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

In the matter of the application of:
ABALONE CREEK ESTATES LLC (PLN210202)
RESOLUTION NO. 24-028
Resolution by the County of Monterey Planning Commission:

1) Adopt a Mitigated Negative Declaration pursuant to CEQA Guidelines section 15074;
2) Approve a Combined Development Permit consisting of:
    a. an After-the-Fact Use Permit to allow development on slopes exceeding 25%;
    b. a Design Approval to allow construction of a 7,452 square-foot livestock barn, a 2,400 square-foot storage shed, a 1,000 square-foot livestock shed, a 7,200 square-foot machine and equipment shed, a 216 square-foot potting shed, and associated site improvements including perimeter and internal fencing, four 240 square foot concrete material bins, and five water tanks totaling 152,400 gallons; and
    c. a Use Permit to allow additional development on slopes exceeding 25%; and
3) Adopt a Mitigation Monitoring and Reporting Plan.

[PLN210202 Abalone Creek Estates LLC, 18000 Corral Del Cielo, Salinas, Toro Area Plan (APN: 416-441-047-000)]

The ABALONE CREEK ESTATES LLC application (PLN210202) came on for a public hearing before the County of Monterey Planning Commission on September 11, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, including the conditions of approval and project plans, the County of Monterey 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 staff review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 2010 County of Monterey General Plan;
- Toro Area Plan; and

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- County of Monterey Zoning Ordinance (Title 21).

Communications were received during staff review of the project indicating potential inconsistencies with the text, policies, and regulations in these documents. Comments have been considered in review of this application. However, as set forth in this Resolution, the evidence shows that this project is consistent with the applicable text, policies, and regulations in the above-identified plans and the County Zoning Ordinance.

b) Allowed Use. The property is located at 18000 Corral Del Cielo Road, Salinas, (Assessor's Parcel Number [APN: 416-441-047-000]), Toro Area Plan. The parcel is zoned Permanent Grazing or "PG", which principally allows non-habitable accessory structures (barns, stables, workshops, storage structures, etc.), soil-dependent uses (crop and tree farming, livestock farming, etc.), on-site wells, and other low-intensity agricultural-related operations. However, the project site's Visual Sensitivity Zoning District Overlay requires the granting of a Design Approval for structures that are accessory to agricultural operations (Title 21 section 21.46.030(F)). Additionally, Title 21 section 21.64.230 requires a Use Permit for development on slopes in excess of 25%.

The Proposed Project includes 1) a request for after-the-fact permitting to allow development on slopes in excess of 25%; 2) construction of a 7,452 square-foot livestock barn, a 2,400 square-foot storage shed, a 1,000 square-foot livestock shed, a 7,200 square-foot machine and equipment shed, a 216 square-foot potting shed, five portable chicken coops and horse shelters, and associated site improvements including perimeter and internal fencing, four 240 square foot concrete material bins, and five water tanks (above ground and below ground) totaling 152,400 gallons; and 3) additional development on slopes in excess of 25% to improve and extend an interior ranch road. Therefore, the Project is an allowed land use for this site.

This Resolution does not shape or authorize the principally allowed (by-right) uses proposed by the Applicant/Owner to establish the Abalone Creek Ranch. Per the Agricultural Operations Plan, Abalone Creek Ranch includes the keeping, raising, and off-site sale of livestock and less than 499 chickens, drilling of an agricultural well, creation of a 21,869 square-foot pond, installation of an on-site septic system, crop and tree farming, and other routing and on-going agricultural activities including maintenance of interior ranch roads (not on steep slopes). Livestock waste will be managed consistent with the recommendations contained in the project-specific Manure Management Plan (County of Monterey Library No. LIB230181). No on-site processing will occur. All processing of livestock and other animals will occur off-site at existing USDA-approved facilities. The daily operation of the Abalone Creek Ranch will be managed by two to three employees (in addition to Abalone Creek Estate LLC family members), however, additional contract workers may be required on an on-demand basis to address livestock health, operations, maintenance, repairs, etc.

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c) Lot Legality. The County of Monterey recognized the subject property as a legal lot of record through its issuance of Certificate of Compliance Document No. 2019020130.

d) Design/Neighborhood and Community Character. The subject property is in a Visual Sensitivity Zoning District Overlay. The purpose of Title 21 Chapter 21.46 (Regulations for Visual Sensitivity Zoning Districts) is to regulate development in those areas of the County of Monterey in which such development could potentially create adverse visual impacts when viewed from a common public viewing area. Title 21 section 21.46.030(F) provides that a Design Approval is required for "New structures and additions to existing structures which are accessory to agricultural operations in the Farmlands (F), Permanent Grazing (PG) or Rural Grazing (RG) zoning districts…" The required Design Approval is subject to Title 21 Chapter 21.44, which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character.

The Proposed Project incorporates a rustic and ranch architectural style with vertical redwood siding, dark bronze non-reflective metal standing seam roofing, and copper gutters. The proposed colors and materials will blend in with the surrounding natural environment, not detract from the local scenic beauty, and be compatible with Toro Area Plan's rustic and rural character. Corral Del Cielo Road and a 220-foot segment of San Benancio Road where the subject property is visible are not considered common public viewing areas because these routes are primarily only traveled by residents who live nearby and not the public. However, when viewed from these areas, the Proposed Project's will not significantly impair views of distant mountain ranges located southwest, south, and southeast of the Project site due to siting, colors, materials, and bulk and mass.

Condition No. 16 has been applied to ensure that the proposed exterior lighting complies the design requirements set forth by the Toro Area Plan, County of Monterey General Plan, and Title 21, all of which require that lighting be shielded or directed to illuminate only the intended area (reference: Toro Area Plan Policy T-3.4 and 2010 County of Monterey General Plan Policy LU-1.13). Implementation of this condition will preserve the quality of nighttime darkness in the area. As proposed and conditioned, the Project assures the protection of the public viewshed and will not detract from the neighborhood character. Condition No. 17 has been applied to require that the water tanks be painted or installed with a natural earth tone. See Finding No. 1, Evidence "e".

e) Visual Resources. The Project site is in an area designated as visually sensitive, including in a critical viewshed as defined by the Toro Area Plan of the County of Monterey General Plan (Figure 16). The Proposed Project is located approximately 0.35 miles from Corral De Tierra Road, a locally designated scenic route. The higher elevations of the subject property would be visible from Corral de Tierra. However, due to changes in topography and existing vegetation, the proposed

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development would not be visible from Corral de Tierra Road. The Toro Area Plan also identifies San Benancio Road as a designated scenic route and Corral Del Cielo Road as a proposed scenic route. Most of the subject property is visible from a 220-foot segment of San Benancio Road that overlooks the property. The proposed pond, livestock barn, equipment storage sheds, portable chicken coops, portable horse shelters, and Roadway D improvements would be visible from this location (0.3 to 0.6 miles west).

The proposed retention pond, livestock barn, equipment storage sheds, two potable chicken coops, and at least one portable horse shelter will be visible from Corral Del Cielo Road and neighboring properties. Although not anticipated, all three portable 288-square-foot horse shelters could be visible from Corral Del Cielo depending on placement. Ranch Road E and the southeastern extension of Ranch Road D would not be visible from Corral Del Cielo Road or neighboring properties. The existing ranch roads proposed to be improved are currently visible from Corral Del Cielo Road, and will thus maintain similar visibility once improved. Fruit trees along the northeastern edge of the property would further limit views of the proposed livestock barn and chicken coops from Corral Del Cielo Road and nearby residences. Due to the proposed size and massing of the development and the distance at which these improvements would be visible from local roadways, the Proposed Project will be subordinate to the surrounding natural environment and topography. Additionally, the introduction of livestock and small fowl is in keeping with Permanent Grazing zoned properties and will contribute to the area's rural character. Finally, as described in the preceding evidence, the Proposed Project's will not significantly impair views of distant mountain ranges due topography, siting, and the proposed design and form. Therefore, as proposed, the Project is consistent with applicable visual resource protection policies, including Toro Area Plan Policy T-3.1, and the 2010 County of Monterey General Plan Policy OS-1.2, which require that new development be designed to enhance the scenic value of the surrounding rural area and be subordinate to the surrounding natural features of the area.

f) Development Standards. Site development standards for the PG Zoning District are provided in Title 21 section 21.34.060. Setbacks for accessory non-habitable structures are 30 feet (front) and 6 feet (side and rear). However, according to Toro Area Plan Policy T-3.3 requires a 100-foot front setback for all structures along specific roadways, including Corral Del Cielo Road. The maximum allowed height for accessory non-habitable structures is 35 feet. As illustrated in the attached plans, the Proposed Project is consistent with setback and height requirements. The approximate 209-acre property has allowable site coverage of 455,180 square feet (5%). As proposed, the Project results in a total site coverage of 20,283 square feet (0.22 percent).

g) Development on Slopes in Excess of 25%. The Proposed Project involves after-the-fact consideration of a Use Permit to allow development on slopes in excess of 25% and a separate Use Permit to allow additional development on slopes in excess of 25%. As

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demonstrated in Finding No. 5 and supporting evidence, the proposed project complies with the relevant General Plan Policy, Policy OS-3.5, which prohibits development on slopes in excess of 25%, unless the Appropriate Authority finds that such development is unavoidable and/or better measures the resource protection goals and policies of the 2010 General Plan and Toro Area Plan.

h) Access. The existing gated driveway in the northwest corner of the Project site will serve as the main access and egress for the Proposed Project and provides direct access to Corral Del Cielo Road. The gate is 18 feet wide and thus two lanes of traffic can be accommodated. The existing driveway provides 80 feet of clearance between the Corral Del Cielo Road edge of the pavement and the gate. This clearance would accommodate vehicles that exceed the length of any legal transport vehicle, including semi-trailer trucks, the longest of which are about 74 feet. The vehicles planned to haul materials to the Project site or livestock from the site is a livestock trailer pulled by a pickup truck, which has a total length of about 50 feet. The existing gate clearance also exceeds the Caltrans Highway Design Manual Figure 205.1 standard for access driveways. The Project Traffic Engineer also evaluated site distance from the existing driveway and determined that adequate line of sight exists to accommodate typical speeds along this road, with visibility of approximately 240 to 250 feet (looking left and right of the driveway, respectively). A second driveway is proposed approximately 900 feet east of the existing driveway and will be used on a minimal or emergency basis for ingress and egress to Corral Del Cielo Road. The second driveway will be located on a straight section of Corral Del Cielo Road and will have adequate sight distance. The proposed gate at the second driveway would be located 30 feet from the edge of pavement. This would be adequate to accommodate cars, pickup trucks, and single-unit trucks without encroaching onto the Corral Del Cielo Road pavement surface. Condition No. 5 has been applied to require preparation and implementation of a Construction Management Plan requires larger construction vehicles utilize the existing driveway. The existing and proposed driveway will provide convenient, safe access, consistent with General Plan Policy C-2.7.

