

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

In the matter of the application of:

BIG SUR PRESERVATION ALLIANCE (PLN100493)

RESOLUTION NO. 11-005

Resolution by the Monterey County Minor Subdivision Committee:

- 1) Categorically Exempting the project from environmental review pursuant to Section 15305 of the CEQA Guidelines, and
- 2) Approving the Amendment to a previously approved Coastal Development Permit (PLN070512) for a Lot Line Adjustment between four legal lots of record consisting of one 81.43 acre parcel (Parcel 1, Assessor's Parcel Number 422-011-025-000), one 147.5 acre parcel (Parcel 2, Assessor's Parcel Number 422-011-026-000), one 59.9 acre parcel (Parcel 3, Assessor's Parcel Number 422-011-028-000), and one 54 acre parcel (Parcel 4, Assessor's Parcel Number 422-011-029-000) merging into three lots consisting of one 228.93 acre parcel (Parcel A), one 59.9 acre parcel (Parcel B), and one 54 acre parcel (Parcel C), respectively.

(PLN100493, Big Sur Preservation Alliance, 62245 Highway 1, Big Sur, Big Sur Coast Land Use Plan (APN: 422-011-025-000; 422-011-026-000; 422-011-028; and 422-011-029-000)

The Lot Line Adjustment application (PLN100493) came on for public hearing before the Monterey County Minor Subdivision Committee on March 10, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Minor Subdivision Committee finds and decides as follows:

FINDINGS

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

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 1982 Monterey County General Plan;
- Big Sur Coast Land Use Plan;
- Big Sur Coastal Implementation Plan, Part 3;
- Monterey County Zoning Ordinance (Title 20); and
- Monterey County Coastal Subdivision Ordinance (Title 19 - Coastal)

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 comprises a portion of the former Harlan Ranch and is located at 62245 Highway 1, Big Sur (Assessor's Parcel Numbers 422-011-025-000; 422-011-026-000; 422-011-028; and 422-011-029-000, Big Sur Coast Land Use Plan. The parcel is zoned "WSC/40-D(CZ)" [Watershed and Scenic Conservation, 40 acres per unit with a Design Control overlay district (Coastal Zone)], which allows for lot line adjustments consistent with the minimum building site of one acre. Therefore, the project is an allowed land use for this site.
- c) The new parcels must comply with the requirements of the Big Sur Coast Land Use Plan Development Policy 5.4.2.8 LUP and Section 20.145.140.A.7 of the Big Sur CIP that requires lands in excess of thirty percent cross slope located east of Highway 1 meet the following slope density formula:
- 1 unit per 40 acres for slope less than 15%
 - 1 unit per 80 acres for slope between 15 and 30%
 - 1 unit for 320 units for slope greater than 30%

The resulting Parcel A currently contains a single family dwelling and, based on the slope density formula, one (1) additional single family dwelling would be allowed. The resulting Parcel B contains a single family dwelling and based on the slope density formula, an additional single family dwelling will not be allowed. See table below:

Parcel	Total Acres	1-15%	15-30%	30%+	Existing Units	Potential Units
A	228.93	3.33	23.45	202.15	1	1.01
B	59.9	1.14	3.95	54.81	1	.25
Total	288.83	4.47	27.4	256.96	2	1.26

Prior to the lot line adjustment, there is a potential for one additional unit between the three subject parcels. Therefore the additional potential unit will not result in the increase of development as a result of this lot line adjustment. The proposed Parcel C is located west of Highway 1 and is not subject to the Big Sur Coast Land Use Plan Policy. Rather, the Parcel is limited to a density of one (1) unit per 40 acres (Section 20.145.140.A.7 of the Big Sur CIP).

- d) The project planner conducted a site inspection on September 1, 2010 to verify that the project conforms to the plans listed above. Based on the allowed density, both proposed Parcel A and Parcel C have the potential for a single family dwelling. These parcels contain suitable areas for development that meets LUP policies for biological resources (ESHA), development on slopes, and visual resources. Potential building sites have been designated on the subject properties (see subsequent Finding No. 7, Evidence e), restricting future development to designated areas. The identified building areas do not guarantee future development but have been sited in areas with the greatest amount of potential to meet the policies of the Big Sur Coast Land Use Plan. Any future development will require implementation of the Big Sur Coast Land Use Plan policies for scenic resources and future development of the property will need to be located in the least visible area. Access to the

