed for this

development will not affect the integrity of the existing oak woodland on the property.” The approval of the subject project (See Exhibit E) incorporated conditions (Condition Nos. 9 and 15) to implement mitigation measures included in the EIR for overall tree replacement ratios and protection of nesting raptors and bats.

Staff supports the extension as the project has not changed in any way. Two conditions are recommended by Planning Department staff for the extension of the project approval (Exhibit C). Additional conditions of approval have been recommended by County departments/agencies for the extension (See also Exhibit C). All of the original conditions of approval contained in Planning Commission Resolution No. 07037 remain in effect.

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

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Carmel Valley Fire Protection District

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by Carmel Valley Fire Protection District, Public Works, and the Water Resources Agency, along with RMA- Planning Department have been incorporated into the draft resolution (**Exhibit C**). The project was not referred to a Land Use Advisory Committee (LUAC) for review, as no LUAC exists for this area of the County.

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

/S/ Ashley Nakamura



Ashley Nakamura, Land Use Technician
(831) 755-5892, nakamura@co.monterey.ca.us
March 30, 2012

cc: Front Counter Copy; Planning Commission; Carmel Valley Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; Wanda Hickman, Planning Services Manager; Ashley Nakamura, Project Planner; Carol Allen, Senior Secretary; Diane and Howard Birnberg, Owner; Joel Panzer, Agent; The Open Monterey Project; LandWatch; Planning File PLN110474

Attachments: Exhibit A Project Data Sheet
Exhibit B Extension Request Letter
Exhibit C Draft Resolution, including:
Conditions of Approval and Mitigation Monitoring and Reporting Program
Exhibit D Technical Addendum to the Certified Final EIR for the Santa Lucia Preserve Comprehensive Development Plan prepared for the original approval of the project (File No. PLN060760)
Exhibit E Resolution No. 07037, PLN060760

This report was reviewed by Luis Osorio, Senior Planner



EXHIBIT A

Project Data Sheet for PLN110474

Project Title: Birnberg

| | | | |
|-----------------------|-----------------------------|------------------------------|-----------------|
| Location: | 8 Corral Run , Carmel | Primary APN: | 239-101-017-000 |
| Applicable Plan: | Carmel Valley Master Plan | Coastal Zone: | No |
| Permit Type: | Combined Development Permit | Zoning: | RG/10-D-S-RAZ |
| Environmental Status: | Technical Addendum | Plan Designation: | Rural Grazing |
| Advisory Committee: | NA | Final Action Deadline (884): | 01/08/2012 |

Project Site Data:

| | | | |
|---------------------------|-------------------|----------------------------|---------|
| Lot Size: | 40.62 Acres | Coverage Allowed: | 5% |
| Existing Structures (SF): | NA | Coverage Proposed: | <1% |
| Proposed Structures (SF): | 8,452 Square Feet | Height Allowed: | 30 Feet |
| Total SF: | 8,452 Square Feet | Height Proposed: | 12 Feet |
| | | Floor Area Ratio Allowed: | NA |
| | | Floor Area Ratio Proposed: | NA |

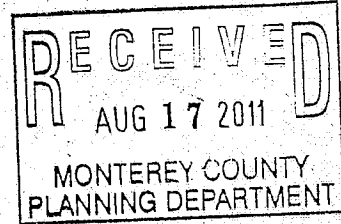
Resource Zones and Reports:

| | | | |
|------------------------------------|-----------|-----------------------|-----------|
| Environmentally Sensitive Habitat: | Oak Trees | Erosion Hazard Zone: | Moderate |
| Biological Report #: | LIB070255 | Soils Report #: | LIB070254 |
| Forest Management Rpt. #: | NA | Geologic Hazard Zone: | High |
| Archaeological Sensitivity Zone: | High | Geologic Report #: | LIB070254 |
| Archaeological Report #: | NA | Traffic Report #: | NA |
| Fire Hazard Zone: | High | | |

Other Information:

| | | | |
|----------------|------------------------------|-----------------------------|-------------------|
| Water Source: | Well | Sewage Disposal (method): | Septic |
| Water Dist/Co: | Santa Lucia Subdivision | Sewer District Name: | NA |
| Fire District: | Monterey County Regional FPD | Total Grading (cubic yds.): | 3,786 Cubic Yards |
| Tree Removal: | 33 | | |

EXHIBIT B



**Diane Mix Birnberg Trust
2931 Alta
Carmel, CA 93923-9315**

August 17, 2011

Monterey County Planning & Building Inspection Department
168 West Alisal Street, Second Floor
Salinas, California 93901

RE: Request for Permit Extension – PLN060760 (Resolution No. 07037)

To Whom This May Concern:

The purpose of this letter to initiate an extension of the above-referenced Combined Development Permit. Early this week, we learned that after 11 months of pursuing a residential construction loan, the lender continues to request more information. We now don't believe we can now close the loan before the Combined Development Permit expires on September 5, 2011.

We have filed for the building and grading permits (10CP02131) and the plan check review has been completed and the construction permit is ready to be issued. We have not been able to pull this permit because we have been held up due to the ongoing bank review process.

Frankly, we would have expected to secure the construction loan by now. Had we known otherwise, we would have made this extension request at least thirty days before the expiration of the Combined Development Permit.

We respectfully request an extension of the approved Combined Development Permit. It is our understanding from Planning Staff that extensions of four years are being granted and we would request a four (4) year extension of the approved permit.

We are assigning Maureen Wruck Planning Consultants to act as our agent/representative in processing this Combined Development Permit extension. Mr. Panzer spoke with both Ashley Nakamura and Luis Osorio at Planning, regarding the fee associated with this request. They both stated the permit extension fee is not on the current County fee sheet. Please advise as to the cost of the fees for processing this extension request.

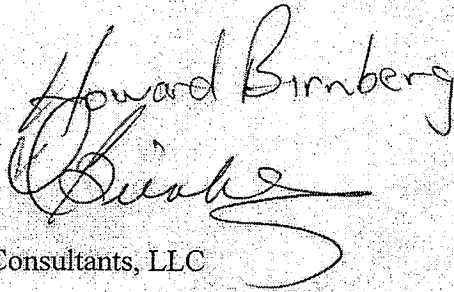
Exhibit B

Page 1 of 3 Pages

PLN11047A

Sincerely,

Howard and Diane Birnberg

Handwritten signatures of Howard Birnberg and Diane Birnberg. The signature for Howard is written above the signature for Diane.

Cc: Maureen Wruck Planning Consultants, LLC



**MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY**

168 West Alisal St, Salinas, CA 93901

Building Services Department
(831) 755-5027
www.co.monterey.ca.us/building

Planning Department
(831) 755-5025
www.co.monterey.ca.us/planning

INVOICE

Invoice Number: 70996

Invoice Date: 09/02/2011

File No: PLN110474

File Type: Planning

Property Address: 8 CORRAL RUN, CARMEL, CA 93923

Owner: BIRNBERG DIANE MIX TR

Description of Work: Permit extension of a COMBINED DEVELOPMENT PERMIT CONSISTING OF: AN ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A 5,795 SQ. FT., TWO-STORY WITH BASEMENT LEVEL SINGLE-FAMILY RESIDENCE WITH AN ATTACHED 562 SQ. FT. GARAGE, A 420 SQ. FT. DETACHED BEDROOM SUITE, A 598 SQ. FT. GUEST HOUSE, A 254 SQ. FT. WORKSHOP, A 257 SQ. FT. POOL HOUSE, SWIMMING POOL, SEPTIC SYSTEM, AND A 566 SQ. FT. ARTIST STUDIO; USE PERMIT FOR THE REMOVAL OF 11 HEALTHY PROTECTED OAK TREES, 27 TREES IN FAIR TO POOR CONDITION; USE PERMIT FOR DEVELOPMENT ON SLOPES IN EXCESS OF 30%; AND GRADING (APPROXIMATELY 2664 CUBIC YARDS CUT/1122 CUBIC YARDS FILL). THE PROPERTY IS LOCATED AT 8 CORRAL RUN, CARMEL (ASSESSOR'S PARCEL NUMBER 239-101-017-000), CARMEL VALLEY MASTER PLAN AREA.

FEÉ DETAIL

| Fee Description | Fee Amount | Department |
|----------------------------------|------------|------------------------|
| Document Storage/Scanning..... | \$31.62 | Planning |
| General Plan Implementation..... | \$138.85 | Planning |
| Permit Amd/Ext: CC..... | \$358.31 | County Counsel |
| Permit Amd/Ext: EH..... | \$404.67 | Environmental Health |
| Permit Amd/Ext: PLN..... | \$3,161.52 | Planning |
| Permit Amd/Ext: PW..... | \$106.44 | Public Works |
| Permit Amd/Ext: WRA..... | \$597.53 | Water Resources Agency |
| Technology Fee-Planning..... | \$189.69 | Planning |

Invoice Total: \$4,988.63

Please make check payable to "Monterey County Planning"

Credit Card Use Fee of 1.7% will be charged for payments made using Visa or Mastercard.

Exhibit B
Page 3 of 3 Pages

EXHIBIT C
DRAFT RESOLUTION

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

Diane and Howard Birnberg (PLN110474)

RESOLUTION NO. [REDACTED]

Resolution by the Monterey County Planning
Commission:

- 1) Considering that the Technical Addendum to the certified Final EIR for the Santa Lucia Preserve Comprehensive Development Plan (EIR No. 94-005) prepared for the original approval of the Combined Development Permit (PLN060760) is still adequate and is the appropriate environmental document for the extension request; and
- 2) Approving a four year extension of a previously approved permit Combined Development Permit (PLN060760), consisting of: 1) Administrative Permit and Design Approval for development in the "S" (Site Review) Zoning District to allow the construction of a 5,795 sq. ft., two-story with basement level single family residence with an attached 562 sq. ft. garage, a 420 sq. ft. detached bedroom suite, a 598 sq. ft. guest house, a 254 sq. ft. workshop, a 257 sq. ft. pool house, swimming pool, septic system, and a 566 sq. ft. artist studio, and grading (approximately 2,664 cubic yards cut/1,122 cubic yards fill); 2) Use Permit for the removal of 33 protected Oak trees; 3) Use Permit for development on slopes in excess of 30%.

[PLN110474, Diane and Howard Birnberg, 8 Corral Run, Carmel, Carmel Valley Master Plan (APN: 239-101-017-000)]

The Birnberg application (PLN110474) came on for public hearing before the Monterey County Planning Commission on April 11, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission 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 2010 Monterey County General Plan;
 - Carmel Valley Master Plan;
 - Monterey County Zoning Ordinance (Title 21);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) The property is located at 8 Corral Run, Carmel (Assessor's Parcel Number 239-101-017-000), Carmel Valley Master Plan. The parcel is zoned RG/10-D-S-RAZ [Rural Grazing, 10 acres per unit, with Design Control, and Site Plan Review Overlays, Residential Allocation Zoning District], which allows a single family dwelling with an attached garage, guesthouse and related accessory structures.
 - c) The proposed project is consistent with the provisions of Sections 21.32.030 (B), (C), and (D) and is consistent with the development standards of Sections 21.32.060 and 21.64.020 of the Monterey County Zoning Ordinance (Title 21).
 - d) The extension request was submitted at least thirty days prior to the expiration date and therefore is consistent with the provisions of Section 21.76.110 (Extension of Combined Development Permits) of the Zoning Ordinance.
 - e) Site inspection conducted by staff on the subject parcel on June 5, 2007.
 - f) 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 PLN060760 and PLN10474.
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, Carmel Valley Fire Protection District, Public Works, Environmental Health Bureau, and 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 identified potential impacts to Biological Resources and Slope Stability. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - "Tree Resource Evaluation Construction Impact Analysis" (LIB070255) prepared by Maureen Hamb Professional Consulting

Services, Santa Cruz, CA, September 8, 2006.

- "Geological and Geotechnical Investigation" (LIB070254) prepared by O'Brien & Gere, Santa Clara, CA, January 1, 2007.

- c) Site inspection conducted by staff on June 5, 2007 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 PLN060760 and PLN110474.

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, Carmel Valley Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. 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) Adequate sewage disposal and water supply facilities existing or are readily available, as approved by the Environmental Health Bureau.
- c) The project has been reviewed by the Environmental Health Bureau and there has been no indication from the Environmental Health Bureau that the site is not suitable for development.
- d) Santa Lucia Community Services District as the water purveyor for this project site has provided a "Can & Will Serve Notice", dated September 27, 2006 for the proposed project.
- e) Preceding findings and supporting evidence for PLN110474.

4. FINDING:

CODE VIOLATION - Remedy for Code Enforcement Case # CE070217 -Approval of Combined Development Permit PLN060760 as described in staff's report to the Planning Commission, dated July 11, 2007 is necessary to abate the violations of County Code. Development of the project as approved by the Planning Commission on August 29, 2007 will bring the site into compliance with rules and regulations pertaining to zoning uses, and any other applicable provisions of Title 21, and all zoning violation abatement costs have been or will be paid. Typically, restoration is preferred option in correcting a vegetation removal violation. In this case, the application was deemed complete prior to the code violation and a restoration plan was not required by the Planning Department. The tree removals will be mitigated by the replacement of non-landmark oak trees at a 3:1 ratio and replace landmark trees at a 5:1 ratio (i.e., a total of 108 replacement trees). The replacement trees will be planted prior to occupancy and must attain a success ratio threshold of no less than 90% over a five year monitoring

period. These requirements have been incorporated into the project as Condition 9 (Planning Commission Resolution No. 07037). Approval of the project by the Planning Commission and successful implementation of the conditions of approval (including payment of a double fee for the use permit for the tree removals) by the applicant constitute the Administrative Remedy for Code Enforcement Case # CE070217.

- EVIDENCE:**
- a) Notice of Monterey County Code Violation, June 26, 2007 recorded on property title for 8 Corral Run.
 - b) Application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development located in project File Nos. PLN060760, CE070217 and staff review of other Monterey County Planning and Building Inspection Department records.
 - c) Grading, paving and retaining wall structures are physical components incorporated into this Administrative Remedy necessary to assure protection of the public health, welfare and safety.
 - d) Implementation of the improvements described in the July 11, 2007 Planning Commission staff report and as allowed by the findings and evidence for development on slopes in excess of 30% and allowing minimum protected tree removal are attainable and are more preferable to restoration of the property.
 - e) Restoration of the site to reflect its previous unaltered state would generate a greater chance of land slides and impact the oak trees in the areas of restoration.
 - f) 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 PLN110474.

5. **FINDING:** **CEQA (Addendum)** - An Addendum to the certified EIR for the Santa Lucia Preserve Comprehensive Development Plan was prepared for the original approval of the subject project pursuant to Code of Regulations, Title 14, Section 15164. The addendum concluded that the project would require major revisions to the adopted EIR. The addendum is still adequate and is the appropriate environmental document for consideration of the extension request.

- EVIDENCE:**
- a) The development is contained in an area analyzed by the Final EIR for the Santa Lucia Preserve (EIR 94-005), Resolution No. 96-059, Planning File Nos. PC94067 and PC94218, State Clearinghouse Nos. SCH# 1994083019 and 1995023036, as a pre-determined building site.
 - b) There are no changes in the project description, changes in circumstances, or significant new information since the time of the approval of the subject project (August 29, 2007) that would result in new significant environmental effects or a substantial increase in the severity of environmental impacts not already analyzed in the Santa Lucia Preserve EIR or the technical addendum.
 - c) Addendum to the Santa Lucia Preserve (EIR 94-005), Resolution No. 96-059, Pursuant to CEQA, Article 11 Section 15164 prepared for the Birnberg Combined Development Permit, Planning File No. PLN060760 (Also Exhibit D to the April 11, 2012 Planning

Commission Staff Report).

- d) Finding and Evidence No. 5 as contained in Planning Commission Resolution No. 07037 dated August 29, 2007.
- e) All preceding findings and supporting evidence.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
EVIDENCE: Section 21.80.040 (D) Monterey County Zoning Ordinance (Title 21).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

1. Determines that the Technical Addendum to the certified Final EIR for the Santa Lucia Preserve Comprehensive Development Plan (EIR No. 94-005) prepared for the original approval of the Combined Development Permit (PLN060760) is still adequate and is the appropriate environmental document for the extension request;
2. Approve a four year extension of a previously approved Combined Development Permit (PLN060760), consisting of: 1) Administrative Permit and Design Approval for development in the "S" (Site Review) Zoning District to allow the construction of a 5,795 sq. ft., two-story with basement level single family residence with an attached 562 sq. ft. garage, a 420 sq. ft. detached bedroom suite, a 598 sq. ft. guest house, a 254 sq. ft. workshop, a 257 sq. ft. pool house, swimming pool, septic system, and a 566 sq. ft. artist studio, and grading (approximately 2,664 cubic yards cut/1,122 cubic yards fill); 2) Use Permit for the removal of 33 protected Oak trees; 3) Use Permit for development on slopes in excess of 30%, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of April, 2012 upon motion of xxxxx, seconded by xxxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON

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

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 4 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 11-10-2011

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN110474

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

This four-year extension request 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.

2. PD002- NOTICE PERMIT APPROVAL (NON STANDARD)

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

The applicant shall record a Permit Approval Notice. This notice shall state: "A four-year extension (Resolution Number _____) was approved by the Planning Commission for a previously approved Combined Development Permit (File No. PLN060760) on April 11, 2012". The extension was granted subject to 7 conditions of approval which run with the land. All the original conditions of approval contained in Planning Commission Resolution No. 07037 remain in effect. The four-year extension expires on April 11, 2016. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this document shall be furnished to the Director of the RMA - Planning Department prior to issuance of grading and building permits. (RMA - Planning Department)

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

3. WRSP2 - WATER AVAILABILITY CERTIFICATION (NON-STANDARD CONDITION)

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permits, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at:
www.mcwra.co.monterey.ca.us

4. 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.

5. FIRE015 - FIRE HYDRANTS/FIRE VALVES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: A fire hydrant or fire valve is required. 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. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. 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. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed:

1. Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.
2. Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.

6. FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS)

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. (Monterey County Regional Fire District)

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

1. Prior to issuance of building permit, the applicant or owner shall enumerate as "Fire Dept. Notes" on plans.
2. Prior to framing inspection, the applicant or owner shall schedule fire dept. rough sprinkler inspection.
3. Prior to final building inspection, the applicant or owner shall schedule fire dept. final sprinkler inspection.

7. FIRE030 - FIRE HYDRANTS/FIRE VALVES & FDC (NON-STANDARD CONDITION)

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

Fire department connections (FDC) and dry standpipes with fire valves. The locations of the inlets and outlets are to be determined by the fire department. A minimum of four sets of plans including flow calculations, soil reports, thrust block dimensions, anodes ect. ; prepared by either the installing California licensed contractor or a registered California engineer. as per NFPA 14, 24 and other applicable standards must be submitted to and approved by the fire department prior to installation. An underground inspection and 200 psi hydrostatic pressure test are required before the pipes can be covered. The dry standpipe system must be serviced and maintained as per NFPA standards and manufacturers recommendations. Driveway turn outs for fire apparatus is required at the locations of the FDC's. (Monterey County Regional Fire District)

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

1. Prior to issuance of building permit, the applicant or owner shall enumerate as "Fire Dept. Notes" on plans.
2. Prior to installing Dry Stand Pipe system, the applicant or owner shall obtain approval of fire department.
3. Prior to final building inspection the Dry Stand Pipe system shall be inspected and tested by the fire department.

EXHIBIT D

Addendum Pursuant to the California Environmental Quality Act ARTICLE 11 Section 15164

Birnberg Planning File No. PLN060760 Combined Development Permit

1. Introduction

This addendum was prepared in order to quantify the site specific environmental considerations of a residential development project within the building area established by the Rancho San Carlos Subdivision.

In March 1993, the Monterey County Board of Supervisors adopted Resolution 93-115 and required that a Comprehensive Development Plan be prepared for the entire 20,000-acre Rancho San Carlos in Carmel Valley. Resolution No. 93-115 provided the legal and entitlement framework to guide the Rancho San Carlos Partnership and the County in their planning of the area, based on protection of the land's resources and identification of limited development areas. Specifically, the Board directed that particular attention be paid to siting and planning development to be compatible with existing resources and adjacent land uses, and that the total density of the entire Ranch not exceed 350 residential units and 150 visitor accommodation units.

In 1994, the Rancho San Carlos Partnership submitted the Comprehensive Development Plan for Rancho San Carlos, creating the Santa Lucia Preserve. The Comprehensive Development Plan outlined resource protection principles and identified the location of development and preservation areas throughout the Preserve. The Comprehensive Development Plan designated 18,000 acres of the Preserve's most valuable environmental resources as open space to be retained permanently as "Preserve Lands" for grazing, recreation and resource conservation. The remaining 2,000 acres were to be developed as "Settled Lands", for housing, a golf course, other recreation areas, and a community center. Together, the "Preserve Lands" and "Settled Lands" were to comprise the 20,000-acre Santa Lucia Preserve.