i) Cultural Resources. Based on the site-specific Cultural Resources Assessment (County of Monterey Library No. LIB230072), the Project site is within one mile of eight prehistoric and historic archaeological sites. However, no historic or prehistoric archaeological sites are located within the Project parcel. Additionally, based on their research and field surveys, the Project Archaeologist concluded that it was unlikely that any prehistoric or historic settlement occurred at the Project site. Condition No. 3 has been applied and requires that work halt in the event of the discovery of any cultural, archaeological, historical, or paleontological resources. This Condition further ensures that any potential impacts to cultural resources would be less than significant.

j) Biological Resources. General Plan Policy OS-5.4 requires that new development avoid, minimize, and mitigate impacts to listed species and critical habitat to the extent feasible. To determine potential impacts to biological resources, Regan Biological & Horticultural Consulting

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conducted a comprehensive biological assessment in June 2022 (County of Monterey Library No. LIB220336). The biological assessment included querying online databases that included the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Inventory of Rare Plants and conducting field surveys on April 4 and May 30, 2022. The Project Biologist identified primarily oak woodland and disturbed annual grassland habitats on the Project parcel. No Environmentally Sensitive Habitat Areas (ESHA) or areas of special biological importance were identified on the Project property. Further, no special status wildlife species were identified on the Project property; however, due to proximity of available habitat and historic records of special status wildlife species on neighboring properties, the Project Biologist concluded that potential impacts to California tiger salamander (CTS) and California red-legged frog (CRLF) could occur with implementation of the Proposed Project. HCD-Planning also engaged in early consultation with the California Department of Fish and Wildlife (CDFW) on January 9, 2023, to better determine potential biological impacts associated with implementation of the Proposed Project. CDFW indicated that Burrowing owls have the potential to occupy the site. Burrowing owl is listed as a California Species of Special Concern. Mitigation Measure No. 1 (Condition No. 20) has been applied to require reduce potential impacts to biological resources by requiring that the Applicant/Owner contract with a qualified biologist to implement a Biological Education Program for Employees, monitor initial ground disturbing and trenching activities, install exclusionary fencing, and conduct pre-construction survey for Burrowing owls. Condition No. 18 has been applied to require that the Applicant/Owner retains a qualified biologist to perform a nest survey to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed ground disturbing activities (General Plan Policy OS-5.25). As proposed, conditioned, and mitigated, the Proposed Project is consistent with General Plan Policy OS-5.4 an will reduce potential impacts to special status species to a level less than significant.

k) Natural Resources. General Plan Policy OS-5.5 encourages that Landowners and developers shall be encouraged to preserve the integrity of existing terrain and native vegetation in visually sensitive areas such as hillsides, ridges, and watersheds. Ranch Road D, Ranch Road E, and the surrounding hillsides, are in areas considered visually sensitive, as illustrated by the Toro Area Plan. Although Route and On-Going Agriculture Activities (such as improving ranch roads) are exempt from this policy, the Proposed Project meets the intent of this policy. Improving existing ranch roads, rather than grading new ranch road routes, limits the amount of required land disturbance and consequently controls alteration of a visually sensitive hillside. The Proposed Project is consistent with the recommendations of General Plan Policy OS-5.5.

l) Land Use Advisory Committee (LUAC) Review. The Proposed Project was referred to the Toro LUAC for review on July 24, 2023. At this meeting, the project scope included a Use Permit to allow installation of an agricultural poultry processing facility. The project scope has

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subsequently been revised to remove the processing facility components. During this meeting, members of the LUAC raised concerns about the project's consistency with the underlying zoning district and applicable goals and polies of the General Plan and Toro Area Plan, including those relating to development on slopes in excess of 25% and the critical viewshed. Members of the public raised concerns relating to the Proposed Project's potential to create light and noise pollution, increase commercial traffic and heavy equipment along local roadways, impact sensitive viewsheds, waterways, and hillsides, and decrease property values. Members of the public objected to the unpermitted development on steeper slopes and on-site processing facility, and requested a peer review of the prepared hydrogeological and traffic reports. Other members of the public commented on the project's consistency with the property's Williamson Act Contract and underlying zoning district designation. After public testimony, the LUAC voted 3 to 1 to not support the project as proposed. The meeting minutes cite incompatibility with the Toro Area Plan's critical viewshed restrictions, intensification of uses, and lack of infrastructure as reasons to oppose the project.

Though not reflected in the meeting minutes, the LUAC Chair's motion to not support the project included incorrectly informing the public that the subject property was within a "Critical Viewshed Overlay", that the proposed development, specifically the proposed barn, conflicted with Toro Area Plan's critical viewshed and the Visual Sensitivity Zoning District, that development on slopes in excess of 25% is prohibited and there are no exceptions, and Permanent Grazing zoned properties only allow for grazing of livestock. County staff informed the LUAC member that the subject property is within a "Visual Sensitivity Zoning Overlay", the proposed development complies with Toro Area Plan's critical viewshed policy (T-3.3), which requires a 100-foot front setback, development on slopes in excess of 25% is allowed if the Appropriate Authority makes the findings identified in General Plan Policy OS-3.5, and that the proposed project, including all uses contemplated by Abalone Creek Ranch, are principally allowed uses. Prior to adoption of the July 24, 2023 meeting, staff presented the LUAC with revisions to the meeting minutes to better capture the discussion that occurred on July 24, 2023. However, the LUAC rejected HCD-Planning staff's revisions. Copies of the approved meeting minutes and staff's revised meeting minutes are attached to the September 11, 2024 Planning Commission staff report.

m) Agricultural Advisory Committee (AAC) Review. The Proposed Project was referred to the AAC for review on August 24, 2023, consistent with General Plan Policy AG-1.8. During this meeting, members of the public raised concerns relating to consistency with the subject zoning district, property value, noise, odors, water use, traffic, intensity of use, and visual impacts. Following consideration of staff's oral testimony and public comment, the AAC voted six to zero in support of the application and recommended the Planning Commission find the project consistent with commercial agricultural uses and compatible with the

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property's existing Williamson Act contract. Further, the AAC raised no concerns about Abalone Creek Ranch's potential to generate objectionable odors and noise, or introduce diseases. At the time of August 2023 AAC meeting, the environmental document analyzing the project's potential environmental impacts had not been prepared. Consequently, the AAC could not consider the environmental document pursuant to CEQA Guidelines section 15074(a). Therefore, on June 27, 2024, the Proposed Project and associated environmental document was referred to the AAC for consideration. The AAC considered the Proposed Project, together with the Draft IS/MND, and voted to recommend approval of the Proposed Project to the Planning Commission.

n) The project planner conducted site inspections on November 10, 2021, December 3, 2021, February 15, 2022, and August 29, 2024 to verify that the project on the subject parcel conforms to the plans listed above.

o) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN210202.

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

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and County of Monterey Regional Fire Protection District. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.

b) Staff identified potential impacts to soils, biological, archaeological, air quality, groundwater, and traffic resources. The following reports have been prepared:

- "Biological Assessment" (LIB220366) prepared by Pat Regan, Carmel Valley, CA, June 1, 2022.
- "Geotechnical Investigation report for the livestock barn & photovoltaic array system" (LIB220367) prepared by Belinda Taluban, Salinas, CA, December 22, 2021.
- "Geotechnical Investigation report for the grading & improvements on the existing roadway" (LIB220368) prepared by Belinda Taluban, Salinas, CA, July 25, 2022.
- "Percolation Investigation" (LIB220374) prepared by Belinda Taluban, Salinas, CA, July 25, 2022.
- "Hydrogeological Technical Memorandum" (LIB230180) prepared by Aaron Bierman, Aptos, CA, March 3, 2023, revised May 20, 2023, and October 22, 2024.
- "Manure Management Plan" (LIB230181) prepared by Lisa Rubin, Fresno, CA, May 30, 2023.
- "Traffic Study" (LIB230182) prepared by Keith Higgins, Gilroy, CA, June 17, 2024.

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- "Cultural Resource Assessment Study" (LIB240072) prepared by Dana Supernowicz, Pebble Beach, CA, March 1, 2024.
- "Air Quality Report" (LIB240073) prepared by Denise Duffy & Associates, Monterey, CA, December 5, 2023.

County staff independently reviewed these reports and concurs with their conclusions. County of Monterey Water Resources independently prepared a well impact assessment and concurred with the conclusions of LIB230180. There are no physical or environmental constraints that would indicate that the site is not suitable for the Proposed Project. All development shall be in accordance with these reports.

c) The project planner conducted site inspections on November 10, 2021, December 3, 2021, February 15, 2022, and August 29, 2024 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 County of Monterey HCD-Planning found in Project File PLN210202.

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 HCD-Planning, HCD- Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and County of Monterey Regional Fire District. The respective 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) Necessary public facilities will be provided. A new domestic well will be drilled to supply domestic water to the proposed barn but will primarily be used for agricultural purposes. EHB approved a preliminary onsite wastewater treatment system (OWTS) design prepared by Whitson Engineers, dated February 3, 2023, with a system capacity of 10 individuals.

c) Six private wells exist on the subject property. Five of them have been reported to produce less than 1 gallon per minute (gpm), with one producing less than 0.05gpm. These wells are generally inactive due to the little water production. Well #1 produces approximately 3gpm but does not meet Monterey County Code water quality standards. Condition No. 8 requires that these wells either be proven to be in use and function (including meeting water quality standards) or destroyed in accordance with State of California Bulletin 74 and Chapter 15.08 of the Monterey County Code.

d) <u>Water Demand & Long-Term Sustainable Water Supply</u>. The Project Hydrologist determined that historical water demand ranged from 1.5 to 3 AFY and the current (baseline) water demand is approximately 2 to 3 AFY. The washbasin and toilet in the barn will demand approximately 0.27-acre feet per year (AFY), while Abalone Creek Ranch's irrigation