- designated building sites are provided by existing ranch roads on the property and in order to assure that there would be no need for a new, separate access causing development on 30% slope and within the critical viewshed, a condition has been incorporated requiring the placement of the existing ranch road into a right-of-way easement.
- e) The project is consistent with Big Sur Coast Land Use Plan policies that require development outside of the viewshed from Highway 1 and away from ridgelines. The proposed Parcel A and Parcel C (an undeveloped parcel) will result with frontage along Highway 1 considered to be critical viewshed. Staff conducted a site visit on September 1, 2010 and determined that the designated building sites on Parcel A and Parcel C can be developed with a substantial home and not be located in the critical viewshed. Based on the slope density analysis (previous Evidence c), an additional dwelling unit is not allowed on the proposed Parcel B. However, should the owner/applicant decided to demolish and relocate the existing single family dwelling, a designated building site has been identified in an area outside of the critical viewshed.
 - f) The project is consistent with the Big Sur Coast Land Use Plan policies that require development more than 100 feet from environmentally sensitive habitat. The property is mostly grassland with scattered stands of redwood, cypress and pine. A variety of plant species is also present, especially wildflowers. Natural springs are available and marked by the former owner. Forested areas are generally located along the existing streams where no new development would occur. The designated building sites for Parcel A and Parcel C would be located more than 100 feet from these resources. Based on the slope density analysis (previous Evidence c), an additional dwelling unit is not allowed on the proposed Parcel B. However, should the owner/applicant decided to demolish and relocate the existing single family dwelling, a designated building site has been identified in an area more than 100 feet from an environmentally sensitive habitat.
 - g) The project was not referred to the Big Sur Coast Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the lot line adjustment involved no conflicts (Finding Nos. 7, 7A, and 7B) and the project was found to be exempt from environmental review (Finding No. 5).
 - h) 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 PLN100493.

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, Cal-Fire Coastal 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 did not identify potential impacts caused by the proposed project. In addition, the project was found to be exempt from environmental review (Finding No. 5). Therefore, no technical reports by outside consultants were required to be submitted by the applicant.
- c) Staff conducted a site inspection on September 1, 2010 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 PLN100493.

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 Cal-Fire Coastal 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) Parcel A and Parcel B include existing development for which there are existing water and septic facilities. No further development is included as part of the project; therefore, water and septic availability was not an issue. Any potential future development on Parcel A and Parcel C can also be placed outside of viewshed and not require tree removal or disturbance of sensitive plants or environments. As a requirement by the Environmental Health Bureau, feasibility for water and septic facilities will be reviewed prior to the establishment of a single family dwelling.
 - c) Preceding Finding No. 1 and subsequent Finding Nos. 5, 6, 7, 7A, and 7B and supporting evidence for PLN100493.

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

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on September 1, 2010 and researched County records to assess if any violation exists on the subject property.
 - c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100493.

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

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15305, Class 5 (a) categorically exempts Minor Lot Line Adjustments.
 - b) Two of the three resulting parcels (Parcels A and B) are developed with single family dwellings. Parcel A and Parcel C have adequate areas for future development that is less than 20% average grade. Therefore, this project qualifies for a Class 5 Categorical Exemption.
 - c) The current Lot Line Adjustment is not proposing any additional development and has met all of the requirements of Title 19 Subdivision Ordinance (Coastal) and Title 20 Zoning Ordinance.
 - d) No adverse environmental effects were identified during staff review of the development application during a site visit on September 1, 2010.
 - e) The property would need a biological report and visual assessment if/when development is proposed; however, there are building sites identified that can avoid impact to ESHA, slopes, and viewshed. With careful planning and analysis, the existing access road can serve future building sites without affecting the viewshed or slopes. Any request to develop in a manner that impacts ESHA, slopes or viewshed would require a Coastal Development Permit; and therefore, would be subject to separate CEQA review. To assume this would occur is speculative at this time.
 - f) CEQA Guidelines Section 15300.2 lists exceptions to categorical exemptions. None of the exceptions can be made because the lot line adjustment will not impact an environmental resource of hazardous or critical concern; create a cumulative impact; does not have any unusual circumstance; result in the damage of a scenic resource; the subject properties are not located on a hazardous waste site; nor are there historical resources on the property which will be affected by the lot line adjustment. Therefore, the proposed project is exempt from environmental review.
 - g) See preceding and following findings and supporting evidence.

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

- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.150.B.4 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 2, Shoreline Access Plan, of the Big Sur Coast Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) The application, plans and supporting materials submitted by the project

applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100493.

- e) The project planner conducted a site inspection on September 1, 2010.

7. **FINDING:** **LOT LINE ADJUSTMENT** –The parcels resulting from the lot line adjustment conform to County’s general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

EVIDENCE: a) The Planning Department staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

1. Monterey County Coastal Subdivision Ordinance (Title 19).
2. Chapter 20.17 of the Monterey County Zoning Ordinance regulations for development in the Watershed Scenic Conservation (WSC) zone.
3. Chapter 20.70 of the Monterey County Zoning Ordinance regulations for Coastal Development Permits.