In 1994-1995, the County prepared and circulated a Draft EIR for the Santa Lucia Preserve (EIR No 94-005). In February 1996, the County certified the Final EIR and approved the Santa Lucia Preserve Comprehensive Development Plan, subject to specific Conditions of Approval.

An EIR addendum was prepared to update portions of the environmental analysis based on the effects of passage of County Measure "M", a decision by the Superior

Court on the County's approval of the project, and listing of the California red-legged frog as "Endangered" and the steelhead as "Threatened", under the federal Endangered Species Act. In August 1997, the County re-approved the Santa Lucia Preserve Comprehensive Development Plan (Resolution No. 97-360), including certification of the addendum to the Final EIR.

Resolution No. 93-115 required the Comprehensive Development Plan to include an open space component describing the manner in which at least 14,467 acres of Rancho San Carlos would be retained for use as open space. The Comprehensive Development Plan fulfilled the requirement by establishing the Santa Lucia Preserve and its permanent management by the Santa Lucia Conservancy. The Conservancy is established as a non-profit public organization and independent corporation that oversees the resources of the Wildlands and the Openlands of the Santa Lucia Preserve. The Conservancy currently owns approximately 9,600 fee title acres of the Wildlands and controls approximately 5,600 acres of Openlands through ownership of extensive conservation easements. The Conservancy will ultimately own fee title to all of the Wildlands created by the Santa Lucia Preserve, and will control all of the Openlands, through conservation easements ranch-wide, including all Preserve Lands. Phase D in the Santa Lucia Preserve created 20 lots in the Carmel Valley Master Plan area through a record of survey/approved lot line adjustment. One of the parcels created is the subject lot D7 which includes a designated 5.39-acre building envelope on a 43.82-acre parcel within the Santa Lucia Preserve.

A technical addendum to the Santa Lucia Preserve Final Environmental Impact Report was chosen as the necessary CEQA review based on the criteria in Article 11, Section 15162 which follows:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision. Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.
- (c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.
- (d) A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in the Santa Lucia Preserve Final Environmental Impact Report.

Article 11, Section 15164 provides in part as following:

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted Negative Declaration.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's

findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

2. Scope and Purpose of this addendum

The purpose of this addendum is to identify minor technical changes and provide clarifications of the site-specific conditions for the proposed residential development. The Combined Development Permit, Resolution No. 96-060, approved the removal of 451 protected trees for building sites and 1,029 protected trees for roads and driveways subject to the recommendations prescribed by the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984.

This parcel, Lot Number D7, was not allotted tree removal for the building site. A Tree Resource Evaluation dated September 8, 2006, an addendum letter report regarding tree removal, dated January 30, 2007, and an addendum letter report regarding tree removal, dated July 30, 2007, was prepared by Maureen Hamb Professional Consulting Services (Exhibit H & M) and was submitted as part of the project application. The parcel is dominated by moderately dense woodland composed almost exclusively of coast live oak of all ages and sizes with a few *Ceanothus* intermixed and is characterized as an Oak Woodland. The trees are growing in large groves that create a continuous canopy over most of the property. The Arborist's determined that the proposed tree removal represents an approximate 9.5% estimates that there are over 400 trees on the property. The proposed project includes the removal of a total of 38 coast live oaks. The proposed tree removal represents an approximate 9.5% loss of all the trees existing on the parcel. Therefore, the parcel would maintain an estimated 80% of the tree canopy within the building envelope after tree removal. Overall the tree removal proposed for this development will not affect the integrity of the existing oak woodland on the property. The locations of the driveway access, residence and other structures were selected with the intent of minimizing tree removal and reducing the fragmentation of the existing tree groupings.

A Use Permit is needed for this tree removal because it was not include in the Combined Development Permit, Resolution No. 96-060. The Environmental Impact Report for the Santa Lucia Preserve however analyzed a "worse case" scenario that included the loss of oak woodland habitat on approximately 575 acres in the Greater Monterey Peninsula Area Plan (GMPAP) area and an additional unquantified minor amount of oak woodlands in the Carmel Valley Master Plan (CVMP) which includes this building site. Staff reviewed the Tree Resource Evaluation in conjunction with the project plans and determined that there is no feasible alternative for the location of the structures that would minimize development impacts or tree removal in a manner so that the design conforms to applicable development standards. The proposed residence is the same size as the existing homes in the subdivision.

The replacement requirement is 108 trees based on the conditions of approval for a 3:1 replacement ratio for protected trees, a 5:1 replacement ratio for landmark trees. The arborist discouraged transplanting trees on this parcel which could cause overcrowding and lead to unhealthy conditions. Instead part of the tree replacement will be completed in part by the Santa Lucia Conservancy within the Santa Lucia Preserve and in part onsite. In addition, construction protection measures include fencing, straw bale barricades, preconstruction root severance, proper location of irrigation trenches, staging areas and access ways, placement of a mulch layer to prevent soil compaction from construction activities, and on-site monitoring have been recommended.

The environmental implications of these actions have been addressed by the Environmental Impact Report for the Santa Lucia Preserve, which included appropriate mitigation measures to avoid significantly adverse environmental impacts. These mitigation measures have been incorporated as conditions of approval of the Combined Development Permit. Mitigation Measures 27 and 36 (Condition No. 24) of Resolution No. 96-060, is incorporated into this project as Condition No. 9 and requires a 3:1 replacement ratio for protected trees, a 5:1 replacement ratio for landmark trees. Similarly, Mitigation Measures No.s 32 and 35 (Conditions No. 26 and 27) of Resolution No. 96-060, requires preconstruction surveys for to protect nesting raptors, and bats. These conditions of approval have been applied to this project as number 9 and 15.

3. Oak Woodland Act

An oak woodland is any acre with a 5-inch (diameter at breast height -- dbh) or greater native oak species in the genus *Quercus* that is not subject to Board of Forestry stocking regulations for timber harvest and/or is not exempt from SB 1334. The site is considered an oak woodlands as defined in the Public Resources Code §4793(e), Fish and Game Code §1361(h), and Health and Safety Code §42801. The conversion of oak woodland is defined as having a significant effect on oak woodland habitat values. However, according to the project arborist, the development onsite will not will not affect the integrity of the existing oak woodland on the property. In addition, conditions of approval 9 and the conservation easement achieve the mitigation measures set forth in SB 1334 which include the conservation of oak woodlands through the use of conservation easements onsite and replacement trees on and off site. Therefore, no further action is necessary.

4. Conclusion

The purpose of this addendum is to identify minor technical changes and provide clarifications of the site-specific conditions and the scope of work for the proposed residential development. Staff has reviewed the Santa Lucia Preserve Environmental Impact Report, Resolution No. 96-060 and the proposed residential development for consistency with the environmental considerations contained within. Staff finds that the proposed project including grading, tree removal, and development on slopes

exceeding 30%, and site-specific conditions are not substantial changes from the project analyzed in the Environmental Impact Report for the Santa Lucia Preserve. Therefore, staff feels that the proposed project does not warrant the preparation of a subsequent environmental document.

EXHIBIT E

PLANNING COMMISSION COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 07037

A. P. # 239-101-017-000

FINDINGS AND DECISION

In the matter of the application of
Diane Mix Birnberg TR (PLN060760)

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit consisting of: (1) a Use Permit for the removal of 33 protected oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review zoning district or "S" district to allow construction of a 5,795 sq. ft., two-story with basement level single-family residence with an attached 562 sq. ft. garage, a 420 sq. ft. detached bedroom suite, a 598 sq. ft. guest house, a 254 sq. ft. workshop, a 257 sq. ft. pool house, swimming pool and a 566 sq. ft. artist studio, and grading (approximately 2664 cubic yards cut/1122 cubic yards fill); (4) Design Approval; and (5) Administrative remedy for Code Enforcement Case # CE070217. The property is located at 8 Corral Run, Carmel Valley, Carmel Valley Master Plan, and came on regularly for hearing before the Planning Commission on August 29, 2007.

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. FINDING: CONSISTENCY - The Birnberg Combined Development Permit (PLN060760), as described in Condition No. 1, and as conditioned, conforms to the plans, policies, requirements and standards of the Monterey County General Plan, the Greater Monterey Peninsula Area Plan, the Monterey County Zoning Ordinance (Title 21) and the Comprehensive Development Plan for the Santa Lucia Preserve, which designates this area as appropriate for residential development.

- EVIDENCE:**
- (a) The text, policies, and regulations in the above documents have been evaluated during the course of the review of the applications. No conflicts were found to exist. No communications were received during the course of review of the project to indicate that there is any inconsistency with the text, policies, and regulations in these documents.
 - (b) The property is located at 8 Corral Run, Carmel (Assessor's Parcel Number 239-101-017-000), Santa Lucia Preserve, Greater Monterey Peninsula area. The parcel is zoned "RG/10-D-S-RAZ" (Rural Grazing, 10 acres per unit, Design and Site Review, Residential Allocation Zoning District). The site is physically suitable for the use proposed.
 - (c) The project for a single-family dwelling with attached garage and guesthouse are a use allowed in accordance with Sections 21.36.030(A) and (B) and is consistent with the development standards of Section 21.36.060 and 21.64.020 of the Monterey County Zoning Ordinance (Title 21).
 - (d) Design Control or "D" zoning requires design review of structures to assures the protection of the public viewshed, neighborhood character, and the visually integrity of certain developments without imposing undue restrictions on private property. The

project design, materials, and color treatments chosen for the residence and improvements blend with the natural landscape and are in keeping with materials and treatment approved for other residences and structures in the Santa Lucia Preserve. The Design Approval application is attached to the March 7, 2007 Staff Report as Exhibit B.

- (e) The project planner conducted a site inspection on June 5, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
- (f) The project was not referred to a Land Use Advisory Committee (LUAC) for review, as no LUAC exists for this area of the county.
- (g) Additional materials pertinent to County review are in Code Enforcement File No. CE070217.
- (h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed development found in Project File PLN060760.

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, Carmel Valley Fire Protection District, Public Works, Environmental Health Division, and 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) An "Arborist's Report" was prepared for this parcel by Maureen Hamb Professional Consulting Services, dated September 8, 2006 which supports that there are no physical or environmental constraints that would indicate the site is not suitable for the use proposed.
 - (c) The site is located within a VI or "very high" landslide and erosion susceptibility zone and within a IV or "moderately high" seismic hazard zone. The geotechnical report prepared for this parcel by O'Brien & Gere accounts for these hazards. Condition No. 5 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection. Condition No. 13, requires that the design and construction of buildings comply with the Uniform Building Code Zone IV criteria, subject to verification by the Director of RMA-Building Department prior to the issuance of building permits and prior to final occupancy of habitable structures.
 - (d) Staff conducted a site visit on June 5, 2007 to verify that the site is suitable for this use.
 - (e) Materials in Project File PLN060760.

3. FINDING: TREE REMOVALS - (Minimum Required and Adverse Environmental Impacts) - The project, as conditioned, is consistent with the regulations for Preservation of Oak and Other Protected Trees, Section 21.64.260.D of the Monterey County Zoning Ordinance (Title 21). As such, the proposed tree removal is the minimum required under the circumstances of the case and will not involve a risk of adverse environmental impacts.

- EVIDENCE:**
- (a) The Santa Lucia Preserve Environmental Impact Report (EIR No. 94-005), Resolution No. 96-059 addressed the environmental implications and Combined Development, Resolution No. 96-060, approved the removal of 451 protected trees for building sites and 1,029 protected trees for roads and driveways subject to the recommendations prescribed by the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984. The subject parcel, Lot No. D7, of the Rancho San Carlos Subdivision was not allotted for

removal of protected trees within the building site/homeland area. Tree removal for building sites not approved by the Rancho San Carlos Building Site Tree Removal Summary, as contained within the "Rancho San Carlos Forest Management Plan," requires a Use Permit pursuant to County Code. As such, the applicant requests a Use Permit pursuant to Section 21.64.260.D.3 of the Monterey County Zoning Ordinance (Title 21).

- (b) The parcel is dominated by moderately dense woodland composed almost exclusively of coast live oak of all ages and sizes with a few Madrones intermixed. The project involves the removal of 33 Coast Live Oak trees. The Arborist's Report dated September 8, 2006 prepared by Maureen Hamb Professional Consulting Services state that the proposed tree removal represents an approximate 9.5% loss of all the trees existing on the parcel.
- (c) Conditions of approval have been incorporated requiring a pre-construction survey for the protection of wildlife plant and wildlife species, the implementation of erosion control measures, and best management practices (see condition Nos. 9 and 15). As conditioned, staff and the arborist find that the proposed tree removal will not involve a risk of adverse environmental impacts such as soil erosion, water quality, ecological impacts, noise pollution, air movement, or wildlife habitat.
- (d) The Monterey County Zoning Ordinance, Section 21.64.260.D.4 requires replacement at a rate of 1:1 for protected tree species removed. However, the Santa Lucia Preserve EIR, Resolution No. 96-059 requires implementation of Mitigation Measure No. 27 based on the Santa Lucia Preserve Combined Development Permit requiring the replacement of non-landmark oak trees at a 3:1 ratio and replace landmark trees at a 5:1 ratio. Replacement trees are to be monitored for a period of not less than 5 years after planting and must attain a success ratio threshold of no less than 90%. These have been incorporated into the project as condition 9.
- (e) The application, 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 PLN060760.
- (f) Staff conducted an on-site inspection on June 5, 2007 to verify that the proposed tree removal plan is consistent with the site conditions.

4. FINDING: DEVELOPMENT ON SLOPES IN EXCESS OF 30% - The project, as conditioned, is consistent with the Regulations for Development on Slopes in Excess of 30%, Section 21.64.230 of the Monterey County Zoning Ordinance (Title 21). As such, there exists no feasible alternative which would allow development to occur on slopes less than 30%.

EVIDENCE: (a) The subject residential project site is proposed within a 5.39-acre building envelope, or homeland area, on a 43.82-acre parcel within the Santa Lucia Preserve. A slope density map prepared for this application dated October 25, 2006 illustrates that a majority of slopes in exceeding 30% on this parcel are found along the western homeland border and that a majority of the parcel does not consist of slopes in excess of 30%. Portions of the residential development proposed on natural slopes in excess of 30% include small portion of the driveway. Conditions have been incorporated requiring a geotechnical certification, restoration of natural materials, and native landscaping. See Conditions Nos. 5, 6, and 11.

- (b) The site is located within a VI or "very high" landslide and erosion susceptibility zone and within a IV or "moderately high" seismic hazard zone. The geotechnical report prepared for this parcel by O'Brien & Gere accounts for these hazards. Condition No. 5 has been incorporated requiring that geotechnical certification be submitted to the

Director of the RMA - Planning Department for review and approval prior to final building inspection. Condition No. 13, requires that the design and construction of buildings comply with the Uniform Building Code Zone IV criteria, subject to verification by the Director of RMA-Building Department prior to the issuance of building permits and prior to final occupancy of habitable structures.

- (c) The Slope Map submitted May 30, 2007 with areas exceeding 30% slopes shaded (Sheet C-2 in the plans).
- (d) The application, plans, and related support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development found in Planning File No. PLN060760.
- (e) Staff conducted a site inspection on June 5, 2007 to verify that no feasible alternative exists for this project design.

5. FINDING: CEQA - The project, as conditioned and mitigated, will not have significant environmental impacts.

EVIDENCE: (a) The development is contained in an area analyzed by the Final EIR for the Santa Lucia Preserve (EIR 94-005), Resolution No. 96-059, Planning File Nos. PC94067 and PC94218, State Clearinghouse Nos. SCH# 1994083019 and 1995023036, as a pre-determined building site.

- (b) Page 11-41 in the Santa Lucia Preserve FEIR states "Approximately 575 acres (6%) of oak woodlands and savannas and associated wildlife habitat would be lost or degraded as a result of implementing the GMPAP area of the proposed project. An additional unquantified minor amount of oak woodlands could also be lost through development in the CVMP and coastal zone. This impact is considered significant because a substantial reduction in the extent of an important native community would occur. Implementing the following mitigation measure, advocated by the project applicant, would reduce this impact to a less-than-significant level."

The applicable mitigation measures from the FEIR are incorporated as conditions of approval to reduce this potentially significant impact. These include SLP FEIR MM 36 (3:1 replacement ratio for protected trees, a 5:1 replacement ratio for landmark trees) and SLP FEIR MM 35 (a pre-construction survey for protected wildlife).

- (c) Pursuant to Public Resources Code section 21083.4, the County as part of its environmental review must evaluate whether the project may result in a conversion of oak woodlands that will have a significant effect on the environment. If the County determines that the project may have a significant effect on oak woodlands, the County must require feasible mitigation measures to mitigate the significant effect of the conversion of oak woodlands. This project site contains oak woodlands. Fish and Game Code Section 1361 states: "Oak Woodlands means an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover." According to the project arborist (see Exhibit H), the project may have a potential impact resulting from the conversion of oak woodlands, but the impacts are mitigated by requiring the applicant to implement the mitigation measure identified in the FEIR for the Santa Lucia Preserve subdivision. This mitigation measure is incorporated as condition of approval No. 9. According to the arborist's report (Exhibit H), the site is adequately forested and replanting on site, as a mitigation procedure is not recommended. In addition, a portion of the site is already subject to a conservation easement as a result of mitigation required for impacts to oak woodland as part of the original subdivision

approval. The arborist also made specific recommendations to protect trees from construction impacts. These are incorporated as condition of approval No. 8.

- (d) Addendum to the Santa Lucia Preserve (EIR 94-005), Resolution No. 96-059, Pursuant to CEQA, Article 11 Section 15164 prepared for the Birnberg Combined Development Permit, Planning File No. PLN060760.
- (e) There are no changes in the project description, changes in circumstances, or significant new information that would result in new significant environmental effects or a substantial increase in the severity of environmental impacts not already analyzed in the Santa Lucia Preserve EIR.
- (f) The County has adopted a Mitigation Monitoring and Reporting Plan (MMRP) and the applicant is required to enter into an agreement to implement the MMRP.

6. FINDING: PUBLIC NOTICE - Public Notice of the pending Administrative Permit was provided pursuant to Section 21.70.040, Title 21, Monterey County Code (Zoning).

EVIDENCE: Public Notice and support materials found in the project file.

7. 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: Preceding findings and supporting evidence.

8. FINDING: WATER AND SEWER - Adequate sewage disposal and water supply facilities exist or are readily available, as approved by the Director of Environmental Health.

EVIDENCE: (a) The project has been reviewed by the Monterey County Health Department. There has been no indication from the Health Department that the site is not suitable for development.
(b) Santa Lucia Community Services District as the water purveyor for the project site has provided a CAN and WILL SERVE NOTICE for the proposed project (September 27, 2006).

9. FINDING: CODE VIOLATION - Remedy for Code Enforcement Case # CE070217 -Approval of Combined Development Permit PLN060760 as described in staff's report to the Planning Commission, July 11, 2007 is necessary to abate the violations of County Code. This approval will bring the project into compliance with rules and regulations pertaining to zoning uses, and any other applicable provisions of Title 21, and all zoning violation abatement costs have been paid. Typically, restoration is preferred option in correcting a vegetation removal violation. In this case, the application was deemed complete prior to the code violation and a restoration plan was not required by the Planning Department. The tree removals will be mitigated by the replacement of non-landmark oak trees at a 3:1 ratio and replace landmark trees at a 5:1 ratio (i.e., a total of 108 replacement trees). The replacement trees will be planted prior to occupancy and must attain a success ratio threshold of no less than 90% over a five year monitoring period. These requirements have been incorporated into the project as Condition 9. Approval of the project by the Planning Commission and successful implementation of the conditions of approval (including payment of a double fee for the use permit for the tree removals) by the applicant constitute the Administrative Remedy for Code Enforcement Case # CE070217.

EVIDENCE: Notice of Monterey County Code Violation, June 26, 2007 recorded on property title for 8 Corral Run.

EVIDENCE: Application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development located in project File Nos. PLN060760, CE070217 and staff review of other Monterey County Planning and Building Inspection Department records.

EVIDENCE: Grading, paving and retaining wall structures are physical components incorporated into this Administrative Remedy necessary to assure protection of the public health, welfare and safety.

EVIDENCE: Implementation of the improvements described in the report and as allowed by the findings and evidence for development on slopes in excess of 30% and allowing minimum protected tree removal are attainable and are more preferable to restoration of the property.

EVIDENCE: Restoration of the site to reflect its previous unaltered state would generate a greater chance of land slides and impact the oak trees in the areas of restoration.

10. FINDING: **APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.

EVIDENCE: Sections 21.80.040(D) of the Monterey County Zoning Ordinance (Title 21).