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and livestock will demand approximately 5.69 AFY. At its current location and with its proposed design (800 feet deep with 130-to-800-foot screening intervals) and pumping rate (7.95 gallons per minute), the Project Hydrologist calculated that the proposed well, accounting for system and treatment losses, could generate approximately 6.41 AF of water per year. Based on data provided in a 2007 report prepared for the Monterey County Water Resources Agency, the Project Hydrologist concluded that groundwater levels beneath the Project site have not changed significantly in almost 50 years. Further, groundwater elevation data dated 1960 through 2021 provided by Monterey County Water Resources Agency for the two closest monitoring wells (16S/03E-17F01 and 16S/03E-17F02) to the subject Project site indicate that historical groundwater elevations have an increasing trend in groundwater elevations in more recent years, with some oscillation in the groundwater elevation that correlates with drought periods. Therefore, per the surrounding area's averaged transmissivity and storage coefficient values, the Project Hydrologist concluded that the Abalone Creek Ranch and Proposed Project would have a sustainable long-term water supply, provided the proposed well is designed to have a minimum saturated thickness of 100 feet. The Project Hydrologist determined that the Project site and surrounding area has sufficient saturated thickness to support existing development (i.e., developed supported by the neighboring Z-Ranch Mutual Water Company) and the Proposed Project on a long-term basis. Based on the information provided in this evidence, the proposed well is anticipated to produce sufficient water to supply the project site and can sustain the property's water demand on a long-term basis, including during drought.

e) Protection of Agricultural Activities. Chapter 16.40 of the Monterey County Code (Protection of Agricultural Activities) aims to increase awareness in the general public of the potential conditions that result from accepted agricultural practices in County of Monterey and of the potential inconveniences or discomforts associated with living in and/or visiting a county with a strong rural character, a healthy agricultural sector, and with related "right to farm" protections, so long as the agricultural operations are conducted consistent with proper, accepted customs and standards. These potential inconveniences or discomforts may include, but are not limited to, noises, odors, lights, fumes, insects, dust, chemicals, smoke, the operation of machinery (including aircraft), agricultural truck traffic, crop rotation, and impacts associated with the presence of a large labor force. The Proposed Project is subject to the protections of Chapter 16.40.

f) Noise. Title 10 section 10.060.030 stipulates that machinery of any kind shall not exceed 70 dBA (intended to be measured from the nearest sensitive receptor). However, if the machinery or an aircraft is to be operated at 2,500 feet or more from any occupied dwelling unit, this limitation does not apply. The nearest residence is approximately 150 feet from the subject property. Construction-related noise will be temporary and shall comply with Title 10 section 10.060.030.

g) Dust and Erosion Control. Construction of the Proposed Project would require 20,300 cubic yards (cy) of cut and 20,300 cy of fill, with no

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material imported or exported as all grading would be balanced on-site. The total estimated area of disturbance for construction of the Proposed Project would be 9.75 acres. Grading and excavation-related activities will occur over several weeks and will not exceed Monterey Bay Air Resources District's (MBARD) daily ground disturbing thresholds for excavation (2.2 acres per day) or grading (8.1 acres per day). The Proposed Project is required to implement erosion control measures in accordance with the County's Grading and Erosion Control Ordinances, Chapters 16.08 and 16.12. Monterey County Code section 16.08.340 specifically requires that dust from grading activities be controlled. Condition No. 5 has been applied to prepared and adherence to a Construction Management Plan that incorporates MBARD fugitive dust control measures.

h) The project planner conducted site inspections on November 10, 2021, December 3, 2021, February 15, 2022, and August 29, 2024 to verify that the site is suitable for this use.

i) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN210202.

4. FINDING: **VIOLATIONS –** The subject property is not in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. Although no code enforcement case is open on the property, violations of the Monterey County Code exist. However, approval of an after-the-fact Use Permit for development on slopes in excess of 25% would abate the zoning violation.

EVIDENCE:

a) The project planner conducted site inspections on November 10, 2021, December 3, 2021, February 15, 2022, and August 29, 2024 and researched County records to assess if any violation exists on the subject property. Additionally, staff reviewed County of Monterey HCD-Planning and HCD-Building Services records and is not aware of any active Code Enforcement Cases. However, previous development on slopes in excess of 25% occurred without the benefit of the require entitlements, and therefore the subject property is not incompliance with applicable Monterey County Code (Title 21 and Title 16). See Finding No. 6, Evidence "b". The Applicant/Owner voluntarily sought abatement of this violation and therefore penalty fees were not imposed.

b) Issuance of the proposed after-the-fact Use Permit will partially abate this violation. An after-the-fact grading permit will be required to fully abate this violation.

c) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN210202.

5. FINDING: **CEQA (Mitigated Negative Declaration) -** Based on the whole record before the County of Monterey Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned, and mitigated, will have a significant effect on the environment. The Mitigated Negative

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Declaration reflects the independent judgment and analysis of the County.

EVIDENCE:

a) Pursuant to Public Resources Code section 21083, and California Environmental Quality Act (CEQA) Guidelines sections 15063(a) and 15063(b)(2), the Lead Agency shall conduct environmental review in the form of an Initial Study to determine if the Project may have a significant effect on the environment, and shall prepare a Negative Declaration if there is no substantial evidence that the Project or any of its aspects may cause a significant effect on the environment.

b) County of Monterey HCD-Planning prepared an Initial Study pursuant to CEQA which is on file in the offices of HCD-Planning and is hereby incorporated by reference (PLN210202).

c) There is no substantial evidence, based upon the record as a whole, that, as mitigated, the Project will have a significant effect on the environment. The Initial Study identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. Based upon its analysis of the Initial Study, HCD-Planning prepared a mitigated negative declaration.

d) The Draft Initial Study and Mitigated Negative Declaration (IS/MND) for HCD-Planning File No. PLN210202 was prepared in accordance with the CEQA Guidelines, filed with the County Clerk on June 24, 2024, and circulated for public review from June 24 through July 24, 2024 (SCH No. 2024060999).

e) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN210202.

f) CEQA Guidelines section 15268(d) declares that "[w]here a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA." In such cases, while the whole project becomes subject to CEQA, it is only those discretionary components of the project – those parts which the reviewing agency (here, the County) has authority to shape, influence, or deny – that are available for implementation of mitigation measures. (CEQA Guidelines section 15040; Public Resources Code, § 21004.)

g) As described in Finding No. 1, Evidence "b", the keeping of llamas, dogs, horses, donkeys, and fewer than 500 chickens, the planting of fruit trees and crops, and the raising and off-site commercial sale of cattle, pigs, chickens, and sheep are principally allowed uses in the subject property's zoning district (Permanent Grazing). These specific components of the Abalone Creek Ranch would not require a discretionary permit or any other lease, permit, license, certificate, or other entitlement. Conversely, certain components of the Project - the proposed development on slopes exceeding 25%, construction of a 7,452 square-foot livestock barn, a 2,400 square-foot storage shed, a 1,000 square-foot livestock shed, a 7,200 square-foot machine and

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equipment shed, a 216 square-foot potting shed, perimeter and internal fencing, and associated site improvements - require the granting of discretionary permits, as set forth in the Monterey County Code (Title 21).

h) Given that the Applicant/Owner proposes a mix of ministerial and discretionary activities, the entire project is subject to CEQA per Guidelines section 15268(d). The Initial Study therefore examined the potentially significant environmental impacts of the Proposed Project and Abalone Creek Ranch, with mitigation measures applied to those components of the project that are subject to discretionary approvals. Consideration of the ministerial and principally allowed uses is also required to determine whether the Proposed Project would have significant cumulative impacts on the environment.

i) Resource areas that were analyzed in the IS/MND included: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire.

j) Evidence that has been received and considered includes: the application, technical studies/reports, staff reports that reflect the County's independent judgment, and information and testimony presented during public meetings and hearings. These documents are on file in HCD-Planning (HCD-Planning File No. PLN210202) and are hereby incorporated herein by reference. See Finding 2, Evidence "b".

k) The County also identified potentially significant impacts to biological resources and tribal cultural resources. Mitigation measures have been proposed to reduce the identified impacts to a level of less than significant. Implementation of Mitigation Measure No. 1 would require that the Applicant/Owner retains a qualified biologist to conduct a Biological Education Program for Employees, monitor initial ground disturbing and trenching activities, install exclusionary fencing, and conduct a pre-construction survey for Burrowing Owls. Mitigation Measure No. 2 would require that the Applicant/Owner retains a tribal representative traditionally and culturally affiliated with the project site to monitor initial project-related grading and excavation related to the barn, equipment storage building, and ranch roads. All other standard topics of environmental analysis were found to have less than significant impacts or no impacts. These mitigation measures have been incorporated into the Project as conditions of approval (Condition Nos. 20 and 21).

l) Pursuant to Public Resources Code section 21080.3.1, County of Monterey HCD-Planning consulted with local Native American tribes on September 12, 2023. The Esselen Tribe of Monterey County and Ohlone Costanoan Esselen Nation requested tribal consultation. During consultation (October 31, 2023, and November 6, 2023), representatives of both tribes requested the on-site presence of a Native American monitor to observe excavation activities

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associated with the development of the site, specifically for construction of the proposed barn and equipment storage structures and grading associated with new ranch roads. As described in the preceding evidence, implementation of Mitigation Measure No. 2 would reduce potentially significant impacts on tribal resources to a level of less than significant. Additionally, the project is required to adhere to the County's standard cultural resource condition of approval (Condition No. 3) that requires work to stop if previously unidentified cultural or tribal resources are identified.

m) All Project changes required to avoid significant effects on the environment have been incorporated into the Project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with County of Monterey regulations, is designed to ensure compliance during Project implementation, and is hereby incorporated herein by reference. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan" as a condition of Project approval.

n) Analysis in the Initial Study and the record as a whole indicate the Project could result in changes to the resources listed in section 753.5(d) of the California Department of Fish and Wildlife (CDFW) regulations. All land development projects that are subject to environmental review are subject to a state filing fee plus the County recording fee, unless CDFW determines that the Project will have no effect on fish and wildlife resources. For purposes of the Fish and Game Code, the Project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The Initial Study was sent to CDFW for review, comment, and to recommend necessary conditions to protect biological resources in this area. The Project will be required to pay the state fee plus a fee payable to the County of Monterey Clerk/Recorder for processing said fee and posting the Notice of Determination.

o) During public review period of the Initial Study, the Monterey Bay Air Resources District (MBARD) and members of the public submitted comment letters. MBARD comments are addressed in subsequent Evidence "q". Members of the public submitted comment letters raising concerns relating to property value, noise, odor, water demand, ground water, traffic and local roadways, disease (specifically Avian Influenza), development on slopes in excess of 25%, archaeological resources, nighttime lighting, historical resources, public services, intensification of use, and visibility of the proposed structures. One public comment letter contends the adequacy of the prepared traffic report, accuracy "Notice of Completion and environmental Document Transmittal", failure to include Toro Area Plan's critical viewshed in the property's zoning district and land use designation, failure to provide an accurate project description and scope of project issues, and claims that development on slopes in excess of 15% is prohibited. Comments related to potential social and economic impacts, such as property values, do not affect the environment and therefore are not