- b) The property is zoned “WSC/40 (CZ)” Watershed Scenic Conservation, 40 acres per unit, Coastal Zone. The proposed lots are all greater than 40 acres. No additional development is proposed at this time.
- c) The project area has a total of 342.83 acres. Proposed amendments include the consolidation of Parcel 1 of 81.43 acres (Assessor's Parcel Number 422-011-025-000), Parcel 2 of 147.5 acres (Assessor's Parcel Number 422-011-026-000), and Parcel 3 of 59.9 acres (Parcel 3, Assessor's Parcel Number 422-011-028-000) resulting in one 228.93 acre parcel (Parcel A), one 59.9 acre parcel (Parcel B), and one 54 acre parcel (Parcel C), respectively. The boundaries of Parcel 4 (54 acres) will not be adjusted; however, as part of the lot line adjustment, the lot will be memorialized as a legal lot of record Parcel C¹.
- d) Pursuant to Government Code Section 66412 (Subdivision Map Act) and Monterey County Subdivision Ordinance (Section 19.09.025.B.1) the lot line adjustment is between two or more existing adjacent parcels. The lot line adjustment will adjust the boundaries between three (3) existing adjacent legal parcels of record and the fourth adjacent lot will not be adjusted; however, as part of the lot line adjustment, the lot will be memorialized as a legal lot of record Parcel C. All subject parcels comprising this portion of the former Harlan Ranch were granted Unconditional Certificates of Compliance from the County of Monterey on September 7, 2007. The proposal meets the standards of Title 19 Subdivision Ordinance for a lot line adjustment “...between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created.”
- e) In order to preserve and conserve the great natural scenic beauty and existing openness of the subject properties, the applicant voluntarily conveyed a Deed of Open Space and Conservation and Scenic Easement (Monterey County Recorder Document No. 2010075225) to the County over all four parcels (Assessor’s Parcel Numbers 422-011-025-000; 422-011-026-000; 422-011-028; and 422-011-029-000). This

¹ A Certificate of Compliance (File No. CC070041) was issued by the County of Monterey for the parcel identified as Parcel 4, recognizing the parcel as a legal lot of record. However, the California Coastal Commission appealed the previous lot line adjustment (PLN070512) as they did not recognize the parcel as a separate legal lot of record.

eliminated all development rights on the property except for the five (5) identified Building Site Exclusion Areas where development could potentially occur (see **Exhibit D** of the March 10, 2011 Minor Subdivision Staff Report). As stated in the easement, designation of the building sites does not entitle development. Furthermore, future development will require review with a discretionary permit.

- f) The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 20). Staff verified that the subject properties are in compliance with all rules and regulations pertaining to the use of the property that no violations exist on the property. The dedicated building areas (see previous Evidence e) will not be affected by the lot line adjustment, remaining consistent with the site development standards of the Watershed and Scenic Conservation zoning district. Existing development on the resulting Parcel A and B are in compliance with setbacks, minimum lot size and coverage limits in Title 20, Zoning Ordinance. Existing septic systems and wells are not affected by the proposed lot line adjustment. Resulting Parcel A and Parcel C, which have the potential for development with a single family dwelling, contain areas that meet the site development standards of Title 20.
- g) As an exclusion to the Subdivision Map Act, no map is recorded for a lot line adjustment. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required (**Condition No. 5**).
- h) The project planner conducted a site inspection on September 1, 2010 to verify that the project would not conflict with zoning or building ordinances.
- i) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100493.

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

- EVIDENCE:**
- a) The lot line adjustment is between more than one and less than four existing adjacent parcels. Parcels 1, 2, and 3 are located northeast of Highway 1, with Parcels 2 and 3 directly north of the highway sharing property boundary lines and Parcels 1 and 2 sharing property boundary lines.
 - b) 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 PLN100493.

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

- EVIDENCE:**
- a) The lot line adjustment is between more than one and less than four existing adjacent parcels.
 - b) Pursuant to Government Code Section 66412 (Subdivision Map Act) and Monterey County Subdivision Ordinance (Section 19.09.025.B.2) a greater number of parcels than originally existed will not be created as

a result of the lot line adjustment. Four (4) contiguous separate legal parcels of record will be adjusted and three (3) contiguous separate legal parcels of record will result from the adjustment. No new parcels will be created.

- c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100493.

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

- EVIDENCE:**
- a) Section 20.86.030 of the Monterey County Zoning Ordinance (Board of Supervisors).
 - b) Section 20.86.080.A.2 of the Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because it is a conditional use allowed by the zoning district.