DECISION

THEREFORE, having considered the EIR Addendum and the Environmental Impact Report for the Santa Lucia Preserve (EIR 94-005) it is the decision of the Planning Commission of the County of Monterey that the Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 29th day of August, 2007, by the following vote:

AYES: Errea, Brown, Isakson, Padilla, Ottone, Rochester, Diehl, Sanchez, Salazar, Vandevere
NOES: None
ABSENT: None



MIKE NOVO, SECRETARY

A COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON SEP - 5 2007

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 OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE SEP 15 2007

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 and Building Inspection Department office in Salinas.

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

**Monterey County Planning and Building
Inspection
Condition Compliance and/or Mitigation
Monitoring Reporting Plan**

Project Name: Birnberg
File No: PLN060760
Approval by: Planning Commission
Date: August 29, 2007

APNs: 239-101-017-000

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

| Permit Cond Number | Mitig Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed, where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (month/year) |
|--------------------------|---|--|--|--|--------|--|
| 1. | PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN060760) consists of: (1) Use Permit for the removal of 33 protected oak trees; (2) Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review zoning district or "S" district to allow construction of a 5,795 sq. ft., two-story with basement level single-family residence with an attached 562 sq. ft. garage, a 420 sq. ft. detached bedroom suite, a 598 sq. ft. guest house, a 254 sq. ft. workshop, a 257 sq. ft. pool house, swimming pool and a 566 sq. ft. artist studio, and grading (approximately 2664 cubic yards cut/1122 cubic yards fill); and (4) a Design Approval. The property is located at 8 Corral Run, Carmel (Assessor's Parcel Number 239-101-017-000). Santa Lucia Preserve, Greater Monterey Peninsula Area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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 Resource Management Agency - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of | Adhere to conditions and uses specified in the permit. | Owner/ Applicant | Ongoing unless otherwise stated | | |

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| | | <p>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. [Resource Management Agency (RMA) - Planning Department]</p> | | | | |
| 2. | | <p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution No. 07037) was approved by the Planning Commission for Assessor's Parcel Number 239-101-017-000 on August 29, 2007. The permit was granted subject to 39 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Resource Management Agency - Planning Department." Proof of recordation of this notice shall be furnished to the Director of RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)</p> | <p>Proof of recordation of this notice shall be furnished to RMA-Planning Department.</p> | <p>Owner/ Applicant</p> | <p>Prior to the issuance of grading and building permits or commencement of use.</p> | |

| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions (to be performed. Where applicable, a certified professional is required for action to be accepted) | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| 3. | | PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHEOLOGICAL REPORT 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 the discovery. (RMA - Planning Department) | 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. | Owner/ Applicant/ Archaeologist | Ongoing | |
| 4. | | PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department) | Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15. | Owner/ Applicant | Ongoing | |
| 5. | | PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department) | Submit certification by the geotechnical consultant to the RMA - Building Services Department showing project's compliance with the geotechnical report. | Owner/ Applicant/ Geotechnical Consultant | Prior to final inspection. | |
| 6. | | PDSP001 - RESTORATION OF NATURAL MATERIALS Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the | Submit restoration plans to the RMA - Planning Department for review and approval. | Owner/ Applicant | Prior to final inspection. | |

| Permit Contd. Number | Wing Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Action to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| | | adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA - Planning Department) | Submit photos of restored areas to the RMA - Planning Department for review and approval. | Owner/Applicant | Prior to final inspection. | |
| 7. | | PDSP002- EROSION CONTROL PLAN AND SCHEDULE - SANTA LUCIA PRESERVE (NONSTANDARD) The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. The plan shall implement erosion control measures set forth in the Preliminary Drainage and Erosion Control Report, as well as erosion control plans prepared pursuant to the County's Erosion Control Ordinance, as well as the Storm Water Pollution Prevention Plan required by the State Water Resources Control Board (see Chapter 9. Runoff, Flooding, and Water Quality of the Santa Lucia Preserve Environmental Impact Report). All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department) | An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits. | Owner/Applicant | Prior to the issuance of grading and building permits | |
| | | | Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services. | Owner/Applicant | Ongoing | |
| | | | Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department | Owner/Applicant | Prior to final inspection | |

| Permit Cond. Number | Mitig Number | Conditions of Approval and/or Mitigation Measures and Responsible Party/Use Department | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| 8. | <p>PDSP003 - TREE AND ROOT PROTECTION - SANTA LUCIA PRESERVE (NON-STANDARD)</p> <p>Tree and root protection shall include the implementation of the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984 and a "Tree Resource Evaluation Construction Impact Analysis" was prepared for this parcel by Maureen Hamb Professional Consulting Services, dated January 30, 2007. Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits (RMA - Planning Department)</p> | <p>Submit evidence of tree protection to the RMA - Planning Department for review and approval.</p> | <p>Owner/ Applicant</p> | <p>Prior to Issuance of Grading and/or Building Permits</p> | | |
| | | <p>Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.</p> | <p>Owner/ Applicant/ Arborist</p> | <p>During Construction</p> | | |
| | | <p>Submit photos of the trees on the property to the RMA - Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.</p> | <p>Owner/ Applicant</p> | <p>Prior to final inspection</p> | | |

| Permit /Ord. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed - Where applicable - a certified professional's signature and/or action to be accepted | Responsible Party for Compliance | Limiting Timing | Verification of Compliance (name/date) |
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| 9. | SLP FEIR MM 36 | PDSP004 - TREE REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD) That all non-landmark oak trees removed as a result of the project at a 3:1 replacement ratio and replace landmark trees at a 5:1 ratio for a total of 108 trees. That all oak trees removed shall be replaced in on-site areas suitable for supporting oak species as determined by a qualified resource ecologist or off-site at an acceptable receiving site. The minimum replacement size shall be 5 gallons. Nursery and/or field propagation of oak seedlings and/or saplings shall be initiated prior to the onset of the particular development phase that results in the loss of oak trees. The reforestation program shall include a monitoring element that guarantees a success period of not less than 5 years after planting and a success ratio threshold of no less than 90%. At five years, a report shall be prepared by a registered forester or arborist and submitted to the Planning Department for review and approval of the Director of Planning describing reforestation activities conducted during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures. This condition shall cease once the required number of replacement trees for a particular phase have passed the five year anniversary completion date required for plan success. (Santa Lucia Preserve EIR MM 36) (RMA -Planning Department) | The applicant shall provide evidence after five years that tree planting has been successful. | Owner/ Applicant | 5 years after successful tree planting | |
| 10. | | PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works) | None | Applicant/ Owner | Ongoing | |

| Permit Cond. Number | Mitigation Number | Conditions of Approval and/or Mitigation Measures and Responsible Fund Use Department | Compliance or Monitoring Actions to be performed. Where applicable, certified professionals required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| 11. | | <p>PDSP005 - LANDSCAPE PLAN AND MAINTENANCE - SANTA LUCIA PRESERVE (NON-STANDARD)</p> <p>The site shall be landscaped. At least three (3) weeks prior to occupancy, 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.</p> <p>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.</p> <p>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.</p> <p>The plan shall be accompanied by a nursery or</p> | <p>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.</p> | <p>Owner/ Applicant/ Licensed Landscape Contractor / Licensed Landscape Architect</p> | <p>At least three (3) weeks prior to final inspection or occupancy</p> | |

| Permit Cond. Number | Mtg Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (Name/Date) |
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| | | <p>contractor's estimate of the cost of installation of the plan and shall implement the following:</p> <ol style="list-style-type: none"> Spread of Invasive Species: Implement the provisions of the Resource Management Plan for the San Carlos Ranch (1994) which specify that non-native species known to be invasive shall not be used in landscaping, that invasive exotics shall be controlled by revegetation of disturbed areas with native plants, that the use of landscape species known to be invasive shall be prohibited, and that species such as French broom and pampas grass shall be actively eradicated. Landscape Irrigation: Selection of landscape species shall emphasize species not requiring irrigation such as drought-tolerant native species from local sources, or drought-tolerant non-natives that are known to be non-invasive. If irrigation systems are installed, they shall be designed to minimize runoff of irrigation water into adjacent areas of native vegetation. To avoid irrigation runoff into sensitive coastal prairie habitat in the building envelopes for Lots 11 and 28, irrigation and planting plans for these lots shall clearly demonstrate system type and limits of irrigation for County review. <ol style="list-style-type: none"> Fertilizer and Pesticide Application: In the design of landscaping, emphasis shall be placed on the use of species not requiring herbicides, pesticides, or fertilizers. <p>(RMA – Planning Department)</p> | <p>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.</p> | <p>Owner/ Applicant</p> | <p>Ongoing</p> | |

| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitorable Actions to be performed where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| 12. | | <p>PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Geological and Geotechnical Investigation has been prepared for this parcel by O'Brien and Gere, dated January 2007 and a Final Tree Resource Evaluation Construction Impact Analysis has been prepared by Maureen Hamb Professional Consulting Services dated January 30, 2007. These reports are on record in the Monterey County Planning and Building Inspection Department. All development shall be in accordance with this report." (RMA - Planning Department)</p> | <p>Proof of recordation of this notice shall be furnished to RMA-Planning Department.</p> | Owner/Applicant | Prior to issuance of grading and building permits | |
| 13. | SLP FEIR MM 4 | <p>PDSP006 - SEISMIC ZONE IV - SANTA LUCIA PRESERVE (NON-STANDARD) Design and construction of buildings shall comply with the Uniform Building Code Zone IV criteria, which shall be verified by the Director of RMA - Building Services. (Santa Lucia Preserve FEIR MM 4) (RMA - Planning Department)</p> | <p>Submit required report(s) and/or information to the Director of RMA-Building Services</p> | Owner/Applicant | Prior to issuance of building permits and/or prior to final occupancy of habitable structures. | |
| 14. | | <p>PD043 – GRADING PERMITS REQUIRED A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. (RMA - Planning Department)</p> | <p>If applicable, apply and receive the appropriate grading permit from Monterey County RMA - Building Services Department.</p> | Owner/Applicant/Engineer | Prior to the issuance of grading or building permits | |

| Permit Control Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification Of Compliance (name/date) |
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| 15. | SLP FEIR MM 35 | <p>PDSP008 – PRECONSTRUCTION SURVEY, SANTA LUCIA PRESERVE (NON-STANDARD)</p> <p>The following specific measures shall be implemented to avoid or mitigate for the potential impacts of development to individual bat and bird species:</p> <p>Measures specified in Mitigation Measure 11.9 for special-status species providing for pre-construction surveys and construction phase monitoring (general special-status wildlife species measures).</p> <ol style="list-style-type: none"> 1. Bats. If construction is to begin before August 1, before young have fledged, surveys for special-status bat species shall be performed. If maternity roosts are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each roost for the duration of the breeding season (until such time as the young are fully fledged) to prevent roost harassment and brood mortality. If colonial roosts are found, removal of the tree may only occur during the day after an exclusionary device is installed in the opening to the roost. A qualified bat expert must supervise the placement and examine the success of the exclusionary device before the removal of any confirmed roosts. 2. Raptors. If construction is to begin before August 1, before young have fledged, pre-construction surveys for nesting raptors are required. If raptor nests are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each nest for the duration of the breeding season (until such time as the young are fully fledged) to prevent nest harassment and brood mortality. If trees known to support raptor nests cannot be | <p>A report summarizing their findings and proposed mitigation measures shall be submitted to the Director of Planning. If no bats and/or raptors are found, then no further action is required.</p> <p>In the event that bats and/or raptors are found using these trees, the biological survey shall provide a list of proposed mitigations necessary to protect bat species.</p> | Applicant | Prior to site disturbance and/or the use of heavy equipment to clear the site | |

| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Party to the Department | Compliance or Monitoring Actions to be performed where applicable, to certified professionals required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| | | <p>avoided, removal of these trees may only occur during the non-breeding season (August 1 through April 15).</p> <p>(Santa Lucia Preserve FEIR MM 35) (RMA – Planning Department)</p> | | | | |
| 16. | | <p>PD019(A) – DEED RESTRICTION – GUESTHOUSE (INLAND)</p> <p>The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse as follows:</p> <ul style="list-style-type: none"> • Only one guesthouse shall be allowed per lot. • Detached guesthouses shall be located in close proximity to the principal residence. • Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements. • The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens. • The guesthouse shall have a maximum of six (6) linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight (8) square feet of cabinet space, excluding clothes closets. • The guesthouse shall not exceed 600 square feet of livable floor area. • The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect. • Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited. • The guesthouse shall be designed in such a manner as to be visually consistent and compatible with the | <p>Submit signed and notarized Deed Restriction to the Director of RMA – Planning Department for review and signature by the County.</p> | Owner/ Applicant | Prior to the issuance of grading or building permits | |
| | | | <p>Proof of recordation of the Deed Restriction shall be submitted to the RMA – Planning Department.</p> | Owner/ Applicant | Prior to the issuance of grading or building permits | |

| Permit Cond. Number | Ming. Number | Conditions of Approval and/or Mitigation Measures and Responsible Party (see Department) | Compliance or Monitoring Actions to be performed where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| | | <p>main residence on site and other residences in the area.</p> <ul style="list-style-type: none"> The guesthouse height shall not exceed 15 feet nor be more than one story. <p>(RMA - Planning Department)</p> | | | | |
| 17. | | <p>FIRE007 - DRIVEWAYS</p> <p>Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. 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. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top</p> | <p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> | Applicant or Owner | Prior to issuance of grading and/or building permit. | |
| | | | Applicant shall schedule fire dept. clearance inspection | Applicant or Owner | Prior to final building inspection | |

| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Building Department | Compliance or Monitoring Action to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| | | of the "T" shall be a minimum of 60 feet in length. (Carmel Valley Fire Protection District). | | | | |
| 18. | | <p>FIRE008 - GATES</p> <p>All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Carmel Valley Fire Protection District).</p> | <p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection.</p> | Applicant | <p>Prior to submittal for building permit.</p> <p>Prior to final building inspection.</p> | |

| Permit Code Number | Mitig Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed. When applicable, a certified professional's requirement or action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| 19. | | FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be 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. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Carmel Valley Fire Protection District). | Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. | Applicant or owner | Prior to issuance of building permit. | |
| 20. | | FIRESP001 - FIRE HYDRANTS/FIRE VALVES (NON-STANDARD) A fire hydrant or fire valve is required. The hydrant or 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. The hydrant serving any building shall be not less than 50 | Applicant shall schedule fire dept. clearance inspection. | Applicant or owner | Prior to final building inspection | |
| | | | Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. | Applicant or owner | Prior to issuance of grading and/or building permit. | Applicant or owner |

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| | <p>feet and not more than 1000 feet by road from the building it is to serve. 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. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Carmel Valley Fire Protection District).</p> | <p>Applicant shall schedule fire dept. clearance inspection</p> | <p>Applicant or owner</p> | <p>Prior to final building inspection</p> | |

| Permit Condition Number | Ming Number | Conditions of Approval and/or Mitigation Measures and Responsible Party/Use Department | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
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| 21 | | <p>FIRE 015 (NON-STANDARD CONDITION)</p> <p>A. The hydrant on Corral Run must be within 1000 feet by driveway and road from the main entrance of the residence.</p> <p>B. Fire Department connections (FDC's) and dry standpipes with fire valves, gated wyes and approved fire attack hoses lines and nozzles are required. These hose lines must be on hose reels in approved cabinets. The locations of the inlets and outlets are to be determined by the Carmel Valley Fire District (CVFD).</p> <p>A minimum of four sets of plans including flow calculations, soil report, thrust block dimensions, anodes etc as per NFPA 14, 24 and other applicable codes and standards must be submitted to and approved by the CVFD prior to installation. An underground inspection is required before the pipes can be covered. The dry standpipe system CVFD including the hose lines, nozzles and cabinets must be serviced and maintained as per codes, standards and manufacturer's recommendations. Driveway turnouts for fire apparatus are required at the locations of the FDC's (See Fire 007 for Turnouts dimensions.) Additionally a wet fire hydrant is required at the proposed artist's studio location. This hydrant has to supply adequate water volume and pressure amounts as determined by the fire chief. The installation of the hydrant is subject to all applicable codes and standards. The hydrant must be maintained as required by codes, standards and manufacturers instructions. (Carmel Valley Fire Protection District)</p> | <p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> | <p>Owner/ Applicant</p> | <p>Prior to issuance of building permit.</p> | |

| Permit Cond. Number | Conditions of Approval and/or Mitigation Measures and Responsible Fire Use Department | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing Findings | Verification of Compliance (name/date) |
|---------------------------|--|--|---|--|---|
| 22. | <p>FIRE020 – DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Carmel Valley Fire Protection District)</p> | <p>Applicant shall schedule fire dept. clearance inspection</p> <p>Applicant shall schedule fire dept. clearance inspection</p> | <p>Applicant or owner</p> <p>Applicant or owner</p> | <p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection.</p> | <p>Applicant or owner</p> |
| 23. | <p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM All buildings and structures shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard 13D. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Carmel Valley Fire Protection District)</p> | <p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. rough sprinkler inspection</p> <p>Applicant shall schedule fire dept. final sprinkler inspection</p> | <p>Applicant or owner</p> <p>Applicant or owner</p> <p>Applicant or owner</p> | <p>Prior to issuance of building permit.</p> <p>Prior to final building inspection.</p> <p>Prior to final building inspection.</p> | <p>Applicant or owner</p> |
| 24. | <p>FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING) The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in</p> | <p>Applicant shall enumerate "Fire Dept. Notes" on plans.</p> | <p>Applicant or owner</p> <p>Applicant or owner</p> | <p>Prior to framing inspection</p> <p>Prior to issuance of building permit.</p> | <p>Applicant or owner</p> |

| Permit Code Number | Ming Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required or action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (Name/Date) |
|--------------------------|----------------|--|--|--|--|---|
| | | <p>lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment.</p> <p>ADDITIONAL - All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72 (2002 Edition). The fire alarm system shall be addressable by point/device. A minimum of three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. This fully automatic alarm system shall be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained.</p> <p>(Carmel Valley Fire Protection District)</p> | <p>Applicant shall submit fire alarm plans and obtain approval.</p> <p>Applicant shall schedule fire alarm system acceptance test.</p> | Applicant or owner | Prior to rough sprinkler or framing inspection | |
| 25. | | <p>FIRE025 - SMOKE ALARMS - (SINGLE FAMILY DWELLING)</p> <p>Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment.</p> <p>(Carmel Valley Fire Protection District)</p> | <p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire alarm system acceptance test.</p> | Applicant or owner | Prior to final building inspection | |
| 26. | | <p>FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)</p> <p>All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction.</p> <p>(Carmel Valley Fire Protection District)</p> | <p>Applicant shall enumerate "Fire Dept. Notes" on plans.</p> | Applicant or owner | Prior to issuance of building permit. | |

| Permit Condition Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
|-------------------------|---------------|---|--|---|--|--|
| 27. | | <p>FIREP002 – FIRE ALARM SYSTEM – (NONSTANDARD)</p> <p>All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device. A minimum of three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed c-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single station smoke alarms required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained. (Carmel Valley Fire Protection District)</p> | <p>Applicant shall enumerate "Fire Dept. Notes" on plans.</p> <p>Applicant shall submit fire alarm plans and obtain approval.</p> <p>Applicant shall schedule fire alarm system acceptance test.</p> | <p>Applicant or owner</p> <p>Applicant or owner</p> <p>Applicant or owner</p> | <p>Prior to issuance of building permit.</p> <p>Prior to rough sprinkler or framing inspection</p> <p>Prior to final building inspection</p> | |
| 28. | | <p>FIRE0301 - OTHER (NON-STANDARD CONDITIONS)</p> <p>The applicant and/or owner shall meet with Fire District regarding placement of dry standpipes and wet on-site hydrant pipes. (Carmel Valley Fire Protection District)</p> | <p>Applicant shall schedule meeting with Fire District.</p> | <p>Applicant or owner</p> | <p>Prior to application of grading permit</p> | |
| 29. | | <p>FIRE0305 - SWIMMING POOL CONNECTION REQUIREMENT</p> <p>The swimming pool must be plumbed to allow connection to firefighting equipment and shall be installed as described in the fire district's "Swimming Pool Connection Requirements". (Carmel Valley Fire Protection District)</p> | <p>Applicant shall plumb swimming pool according to the fire district specifications.</p> | <p>Applicant or owner.</p> | <p>Prior to occupancy</p> | |

| Permit Cont. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Party Use Department | Compliance or Monitor/ing Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (Name/Date) |
|---------------------------|------------------|--|---|--|---|---|
| 30. | | FIRE0306 - ATTACH FIRE DISTRICT'S CONDITIONS TO PLANS The full text of all the required fire conditions must be noted on all plans (Building and Grading) as "Fire Department Notes". The fire district will not accept or approve building or grading plans without the "Fire Department Notes." (Carmel Valley Fire Protection District) | Fire Department Notes shall be shown on plans. | Applicant or owner. | Prior to issuance of grading/building plans. | |
| 31. | | PW0006 - CARMEL VALLEY The applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution No. 95-140, adopted September 12, 1995 (Fees are updated annually based on CCI). (Public Works) | Applicant shall pay to PBI the required traffic mitigation fee. | Applicant / owner. | Prior to issuance of grading or building permit | |
| 32. | | PW0040 - HIGHWAY 1 SHORT TERM IMPROVEMENTS Applicant shall contribute (\$756.00) to County of Monterey as payment of the project's pro rata share of the cost of short-term operational improvements to State Highway One. (Public Works) | Applicant shall pay to PBI the required traffic mitigation fee. | Owner/ Applicant | Prior to issuance of grading or building permit | |

| Permit Cond. Number | Conditions of Approval and/or Mitigation Measures and Responsible Party and Use Department | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
|---------------------------|---|--|--|---|---|
| 33. | <p>WR0040 - WATER CONSERVATION MEASURES</p> <p>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:</p> <ul style="list-style-type: none"> 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. <p>(Water Resources Agency)</p> | <p>Compliance to be verified by building inspector at final inspection.</p> | <p>Owner/ Applicant</p> | <p>Prior to final building inspection /occupancy</p> | |
| 34. | <p>WRSP01 - DRAINAGE PLAN</p> <p>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. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency.</p> <p>(Water Resources Agency)</p> | <p>Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.</p> | <p>Owner/ Applicant</p> | <p>Prior to issuance of grading or building permits</p> | |

| Permit Contd. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Party/Use Department | Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required to action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
|----------------------------|------------------|--|--|--|---|---|
| 35. | | WR0043 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency) | Pay fee prior to issuance of building permit. | Owner/ Applicant | Prior to issuance of building permit | |
| 36. | | EH11 - SEPTIC SYSTEM DESIGN Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health) | Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system. | CA Licensed Engineer /Owner/ Applicant | Prior to or issuance of building permit | |
| 37. | | CODE ENFORCEMENT The applicant shall pay a double fee for the use permit for the tree removals. (RMA - Planning Department) | Pay fee prior to the RMA - Planning Department | Owner/ Applicant | Prior to issuance of grading or building permits | |

| Permit Cont. Number | Ming Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed where applicable, as certified professionals required for actions to be accepted | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
|---------------------|-------------|--|---|----------------------------------|---|--|
| 38 | | <p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>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. (RMA - Planning Department)</p> | <p>Submit signed and notarized Indemnification Agreement to the Director of RMA - Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA - Planning Department.</p> | Owner/ Applicant | Prior to issuance of building or grading permit | |

| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (Name/Date) |
|---------------------------|------------------|--|---|--|---|---|
| 39 | | <p>PD006 - MITIGATION MONITORING PROGRAM</p> <p>The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)</p> | <p>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.</p> <p>2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</p> | Owner/ Applicant | Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first. | |

END OF CONDITIONS

Historic/Heritage Tree Protection
 Santa Lucia Preserve, Inc.