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considered significant effects on the environment pursuant to CEQA Guidelines section 15131. These public comments are addressed in subsequent Evidence "r" through "ii".

p) Outside of the public review period of the Initial Study, additional members of the public submitted comment letters. Pursuant to CEQA Guidelines section 15207, the Lead Agency is not required to respond to late comments, however the County of Monterey has elected to respond. These comments raised concerns relating to the use of the property as a "chicken ranch" and for "semi-industrial livestock farming, animal slaughter, and processing", aesthetics, neighborhood character, land use and planning, noise, nighttime lighting, water demand, groundwater, water quality, traffic and local roadways, disease (specifically Avian Influenza), odors, light pollution, land disturbance, lack of transparency about the project, and the Applicant/Owner's qualifications and experience to oversee ranch operations. These comments are address in subsequent Evidence "r" through "ii".

q) Monterey Bay Air Resources District recommended the inclusion of specific fugitive dust control measures and the use of cleaner than required equipment meeting California Air Resources Board Tier 3 or Tier 4 emission standards. MBARD comments also noted that engine permits may be required if a generator, boiler, or other stationary sources of air pollutants are needed during construction or will be used throughout the operation of the Proposed Project. Monterey County Code Title 16 section 16.08.340 requires that dust from grading and construction be controlled. Condition No. 5 has been applied to require that the Applicant/Owner prepare and adhere to a Construction Management Plan that incorporated MBARD dust control measures.

r) Noise. Members of the public object to the potential noise generated by the keeping of livestock and other animals, specifically chickens and dogs. The County's Noise Ordinance, as described in Chapter 10.60 of the Monterey County Code, applies to "any machine, mechanism, device, or contrivance" within 2,500 feet of any occupied dwelling unit and limits the noise generated to 70 dBA, when measures 50 feet therefrom. Accordingly, Chapter 10.60 does not apply to the keeping of animals and livestock.

As proposed, Abalone Creek Ranch would purchase two to four weeks old chicks, which would then be sold for off-site processing at the age of eight to 12 weeks (two to three months old). Although up to five roosters would be allowed, none are proposed as this time. Hens are most vocal during specific times: mornings, egg laying, feeding time, predators, and during social interaction. The noise level produced by chickens (hens) can vary widely depending on factors such as their breed, age, environmental conditions, and behavior. A single hen's clucking can range from around 60 to 70 decibels (dB) on average, however greater numbers of chickens can produce between 50 dB to 90 dB during the daytime, when measures 50 feet therefrom. The PastureTreks (portable coops) and chickens would be

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between 250 feet (including a 100-foot setback on either side of Corral Del Cielo Road) and 1,100 feet from the nearest residence. Based on the distance between the chicken coops and the nearby residences, the daytime noise generated by property's chickens could range between approximately 64 dB (at 1,100 feet) and 77 dB (at 200 feet). The projected noise levels associated with the raising of chickens is within the noise levels found acceptable and conditional for agriculturally designated properties, as established by the 2010 General Plan (Table S-2). Further, the projected noise levels are consistent and appropriate with noises produced on other agriculturally zoned properties. Noise generated by livestock and the poultry are protected under Chapter 16.40 and will not pose a nuisance so long that livestock operations conform to proper and accepted customs.

Two livestock guardian dogs occupied the site in 2022 to protect the livestock and limited poultry on-site. Guardian livestock dogs instinctively bark at wildlife or humans that they perceive as a threat to the animals or property they are guarding. Numerous complaints alleging excessive barking and animal neglect were made to HCD-Planning, Code Enforcement staff, the Agricultural Commissioner's Office, and the Monterey County Animal Control. After an investigation, Monterey County Animal Control determined that the claims had no merit, and the barking of the dogs was found not to be a nuisance. Though the Applicant/Owner has since elected to re-home these dogs, Abalone Creek Ranch's operations plans provide that up to four guardian livestock dogs may occupy the site. Operation of Abalone Creek Ranch, including noise generated by chickens, llamas, pigs, sheep, cattle, and dogs, is regulated by Chapter 16.40, which protects lawful and properly conducted agricultural operations from nuisance claims (i.e., complaints of noise). Therefore, operation of Abalone Creek Ranch and implementation of the Proposed Project will not generate noise levels in excess of the County's standards. Impacts would be less than significant.

s) Odors. Operations odors would also be controlled through application of lime to the soil by a pull spreader. Based on the Manure Management Plan (MMP), the property's soil pH is moderately acidic (6.0). A soil amendment of 0.4 pounds/acre of lime (100% calcium carbonate) was recommended to adjust soil pH to 6.5. Per the MMP, the application of lime is known to reduce odors, particularly hydrogen sulfide, which manure gas is known to contain. In addition to raising soil pH, lime provides free calcium ions, which react and form complexes with odorous sulfur species. Therefore, the biological waste odors would not just be masked but rather eliminated with application of lime. Lime applications would be applied when precipitation is forecasted so that the lime may be incorporated into the soil. While implementation of Condition No. 19 would significantly address and likely eliminate potential odors, Chapter 16.40 protects lawful and properly conducted agricultural

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operations from nuisance claims (i.e., complaints of odors). Impacts would be less than significant.

t) Water Quality. As recommended by the MMP, the upper and lower pastures would spread manure via a pull chain-harrow. Harrowing would facilitate drainage and help to minimize muddy areas and standing water. Harrowing of the subject property's pastures would not be completed during times of precipitation or when the ground is saturated to avoid compaction of the soil and would only be completed when calm (0-2 mph) or light (2-5 mph) winds are occurring to avoid dust or odors from drifting, and minimize the amount of potential contaminates from entering nearby waterways. Based on the information in the record, the Project Hydrologist and County of Monterey Water Resources Agency (WRA) found that the Proposed Project and operation of Abalone Creek Ranch will not impact regional groundwater quality or degrade water quality.

u) Groundwater and Impacts to Nearby Wells. Members of the public have raised concerns that water demanded by the Proposed Project and operation of Abalone Creek Ranch could diminish groundwater supply and impact its water quality, thereby negatively affecting the neighboring subdivision's water supply. Per Finding No. 3, Evidence "d", the proposed structural development demand approximately 0.27 AFY, while Abalone Creek Ranch's irrigation and livestock will demand approximately 5.69 AFY. At its current location and with its proposed design and pumping rate, the Project Hydrologist calculated that the proposed well, accounting for system and treatment losses, could generate approximately 6.41 AF of water per year.

The El Toro Planning Area, a watershed-based planning area, includes five designated planning subareas based on local topographic drainage divides: Calera Creek, Watson Creek, Corral de Tierra, San Benancio Gulch, and El Toro Creek. Water supply for the El Toro Planning Area is derived entirely from groundwater. Only those portions of the El Toro Planning Area subareas that are classified as having 'good' groundwater production potential make up the larger Primary Aquifer System. The primary use of groundwater from the El Toro Primary Aquifer System is urban (municipal and domestic), with minimal agricultural supply. The Primary Aquifer System considered to be in overdraft, though a previous El Toro Groundwater Study prepared for the County of Monterey WRA, found that current and increasing rates of pumping in the area could be sustained for decades because of the aquifer's suitable saturated thickness. Per the El Toro Groundwater Study, although the Project site is within the Watson Creek Subbasin it is not within the El Toro Primary Aquifer System. Therefore, the proposed water demand will not directly contribute to overdraft of the Primary Aquifer System.

Members of the public contend that the Hydrology and Water Quality analysis in the Draft IS/MND is not based on current data. However, as described in the Draft IS/MND, groundwater elevation

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data provided by MCWRA for the two closest monitoring wells (16S/03E-17F01 and 16S/03E-17F02, one of which is located approximately 250 feet north of the proposed well site) indicate that historical groundwater elevations from 1960 to 1973 show a gradual increase in groundwater elevations, with some oscillation in the groundwater elevations that correlate with drought periods.

The Project Hydrologist and County of Monterey WRA determined that the proposed well would not result in any adverse impacts to creeks, springs, existing offsite wells (including the wells utilized by the Z-Ranch MWC), or groundwater quality. The two closest neighboring wells are 515-ft and 535-ft from the proposed well location. Wells managed by the Z-Ranch MWC are approximately 2,900 feet from the proposed well location. Per the prepared Hydrogeological Report, all nearby wells are not within the proposed well's radius of influence, which was calculated to be 400 feet after 1 year of pumping. After 50 years of pumping, the proposed well's radius of influence would increase to 1,000 feet. With a 1,000-foot radius of influence, the Project Hydrologist determinate that impacts to nearby wells would be negligible as water levels could decrease 0.58 feet for wells at 500 feet or 0.04 feet for wells at 1,000 feet. There would be no drawdown at wells relied on by the Z-Ranch MWC, as they are further than 1,000 feet deep. Further, given the difference in depths of each off-site well and the horizontal distance between these wells, the Hydrogeological Report concluded that there would be no hydrogeologic interference between the proposed well and offsite wells. Raised concerns are based on speculative assumptions. Project impacts on groundwater and nearby water systems would be less than significant.

v) Traffic and Local Roadways. Members of the public have cited the conditions of San Benancio Road and other local roadways as a reason why the commercial component of Abalone Creek Ranch is not suitable for the Project site. CEQA analyzes a project's impact on the environment, not the environment's impact on the project. Therefore, though local roadways do have curves and infrequent uneven payment, the existing roadway condition's potential interference with operation of the project is not a significant impact under CEQA. Nevertheless, HCD- Engineering Services staff found these local roadways to have adequate stripping and width, and in acceptable conditions. Contrary to submitted public comment, the Draft IS/MND addresses Corral Del Cielo Road and Corral de Tierra Road capacities, conditions, and levels of service on Page 63. Members of the public also claim that operation of Abalone Creek Ranch and the Proposed Project would have a significant impact on Highway 68. The Proposed Project (development on slopes and structural improvements) will not generate any permanent daily traffic trips, however, Abalone Creek Ranch's principally allowed uses will generate approximately 9 daily trips. At the Corral De Cielo Road / San Benancio Road / Corral de Tierra Road intersection, the Project Engineer found that there was minimal

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traffic with no delays and "[the 9-weekday trips associated with operation of the Abalone Creek Ranch] will be almost imperceptible at this intersection and will not result in traffic operational issues". Daily trips associated with operation of Abalone Creek Ranch would be generated from its ministerial and principally allowed components and thus the County does not have the authority to shape or influence these trips. However, per the Abalone Creek Ranch Agricultural Operations Plan, all deliveries of livestock and poultry would occur during off-peak hours (before 7 AM, between 9 AM-4 PM, and after 6 PM) to avoid peak periods along Highway 68. Consequently, there will be no impact to Highway 68's Level of Service. Operation of Abalone Creek Ranch would utilize two driveways, once of which is proposed, that have been found to have adequate line of sight and safety improvements (see Finding No. 1, Evidence "h"). No nearby roadways (Corral Del Cielo, Corral de Tierra, or San Benancio) have vehicle weight restrictions. Therefore, all vehicles used during construction and operation of the Ranch must adhere to the weight classifications established by California Vehicle Code.