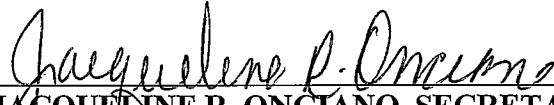
DECISION

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

- A. Categorically Exempt the project from Environmental Review pursuant to Section 15305 of the CEQA Guidelines, and
- B. Approve the Amendment to a previously approved Coastal Development Permit (PLN070512) for a Lot Line Adjustment between four legal lots of record consisting of one 81.43 acre parcel (Parcel 1, Assessor's Parcel Number 422-011-025-000), one 147.5 acre parcel (Parcel 2, Assessor's Parcel Number 422-011-026-000), one 59.9 acre parcel (Parcel 3, Assessor's Parcel Number 422-011-028-000), and one 54 acre parcel (Parcel 4, Assessor's Parcel Number 422-011-029-000) merging into three lots consisting of one 228.93 acre parcel (Parcel A), one 59.9 acre parcel (Parcel B), and one 54 acre parcel (Parcel C), respectively, in general conformance with the attached sketch and subject to the conditions, both being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 10th day of March, 2011 upon motion of Committee Member Vandevere, seconded by Committee Member McPharlin, by the following vote:

AYES: Alinio, McPharlin, Vandevere, Moss, Onciano, VanHorn
NOES: None.
ABSENT: None.
ABSTAIN: None.



JACQUELINE R. ONCIANO, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON **MAR 14 2011**

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 **MAR 24 2011**

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

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

NOTES

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

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

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

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

RESOLUTION No. 11-005
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: **BIG SUR PRESERVATION ALLIANCE**
 File No: **PLN100493** APNs: **422-011-025-000M**
 Approved by: **Minor Subdivision Committee** Date: **March 10, 2011**

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

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
RMA – Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This Amendment (PLN100493) to a previously approved Coastal Development Permit (PLN070512) allows a Lot Line Adjustment between four legal lots of record consisting of one 81.43 acre parcel (Parcel 1, Assessor's Parcel Number 422-011-025-000), one 147.5 acre parcel (Parcel 2, Assessor's Parcel Number 422-011-026-000), one 59.9 acre parcel (Parcel 3, Assessor's Parcel Number 422-011-028-000), and one 54 acre parcel (Parcel 4, Assessor's Parcel Number 422-011-029-000) merging into three lots consisting of one 228.93 acre parcel (Parcel A), one 59.9 acre parcel (Parcel B), and one 54 acre parcel (Parcel C), respectively. The property is located at 62245 Highway One, Big Sur (Assessor's Parcel Numbers 422-011-025-000; 422-011-026-000; 422-011-028; and 422-011-029-000), Big Sur Coast Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>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.</p> <p>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.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p> <p>WRA RMA - Planning</p>	<p>Ongoing unless otherwise stated</p>	

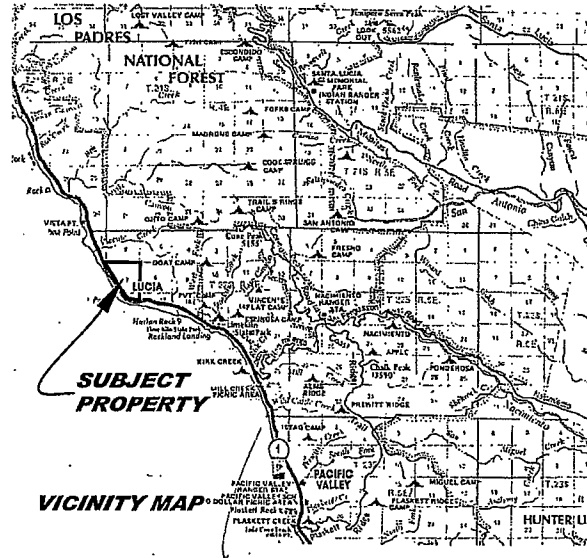
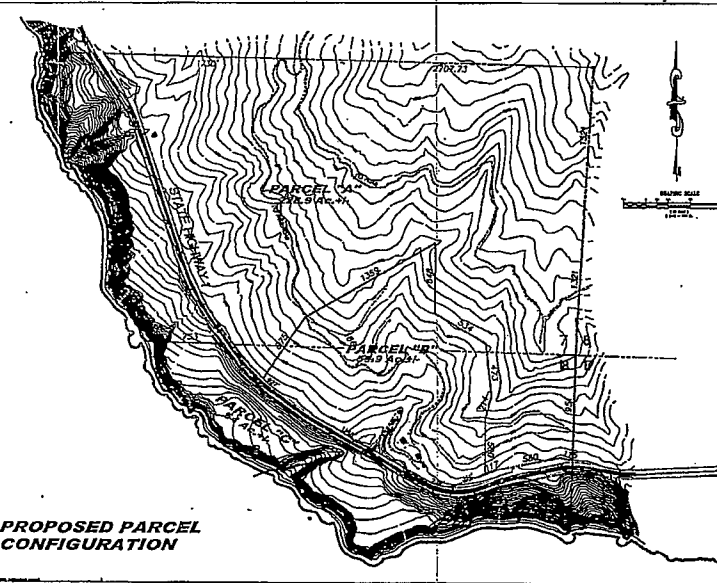
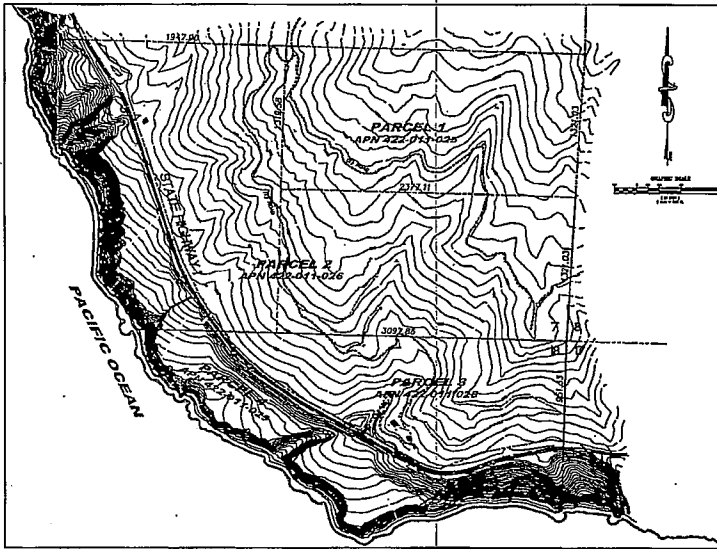
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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. (RMA-Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution No. 11-005) was approved by the Minor Subdivision Committee for Assessor's Parcel Number 422-011-025-000; 422-011-026-000; 422-011-028; and 422-011-029-000 on March 10, 2011. The permit was granted subject to 8 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 2 years, to expire on March 10, 2013 unless use of the property or actual construction has begun within this period. (RMA – Planning Department)	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	
4.		PD004 - INDEMNIFICATION AGREEMENT 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	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA –	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits,	

