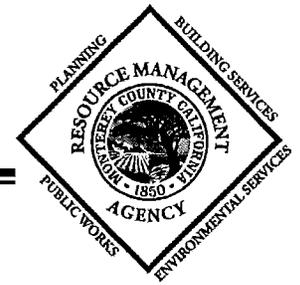


Exhibit C

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MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



Building Services / Environmental Services / Planning Services / Public Works & Facilities
168 W. Alisal Street, 2nd Floor
Salinas, California 93901
(831)755-4800
www.co.monterey.ca.us/rma

NOTICE OF ISSUANCE OF AN EMERGENCY PERMIT (COASTAL ZONE)

PROPERTY OWNERS: Robert A and Jennie G Vita

REPRESENTATIVE: Chris Balog, Assistant Race Director
BIG SUR INTERNATIONAL MARATHON
PO Box 222620, Carmel, CA 93922-2620
chris@bsim.org

PROJECT DESCRIPTION: Emergency Coastal Development Permit to allow the use of private property located on the east side of Highway 1 just south of Palo Colorado Road as the starting location of the 10.1 mile Big Sur Marathon race.

PROJECT ADDRESS: The private property is located at 37101 Highway 1, Big Sur Coast Land Use Plan, Coastal Zone.

APN: 243-262-006-000

ISSUANCE DATE: April 7, 2017

RMA-PLANNING FILE #: PLN170270

RESOLUTION #: 17 - 023

NOTICE AND CAUSE OF EMERGENCY: Pursuant to Chapter 20.79 of the Monterey County Coastal Implementation Plan (Part 1), the applicant has requested an Emergency Coastal Development Permit to allow the use of private property located at 37101 Highway 1, just south of Palo Colorado Road, as the starting location of the 10.1 mile Big Sur Marathon race that will end at the Rio Road shopping center. The purpose of Chapter 20.79, *Emergency Permits*, is to provide a means whereby development normally requiring discretionary approvals under this Title may be considered without the normally required public hearing processes to meet an emergency situation. The situation demands immediate action to prevent or mitigate circumstances that are detrimental to the safety, comfort, and general welfare of the persons occupying and working on the property, as well as the south coast of Big Sur. This project is statutorily exempt under 15269(b) of the CEQA Guidelines. This Administrative decision is appealable to the Monterey County Board of Supervisors and the California Coastal Commission

pursuant to Sections 20.79.050.E, 20.86.030.A, and 20.86.080.A of the Monterey County Coastal Implementation Plan (Part 1). The project site is located at 37101 Highway 1, Big Sur Coast Land Use Plan, Coastal Zone.

I. FINDINGS OF FACT

1. **FINDING:** An emergency situation exists which requires more expeditious action than the normal discretionary permit procedure.

EVIDENCE:

- a) On March 9, 2017, a representative of the Big Sur Marathon submitted a request for an emergency permit to allow the use of private property on Sunday, April 30, 2017, to allow approximately 1,600 runners as the starting location of the 10.1 mile race which will end at the Rio Road shopping center. The race would usually commence at the Rocky Point Restaurant; however, due to the storms that have impacted State Highway 1, it was necessary to find another venue. Due to the limited time frame, it is necessary to grant an emergency permit for this year's event only.
 - b) All necessary equipment for the race start, such as toilets, generators, light towers, etc. would be delivered the day prior, Saturday, April 29, 2017, and all contained within the private property. Only one tent no larger than 10 x 20 would be used.
 - c) On Sunday morning, race volunteers will begin arriving at 4 a.m. Volunteers will park on the property or suitable shoulder area off Highway 1. All runners will be bussed onto the property and will begin arriving about 6 a.m. All runner provisions will be contained within the private property. Just before 7 a.m., the runners will be brought onto the highway for the start of their race. The road will have already been closed to general traffic and all traffic control will be coordinated by the California Highway Patrol.
 - d) The project site is located at 37101 Highway 1, on the east side of Highway 1, just south of Palo Colorado Road, Big Sur Coast Land Use Plan, Coastal Zone. The underlying parcel is Watershed and Scenic Conservation/40 acres per unit-Design Control District (Coastal Zone) [WSC/40-D (CZ)].
 - e) The Coastal Commission staff concurred with the County's determination that a time limitation for the event exists, based on an email to Michael Watson, Coastal Commission staff, on April 4, 2017, and a follow-up telephone call from Michael Watson, Coastal Commission staff, on April 10, 2017.
 - f) Plans and materials contained in project file PLN170270.
2. **FINDING:** The work authorized by the Emergency Permit is the minimum amount of work required to mitigate the emergency situation.

EVIDENCE:

- a) This Emergency Coastal Development Permit authorizes the use of private property as the starting location of the 10.1 mile race commencing at the property and ending at the Rio Road shopping Center. No other development is allowed under this Emergency Coastal Development Permit (Condition No. 1).