w) Disease. Members of the public contend the proposed livestock, specifically the proposed poultry and other migratory birds, and retention pond will introduce avian influenza ("bird flu") to the County. As of July 16, 2024, the California Department of Public Health found that: "The current risk to the public in from the H5N1 bird flu outbreak in wild birds, poultry, wild mammals, and livestock in California and the U.S. is considered to be low. At this time, no people or cattle in California have tested positive for H5N1 bird flu." Though some public comment letters recognize that bird flu is not prominent in California, the commentors speculate that the proposed detention pond could attract contaminated wildlife and spread bird flu to other livestock and animals on the property. The County of Monterey Environmental Health Director (Bureau Chief) and California Department of Food and Agriculture (CDFA) have confirmed that the proposed keeping of livestock and small fowl raised within an open pasture would not pose a public health risk, including the spreading of disease, because of the scale of the operation and provided Abalone Creek Ranch adheres to the prepared Manure Management Plan (Condition No. 19). CDFA also confirmed that Avian Flu is not anticipated to be present, as the poultry would be raised on-site from a young age, rather than being transported to the site as adults, and would be housed in portable coops, limiting interactions with other animals and wildlife. Further, the Agricultural Advisory Committee has considered the Proposed Project and operation of Abalone Creek Ranch and raised no concerns relative to the introduction of disease. Relative to the introduction of "other diseases", as recommended by the MMP and required through application of a non-standard condition of approval (Condition No. 19), the subject property's upper pasture (where the chickens would occupy) would spread manure via a pull chain-harrow. The harrow would break up the waste and evenly distribute the nutrients from the manure into the pasture, providing beneficial

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nutrient cycles and soil organic matter. Dispersing manure piles would also help control parasites and pest insects, which prefer fresh manure for egg laying. Breaking apart manure piles would reduce disease by exposing bacteria to sunlight, which is essential for the health of the pasture. Operation of Abalone Creek Ranch will not present a public health risk via introduction of disease.

x) Development on slopes in excess of 25%. Members of the public claim that development on slopes in excess of 25% and 15% is prohibited and there are no exceptions. However, as discussed in Finding No. 6 and supporting evidence, this claim is incorrect. The proposed Use Permits to allow development on slopes in excess of 25% have been processed in accordance with County requirements.

y) Archaeological and Cultural Resources. See Finding No. 1, Evidence "i" and Finding No. 5, Evidence "k" and "l". The submitted comment letters consistently refer to the subject property as the "Pastures of Heaven", as described in John Steinbeck's short-fiction book, and consider the site to be of historical importance. *Pastures of Heaven* (1932) consists of 10 short stories set in the Corral De Tierra valley. There is no substantial evidence tying the subject property to the book's setting.

z) Nighttime lighting and Light Pollution. Members of the public object to the introduction of nighttime lighting. Exterior lighting would be controlled through implementation of County of Monterey regulations as demonstrated in Finding No. 1, Evidence "d". Impacts to aesthetics would be less than significant.

aa) Recreation and Public Services. A member of the public claims that the Draft IS/MND does not analyze recreation or public services. In fact, the Draft IS/MND (Page 15) undertook just such an analysis, concluding that implementation of the Proposed Project and Abalone Creek Ranch would not impact recreation or public services.

bb) Water Quality Control Plan and Air Quality Management Plan. A member of the public contends the Draft IS/MND's consistency determination with the applicable Water Quality Control Plan and Air Quality Control Plan is inaccurate. However, the commentor failed to support their claim with either provide justification in support of supporting their claim.

cc) Intensification of Historical Uses. Comment letters object to operation of Abalone Creek Ranch because they believe that it will conflict with the historical use of the property. The property is not restricted to its historical use, cattle grazing. The subject property has historically and continues to be subject to a Williamson Act Contact (Williamson Act Contract No. 73-030, Document No. 2019034507). This Contract limits the use of Abalone Creek Ranch to agriculturally compatible uses, and states that the property "shall not be used by Owner, or Owner's successor in interest, for any purpose other than the production of food and fiber for commercial purposes and uses compatible thereto." The subject property will be used as a family ranch and farm, consistent with the designated land use, zoning restrictions, and requirements of the Williamson Act Contract. Additionally, members of the public contend that operation

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of the Abalone Creek Ranch is industrial. Agricultural Industrial uses include warehouses for the collection, packaging and distribution of agricultural and horticultural products, sales and repair services for agricultural equipment, agricultural processing plans, fertilizer yards, chemical laboratories, and wholesale/retail establishments. Neither the Proposed Project or operation of Abalone Creek Ranch include uses of similar character, nature, or intensity as those industrial uses listed in Title 21 Chapter 21.24 (Agricultural Industrial).

dd) Project Description, Environmental Setting, and Project Issues. Public comment letters claims that the Draft IS/MND's project description and environmental setting is inaccurate because it references development on slopes in excess of 25% rather than 15% and states that Ranch Roads A, B, C, and a majority of D exist. The 2010 General Plan (Policy OS-3.5) and Title 21 section 21.64.230 regulated development on slopes in excess of 25%, not 15%. Thus, development on slopes in excess of 15% is not regulated, unless such slopes exceed 25%. As confirmed during HCD-Planning staff's multiple site visits and the Google Imagery's historical aerial imaging, these ranch roads, as well as portion of Ranch Roach E, currently exist. While some of these ranch roads have only been established through the continual use of equipment along a singular path and have not been graded or contoured to the desired width or pitch, these roads are still considered to be established ranch roads. Therefore, as accurately described, the Project proposes to improve (re-grade, widen, re-surface) the existing ranch roads. Ranch Road E will be extended to the southern property line. A member of the public claims that the IS/MND fails to identify the project's potential environmental impacts. Contrary to this statement, the Draft IS/MND analyzes the 20 environmental factors set forth in Appendix G of the CEQA Guidelines.

ee) Notice of Completion and Environmental Document Transmittal. A member of the public contends the accuracy of the Notice of Completion (NOC) & Environmental Document Transmittal (EDT) because "Agricultural Land" and "Growth Inducement" were not checked off or identified as being analyzed. Under CEQA Guidelines, section 15085, the NOC is required only to briefly describe the proposed project and its environmental project-related issues. Consequently, only those environmental factors found to have a less than significant impact or a less than significant impact with mitigation were checked on the NOC. Contrary to the comment letter, the County of Monterey Water Resources Agency and Environmental Health Bureau were provided a copy of the Draft IS/MND and did not have any comments. Additionally, the Central Coast Regional Water Quality Control Board only provided recommendations regarding the previously proposed on-site processing facility. However, the Proposed Project does not contemplate that use. The Draft IS/MND was publicly distributed and noticed in accordance with applicable requirements.

ff) Visibility of Structures and Critical Viewshed. The Project site's upper pasture area is located within Toro Area Plan's critical

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viewshed (Figure 16). Contrary to the received comments, development is not prohibited within the area identified as the critical viewshed but rather is only subject to a 100-foot setback requirement per Toro Area Plan Policy T-3.3, which the proposed project complies with. Members of the public object to the views of the project site as seen from their private residence. Private views are neither regulated by the Monterey County Code nor required to be analyzed under CEQA, as impacts to private views do not constitute impacts on the environment.

gg) Zoning District and Land Use Designation. Comments contend that the zoning district and land use designation listed on the draft IS/MND is incorrect because it does not include reference to Toro Area Plan's critical viewshed. Toro Area Plan's critical viewshed is neither a zoning district nor a land use designation but rather an area identified by the 2010 General Plan to be highly visually sensitive. The draft IS/MND correct identifies the subject property as being zoned Permanent Grazing, 40 acres per unit, Visual Sensitivity [PG/40-VS], and designated Permanent Grazing, 40 acres minimum.

hh) Land Use Planning and Consistency with the Toro Area Plan. Members of the public claim that the Draft IS/MND is inadequate because it relies on the County's Right to Farm Ordinance (Chapter 16.40) to negate project impacts. In fact, while the Right to Farm Ordinance is mentioned in the Draft IS/MND, all environmental impacts were adequately addressed and found to be less than significant without the need to rely upon Chapter 16.40. See Finding No. 1 and supporting evidence for consistency with the 2010 General Plan and Toro Area Plan.

ii) Applicant/Owner Qualifications. Members of the public allege that the Applicant/Owner is not qualified to manage or operate a ranch. The County does not regulate or dictate who can manage or establish agricultural operations. Nevertheless, the Applicant/Owner has obtained the necessary reports and presented project plans and an operations plan that demonstrate the Ranch will be operated consistent with the maintenance, use, and intensity of other agriculturally zoned properties.

jj) Through adoption of the IS/MND, and in accordance with CEQA Guidelines section 15064(f)(3), the Planning Commission finds that the public comment provided on the IS/MND does not provide substantial evidence that the project may result in a significant effect on the environment.

kk) Pursuant to CEQA Guidelines section 15064(f)(4), public controversy over the environmental effects of a project alone does not trigger an EIR. The Planning Commission has considered the application, public comment, technical studies/reports, the staff report that reflect the County's independent judgment, and information and testimony presented during public hearing and finds that 1) there is no substantial evidence submitted to the Lead Agency indicating either inaccuracies or that the proposed project may have a significant effect on the environmental and 2) that Mitigated Negative Declaration properly analyzes the project's potential

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impacts. See the evidence of this Finding, and Finding Nos. 2, 3, 4, 6, and the supporting evidence referenced in each respective Finding.

ll) The County of Monterey Planning Commission considered the Mitigated Negative Declaration, along with the Combined Development Permit, at a duly noticed public hearing held on September 11, 2024.

mm) County of Monterey HCD-Planning, located at 1441 Schilling Place, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

nn) The application, plans and supporting materials submitted by the Project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN210202.

6. FIDNING **SLOPES IN EXCESS OF 25 PERCENT -** The Proposed Project is located in the most feasible location, minimizes development on slopes in excess of 25 percent, and better measures the resource protection goals and policies of the 2010 General Plan and Toro Area Plan.