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)
		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)	Planning Department.		use of the property, filing of the parcel map, whichever occurs first and as applicable	
5.		PD045 – CERTIFICATES OF COMPLIANCE (LOT LINE ADJUSTMENTS) The applicant shall request unconditional certificates of compliance for the newly configured parcels. (RMA – Planning Department)	The Surveyor shall prepare legal descriptions for each newly configured parcel. The legal descriptions shall be entitled "Exhibit A". The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the <i>Monterey County Recorder</i> , for the	Owner/ Applicant/ Surveyor	Concurrent with recording the Record of Survey	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
			appropriate fees to record the certificates.			
6.		PDSP001 - ROAD EASEMENT (NON-STANDARD) Prior to filing the Record of Survey, the applicant shall include an easement for the existing ranch road retaining access across Parcel B to the new Parcel A. (RMA - Planning Department)	The Applicant's engineer shall include this easement on Lot Line Map.	Engineer	Prior to Recordation of Record of Survey	
RMA – Public Works Department						
7.		PW0034 – LOT LINE ADJUSTMENT Obtain a survey of the new line and have the line monumented. (Public Works)	Owner shall have a surveyor monument the new lines. Evidence of completion of monumentation shall be submitted to DPW for review and approval.	Owner/ Applicant/ Surveyor	Prior to Recordation of Record of Survey	
8.		PW0035 – RECORD OF SURVEY File a Record of Survey showing the new line and its monumentation. (Public Works)	Owner's Surveyor to prepare record of survey and submit to DPW for review and approval.	Owner/ Surveyor	Prior to Recordation of Record of Survey	

END OF CONDITIONS

Rev. 08/25/2010



NOTES:

THIS MAP PORTRAYS THE SITE AT THE TIME OF THE SURVEY AND DOES NOT SHOW SOILS OR GEOLOGY INFORMATION, UNDERGROUND CONDITIONS, EASEMENTS, ETC. REGULATORY INFORMATION OR ANY OTHER ITEMS NOT SPECIFICALLY REQUESTED BY THE PROPERTY OWNER.

THERE MAY BE EASEMENTS OR OTHER RIGHTS, RECORDED OR UNRECORDED, AFFECTING THE SUBJECT PROPERTY WHICH ARE NOT SHOWN HEREON.

UNDERGROUND UTILITIES, IF ANY, WERE NOT LOCATED. INFORMATION REGARDING UNDERGROUND UTILITY LOCATIONS SHOULD BE OBTAINED FROM THE APPROPRIATE UTILITY COMPANIES OR PUBLIC AGENCIES.

DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF. PARENTHESES DENOTE RECORD DATA.