- b) There will be no construction or movement of dirt on the property. Only temporary equipment will be brought onto the property and taken down on the same day of the event.
- c) The project planner, on March 9, 2017, reviewed photographic evidence to confirm the emergency situation.
- d) Plans and materials contained in Project File PLN170270.

3. **FINDING:** The work authorized by the Emergency Coastal Development Permit is consistent with the provisions of the applicable Monterey County Local Coastal Program.

EVIDENCE:

- a) The County has reviewed the request for the emergency permit to allow the use of private property located on the east side of Highway 1, just south of Palo Colorado Road as the starting location of the 10.1 mile Big Sur Marathon race which will end at the Rio Road shopping center.
- b) The County of Monterey has applied a condition of approval to require the applicant to coordinate with the County and Coastal Commission for a follow-up Coastal Development Permit (Condition No. 4) to establish a permanent use of the private property within 60 days of completion.
- c) This Emergency Coastal Development Permit expires sixty (60) days from the date of issuance. The owner/applicant shall obtain any required application materials to initiate a Coastal Development Permit within that time frame (Condition No. 3).
- d) Plans and materials contained in Project File PLN170270.

4. **FINDING:** The establishment, maintenance or operation of the use or structures approved by the Emergency Coastal Development Permit will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such approved use, or, be detrimental or injurious to property and improvement in the neighborhood, or to the general welfare of the County.

EVIDENCE:

- a) The project was reviewed by Monterey County RMA-Planning. Conditions have been recommended, 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 on the property or in the neighborhood.
- b) Finding Nos. 1, 2, and 3 above, and supporting evidence; and conditions of approval for this Emergency Coastal Development Permit.
- c) Plans and materials contained in Project File PLN170270.

5. **FINDING:** This emergency activity is exempt from the requirements of the California Environmental Quality Act (CEQA).

EVIDENCE:

- a) Section 15303 of CEQA categorically exempts a limited number of small structures.
- b) The work authorized by this Emergency Coastal Development Permit allows the use of private property located on the east side of Highway 1, just south of Palo Colorado Road as the starting location of the 10.1 mile Big Sur Marathon race

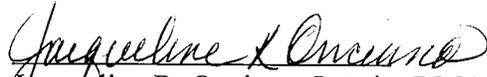
which will end at the Rio Road shopping center. Only necessary equipment for the race start, such as toilets, generators, light towers, etc. would be brought in temporarily and be contained within the private property. Only one tent no larger than 10 x 20 would be used.

- c) Finding Nos. 1, 2, and 3 above, and supporting evidence; and conditions of approval for this Emergency Coastal Development Permit.
- d) Plans and materials contained in Project File PLN170270.

II. DECISION OF THE ZONING ADMINISTRATOR

Based on the above findings and evidence, the Monterey County Zoning Administrator does hereby:

- 1) Find the project statutorily exempt per Section 15303 of the CEQA Guidelines; and
- 2) Grant an Emergency Coastal Development Permit, in general conformance with the attached sketch, and subject to four (4) conditions of approval, all being attached hereto and incorporated herein by reference.



Jacqueline R. Onciano, Interim RMA-Chief of Planning
April 7, 2017

Attachments: Conditions of Approval
Aerial Map

cc: Zoning Administrator; California Coastal Commission; RMA-Public Works; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; State Parks, Owner/Applicant; The Open Monterey Project (Molly Erickson); LandWatch; Elizabeth Gonzales, Planner; Project File PLN170270

Reviewed by Brandon Swanson, RMA Services Manager.

Monterey County RMA Planning

Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN170270

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This is an Emergency Permit to allow a 10.1 mile Big Sur Marathon race on the morning of April 30, 2017 of approximately 1,600 participants on Grimes Ranch located on the east side of Highway 1 just south of Palo Colorado Road as the starting location which will end at the Rio Road shopping center. The property is located at 37101f Highway 1, Monterey (Assessor's Parcel Number 243-262-006-000), Big Sur Coast Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. 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)

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

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"An Emergency Permit (Resolution Number 17-023) was approved by the Interim RMA Chief of Planning for Assessor's Parcel Number 243-262-006-000 on April 7, 2017. The permit was granted subject to 4 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

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

3. PD032(A) - PERMIT EXPIRATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 60 days to expire on June 8, 2017, unless use of the property or actual construction has begun within this period. (RMA-Planning)

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

4. PDSP001 – PERMANENT PERMIT APPLICATION (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Within 60 days (by June 8, 2017), the applicant shall: 1) coordinate with the County to establish a permanent use of the private property for the annual 10.1 mile Big Sur Marathon race; and 2) submit an application request for the follow up Coastal Development Permit, pursuant to Section 20.70 of the Monterey County Ordinance Part 1 (Title 20). (RMA-Planning)

Compliance or Monitoring Action to be Performed: Within 60 days after the event authorized by this emergency permit, the applicant shall contact the planner to discuss moving forward with the application process of a permanent permit.