EVIDENCE:

a) Pursuant to Title 21 section 21.64.230 and General Plan Policy OS-3.5, development on slopes exceeding 25 percent is allowed if there are no feasible alternatives that would allow development to occur on slopes less than 25 percent or if the project better achieves the goals, policies and objectives of the County of Monterey General Plan and applicable area plan.

b) In 2021, the Applicant/Owner re-graded and improved an existing ranch road (Ranch Road D), which contained slopes in excess of 25%, to address its narrow width, failing drainage culvert, localized erosion. The Proposed Project includes additional development on slopes in excess of 25% to improve (regrade and widen) and extend Ranch Road E. The Proposed Project, inclusive of the unpermitted grading, will impact approximately 0.92 acres of slopes in excess of 25%. Therefore, an After-the-fact Use Permit and separate Use Permit is required.

c) Title 21 section 21.84.130 requires that restoration shall be sought to abate the land disturbing violation, unless restoration would endanger the public health or safety, or that restoration is unfeasible. The pre-graded ascending slope adjacent to the existing ranch road (Ranch Road D) varied between 19 and 42 percent and the pre-graded descending slopes exceeded 50 percent in gradient. The prepared Geotechnical Report describes the unpermitted work as “natural irregularities in the slopes have been removed to allow for a continuous, effective and practical application of erosion control improvements.” Per the Project Soils Engineer, restoring Ranch Road D to is pre-violation state would require a key and bench system. To recreate the prior grade, fill materials would be placed on the ascending and descending adjacent slopes. However, this fill material cannot be placed directly onto the slope without causing soil movement and therefore additional benching into the adjacent

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existing slopes would be needed. The Project Soils Engineer did not recommend restoration due to the gradients of adjacent slopes, increase in land disturbance on these steep slopes, and the increase in the potential of soil movement, erosion, and slope failures. The Planning Commission concurs. The Commission finds that restoration is both infeasible and would require additional development on steeper slopes, which would be inconsistent with General Plan Policy OS-3.5.

d) Besides the upper and lower pasture areas, most of the subject property contains slopes in excess of 25%. To access the entirety of the subject property, the Applicant/Owner proposes to use existing single track ranch roads. The Project proposes to improve these interior ranch roads by re-contouring them to allow for proper water runoff, widening them to a minimum of 12 feet (as required by the Monterey County Regional Fire District), re-surfacing them with gravel to alleviate erosion concerns, and installing erosion control measures. Widening the ranch roads to 12 feet will require cut into the adjacent hillsides, some of which are in excess 25 percent. Ranch Road E traverses over a gully to access the southern-most portion of the subject property. Improving this ranch road would require development on slopes in excess of 25%. There are no alternatives to improving this road that could not occur on slopes in excess of 25%.

e) General Plan Policy OS-5.5 encourages landowners to preserve the existing terrain and native vegetation in visually sensitive areas, such as hillsides. Ranch Road D, Ranch Road E, and the surrounding hillsides, are in areas considered visually sensitive, as illustrated by the Toro Area Plan (Figure 16). Although Routine and On-Going Agriculture Activities (identified in General Plan Policy AG-3-3 and include improvements to ranch roads) are exempt from this policy, the Proposed Project meets the intent of this policy. Improving existing ranch roads, rather than grading new ranch road routes, limits the amount of required land disturbance and consequently controls alteration of a visually sensitive hillside.

f) Toro Area Plan Policy 3.6 states, “Large acreages in higher elevations and on steeper slopes shall be preserved and enhanced for grazing, where grazing is found to be a viable use.” In accordance with this policy, the Proposed Project limits development on the property’s higher elevations to only improved ranch roads and a livestock barn that will support the existing and proposed (expanded) cattle grazing operation. Ensuring safe access to the entirety of the subject property enhances the property’s agricultural operation.

g) As demonstrated in the preceding Evidence “c” and “d”, there is no feasible alternative that would allow the Applicant/Owner to implement with proposed improvements without impacting steeper slopes. Additionally, the Proposed Project better meets visual and agricultural resource protection policies identified in the 2010 General Plan (Policy OS-5.5) and Toro Area Plan (T-3.6) by utilizing existing ranch road roads and installing erosion control measures (see preceding Evidence “e” and “f”).

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h) Condition No. 15 requires that all nearby trees will be protected during construction and roadway improvement activities.

i) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN210202.

7. FINDING: **APPEALABILITY –** The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: a) Board of Supervisors. Pursuant to CEQA Guidelines section 15074(f), when a non-elected decision-making body within a local lead agency adopts a negative declaration, that adoption may be appealed to the agency's elected decision-making body. Therefore, and pursuant to section 21.80.090 of the County of Monterey Zoning Ordinance (Title 21), an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of the Planning Commission.

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DECISION

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

1. Adopt a Mitigated Negative Declaration pursuant to CEQA Guidelines section 15074;
2. Approve a Combined Development Permit consisting of:
    a. an After-the-Fact Use Permit to allow development on slopes exceeding 25%;
    b. a Design Approval to allow construction of a 7,452 square-foot livestock barn, a 2,400 square-foot storage shed, a 1,000 square-foot livestock shed, a 7,200 square-foot machine and equipment shed, a 216 square-foot potting shed, and associated site improvements including perimeter and internal fencing, four 240 square foot concrete material bins, and five water tanks totaling 152,400 gallons; and
    c. a Use Permit to allow additional development on slopes exceeding 25%; and
3. Adopt a Mitigation Monitoring and Reporting Plan.

All of which are 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 September 2024 upon the motion of Commissioner Mendoza, seconded by Commissioner Work, by the following vote:

AYES: Getzelman, Work, Mendoza, Diehl, Gomez, Shaw, Roberts, Daniels
NOES: None
ABSENT: Monsalve, Gonzalez
ABSTAIN: None

DocuSigned by:
Melanie Beretti
F6C3AC03D78644E...

Melanie Beretti, AICP
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE **9/20/24**

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 **9/30/24**

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 County of Monterey Building Ordinance in every respect.

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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 County of Monterey HCD-Planning and HCD-Building Services Department office in Salinas.

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

Form Rev. 1-27-2021

Docusign Envelope ID: 6D7A664F-8A93-482E-93AA-E499321C31E5

County of Monterey HCD Planning

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

PLN210202

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Combined Development Permit allows: 1) After-the-fact Use Permit to allow development on slopes exceeding 25%, 2) Use Permit to allow development on slopes exceeding 25%; 3) Design Approval to allow construction of a 7,452 square-foot livestock barn, a 2,400 square-foot storage shed, a 1,000 square-foot livestock shed, a 7,200 square-foot machine and equipment shed, a 216 square-foot potting shed, and associated site improvements including perimeter and internal fencing, four 240 square foot concrete material bins, and five water tanks totaling 152,400 gallons. The property is located at 18000 Corral de Cielo, Salinas (Assessor's Parcel Number 416-441-047-000), Toro Area Plan.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 HCD - 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 . (HCD - 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: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Combined Development Permit (Resolution Number 24-028) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 416-441-047-000 on September 11, 2024. The permit was granted subject to 21 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD- Planning."

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

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

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning 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.

4. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: Public Works

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 HCD-Engineering Services.

5. PW0044 - CONSTRUCTION MANAGEMENT PLAN

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: The applicant shall submit a Construction Management Plan (CMP) to HCD-Planning and HCD-Engineering Services for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project. Grading and excavation-related activities shall not exceed MBARD's daily ground disturbing thresholds for excavation (2.2 acres per day) or grading (8.1 acres per day).

CMP shall include, at a minimum, duration of the construction, hours of operation, truck routes, estimated number of truck trips that will be generated, number of construction workers, and on-site/off-site parking areas for equipment and workers and locations of truck staging areas. The CMP shall require construction vehicles to utilize the existing driveway. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. (Public Works)

Compliance or Monitoring Action to be Performed: 1. Prior to issuance of the Grading Permit or Building Permit, Owner/Applicant/Contractor shall prepare a CMP and shall submit the CMP to the HCD-Planning and HCD- Engineering Services for review and approval.

2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

6. CA CONSTRUCTION GENERAL PERMIT

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) including the Waste Discharger Identification (WDID) number, to HCD-Environmental Services. In lieu of a SWPPP, a letter of exemption or erosivity waiver from the Central Coast Regional Water Quality Control Board may be provided. (HCD-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or construction permits, the applicant shall submit a SWPPP including the WDID number certifying the project is covered under the California Construction General Permit or a letter of exemption from the Central Coast Regional Water Quality Control Board

7. STORMWATER CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit a stormwater control plan, prepared by a registered civil engineer or licensed architect, to mitigate on-site and off-site impacts. Impervious surface stormwater runoff shall be dispersed at multiple points, on the least steep available slopes, away from and below any septic leach fields. Erosion control shall be provided at each outlet. Drainage improvements shall be constructed in accordance with plans approved by Environmental Services. (HCD-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit a stormwater control plan to Environmental Services for review and approval.

8. EHSP02 – WELLS NOT IN SERVICE (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Six existing water wells were identified on the property by Bierman Hydrogeologic. Five of these wells were reported to be inactive because of little to no production.

Destroy these existing well(s) which are not in service according to the standards found in State of California Bulletin 74 and all its supplements, and Chapter 15.08 of the Monterey County Code.

OR

If the Owner/Applicant intends to maintain the wells, provide proof to Environmental Health Bureau that the well(s) are functional, can be used on a regular basis, and do not act as a conduit for contamination of groundwater.

Compliance or Monitoring Action to be Performed: Prior to issuance of a construction permit for the pump station, a California licensed well drilling contractor shall obtain well destruction permit(s) from the Environmental Health Bureau.

Prior to final inspection of construction permit, a California licensed well drilling contractor shall destroy the wells in accordance with the well destruction permit(s) and submit the Well Drillers Report(s) to the Environmental Health Bureau for review and acceptance.

OR

Provide documentation to the satisfaction of the Environmental Health Bureau that the well(s) are functional, used on a regular basis, and do not act as a conduit for contamination of groundwater.

9. EHSP03 – WELL PERMIT (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Obtain a water well construction permit from the Environmental Health Bureau pursuant to Monterey County Code Chapter 15.08, Water Wells.

Compliance or Monitoring Action to be Performed: Prior to drilling the well, a CA-licensed well drilling contractor shall obtain a water well construction permit from the Environmental Health Bureau on behalf of the property owner.

10. GEOTECHNICAL PLAN REVIEW

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from the licensed practitioner that their geotechnical recommendations have been incorporated into the approved grading plan and stormwater control plan. (HCD-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or construction permits, the applicant shall provide certification from the licensed practitioner(s) to HCD-Environmental Services for review and approval.

11. PW0045 – COUNTYWIDE TRAFFIC FEE

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule.

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

12. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

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

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

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

13. PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) 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 Agreement. The agreement shall be recorded. (HCD- Planning)

Compliance or Monitoring Action to be Performed: Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.

2) Fees shall be submitted at the time the property owner submits the signed Agreement.