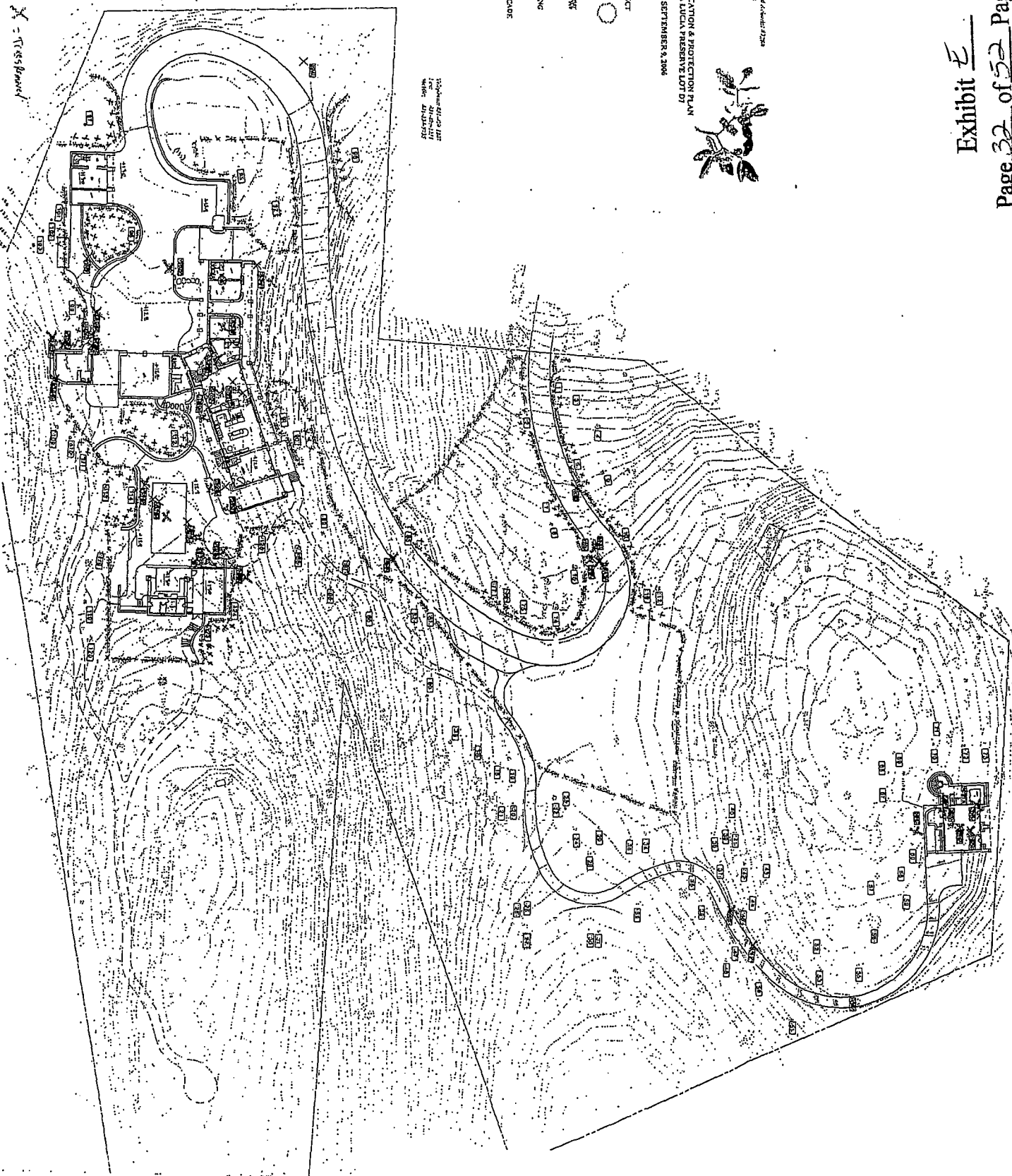


TREE LOCATION & PROTECTION PLAN
 SANTA LUCIA PRESERVE LOT D7
 SEPTEMBER 4, 2004

- PRESERVE & PROTECT
- LANDMARK TREE
- REMOVE
- PROTECTION ZONE
- STRAW BALE BARRIERS

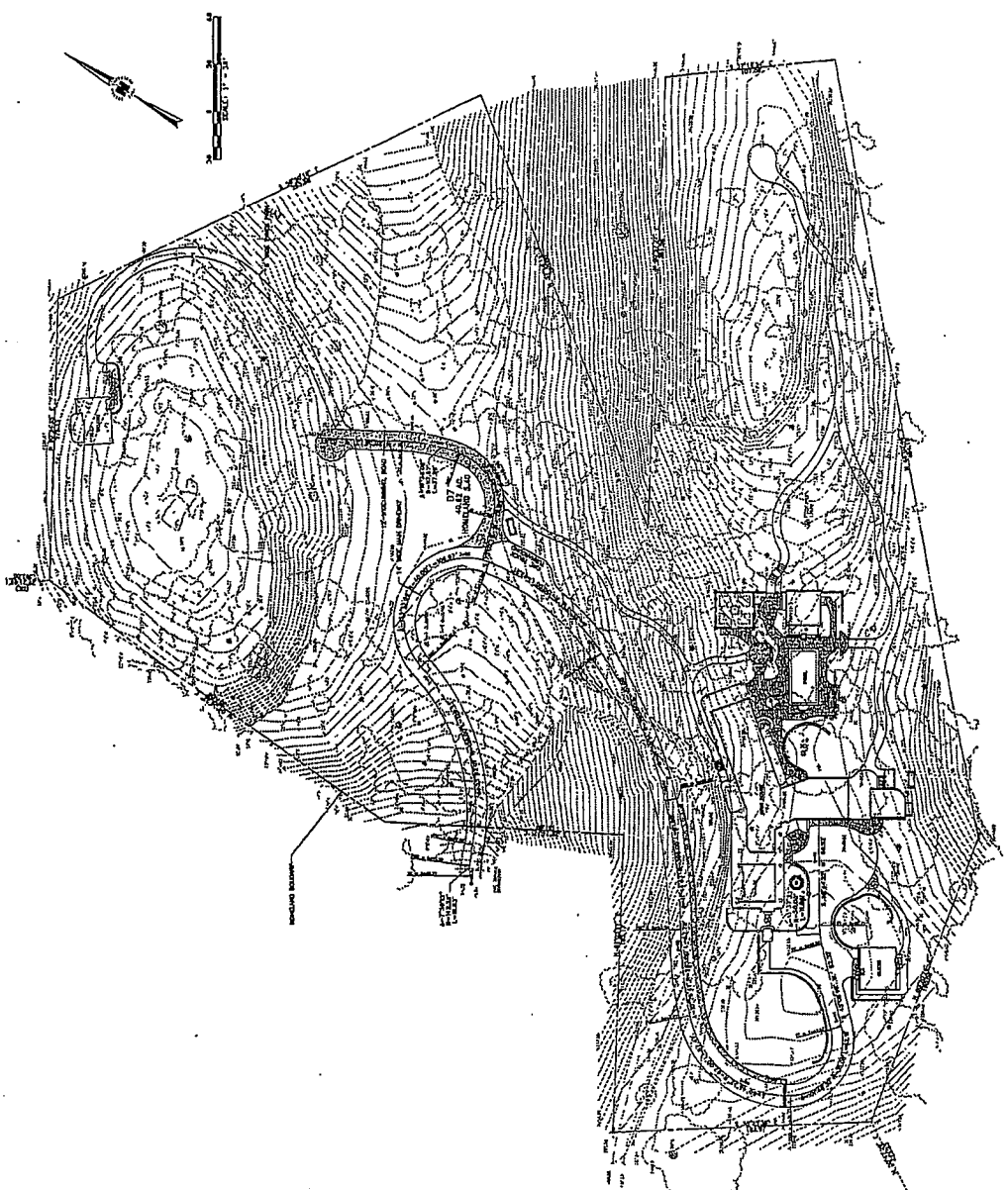
As Shown, 2004
 All Other Trees to be Preserved
 are Indicated by a Circle

Indicated by a Circle
 are Landmark Trees
 to be Preserved



X = 1000 ft

Not to be used for any other purpose without the written consent of Santa Lucia Preserve, Inc.



| OWNER | SHEET INDEX | LEGAL DESCRIPTION | LEGEND | OWNER |
|--|---|---|--|---|
| BIRNBERG RESIDENCE 8 CORRAL RUN SANTA LUCIA PRESERVE CAROLINA, NORTH CAROLINA 27023 | C-1 SITE LAYOUT C-2 FOUNDATION PLAN C-3 FLOOR PLAN C-4 EXTERIOR FINISHES C-5 INTERIOR FINISHES C-6 MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) PLAN C-7 EXTERIOR ELEVATIONS C-8 INTERIOR ELEVATIONS C-9 EXTERIOR DETAILS C-10 INTERIOR DETAILS C-11 CIVIL, SITE, AND LANDSCAPE | SEE LEGAL DESCRIPTION FOR FULL DESCRIPTION OF PROPERTY AND SURROUNDING LAND. BOUNDARY SURVEY BY BEATOR ENGINEERS, INC. IN 2007. BEATOR ENGINEERS, INC. 1825 WEST LAMAR AVENUE, SUITE 200, RICHMOND, VIRGINIA 23220. | SEE LEGEND FOR SYMBOLS AND DESCRIPTIONS OF FEATURES. LEGEND: (List of symbols and descriptions) | BIRNBERG RESIDENCE 8 CORRAL RUN SANTA LUCIA PRESERVE CAROLINA, NORTH CAROLINA 27023 CONTRACTOR: [Blank] BUILT REPORT / TESTING AGENCY: [Blank] ESTIMATED CONSTRUCTION PERIOD: [Blank] |

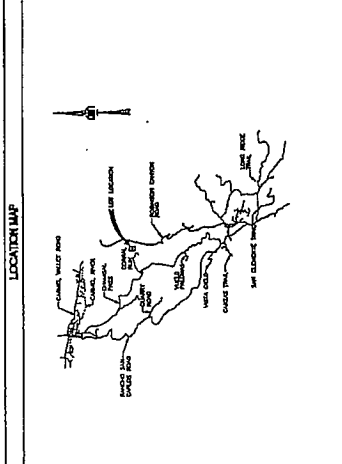
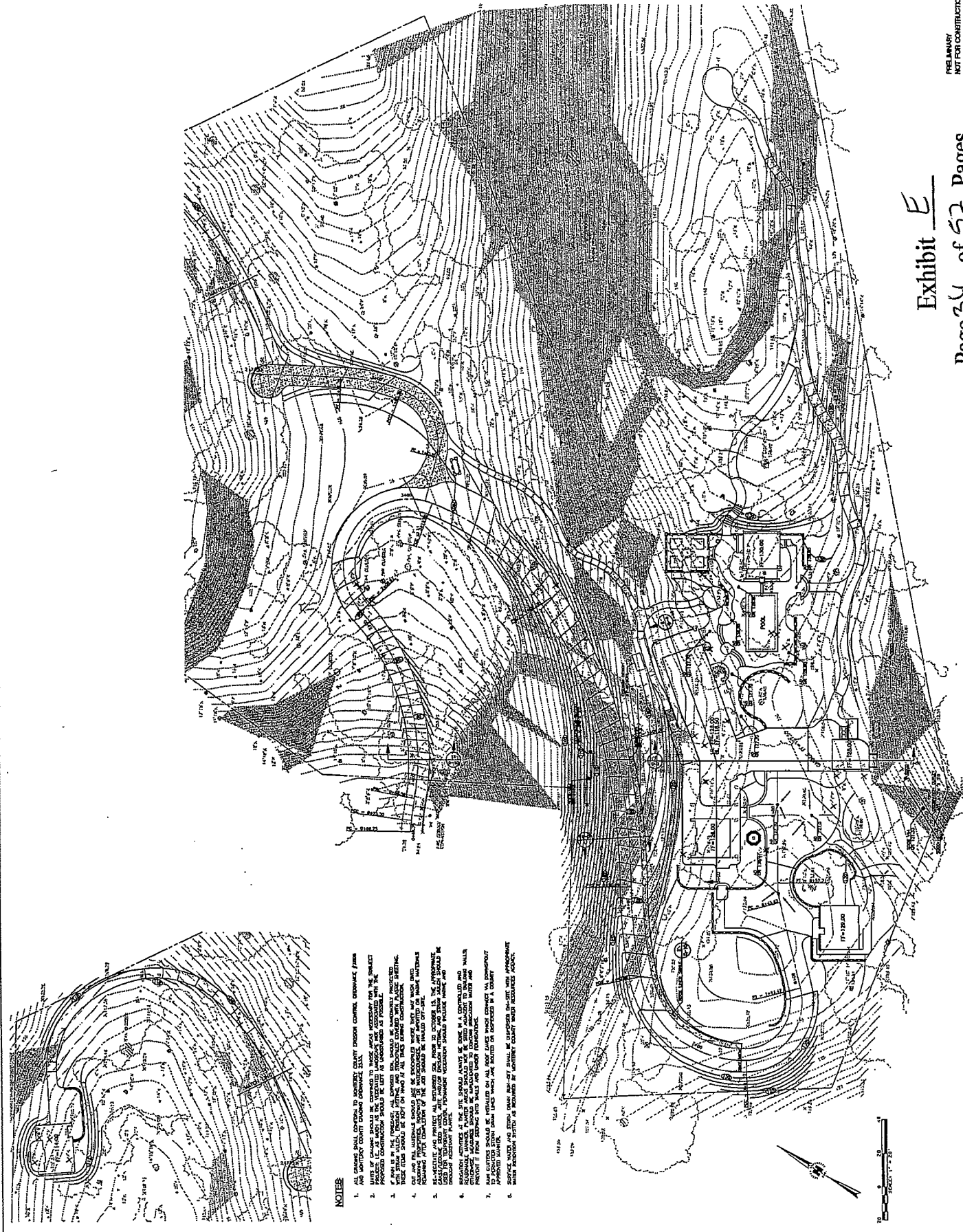


Exhibit A



- NOTICE**
1. ALL CHANGES SHALL CONFORM TO MONTEREY COUNTY DESIGN ORDINANCE, ZONING AND MONTEREY COUNTY SHARED ORDINANCE 555A.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES.