EXISTING PARCEL CONFIGURATION

- PARCEL 1 APN 422-011-025 81.43 ACRES +/-
CERTIFICATE OF COMPLIANCE RECORDED 10/05/07 IN THE RECORDS OF MONTEREY COUNTY, DOCUMENT #2007075885, AS SHOWN IN VOLUME 29 OF SURVEYS AT PAGE 79, PARCEL 1
- PARCEL 2 APN 422-011-026 147.5 ACRES +/-
CERTIFICATE OF COMPLIANCE RECORDED 10/05/07 IN THE RECORDS OF MONTEREY COUNTY, DOCUMENT #2007075884, AS SHOWN IN VOLUME 29 OF SURVEYS AT PAGE 79, PARCEL 2
- PARCEL 3 APN 422-011-028 59.9 ACRES +/-
CERTIFICATE OF COMPLIANCE RECORDED 10/05/07 IN THE RECORDS OF MONTEREY COUNTY, DOCUMENT #2007075882, AS SHOWN IN VOLUME 29 OF SURVEYS AT PAGE 79, PARCEL 4
- PARCEL 4 APN 422-011-029 54 ACRES +/-
CERTIFICATE OF COMPLIANCE RECORDED 10/05/07 IN THE RECORDS OF MONTEREY COUNTY, DOCUMENT #2007075881, AS SHOWN IN VOLUME 29 OF SURVEYS AT PAGE 79, PARCEL 5