3) Proof of recordation of the Agreement shall be submitted to HCD-Planning.

14. PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

15. PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Trees which are located close to 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 certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of HCD - 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 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. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to HCD - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall 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.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to HCD-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

16. PD014(B) - LIGHTING-EXTERIOR LIGHTING PLAN (VS & RIDGELINE)

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lighting shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit three (3) copies of exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of HCD - Planning, prior to issuance of building permits.
(HCD - Planning)

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

Prior to final/occupancy, staff shall conduct a site visit to ensure that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

17. PD038 - WATER TANK APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The water tank shall be painted an earth tone color to blend into the area and landscaped (including land sculpturing and fencing, where appropriate), subject to the approval of the Director of HCD - Planning, prior to the issuance of building permits. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/Applicant shall submit proposed color of water tank and landscaping plans to HCD - Planning for review and approval.

Prior to final inspection or occupancy, the Owner/Applicant shall provide evidence to the Director of HCD - Planning that the water tank has been painted and the landscaping has been installed according to the plans approved by HCD - Planning.

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

18. PD050 - RAPTOR/MIGRATORY BIRD NESTING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (HCD - Planning)

Compliance or Monitoring Action to be Performed: No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to HCD -Planning a nest survey prepare by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

19. PDSP001 - MANURE MANAGEMENT PLAN

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: On an on-going basis and for the duration of operation, Abalone Creek Ranch shall be operated in a manner consistent with the prepared Manure Management Plan (Monterey County Library No. LIB230181), as approved by the Monterey County Environmental Health Beauru.

Recommendations include but are no limited to:
- monthly manure tracking report for the horses and llamas.
-spread manure via a pull chain-harrow
- application of lime either before a rainy period or after aerating the pasture by harrow (maximum of 0.4lbs per acre of lime for the upper and lower pastures, twice per year)
-transferring horse manure to a manure storage area (12' x 20' foot concrete bins with available coverage for precipitation events) and cleaning out these bins twice per week
- Annual Pasture Conditions Scorecard

All records shall be kept on-site and made available to HCD-Planning Services and the Environmental Health Bureau upon request.

Compliance or Monitoring Action to be Performed: On an on-going basis and for the duration of operation, Abalone Creek Ranch shall be operated in a manner consistent with the prepared Manure Management Plan (Monterey County Library No. LIB230181).

20. MM001 - PROJECT BIOLOGIST

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: In order to ensure grading and construction are conducted in accordance with the recommendations contained in the Biological Report (LIB220366), the Applicant/Owner shall submit to HCD-Planning for review and approval a copy of a contract with a qualified biologist ("Project Biologist"). The contract shall include implementation of a Biological Education Program for Employees ("BEPE"), monitoring of initial ground disturbing and trenching activities, installation of exclusionary fencing, and a pre-construction survey for Burrowing owls.

1) The BEPE training session shall be conducted prior to ground disturbance and with all project staff and construction personnel. The BEPE shall instruct attendees on habitat sensitivity, identification of special-status species, required practices prior to start of construction, general measures that are being implemented to conserve these species as they relate to the project, guidelines to avoid impacts to these species during the construction period, penalties for non-compliance, and the ability for the Project Biologist to halt work.
2) The Project Biologist shall be retained to monitor initial grading and trenching activities. If California tiger salamander (CTS) or California red-legged frog (CRLF), or any other special status species are discovered during construction or grading, the biologist shall stop work in the area until the species has moved out of the vicinity of ground-disturbing activities on its own or stop work and notify California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Services (USFWS).
3) To reduce the potential for migrating CTS or CRLF from entering the construction areas, construction impact areas shall be enclosed with exclusionary fencing between December 1 and January 15 and kept in place until construction is completed. The exclusionary fence shall be of standard silt fencing and shall be installed around the entire perimeter of each impact area (including any construction access points which can remain open during the day but shall be closed at night to prevent access). The silt fence shall be a minimum of 24 inches tall and should be buried to a minimum of 6 inches deep. The Project Biologist shall inspect the entire perimeter of the exclusionary fence daily prior to commencement of construction activities for gaps, tears, or presence of CTS or CRLF within the exclusionary fencing. Any gaps shall be filled and corrected as soon as is practicable. If a CTS or CRLF is located within the exclusionary fence, work in the area shall stop immediately. Work shall not commence until either the CTS or CRLF has moved outside of the impact area on its own or until the Project biologist has contacted CDFW and/or USFWS for guidance on next steps.
4) The Project Biologist shall conduct a standard burrowing owl survey, per the guidelines set forth by the 1993 CDFW Burrowing owl survey protocol, prior to the start of construction. If the Burrowing owl is determined to be present, then the Project Biologist shall follow the guidelines of the 1993 CDFW Burrowing owl survey protocol and set forth mitigation to avoid and minimize impacts. If the results of the pre-construction surveys are negative for Burrowing owls, then the Project Biologist shall submit the survey results to HCD-Planning for review prior to the start of construction.
5) A final report shall be submitted to HCD-Planning for review and approval that is sufficient in detail to explain how protection objectives have been met and any impacts incurred outside those previously analyzed including, though not limited to deviation from measures, modifications required in the field, occurrences of halting construction and/or any other issues identified.

Compliance or Monitoring Action to be Performed:

Prior to issuance of permits from Building Services, the applicant/owner shall submit to HCD-Planning for review and approval a copy of a contract with a qualified biologist to prepare the BEPE, provide the required training, conduct on-going initial ground disturbing monitoring, oversee installation of the exclusionary fencing (if construction occurs between December 1 and January 15), and ensure on-going compliance with these measures.

Prior to project-related ground disturbance, the project biologist shall submit the pre-construction burrowing owl survey results to HCD-Planning. If occurrences were documented, the Project Biologist shall adhere to the requirements of this mitigation.

Prior to project-related ground disturbance, the project biologist shall conduct a worker training session for all project staff and upon completion of the training session, applicant/owner shall provide to HCD-Planning a copy of the form signed by all training attendees.

Prior to final inspection of grading and/or construction permits from Building Services, Owner/Applicant/Project Biologist shall submit to HCD-Planning for review and approval a final report detailing how protection objectives have been met and any impacts incurred outside those previously analyzed including, though not limited to deviation from measures, modifications required in the field, occurrences of halting construction and/or any other issues identified.

21. MM002 - TRIBAL MONITOR

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: To ensure that tribal cultural resources incur a less than significant impact if encountered, a Tribal Monitor approved by the appropriate tribe shall be on-site and observe initial project-related grading and excavation related to the barn, equipment storage building, and new ranch roads to identify resources with tribal cultural significance. This Tribal Monitor shall have the authority to temporarily halt work to examine any potentially significant cultural materials or features. If resources are discovered, the Applicant/Owner/contractor shall refer to and comply with County condition of approval PD003(B) as applicable. This mitigation is not intended to alleviate the responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered.

Compliance or Monitoring Action to be Performed: Prior to the issuance of construction permits from HCD-Building Services, the Applicant/Owner shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 2, including all compliance actions. The Applicant/Owner shall submit said plans to HCD-Planning for review and approval.

Prior to the issuance of construction permits from HCD-Building Services, the Applicant/Owner shall submit evidence to the satisfaction of the Chief of HCD-Planning that a Tribal Monitor traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal Monitor shall be retained for the duration of initial project-related grading and excavation related to the barn, equipment storage building, and new ranch roads.

Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor shall take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the Property Owner, shall be returned within one (1) year to a representative of the appropriate local tribe as recognized by the NAHC, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the fieldwork. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University prior to the finalization of construction permits. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and the penalty for violation pursuant to PRC section 5097.994.

The Tribal Monitor shall prepare daily monitoring reports that shall be available upon request by HCD – Planning. A final report prepared by the Tribal Monitor, including all of the daily monitoring reports, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities. The final report shall confirm participation in the monitoring and provide a summary of archaeological and /or cultural finds or no finds, as applicable.

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ABALONE CREEK RANCH

VICINITY MAP



FIRE DEPARTMENT NOTES

FIRE001 - ROAD ACCESS
ACCESS ROADS SHALL BE REQUIRED FOR EVERY BUILDING WHEN ANY PORTION OF THE EXTERIOR WALL OF THE FIRST STORY IS LOCATED MORE THAN 150 FEET FROM FIRE DEPARTMENT ACCESS. ALL ROADS SHALL BE CONSTRUCTED TO PROVIDE A MINIMUM OF TWO NINE-FOOT TRAFFIC LANES WITH AN UNOBSTRUCTED VERTICAL CLEARANCE OF NOT LESS THAN 15 FEET. THE ROADWAY SURFACE SHALL PROVIDE UNOBSTRUCTED ACCESS TO CONVENTIONAL DRIVE VEHICLES INCLUDING SEDANS AND FIRE APPARATUS AND SHALL BE AN ALL-WEATHER SURFACE DESIGNED TO SUPPORT THE IMPOSED LOAD OF FIRE APPARATUS (22 TONS). EACH ROAD SHALL HAVE AN APPROVED NAME. RESPONSIBLE LAND USE DEPARTMENT: MONTEREY COUNTY REGIONAL FPD.

FIRE002 - ROADWAY ENGINEERING
THE GRADE FOR ALL ROADS SHALL NOT EXCEED 15 PERCENT. WHERE ROAD GRADES EXCEED 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 LENGTH OF VERTICAL CURVES IN ROADWAYS, EXCLUSIVE OF GUTTERS, DITCHES AND DRAINAGE STRUCTURES DESIGNED TO HOLD OR DIVERT WATER, SHALL NOT BE LESS THAN 100 FEET. NO ROADWAY TURN SHALL HAVE A HORIZONTAL INSIDE RADIUS OF LESS THAN 50 FEET. A ROADWAY TURN RADIUS OF 50 TO 100 FEET IS REQUIRED TO HAVE AN ADDITIONAL 4 FEET OF ROADWAY SURFACE. A ROADWAY TURN RADIUS OF 100 TO 200 FEET IS REQUIRED TO HAVE AN ADDITIONAL 2 FEET OF ROADWAY SURFACE. ROADWAY TURNAROUNDS SHALL BE REQUIRED ON DEAD-END ROADS IN EXCESS OF 150 FEET OF SURFACE LENGTH. THE MINIMUM TURNING RADIUS FOR A TURNAROUND SHALL BE 40 FEET FROM THE CENTER LINE OF THE ROAD. IF A HAMMERHEAD/T IS USED, THE TOP OF THE "T" SHALL BE A MINIMUM OF 60 FEET IN LENGTH. RESPONSIBLE LAND USE DEPARTMENT: MONTEREY COUNTY REGIONAL FPD.