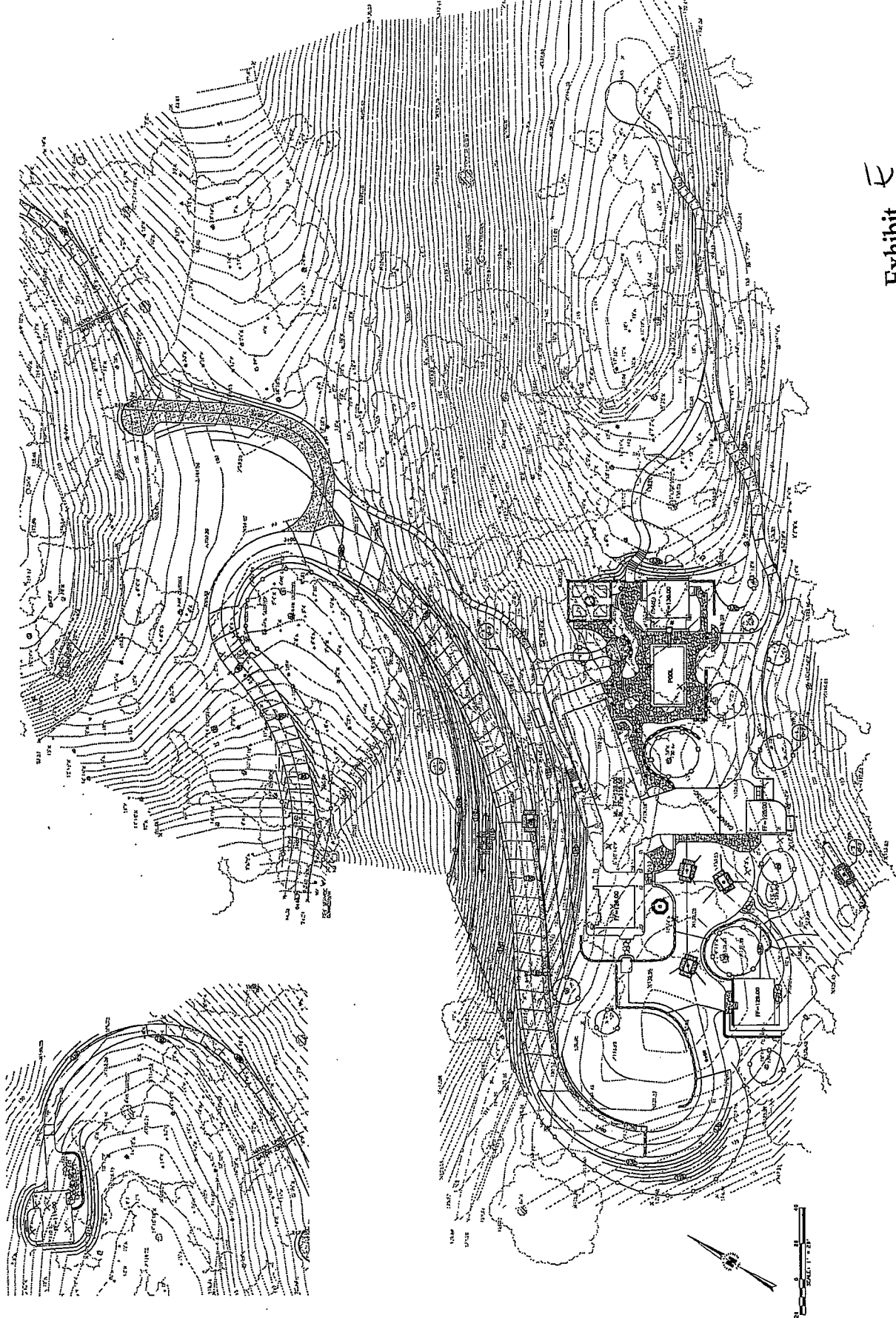


Exhibit E
 Page 25 of 52 Pages

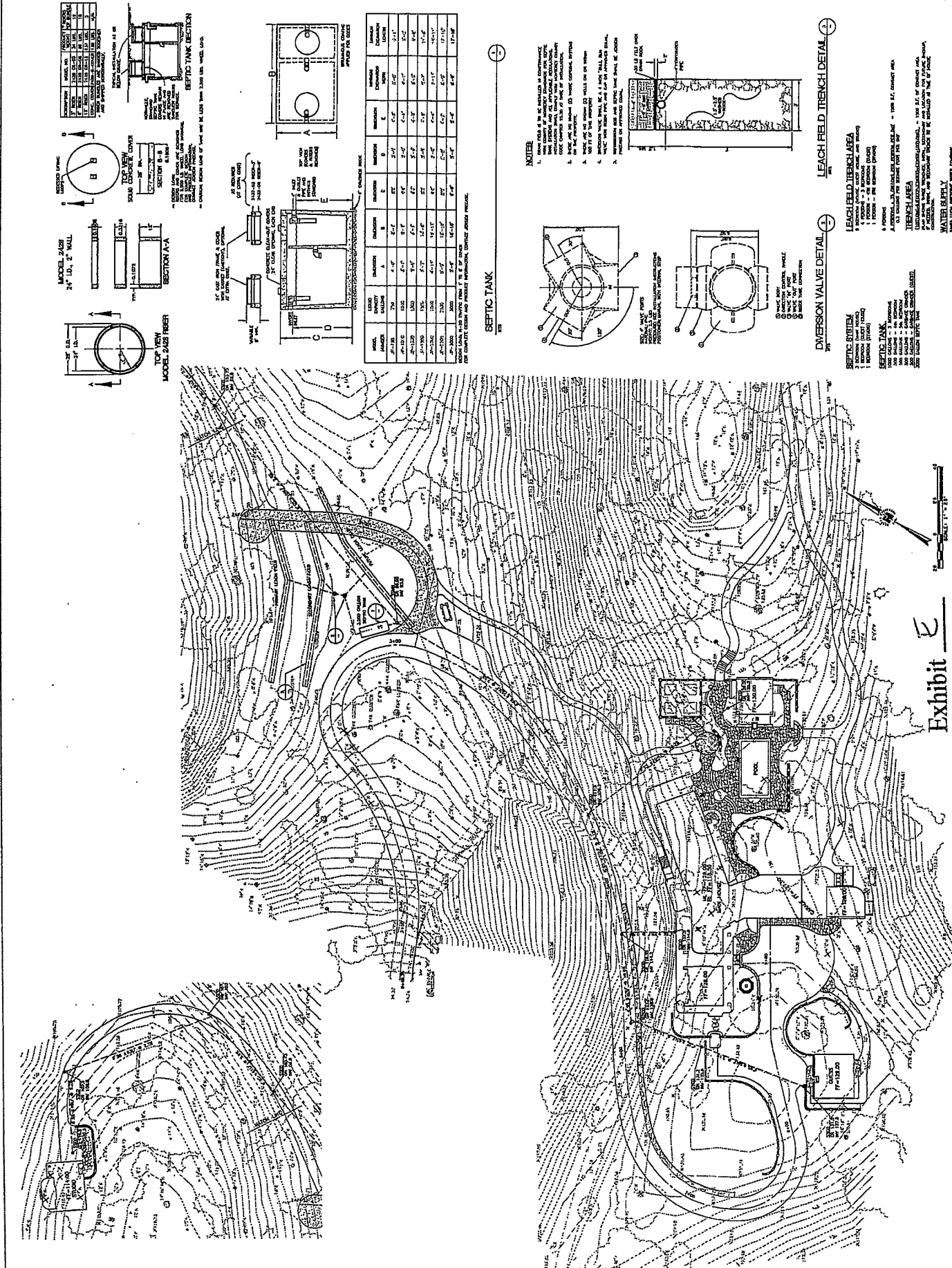
Exhibit E

| | |
|-------------|------------------------------|
| PROJECT NO. | 147 |
| SHEET NO. | 147 |
| DATE | 04/20/07 |
| SCALE | AS SHOWN |
| PROJECT | BRINBERG RESIDENCE |
| CLIENT | LOT 7 - SANTA LUCIA PRESERVE |
| LOCATION | 8 CORRAL RUN |
| CITY | CARMEL, CALIFORNIA 93923 |

BRINBERG RESIDENCE:
LOT 7 - SANTA LUCIA PRESERVE
8 CORRAL RUN
CARMEL, CALIFORNIA 93923

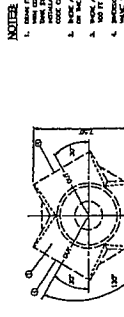
BEATOR ENGINEERS, INC.
3801 BAY LAKESHORE DRIVE, SUITE 200
CARMEL, CALIFORNIA 93923
TEL: (831) 923-8888
FAX: (831) 923-8889

DAHLQUIST and LUTZOW ARCHITECTS, Ltd.
1500 AVENUE OF THE STARS, SUITE 200
SANTA MONICA, CALIFORNIA 90401
TEL: (310) 312-7273
FAX: (310) 312-7274

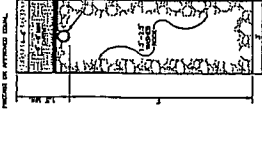


| MODEL | LENGTH | WIDTH | DEPTH | HEIGHT | MINIMUM | MINIMUM | MINIMUM |
|--------|--------|--------|--------|--------|------------|------------|------------|
| NUMBER | (FEET) | (FEET) | (FEET) | (FEET) | SEPARATION | SEPARATION | SEPARATION |
| ST-100 | 10 | 6 | 4 | 5 | 5 | 5 | 5 |
| ST-125 | 12.5 | 6 | 4 | 5 | 5 | 5 | 5 |
| ST-150 | 15 | 6 | 4 | 5 | 5 | 5 | 5 |
| ST-200 | 20 | 6 | 4 | 5 | 5 | 5 | 5 |
| ST-250 | 25 | 6 | 4 | 5 | 5 | 5 | 5 |
| ST-300 | 30 | 6 | 4 | 5 | 5 | 5 | 5 |
| ST-350 | 35 | 6 | 4 | 5 | 5 | 5 | 5 |
| ST-400 | 40 | 6 | 4 | 5 | 5 | 5 | 5 |
| ST-450 | 45 | 6 | 4 | 5 | 5 | 5 | 5 |
| ST-500 | 50 | 6 | 4 | 5 | 5 | 5 | 5 |

SEPTIC TANK
FIG. 1



NOTE:
1. TANK SHALL BE AS DETAILLED IN CROSS SECTION UNLESS OTHERWISE NOTED.
2. TANK SHALL BE CONSTRUCTED OF 4" THICK CONCRETE OR EQUIVALENT MATERIAL.
3. TANK SHALL BE FINISHED WITH A 1/2" THICK CONCRETE TOP SURFACE.
4. TANK SHALL BE FINISHED WITH A 1/2" THICK CONCRETE TOP SURFACE.
5. TANK SHALL BE FINISHED WITH A 1/2" THICK CONCRETE TOP SURFACE.



LEACH FIELD TRENCH DETAIL
FIG. 2

LEACH FIELD TRENCH AREA
1. TRENCH SHALL BE 24" WIDE AND 18" DEEP.
2. TRENCH SHALL BE FINISHED WITH A 1/2" THICK CONCRETE TOP SURFACE.
3. TRENCH SHALL BE FINISHED WITH A 1/2" THICK CONCRETE TOP SURFACE.

DIVERSION VALVE DETAIL
FIG. 3

SEPTIC SYSTEM
1. TANK SHALL BE 4" THICK CONCRETE.
2. TANK SHALL BE FINISHED WITH A 1/2" THICK CONCRETE TOP SURFACE.
3. TANK SHALL BE FINISHED WITH A 1/2" THICK CONCRETE TOP SURFACE.

PRELIMINARY
NOT FOR CONSTRUCTION

C-9

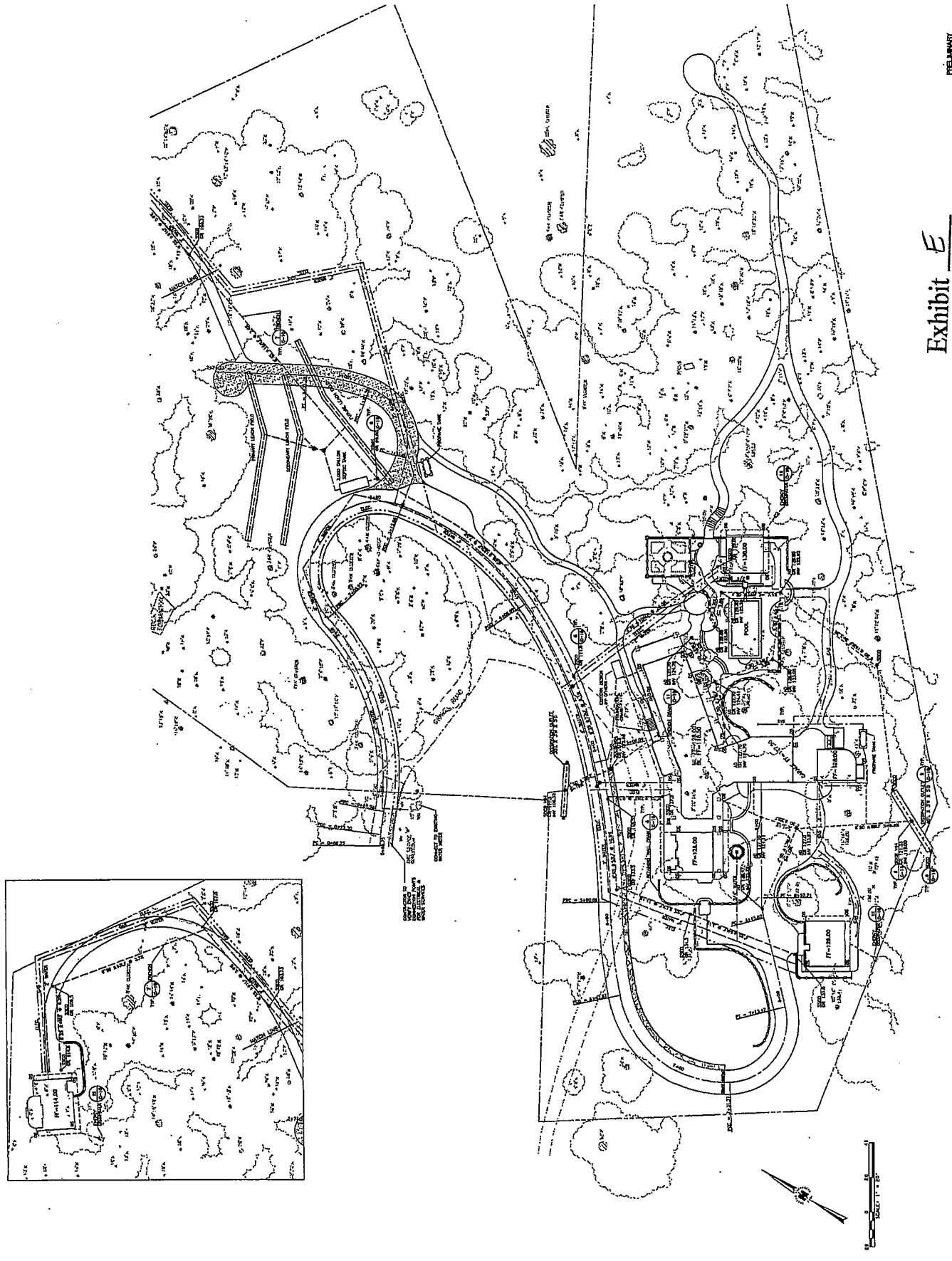
| | |
|-------------|--|
| PROJECT: | |
| DATE: | |
| DRAWN BY: | |
| CHECKED BY: | |
| UNIT PLAN: | |
| SHEET: | |

| | | |
|-----|-----|-----|
| 111 | 112 | 113 |
|-----|-----|-----|

BRINBERG RESIDENCE:
 8 CORRAL RUN
 CARMEL, CALIFORNIA 93923

BEATOR ENGINEERS, INC.
 CIVIL ENGINEERS - ARCHITECTS - LAND PLANNERS
 8701 BLUE LANTERN LANE, MONTEREY, CALIFORNIA 93940

DAHLQUIST and LUTZOW ARCHITECTS, LTD.
 ARCHITECTS | PLANNING | PRESERVATION
 423 N. MICHIGAN BOULEVARD, SUITE 402, EMERYVILLE, CALIFORNIA 94608
 PHONE: 415.762.1234 FAX: 415.762.1235
 WWW: DAHLQUISTANDLUTZOW.COM



| | |
|---|--|
| <p>SITE PLAN LEGEND</p> <p>X OAK TREES TO BE RETAINED - SEE SHEET ASH-1 FOR CLARIFICATION OF TREES TO BE REMOVED WITHIN BUILDING FOOTPRINT</p> <p>EXISTING GRADE</p> <p>REVISED GRADE</p> <p>PROPOSED FOOTPATHS</p> <p>AREAS WITH SLOPE EQUAL TO OR GREATER THAN 2%</p> | |
| <p>PROJECT DATA TABLE</p> <p>LOT SIZE</p> <p>TOTAL PARCEL 40.42 ACRES</p> <p>FEET 1,764,467 SQUARE</p> <p>HOTELAND AREA 234,780 SQUARE</p> <p>FEET 5.59 ACRES</p> <p>BLDG. AREA BATIO</p> <p>TOTAL PARCEL 9,280 GSF/1,764,467 SQUARE</p> <p>FEET 10.52 ACRES</p> <p>HOTELAND AREA 9,216 GSF/ 234,780 SQUARE</p> <p>FEET 09.93 ACRES</p> <p>GRADING AREA</p> <p>CUT: 2,464 CUBIC YARDS FILL: 1,122 CUBIC YARDS</p> | |
| <p>SITE PLAN GENERAL NOTES</p> <ol style="list-style-type: none"> ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND NATIONAL CODES AND ORDINANCES AND PORTERET COURT. WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE GUIDELINES OF THE SANTA LUCIA PRESERVE. CONTRACTOR SHALL PROVIDE ADEQUATE BRACING AND/OR SHORING TO INSURE STRUCTURAL STABILITY OF BUILDING DURING CONSTRUCTION. EACH CONTRACTOR IS TO CLEAN UP DEBRIS FROM HIS/HER WORK AND REMOVE ALL DELETERIOUS MATERIAL AS REQUIRED BEFORE PROCEEDING WITH WORK. GENERAL CONTRACTOR SHALL PROVIDE DUMPSTER FOR DAILY CLEAN UP OF DEBRIS. BUILDING SITE SHALL BE CLEARED OF ALL EXISTING VEGETATION AND/OR DELETERIOUS MATERIAL AS REQUIRED BEFORE PROCEEDING WITH WORK. VERIFY WITH OWNER AND SANTA LUCIA PRESERVE FOR ACCEPTABLE LOCATIONS OF STRUCTURES. AREA INDICATED IS THE DESIGNATED PARCEL AND REFER TO PROPERTY SURVEY PREPARED BY BESTOR ENGINEERS, INC. COURTAINS INDICATED AT 1' INTERVALS. FOR VEGETATION AND LANDSCAPING DETAILS REFER TO LANDSCAPE PLANS PREPARED BY BERNARD TRAINER AND ASSOCIATES. FOR ADDITIONAL DETAILS INCLUDING GRADING, SEE SEPARATE HOTELAND AREA. REFER TO ENLARGED SITE PLAN, SHEET ASH-1. | |
| <p>VICINITY MAP</p> | |

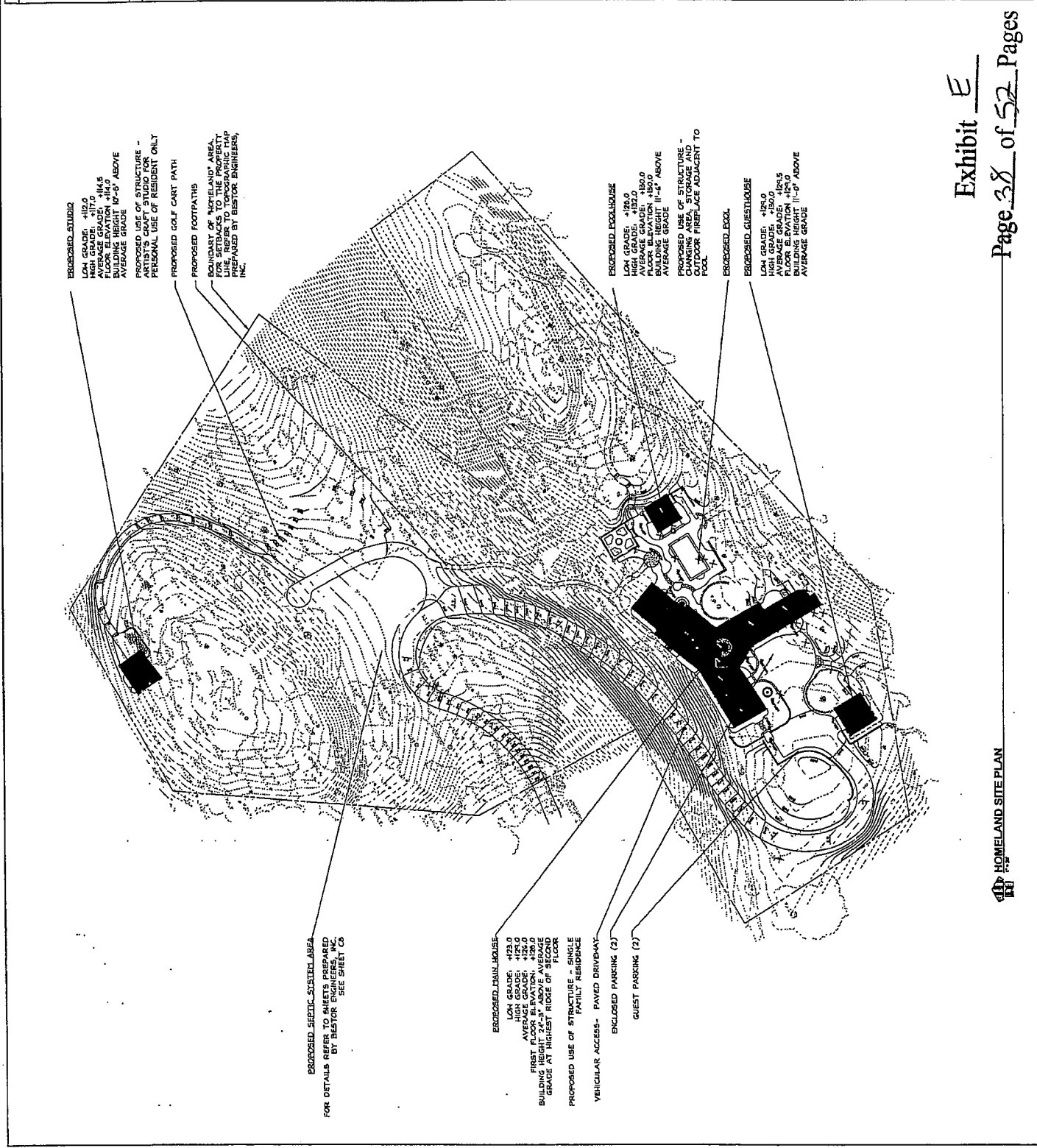
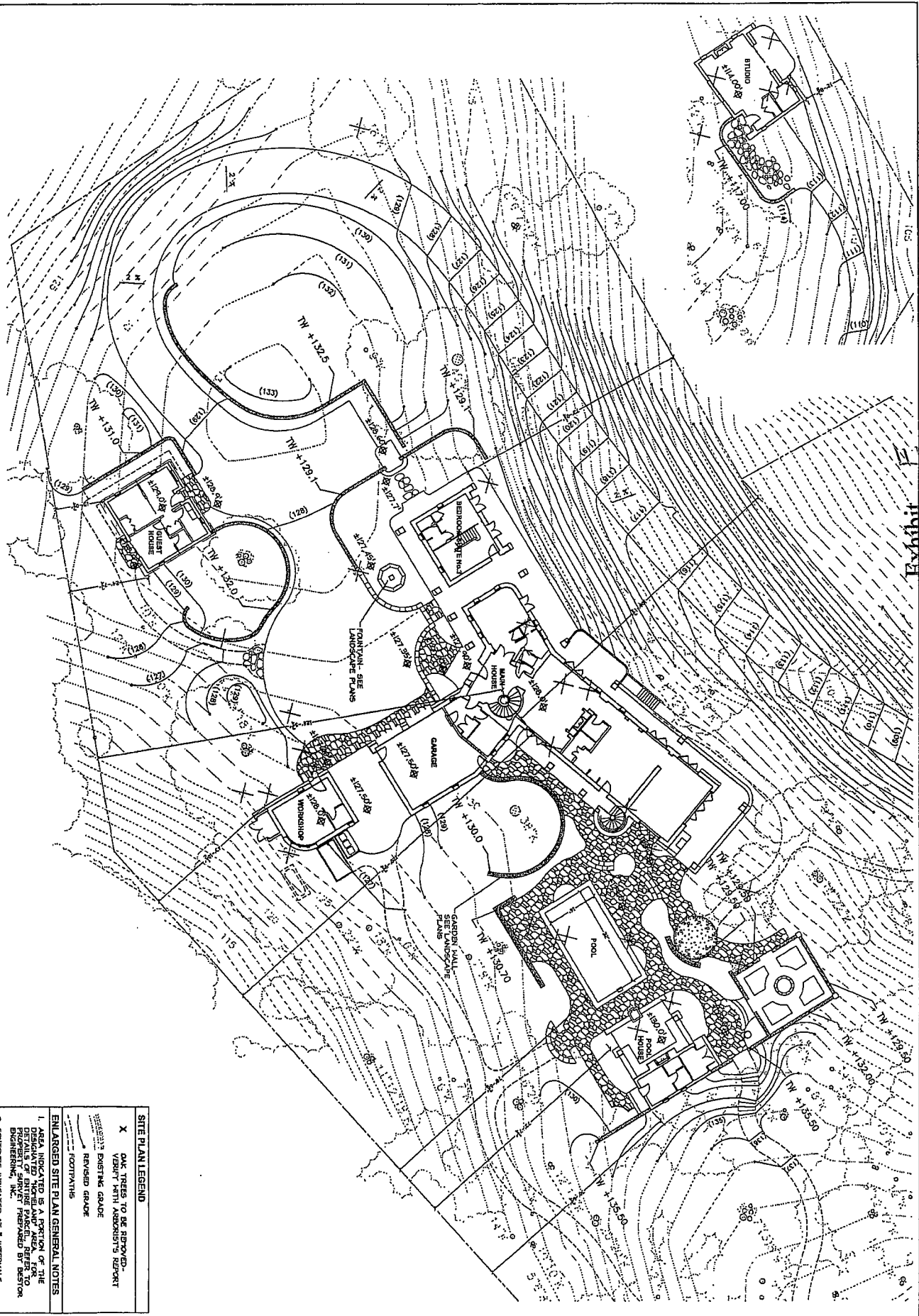