OWNER AND CONTACT INFORMATION

BIG SUR PRESERVATION ALLIANCE
233 WILSHIRE BLVD.
SANTA MONICA, CA 90401-1205

AGENT:
ARDEN HANDSHY
LAND USE FACILITATOR
P.O. BOX 51758
PACIFIC GROVE, CA 93950
TEL: (631) 649-6420
ARDENHANDSHY.COM

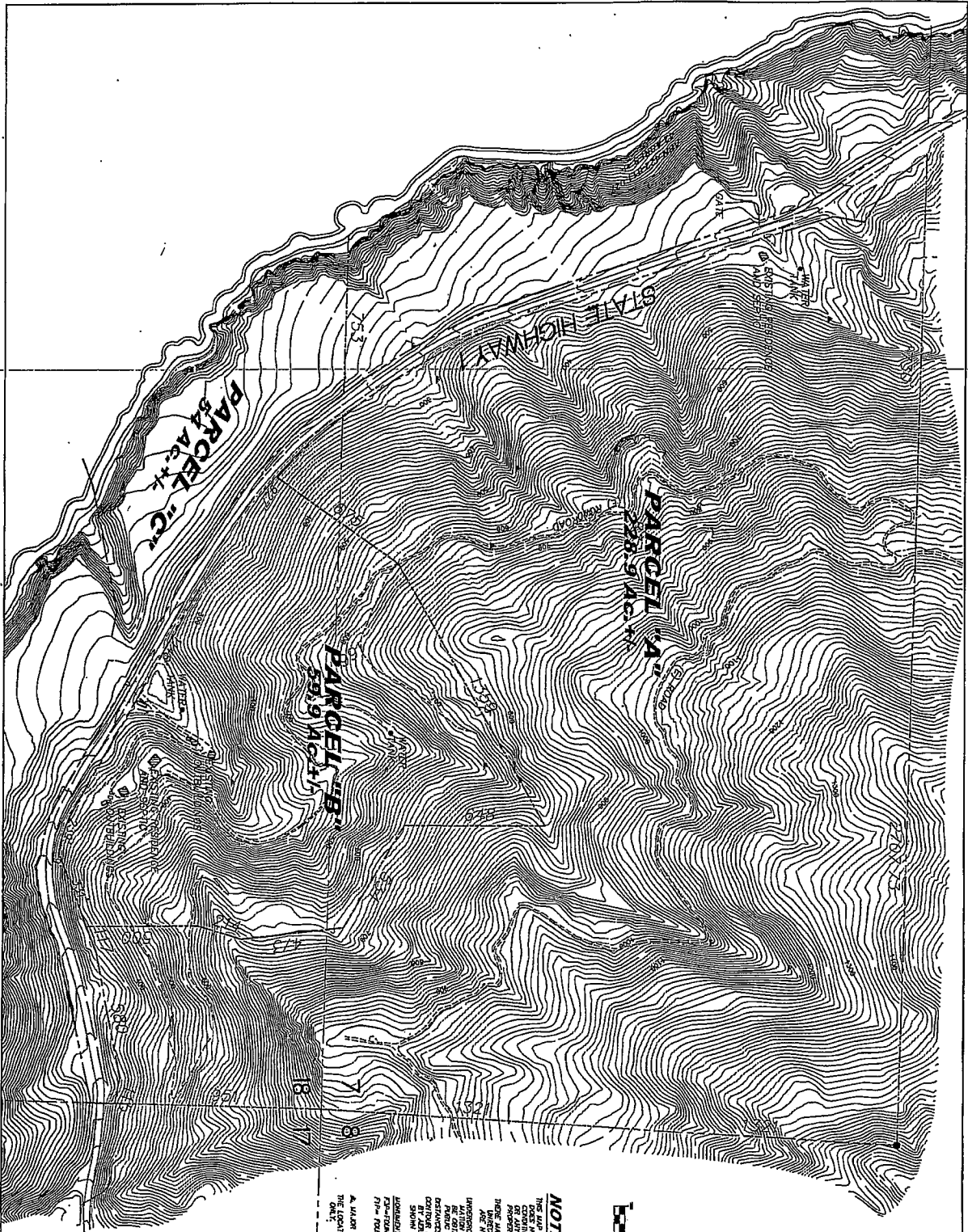
PROPOSED PARCEL CONFIGURATION

- PARCEL "A" APPROXIMATELY 228.9 ACRES.
- PARCEL "B" APPROXIMATELY 59.9 ACRES.
- PARCEL "C" APPROXIMATELY 54 ACRES.

DATE OF SURVEY: 10/07/07 DRAWING SCALE: SEE MAP DRAWN BY: GDM/MP REVISION: 10/07/08 RP	RASMUSSEN LAND SURVEYING, INC. P.O. BOX 3133 1400 RIVERSIDE BLVD. CALIFORNIA, CA 95045 (631) 375-7240 (631) 375-2545 FAX
PROJECT NO. 2700B PAGE 1 of 2	

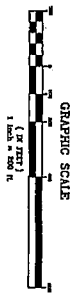
RLS

TENTATIVE MAP PROPOSED LOT LINE ADJUSTMENT BETWEEN PARCELS 1, 2, AND 3, BEING A PORTION OF HARLAN RANCH, SITUATE IN SECTIONS 7 & 18, TOWNSHIP 28 N, RANGE 4 EAST, M.D.B. & 44, COUNTY OF MONTEREY, STATE OF CALIFORNIA.
PREPARED FOR: BIG SUR PRESERVATION ALLIANCE



NOTES:

THIS MAP REPRESENTS THE SURVEY AT THE TIME OF THE SURVEY AND CONTAINS NO WARRANTIES, EXPRESS OR IMPLIED, REGARDING THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE INFORMATION IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.



PROJECT NO. 27008 PAGE 2 of 2	TENTATIVE MAP PROPOSED LOT LINE ADJUSTMENT BETWEEN PARCELS 1, 2, AND 3, BEING A PORTION OF HARLAN RANCH, SITUATE IN SECTIONS 7 & 18, TOWNSHIP 22 SOUTH, RANGE 4 EAST, M.D.B. & M., COUNTY OF MONTEREY, STATE OF CALIFORNIA. PREPARED FOR: BIG SUR PRESERVATION ALLIANCE	RLS RASMUSSEN LAND SURVEYING, INC. P.O. BOX 3135 MONTEREY, CALIFORNIA 93942 (831) 375-7240 (831) 375-2545 FAX	DATE OF SURVEY: 11/02/06/13/2007 DRAWING SCALE: 1" = 200' DRAWN BY: TAY/BC REVISION: 10/04/2010 RAP
---	---	--	--