Exhibit E



ENLARGED HOMELAND SITE PLAN

| SITE PLAN LEGEND | |
|------------------|---|
| X | PAVEMENT TO BE REMOVED - VERIFY WITH ARCHITECT'S REPORT |
| --- | EXISTING GRADE |
| --- | REVISED GRADE |
| --- | FOOTPATHS |

| ENLARGED SITE PLAN GENERAL NOTES | |
|----------------------------------|---|
| 1. | AREA INDICATED IS A PORTION OF THE ORIGINAL PLAN AND SHOULD BE REFERRED TO THE ORIGINAL SET OF PLANS FOR DETAILS OF SITE PREPARED BY DESIGN ENGINEERING, INC. |
| 2. | CONTOURS INDICATED AT 1' INTERVALS. |
| 3. | FOR VISION AND/OR PLANS PREPARED BY BERNBERG TRAVLER AND ASSOCIATES. |
| 4. | DISTANCES INDICATED ARE PERPENDICULAR DISTANCES OF IMPROVEMENTS TO BOUNDARY OF NEIGHBORLY AREA. |

BIRNBERG RESIDENCE:
 LOT D7 - SANTA LUCIA PRESERVE
 8 CORRAL RUN
 CARMEL, CALIFORNIA 93923

DAHLQUIST and LUTZOW ARCHITECTS, Ltd.
 architecture | planning | preservation

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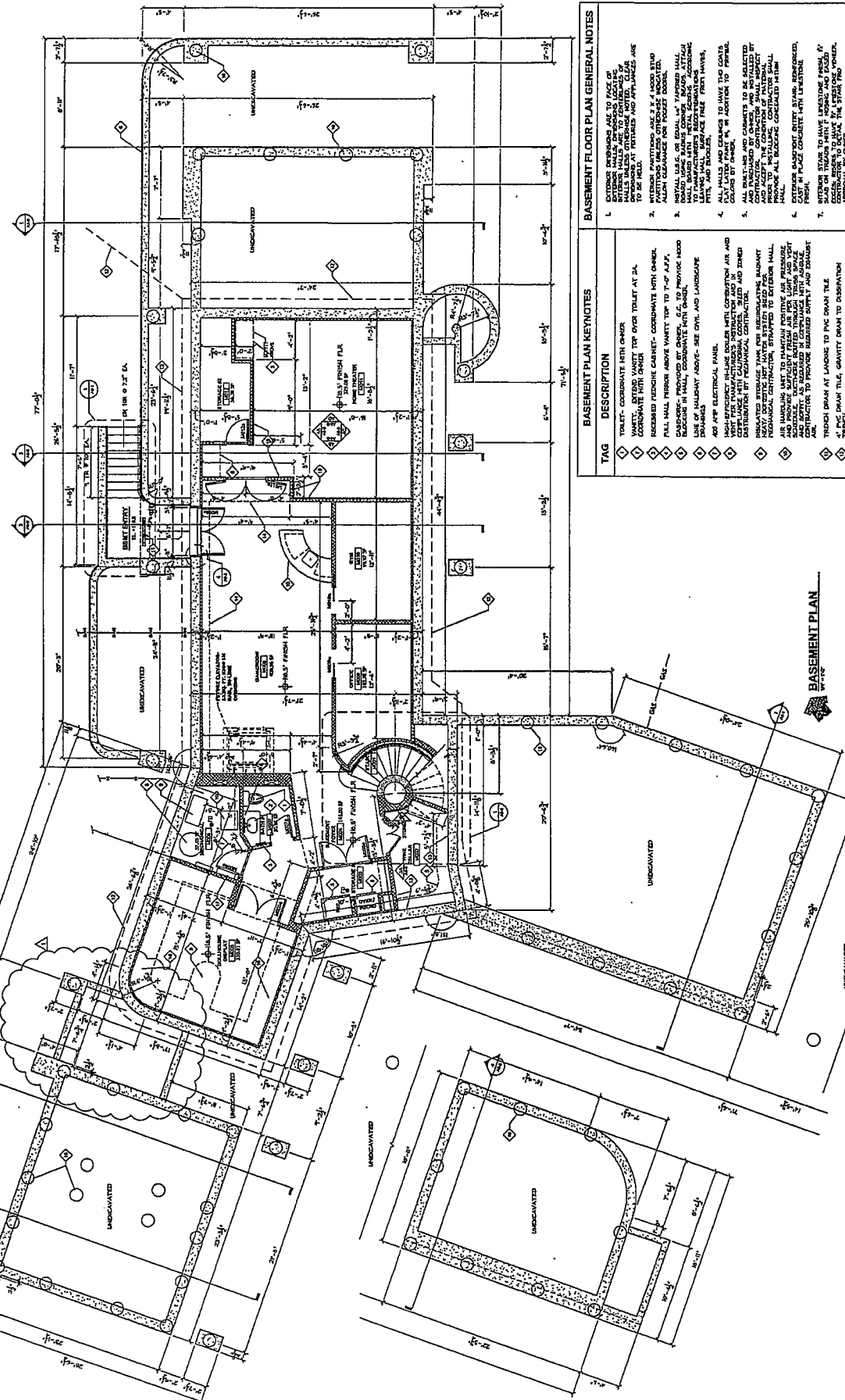
AS1-1

LEGEND - MAIN HOUSE

STONE VENER
 STONE VENER OVER BURNISHED
 STONE VENER OVER BURNISHED
 STONE VENER OVER BURNISHED

WALL TYPE LEGEND - MAIN HOUSE
 EXTERIOR WALLS FOR STAIRS AND PORCHES

1 STONE VENER WALL - EXTERIOR AT INTERIOR
 2 STONE VENER WALL - EXTERIOR AT INTERIOR
 3 STONE VENER WALL - EXTERIOR AT INTERIOR
 4 STONE VENER WALL - EXTERIOR AT INTERIOR
 5 STONE VENER WALL - EXTERIOR AT INTERIOR
 6 STONE VENER WALL - EXTERIOR AT INTERIOR
 7 STONE VENER WALL - EXTERIOR AT INTERIOR



BASEMENT FLOOR PLAN GENERAL NOTES

1. EXTERIOR FOUNDATIONS ARE TO FACE OF EXTERIOR WALLS. ALL TO BE CONCRETE. WALLS SHALL BE 12" THICK. ALL FOUNDATIONS TO BE BUILT.
2. EXTERIOR WALLS SHALL BE CONCRETE. ALL EXTERIOR WALLS SHALL BE 12" THICK. ALL EXTERIOR WALLS SHALL BE CONCRETE. ALL EXTERIOR WALLS SHALL BE CONCRETE.
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BASEMENT PLAN METNOTES

TAG DESCRIPTION

- 1. TRAILER - CONCRETE WITH CHAIR
- 2. VENT - EXTERIOR VENT TOP OVER TOILET AT 24"
- 3. COORDINATE WITH OWNER
- 4. EXTERIOR FINISH CARPET - COORDINATE WITH OWNER
- 5. FULL HALL FINISH ABOVE VENT TO 7'-0" AFF.
- 6. EXTERIOR FINISH ABOVE VENT TO 7'-0" AFF.
- 7. EXTERIOR FINISH ABOVE VENT TO 7'-0" AFF.
- 8. EXTERIOR FINISH ABOVE VENT TO 7'-0" AFF.
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- 100. EXTERIOR FINISH ABOVE VENT TO 7'-0" AFF.

Exhibit E
 Page 40 of 52

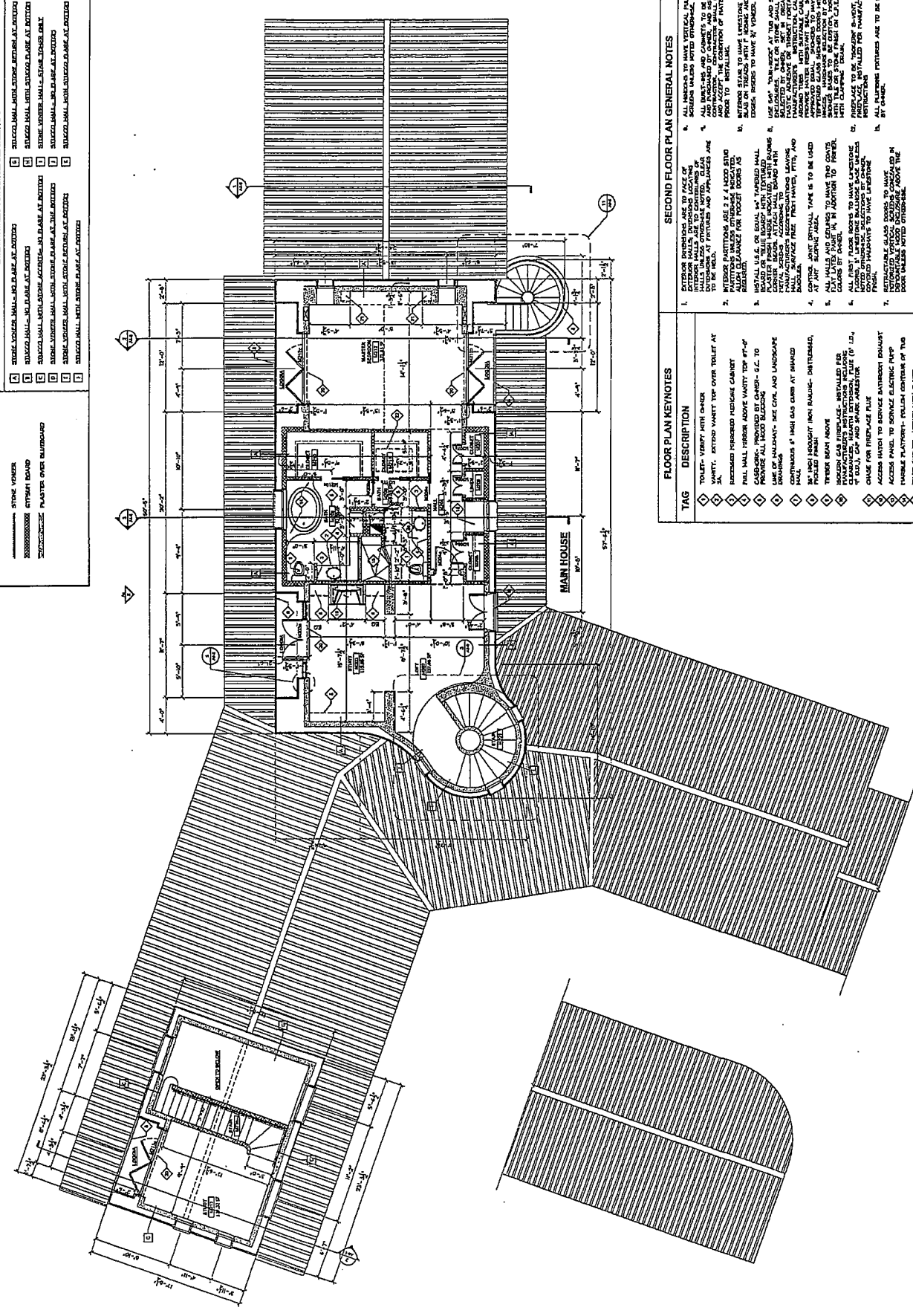
SECOND FLOOR PLAN - MAIN HOUSE

LEGEND - MAIN HOUSE

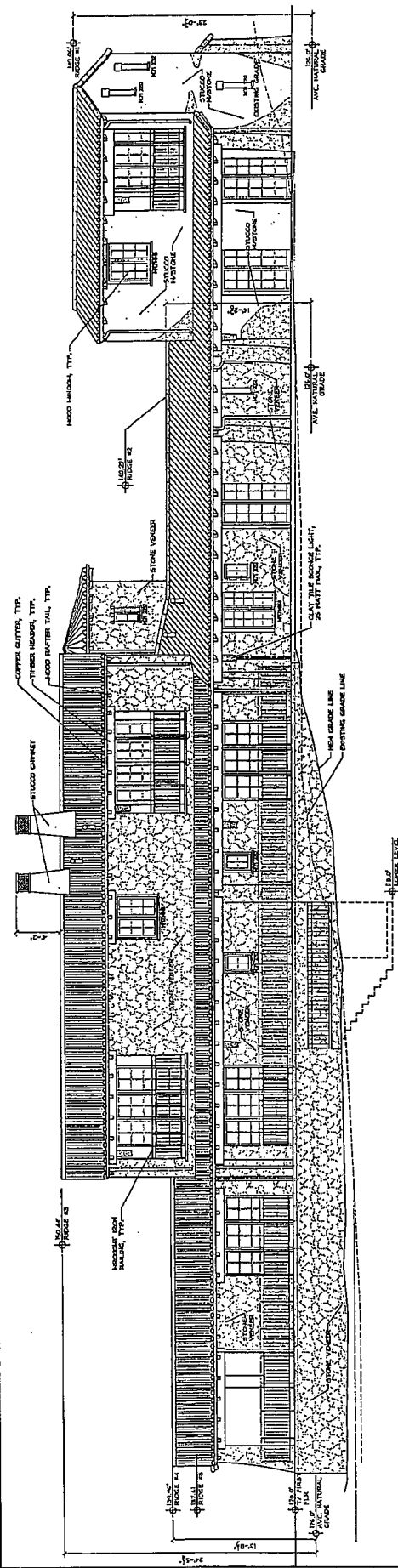
STONE VENEER
 STYPHAT BOARD
 PLASTER OVER RAFTERS

WALL TYPE LEGEND - MAIN HOUSE
 EXTERIOR WALLS FOR GROUND FLOOR SHEET A-1

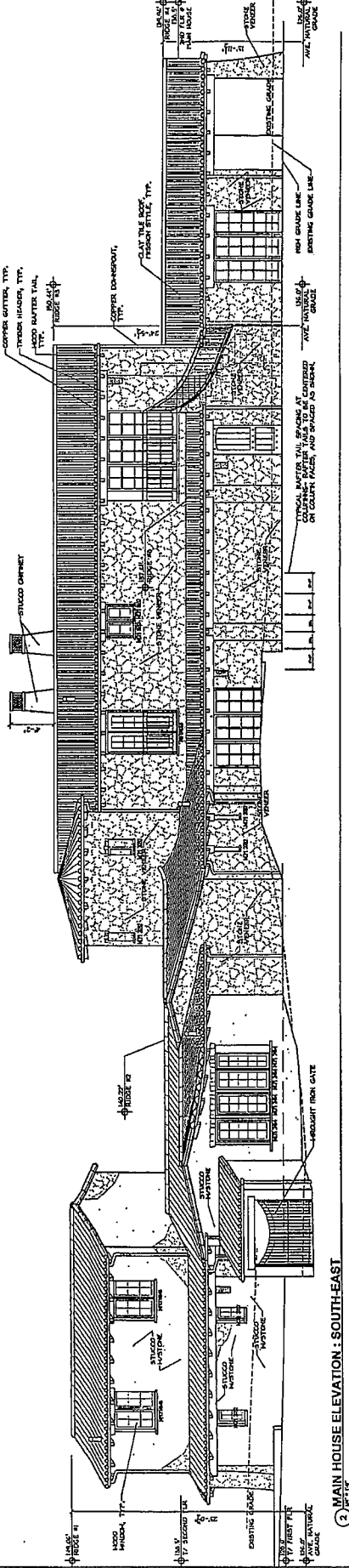
- STONE VENEER WALL - NO PLASTER AT JOINTS
- STYCCO WALL - NO PLASTER AT JOINTS
- STYCCO WALL WITH STONE VENEER AT JOINTS
- STYCCO WALL WITH STONE VENEER AND PLASTER AT JOINTS
- STYCCO WALL WITH STONE VENEER AT JOINTS
- STYCCO WALL WITH STONE PLASTER AT JOINTS
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- STYCCO WALL WITH STONE PLASTER AT JOINTS
- STYCCO WALL WITH STONE PLASTER AT JOINTS
- STYCCO WALL WITH STONE PLASTER AT JOINTS



| FLOOR PLAN KEYNOTES | GENERAL NOTES |
|-------------------------------|--|
| 1. TOILET - VERIFY WITH OWNER | 1. EXTERIOR INTERIORS ARE TO FACE OF INTERIOR WALLS AS TO CONSTRUCTION OF INTERIORS AT FINISHES AND PAINTWORK ARE TO BE ACCORD TO THE CONSTRUCTION OF INTERIOR |
| 2. HALL - VERIFY WITH OWNER | 2. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 3. HALL - VERIFY WITH OWNER | 3. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 4. HALL - VERIFY WITH OWNER | 4. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 5. HALL - VERIFY WITH OWNER | 5. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 6. HALL - VERIFY WITH OWNER | 6. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 7. HALL - VERIFY WITH OWNER | 7. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 8. HALL - VERIFY WITH OWNER | 8. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 9. HALL - VERIFY WITH OWNER | 9. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 10. HALL - VERIFY WITH OWNER | 10. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 11. HALL - VERIFY WITH OWNER | 11. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 12. HALL - VERIFY WITH OWNER | 12. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 13. HALL - VERIFY WITH OWNER | 13. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 14. HALL - VERIFY WITH OWNER | 14. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 15. HALL - VERIFY WITH OWNER | 15. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 16. HALL - VERIFY WITH OWNER | 16. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 17. HALL - VERIFY WITH OWNER | 17. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 18. HALL - VERIFY WITH OWNER | 18. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 19. HALL - VERIFY WITH OWNER | 19. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 20. HALL - VERIFY WITH OWNER | 20. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 21. HALL - VERIFY WITH OWNER | 21. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 22. HALL - VERIFY WITH OWNER | 22. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 23. HALL - VERIFY WITH OWNER | 23. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 24. HALL - VERIFY WITH OWNER | 24. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 25. HALL - VERIFY WITH OWNER | 25. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 26. HALL - VERIFY WITH OWNER | 26. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 27. HALL - VERIFY WITH OWNER | 27. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 28. HALL - VERIFY WITH OWNER | 28. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 29. HALL - VERIFY WITH OWNER | 29. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |
| 30. HALL - VERIFY WITH OWNER | 30. ALL INTERIORS TO HAVE VERTICAL HULL-DASH SCISSOR FINISH UNLESS NOTED OTHERWISE |



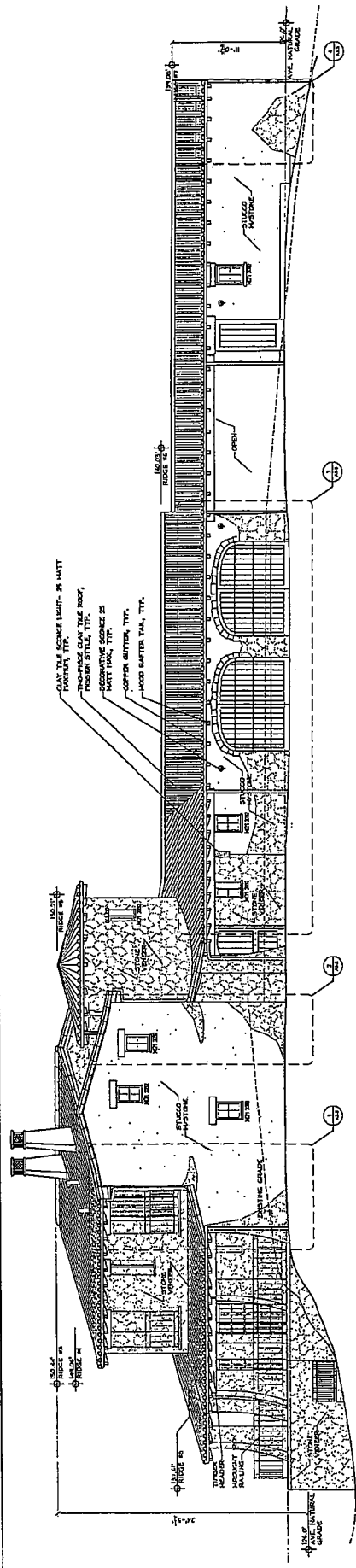
① MAIN HOUSE ELEVATION : NORTH-WEST



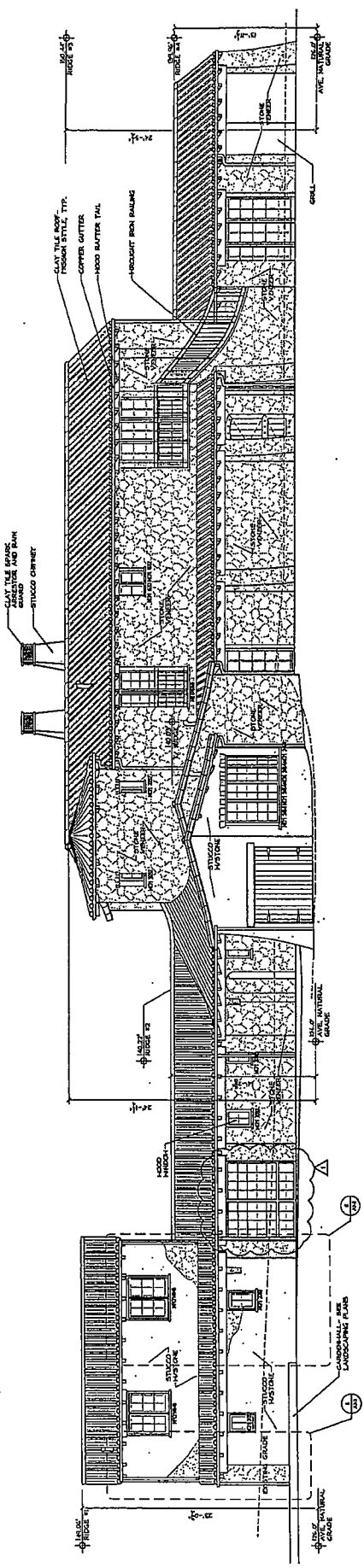
② MAIN HOUSE ELEVATION : SOUTH-EAST

EXTERIOR ELEVATIONS GENERAL NOTES

- GENERAL NOTES
 1. CHIMNEY SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. CHIMNEY SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 2. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 3. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 4. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 5. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
- EXTERIOR FINISH
 6. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 7. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 8. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 9. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 10. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
- ROOFING
 11. ROOF SHALL BE TYPICAL ROOFING WITH TERRAZZO TOP AND BRICK CHIMNEY. ROOF SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 12. ROOF SHALL BE TYPICAL ROOFING WITH TERRAZZO TOP AND BRICK CHIMNEY. ROOF SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
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 14. ROOF SHALL BE TYPICAL ROOFING WITH TERRAZZO TOP AND BRICK CHIMNEY. ROOF SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
- CLADDING
 15. CLADDING SHALL BE TYPICAL CLADDING WITH TERRAZZO TOP AND BRICK CHIMNEY. CLADDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 16. CLADDING SHALL BE TYPICAL CLADDING WITH TERRAZZO TOP AND BRICK CHIMNEY. CLADDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 17. CLADDING SHALL BE TYPICAL CLADDING WITH TERRAZZO TOP AND BRICK CHIMNEY. CLADDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 18. CLADDING SHALL BE TYPICAL CLADDING WITH TERRAZZO TOP AND BRICK CHIMNEY. CLADDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
- PAINTS
 19. PAINTS SHALL BE TYPICAL PAINTS WITH TERRAZZO TOP AND BRICK CHIMNEY. PAINTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 20. PAINTS SHALL BE TYPICAL PAINTS WITH TERRAZZO TOP AND BRICK CHIMNEY. PAINTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
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 22. PAINTS SHALL BE TYPICAL PAINTS WITH TERRAZZO TOP AND BRICK CHIMNEY. PAINTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
- GLAZING
 23. GLAZING SHALL BE TYPICAL GLAZING WITH TERRAZZO TOP AND BRICK CHIMNEY. GLAZING SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
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 26. GLAZING SHALL BE TYPICAL GLAZING WITH TERRAZZO TOP AND BRICK CHIMNEY. GLAZING SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
- GENERAL NOTES
 27. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
 28. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.
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 30. STUCCO SHALL BE TYPICAL STUCCO COLOR FINISH WITH TERRAZZO TOP AND BRICK CHIMNEY. STUCCO SHALL BE CONSTRUCTED IN ACCORDANCE WITH CALIFORNIA BUILDING CODES.



1 MAIN HOUSE ELEVATION : WEST ELEVATION



2 MAIN HOUSE ELEVATION : SOUTH ELEVATION

EXTERIOR ELEVATIONS GENERAL NOTES

1. CHIMNEY FRUITS TO BE TYPICAL STUCCO COLOR, REDUCE AND STAIN AS NOTED TO COORDINATE WITH HOUSE AND STAIN AS NOTED TO COORDINATE WITH HOUSE.
2. CHIMNEY TO BE CONSTRUCTED HANGING A FOOTING 2' CLEARANCE BOTTOMS OF CURTAINABLE FRAMES AND AS NOTED ON ELEVATION SECTION.
3. ARCHITECT NOTES TO HAVE TERRA COTTA ENCLOSURES TO MATCH TERRA COTTA.
4. ROOF DRAINAGE TO BE COLLECTED IN A DRAINAGE SYSTEM WITH CONNECTION TO THE SANTA LUCIA CREEK AS NOTED ON ELEVATION SECTION.
5. ALL GUTTERS TO BE GALVANIZED STEEL, WITH DOWNSPUTS TO BE COPPER, WITH DOWN SPUTS OF COPPER. DOWNSPUTS TO BE GALVANIZED STEEL, WITH DOWN SPUTS OF COPPER.
6. EXTERIOR LIGHTING TO BE AS NOTED ON ELEVATION SECTION.
7. ALL OTHERS AND EXTERIOR WORK SHALL BE OF THE BEST QUALITY AND SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECT. ALL EXTERIOR WORK SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECT.
8. STONE VENEER TO BE TYPICAL, SET BY CLASS STONE APPROXIMATELY 1/4" ABOVE FINISH STUCCO, SET BY APPROXIMATELY 1/4" ABOVE FINISH STUCCO.
9. MOUNTAIN WARE, BRICKS AND SILLS TO BE LITENING FOR EXTERIOR USE.
10. MOUNTAIN CONTRACTOR SHALL CLEAN ALL EXPOSED BRICKS AND SILLS WITH A BRUSH AND WATER, AND AS SOON AS PRACTICABLE AFTER INSTALLATION, AND ALL EXPOSED BRICKS AND SILLS TO BE PAINTED WITH ANTI-RUST PAINT, NATURAL STAIN.
11. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
12. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
13. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
14. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
15. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
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17. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
18. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
19. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
20. FINISH OF THE SIZES INDICATED ON DRAWING.

EXTERIOR FINISH

1. STUCCO TO BE TYPICAL FROM 'SANTANA' OR SIMILAR BRAND, SET BY APPROXIMATELY 1/4" ABOVE FINISH STUCCO, SET BY APPROXIMATELY 1/4" ABOVE FINISH STUCCO.
2. STONE VENEER TO BE TYPICAL, SET BY CLASS STONE APPROXIMATELY 1/4" ABOVE FINISH STUCCO, SET BY APPROXIMATELY 1/4" ABOVE FINISH STUCCO.
3. MOUNTAIN WARE, BRICKS AND SILLS TO BE LITENING FOR EXTERIOR USE.
4. MOUNTAIN CONTRACTOR SHALL CLEAN ALL EXPOSED BRICKS AND SILLS WITH A BRUSH AND WATER, AND AS SOON AS PRACTICABLE AFTER INSTALLATION, AND ALL EXPOSED BRICKS AND SILLS TO BE PAINTED WITH ANTI-RUST PAINT, NATURAL STAIN.
5. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
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10. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
11. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
12. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
13. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
14. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
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19. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
20. FINISH OF THE SIZES INDICATED ON DRAWING.

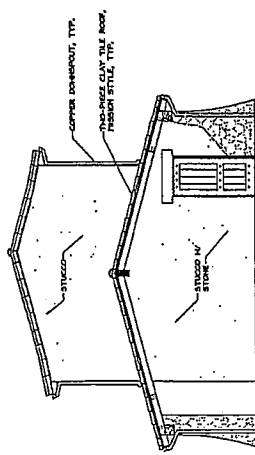
GENERAL NOTES

1. ALL EXTERIOR AND EXTERIOR WORK SHALL BE OF THE BEST QUALITY AND SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECT.
2. STONE VENEER TO BE TYPICAL, SET BY CLASS STONE APPROXIMATELY 1/4" ABOVE FINISH STUCCO, SET BY APPROXIMATELY 1/4" ABOVE FINISH STUCCO.
3. MOUNTAIN WARE, BRICKS AND SILLS TO BE LITENING FOR EXTERIOR USE.
4. MOUNTAIN CONTRACTOR SHALL CLEAN ALL EXPOSED BRICKS AND SILLS WITH A BRUSH AND WATER, AND AS SOON AS PRACTICABLE AFTER INSTALLATION, AND ALL EXPOSED BRICKS AND SILLS TO BE PAINTED WITH ANTI-RUST PAINT, NATURAL STAIN.
5. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
6. ALL EXTERIOR HOOD SHALL BE MADE HEATED AND STAINED WITH ANTI-RUST PAINT, NATURAL STAIN.
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20. FINISH OF THE SIZES INDICATED ON DRAWING.

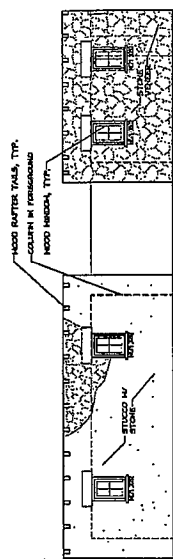
Exhibit E
Page 44 of 52 Pages

DAHLQUIST and LUTZOW ARCHITECTS, LTD.
Architects | Pasadena | California
190 N. Lake Avenue, Suite 1000 | Pasadena, CA 91103
Tel: 626.792.8800 | Fax: 626.792.8801
www.dahlquistandlutzow.com

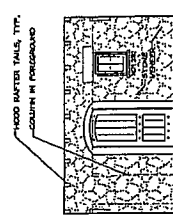
BRINBERG RESIDENCE
LOT 07 - SANTA LUCIA PRESERVE
8 CORRAL RUN
CARMEL, CALIFORNIA 93923
A3-1



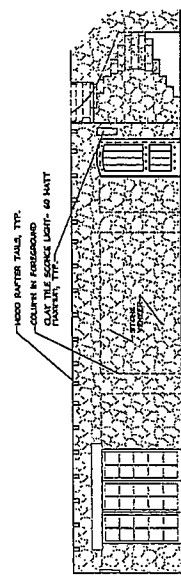
1 PARTIAL NORTH ELEVATION MAIN HOUSE-BEDROOM THREE



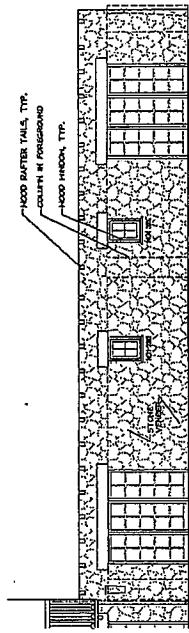
2 PARTIAL SOUTH ELEVATION MAIN HOUSE



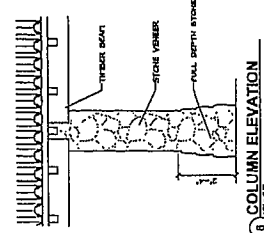
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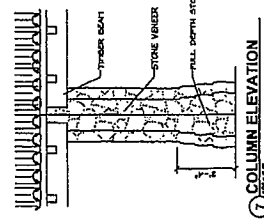
4 PARTIAL SOUTHEAST ELEVATION MAIN HOUSE



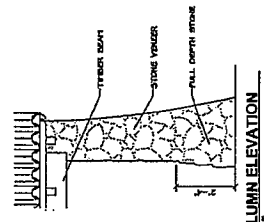
5 PARTIAL SOUTHWEST ELEVATION MAIN HOUSE



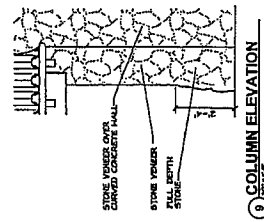
6 COLUMN ELEVATION



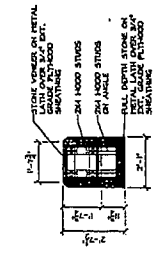
7 COLUMN ELEVATION



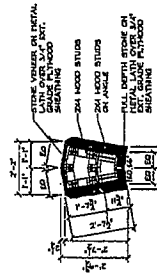
8 COLUMN ELEVATION



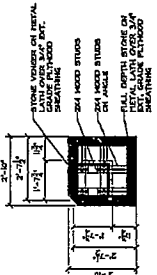
9 COLUMN ELEVATION



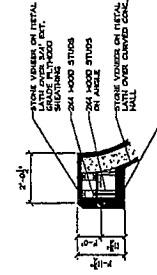
10 COLUMN PLAN



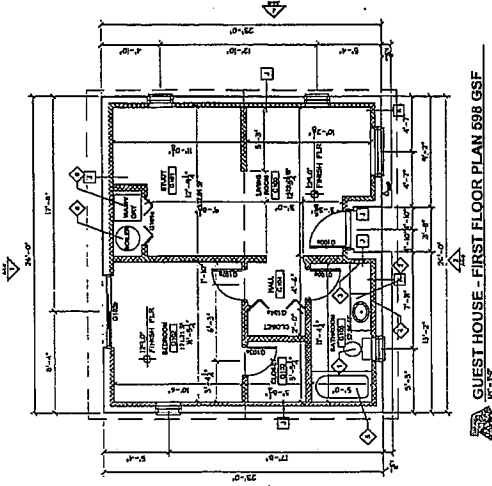
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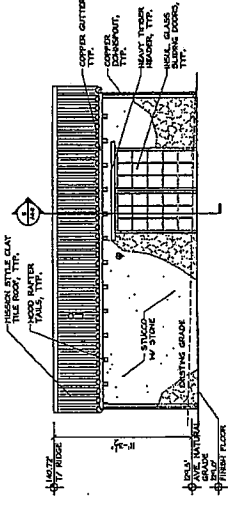
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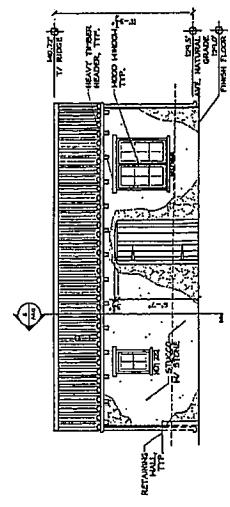
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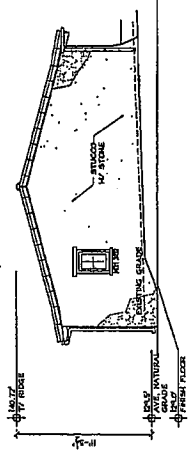
GUEST HOUSE - FIRST FLOOR PLAN 538 GSF



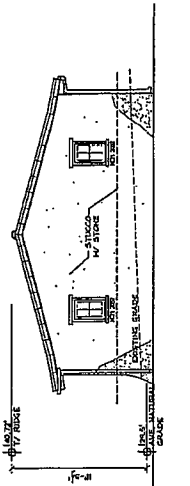
1 GUEST HOUSE ELEVATION - NORTH-WEST



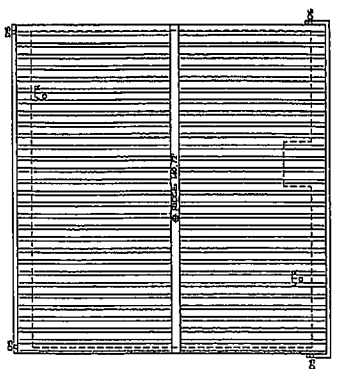
2 GUEST HOUSE ELEVATION - SOUTH-EAST



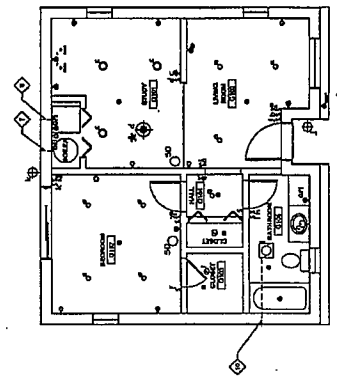
3 GUEST HOUSE ELEVATION - NORTH-EAST



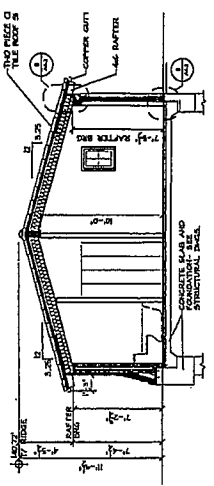
4 GUEST HOUSE ELEVATION - SOUTH-WEST



GUEST HOUSE - ROOF PLAN

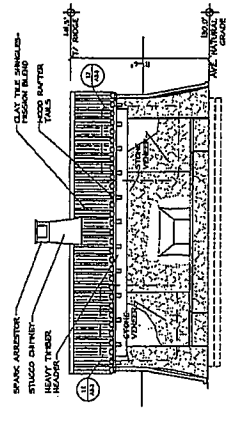
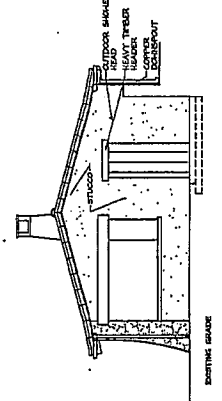
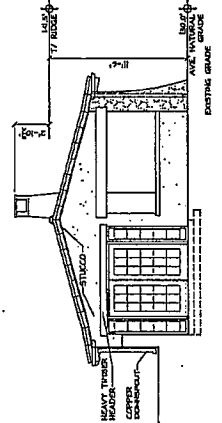
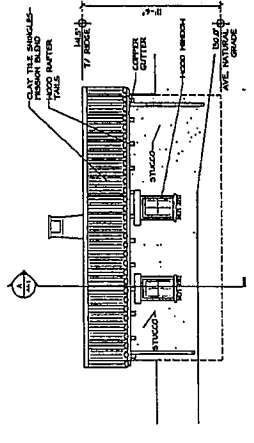
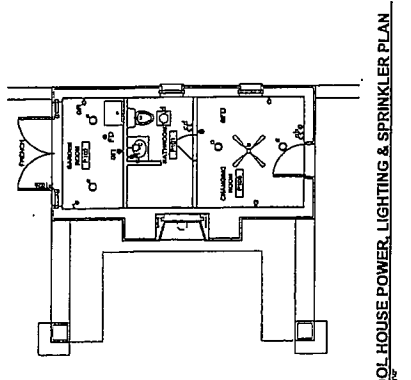
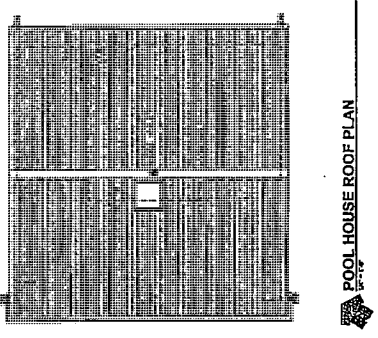
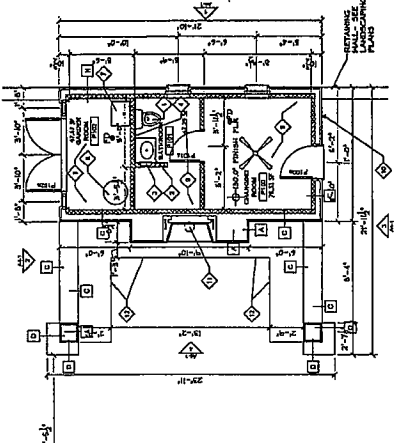
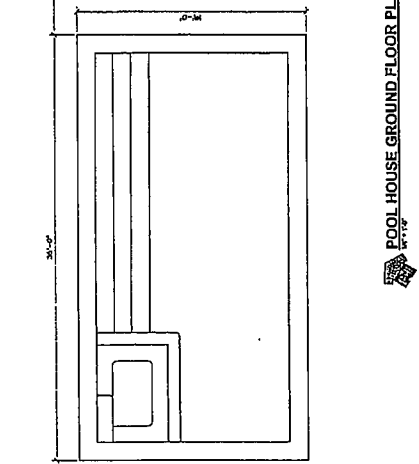