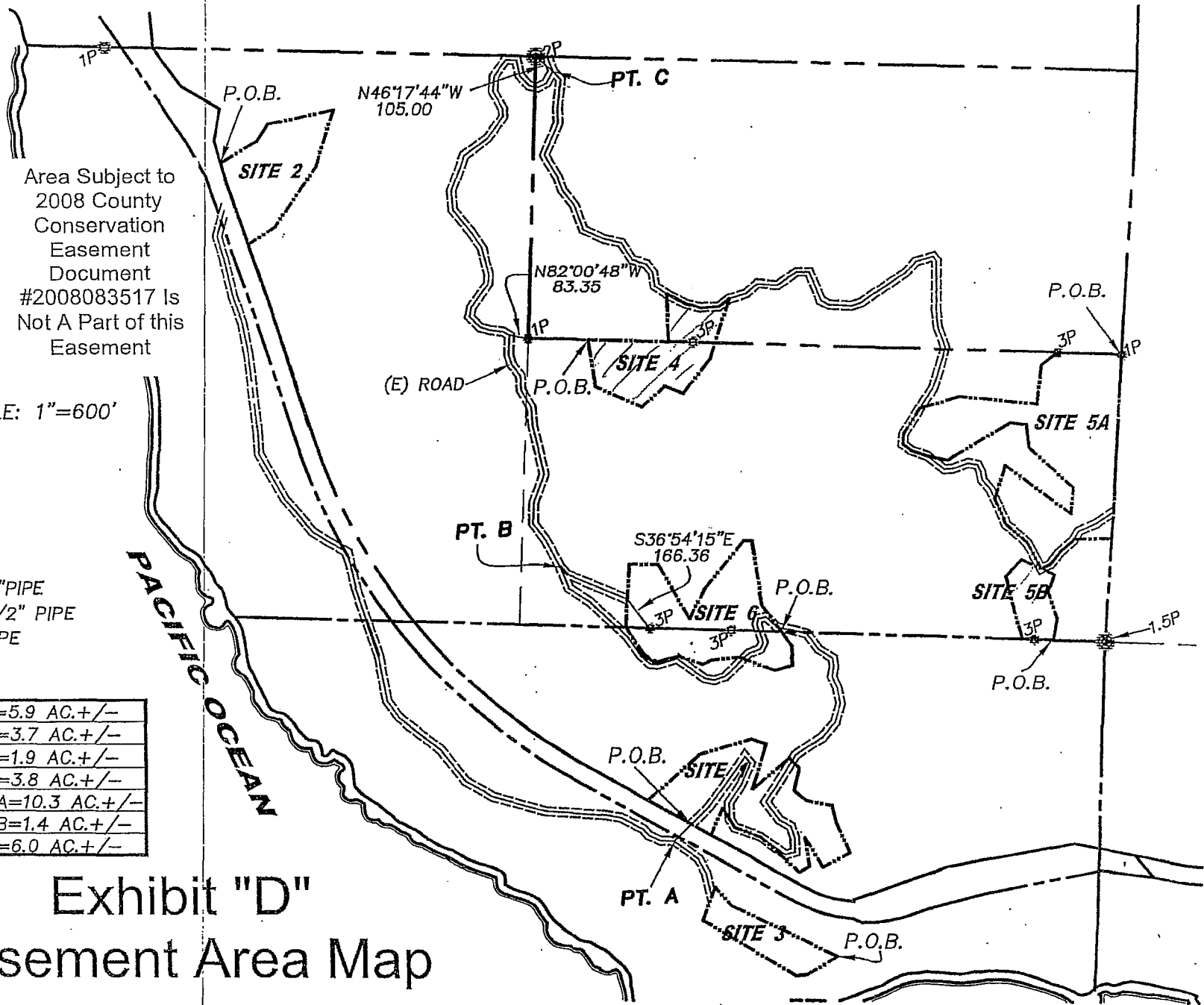
Area Subject to
2008 County
Conservation
Easement
Document
#2008083517 Is
Not A Part of this
Easement

SCALE: 1"=600'

3P = 3/4" PIPE
1.5P = 1 1/2" PIPE
2P = 2" PIPE

SITE 1=5.9 AC.+/-
SITE 2=3.7 AC.+/-
SITE 3=1.9 AC.+/-
SITE 4=3.8 AC.+/-
SITE 5A=10.3 AC.+/-
SITE 5B=1.4 AC.+/-
SITE 6=6.0 AC.+/-

Exhibit "D" Easement Area Map



PROOF OF SERVICE

I am employed in the County of Monterey, State of California. I am over the age of 18 years and not a party to the within action. My business address is 168 W. Alisal Street, 2nd Floor, Salinas, California.

On Monday, March 14, 2011 I served a true copy of the following document:

- RESOLUTION NO.-10-005 BIG SUR PRESERVATION ALLIANCE (PLN100493)
- NOTICE OF APPEAL AND INSTRUCTIONS

on the interested parties to said action by the following means:

- [] **(BY HAND-DELIVERY)** By causing a true copy thereof, enclosed in a sealed envelope, to be hand-delivered approximately
- [✓] **(BY MAIL)** By placing a true copy thereof, enclosed in a sealed envelope, for collection and mailing on that date following ordinary business practices, in the United States Mail at the Resource Management Agency Planning Department, 168 W. Alisal Street, 2nd Floor, Salinas, California, addressed as shown below. I am readily familiar with this business's practice for collection and processing of correspondence for mailing with the United States Postal Service, and in the ordinary course of business, correspondence would be deposited with the United States Postal Service the same day it was placed for collection and processing.
- [] **(BY OVERNIGHT DELIVERY)** By placing a true copy thereof, enclosed in a sealed envelope, with delivery charges to be billed to the Resource Management Agency, Planning Department, to be delivered by Overnight Delivery.
- [] **(BY FACSIMILE TRANSMISSION)** By transmitting a true copy thereof by facsimile transmission from facsimile number (831) 757-9516 to the interested parties to said action at the facsimile number(s) shown below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on Monday, March 14, 2011, at Salinas, California.


VANESSA A. CALDERON

Place address(es) mailed to here:

AGENT:

HORAN, LLOYD, KARACHALE, DYER

AENGUS JEFFERS

PO BOX 3350

MONTEREY CA 93940