5 GUEST HOUSE POWER, LIGHTING & SPRINKLER PLAN



6 GUEST HOUSE SECTION

| LEGEND - GUEST HOUSE | | GUEST HOUSE KEYNOTES | |
|--|-----------------------|----------------------|---|
| ----- | STICK STUD | ◆ | TOILET |
| ===== | GYPSUM BOARD | ◆ | TOILET VENTING SYSTEM OVER TOILET AT PL. |
| ----- | PLASTER OVER MULBOARD | ◆ | RECELDED FINISHING CEMENT |
| ◆ | | ◆ | HALL HALL TRIMMER JOCKEY VENTY TOP |
| ◆ | | ◆ | HIGH EFFICIENCY LP-BURNED BURNER IN KITCHEN FOR DOMESTIC COOKING. SEE SPECIFICATIONS FOR FURNACE. |
| ◆ | | ◆ | PVC DUCTWORK AND EXHAUST ARE INTAKE THROUGH HALL |
| ◆ | | ◆ | STACKABLE HUBBERS AND DRYER PROVIDED BY OWNER |
| ◆ | | ◆ | DRYER VENT IN BACKDRAFT DAMPER |
| ◆ | | ◆ | BATH EXHAUST THROUGH HALL IN CAP AND BACKDRAFT DAMPER |
| SEE SHEET ALSO FOR POWER, LIGHTING AND SPRINKLER NOTES AND LEGENDS | | | |

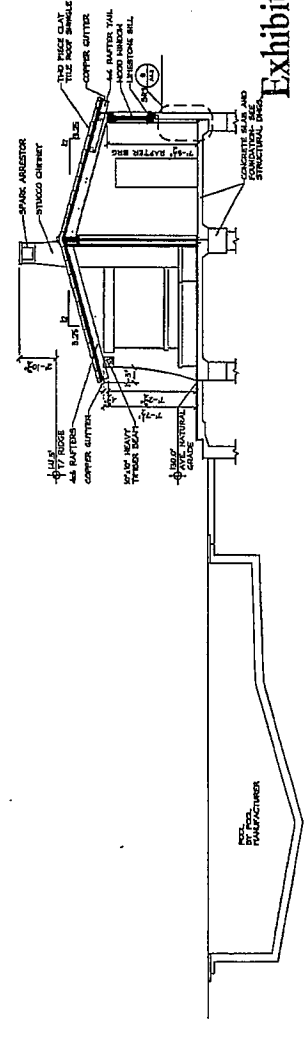


1 POOL HOUSE ELEVATION - NORTH-EAST

2 POOL HOUSE ELEVATION - NORTH-WEST

3 POOL HOUSE ELEVATION - SOUTH-EAST

4 POOL HOUSE ELEVATION - SOUTH-WEST

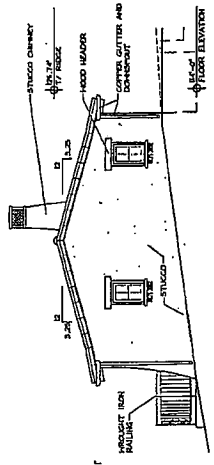


| POOL HOUSE KEYNOTES | |
|---------------------|---|
| TAG | DESCRIPTION |
| ◇ | TOILET - VERIFY WITH OWNER. |
| ◇ | WARRANTY - VERIFY WITH OWNER. |
| ◇ | RECESSED PANORIC CABINET. |
| ◇ | FULL HALL FINISH ABOVE VANITY TOP. |
| ◇ | NOT USED. |
| ◇ | SEE PLAN FOR 1/2" ROOF INSULATION IN VAULT AND EXTERIOR WALLS AND 2" FLOOR INSULATION IN HALL AND BATH. |
| ◇ | CONCRETE FLOOR IN VAULT BASE. |
| ◇ | SHIRT VENTS, FLOOR IN VAULT BASE. |
| ◇ | OUTDOOR BRONZE HEAD. |
| ◇ | BRONZE CAS PRESSURE - INSTALLED FOR MANUFACTURER'S RECOMMENDATION. |
| ◇ | SEE PLAN FOR BRONZE HEAD, BATH EXTENSION, BATH CABINETS AND BRONZE EXTENSION. |
| ◇ | STONE BENCH. |

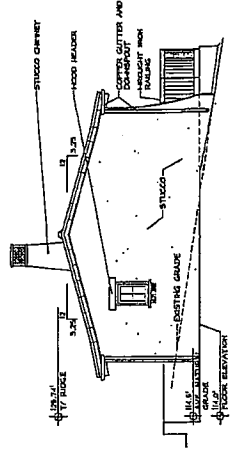
| LEGEND - GUEST HOUSE | |
|----------------------|-----------------------|
| ———— | STONE VOUCHER |
| ———— | GYPHUM BOARD |
| ———— | PLASTER OVER SUBGRADE |

NOTE: SEE SHEET A4-1 FOR POWER, LIGHTING AND SPRINKLER NOTES AND DETAILS.

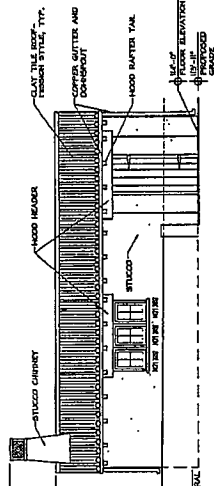
Exhibit E
 Page 48 of 52 Pages



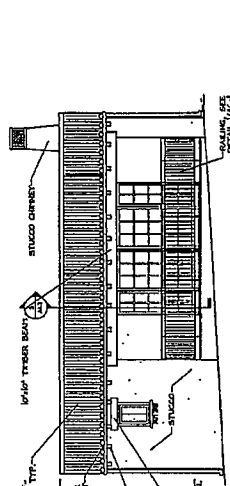
2 STUDIO ELEVATION: SOUTH-WEST



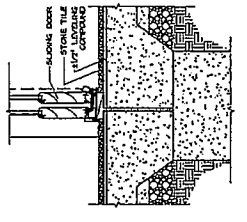
4 STUDIO ELEVATION: NORTH-EAST



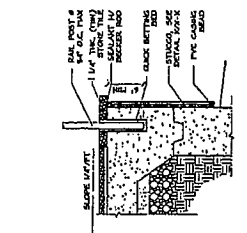
1 STUDIO ELEVATION: SOUTH-EAST



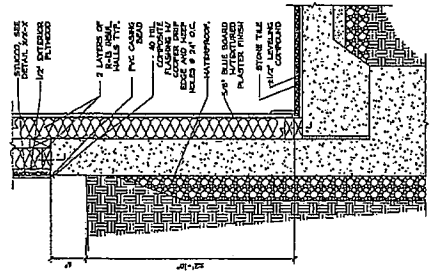
3 STUDIO ELEVATION: NORTH-WEST



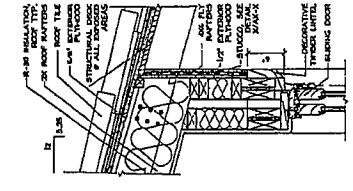
6 DETAIL



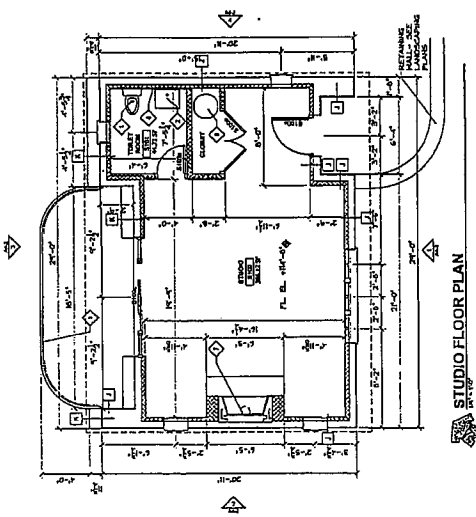
7 DETAIL



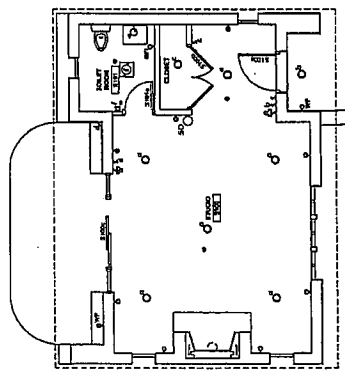
9 DETAIL



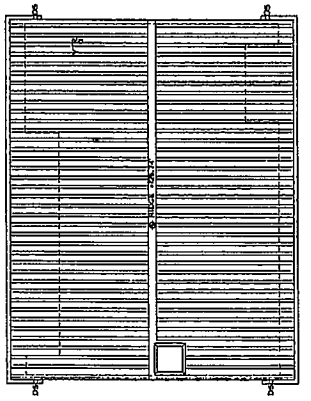
10 DETAIL



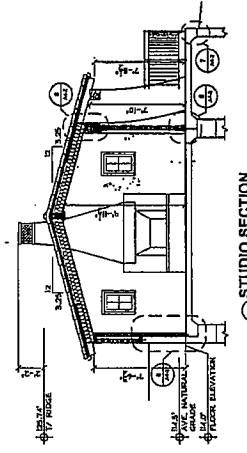
STUDIO FLOOR PLAN



STUDIO POWER, LIGHTING & SPRINKLER PLAN



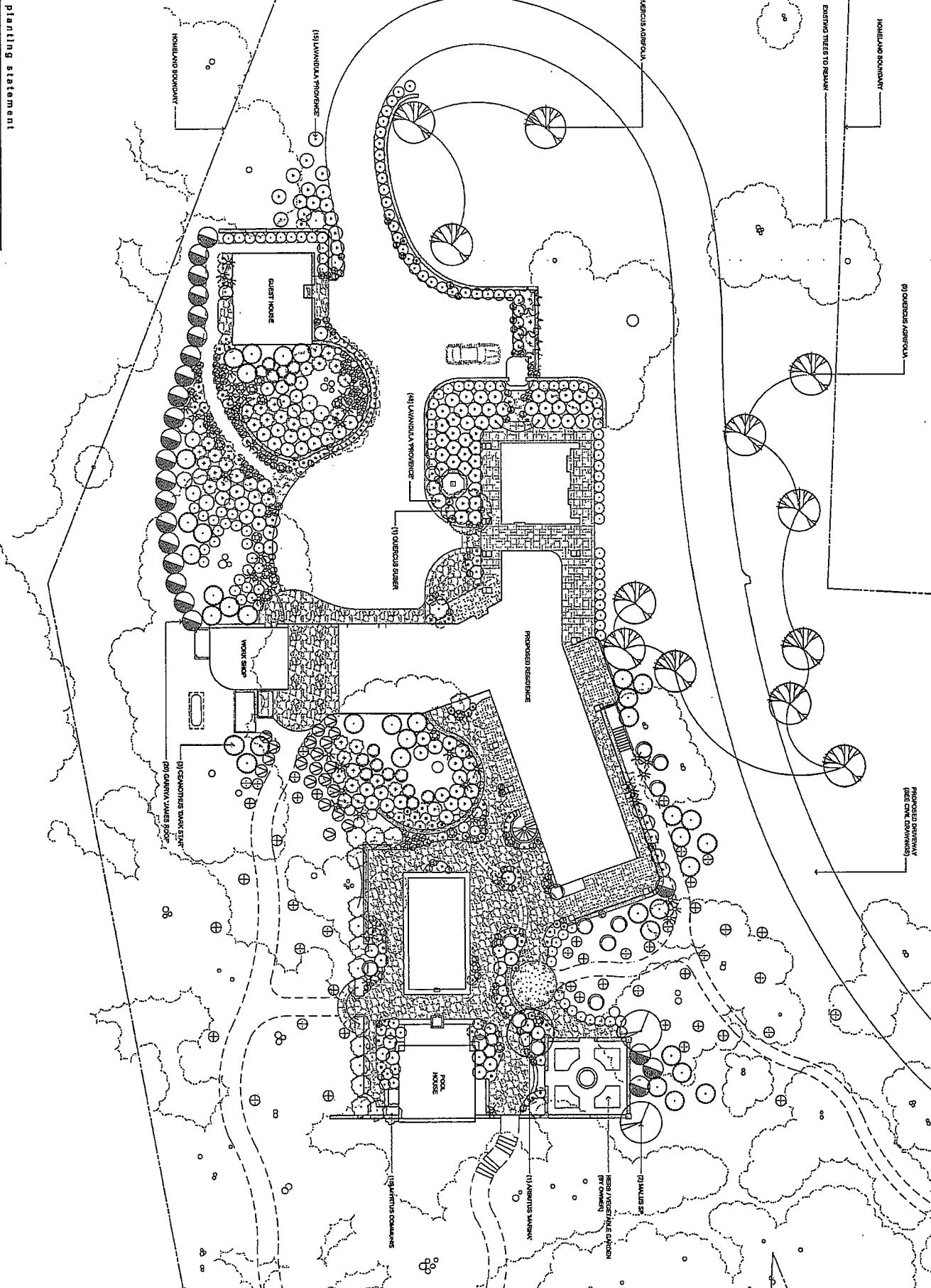
STUDIO ROOF PLAN



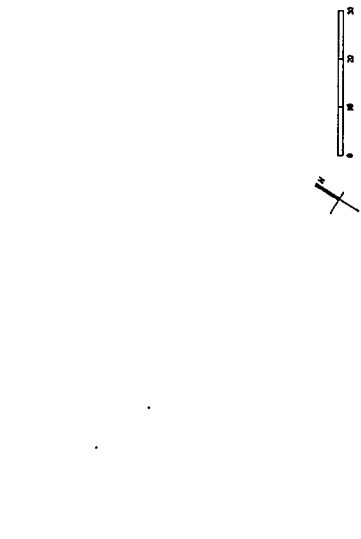
5 STUDIO SECTION

| STUDIO KEYNOTES | |
|-----------------|--|
| TAG | DESCRIPTION |
| ◆ | STONE VENEER |
| ◆ | TRYPART BOARD |
| ◆ | PLASTER OVER GIBBSBOARD |
| ◆ | TOILET |
| ◆ | TUB SINK |
| ◆ | ACCESSORY TUBSINK CABINET |
| ◆ | FULL WALL TUBSINK ABOVE VANITY TOP |
| ◆ | HIDDEN BROW RAILING |
| ◆ | ROOF RAFTERS AND TRUSSES ARE NOT IDENTICAL TO THE EXISTING ROOF RAFTERS AND TRUSSES. THIS STRUCTURE COMPLETION, THIS STRUCTURE |
| ◆ | STRUCTURAL LOADS INCLUDE: CEILING, FLOOR, WIND, SEISMIC, FLOOD, AND AIR. ALL STRUCTURAL LOADS INCLUDE: CEILING, FLOOR, WIND, SEISMIC, FLOOD, AND AIR. ALL STRUCTURAL LOADS INCLUDE: CEILING, FLOOR, WIND, SEISMIC, FLOOD, AND AIR. |

Planting Statement
 This plan shows the proposed planting for the Birnberg Residence. The planting is intended to provide a high level of privacy and security while maintaining an open and airy atmosphere. The planting is to be installed in accordance with the following schedule:



| | | |
|------|---|---|
| 13-1 | BIRNBERG RESIDENCE LOT D7 - SANTA LUCIA PRESERVE 8 CORRAL RUN CARMEL, CALIFORNIA 93823 | DAHLQUIST and LUTZOW Ltd. 432 N. Midway Boulevard 16 Red Creek Lane, Suite 400 Elgin, IL 60120 p. 815.742.4000 f. 815.742.8124 t. 815.236.2624 |
|------|---|---|



Partial Planting Plan

Plant Legend

| Latin Name | Common Name | Qty | Size | Latin Name | Common Name | Qty | Size |
|---------------------------------------|-----------------|-----|----------|---|---------------------|-----|---------|
| <i>Arctostaphylos 'Winegrow'</i> | Mandarin | 1 | 48" Box | <i>Scorodiscus</i> | Mandarin Glory | 13 | 1 Galon |
| <i>Arctostaphylos 'Marine'</i> | Apple | 2 | 48" Box | <i>Convolvulus mauritanicus</i> | Santa Barbara Daisy | 78 | 1 Galon |
| <i>Malus sp</i> | Coast Live Oak | 12 | 48" Box | <i>Edigeon 'Pulsator'</i> | California Fescue | 60 | 1 Galon |
| <i>Quercus agrifolia</i> | Cork Oak | 1 | 48" Box | <i>Festuca californica 'Scott Mountain'</i> | Hoply's Oregon | 18 | 1 Galon |
| <i>Quercus suber</i> | Mancanita | 27 | 1 Galon | <i>Origanum 'Hopleys Purple'</i> | Flag Iris | 35 | 1 Galon |
| <i>Arctostaphylos 'Winegrow'</i> | Wild Lilac | 40 | 5 Galon | <i>Othostemum multiflorus</i> | Russian Sage | 18 | 1 Galon |
| <i>Ceanothus 'Dark Star'</i> | Wild Olive | 14 | 1 Galon | <i>Prinosella 'Blue Spines'</i> | Gemmandar | 82 | 1 Galon |
| <i>Ceanothus 'Kum Zudnik'</i> | SIA Tassal Blah | 24 | 5 Galon | <i>Teucrium chamaedrya</i> | Thyme | 55 | 1 Galon |
| <i>Gerya 'epipha 'James Roof'</i> | Lawender | 107 | 1 Galon | <i>Thymus 'Udea Wayne'</i> | Vervain | 13 | 1 Galon |
| <i>Leucodius 'Marmaris 'Provence'</i> | Greisen Bay | 3 | 15 Galon | <i>Verbena 'Du Le Mio'</i> | Rose | 1 | 5 Galon |
| <i>Laurea nobilis</i> | Groden Myrs | 16 | 5 Galon | <i>Rosa 'Sally Holmes'</i> | Barkite Rose | 2 | 5 Galon |
| <i>Nyctes comaritis</i> | Jensalim Sage | 8 | 1 Galon | <i>Rosa barkite 'Alba Pink'</i> | Rose | 1 | 5 Galon |
| <i>Phonix 'Judeca'</i> | Rosemary | 43 | 1 Galon | <i>Rosa 'Madame Alfred Carriere'</i> | | | |
| <i>Rosmarinus 'Ken Taylor'</i> | Rosemary | 87 | 1 Galon | | | | |
| <i>Romatidius 'Tuscan Blue'</i> | Lawender Colton | 13 | 1 Galon | | | | |
| <i>Santolina 'Lemon Queen'</i> | Coast Rosemary | 23 | 1 Galon | | | | |
| <i>Westingha 'Judeca'</i> | | | | | | | |

Native Hydroseed Mix

| Latin Name | Qty | Size |
|---------------------------|------------|------|
| <i>Quercus agrifolia</i> | 11 / acre | seed |
| <i>Quercus laevis</i> | 27 / acre | seed |
| <i>Quercus macrocarpa</i> | 21 / acre | seed |
| <i>Quercus sp.</i> | 81 / acre | seed |
| <i>Quercus sp.</i> | 127 / acre | seed |



CARMEL VALLEY

APPLICANT: BIRNBERG

APN: 239-101-017-000

FILE # PLN060760

 300' Limit
 2500' Limit
 City Limits

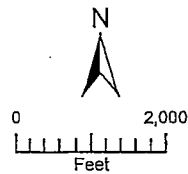


Exhibit E

PLANNER: LYONS