FIRE008 - GATES
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. RESPONSIBLE LAND USE DEPT.: MONTEREY COUNTY REGIONAL FPD.

FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL)
FOR DEVELOPMENT OF STRUCTURES TOTALING LESS THAN 3,000 SQUARE FEET ON A SINGLE PARCEL, THE MINIMUM FIRE PROTECTION WATER SUPPLY SHALL BE 4,900 GALLONS. FOR DEVELOPMENT OF STRUCTURES TOTALING 3,000 SQUARE FEET OR MORE ON A SINGLE PARCEL, THE MINIMUM FIRE PROTECTION WATER SUPPLY SHALL BE 9,800 GALLONS. FOR DEVELOPMENT OF STRUCTURES TOTALING MORE THAN 10,000 SQUARE FEET ON A SINGLE PARCEL, THE REVIEWING AUTHORITY MAY REQUIRE ADDITIONAL FIRE PROTECTION WATER SUPPLY. OTHER WATER SUPPLY ALTERNATIVES, INCLUDING ISO RURAL CLASS 8 MOBILE WATER SYSTEMS, MAY BE PERMITTED BY THE FIRE AUTHORITY TO PROVIDE FOR THE SAME PRACTICAL EFFECT. THE QUANTITY OF WATER REQUIRED BY THIS CONDITION SHALL BE IN ADDITION TO THE DOMESTIC DEMAND AND SHALL BE PERMANENTLY AND IMMEDIATELY AVAILABLE. RESPONSIBLE LAND USE DEPARTMENT:

FIRE019 - DEFENSIBLE SPACE REQUIREMENTS
MANAGE COMBUSTIBLE VEGETATION WITHIN A MIN. OF 100 FEET OF STRUCTURES (OR THE PROPERTY LINE). LIMB TREES 6 FEET UP FROM GROUND. REMOVE LIMBS WITHIN 10 FEET OF CHIMNEYS. ADDITIONAL AND/OR ALTERNATE FIRE PROTECTION OR FIREBREAKS APPPROVED BY THE FIRE 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. RESPONSIBLE LAND USE DEPT.: MONTEREY COUNTY REGIONAL FPD.

FIRE027 - ROOF CONSTRUCTION
ALL NEW STRUCTURES, AND ALL EXISTING STRUCTURES RECEIVING NEW ROOFING OVER 25 PERCENT OR MORE OF THE EXISTING ROOF SURFACE WITHIN A ONE-YEAR PERIOD, SHALL REQUIRE A MINIMUM OF ICBO CLASS A ROOF CONSTRUCTION (IN ACCORDANCE WITH CARMEL MUNICIPAL CODE 15.08.120). RESPONSIBLE LAND USE DEPARTMENT: MONTEREY COUNTY REGIONAL FPD.

MATERIALS AND CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE EXPOSURE
NEW BUILDINGS, LOCATED IN ANY FIRE HAZARD SEVERITY ZONE OR ANY WILDLAND-URBAN INTERFACE FIRE AREA DESIGNATED BY THE ENFORCING AGENCY, AND FOR WHICH AN APPLICATION FOR A BUILDING PERMIT IS SUBMITTED ON OR AFTER JULY 1ST/ 2008, SHALL COMPLY WITH ALL SECTIONS AND PROVISIONS OF CHAPTER 49 & 7A OF THE 2019 EDITION OF THE CALIFORNIA FIRE CODE.

GENERAL NOTES

1. CONTRACTOR LICENSE: THE CONTRACTOR(S) PERFORMING THE WORK DESCRIBED BY THESE PLANS AND SPECIFICATIONS SHALL BE PROPERLY AND CURRENTLY LICENSED DURING THE EXECUTION OF THE PROJECT AND SHALL NOT PERFORM WORK OUTSIDE THE LEGAL SCOPE OF ANY LICENSE.

2. SCOPE: THE CONTRACTOR SHALL PROVIDE AND PAY FOR ALL LABOR, MATERIALS, TOOLS, EQUIPMENT AND MACHINERY, TRANSPORTATION, WATER, HEAT, ELECTRICAL, TELEPHONE, AND ANY OTHER RELATED ITEMS NECESSARY FOR THE PROPER EXECUTION AND TIMELY COMPLETION OF THE WORK.

3. PERMITS: UNLESS OTHERWISE INSTRUCTED, THE OWNER SHALL PAY ALL PERMIT FEES INCLUDING UTILITIES. THE CONTRACTOR SHALL SECURE THE BUILDING PERMIT AND ANY OTHER PERMITS PRIOR TO STARTING THE WORK AND COMPLY WITH ALL INSPECTION REQUIREMENTS THROUGH FINAL SIGN-OFF.

4. LEGAL/NOTICES/CODE COMPLIANCE: THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, BUILDING CODES, RULES, REGULATIONS AND OTHER LAWFUL ORDERS OF ANY PUBLIC AUTHORITY BEARING ON THE PERFORMANCE OF THE WORK. THE CONTRACTOR SHALL PROMPT NOTIFY THE DESIGNERS IN WRITING IF THE DRAWINGS AND/OR SPECIFICATIONS ARE AT VARIANCE WITH ANY SUCH REQUIREMENTS. (2016 C.B.C.)

5. CLEANING UP: THE CONTRACTOR SHALL KEEP THE PREMISES AND SITE FREE FROM ACCUMULATION OF WASTE MATERIALS DURING CONSTRUCTION BY PERIODIC CLEAN UP AND OFF-SITE DEBRIS REMOVAL. FINAL CLEANUP AND DEBRIS DISPOSITION SHALL BE TO THE SATISFACTION OF THE OWNER.

6. BUILDING CODES: ALL CONSTRUCTION SHALL COMPLY WITH AND MEET THE REQUIREMENTS OF THE 2019 EDITION OF THE CALIFORNIA RESIDENTIAL CODE (CRC), CALIFORNIA PLUMBING CODE (CPC), CALIFORNIA ELECTRICAL CODE (CEC), CALIFORNIA MECHANICAL CODE (CMC), CALIFORNIA FIRE CODE (CFC), CALIFORNIA GREEN BUILDING CODE (CGBC) AND CALIFORNIA ENERGY CODE.

7. NO LAND CLEARING OR GRADING SHALL OCCUR ON THE PROPERTY BETWEEN OCTOBER 15 AND APRIL 15 UNLESS AUTHORIZED BY THE DIRECTOR OF PLANNING AND BUILDING INSPECTION.

8. CONSTRUCTION, BRACING & SHORING: THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL BRACING AND SHORING REQUIRED DURING CONSTRUCTION UNTIL ALL CONSTRUCTION IS COMPLETE.

9. CONTRACTOR SHALL PROVIDE EMERGENCY ACCESS DURING THE CONSTRUCTION.

10. CONTRACTOR SHALL OBTAIN AN 811/DIG ALERT TICKET PRIOR TO PERMIT ISSUANCE AND SHALL MAINTAIN THE TICKET IN ACTIVE STATUS THROUGHOUT THE PROJECT. TICKET SHALL BE KEPT ON SITE FOR INSPECTOR REFERENCE.

11. TREE AND ROOT PROTECTION:
TREES ARE TO BE PROTECTED AND PRESERVED. IN OR NEAR THE CONSTRUCTION AREA. A BOUNDARY OF ORANGE SNOW NETTING OR HIGH VISIBILITY PLASTIC FENCING SUPPORTED BY WOOD OR METAL STAKES AND/OR STRAW BALES SHOULD BE ERECTED ALONG THE APPROXIMATE DRIP LINES OF SUCH PROTECTED TREES TO DEFINE THE CONSTRUCTION PROJECT BOUNDARY. EXCAVATION AND CONSTRUCTION ACTIVITIES AND MATERIALS SHOULD NOT INTRUDE INTO THIS DEFINED BOUNDARY AT ANY TIME AND KEPT AS MUCH AS POSSIBLE WITHIN PROPOSED STRUCTURE AND DRIVEWAY FOOTPRINTS OR OUTSIDE OF THE TREE DRIP LINES IN THE TREELESS AREA.

OWNERSHIP NOTES

1. TITLE AND ALL "COPYRIGHT" PRIVILEGES TO THESE DRAWINGS AND SPECIFICATIONS IS CLAIMED BY HOLDREN-LIETZKE DESIGN HEREINAFTER REFERRED TO AS "DESIGNERS" WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE SUBJECT DRAWINGS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIA EVIDENCE OF THE ACCEPTANCE OF THESE OWNERSHIP RIGHTS AND THE FOLLOWING RELATED RESTRICTIONS.

2. THE USE OF THESE DRAWINGS AND SPECIFICATIONS SHALL BE SOLELY RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND THE DESIGNERS HEREBY STATE THAT THEY ARE NOT INTENDED FOR NOR SUITABLY ENGINEERED FOR ANY OTHER SITE. REPRODUCTION OF THESE DOCUMENTS IF THEREFORE EXPRESSLY LIMITED TO THIS INTENDED USE.

3. THE DESIGNERS DISCLAIM ALL RESPONSIBILITY IF THESE DRAWINGS AND SPECIFICATIONS ARE USED, IN WHOLE OR IN PART, WITHOUT PRIOR WRITTEN PERMISSION, WHETHER OR NOT MODIFIED BY OTHERS FOR ANOTHER SITE.

4. IN THE EVENT OF UNAUTHORIZED USE BY ANY THIRD PARTY OF THESE DRAWINGS AND SPECIFICATIONS THE CLIENT FOR WHICH THIS WORK WAS ORIGINALLY PREPARED HEREBY AGREES TO HOLD HARMLESS, INDEMNIFY AND DEFEND THE DESIGNERS, FROM ANY CLAIMS ARISING FROM SUCH UNAUTHORIZED USE.

PROJECT DATA

PROJECT DESCRIPTION:
COMBINED DEVELOPMENT PERMIT CONSISTING OF:
1) AFTER-THE-FACT USE PERMIT TO ALLOW DEVELOPMENT ON SLOPES EXCEEDING 25%.
2) DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF:
NEW 7,452 SQ.FT. LIVESTOCK BARN.
NEW 2,400 SQ.FT. STORAGE SHED.
NEW 1,000 SQ.FT. LIVESTOCK SHED.
NEW 7,200 SQ.FT. MACHINE SHED.
NEW 216 SQ.FT. POTTING SHED.
NEW AGRICULTURAL WELL.
NEW 21,869 SQ.FT. POND.

PROJECT ADDRESS:
18000 CORRAL DE CIELO ROAD, SALINAS CA. 93908

ASSESSOR PARCEL NUMBER:
416-441-047

LOT/BLOCK:
T 16 R3 E SEC 17 ADJ LOT 2

ZONING:
PG/40VS

LAND USE DESIGNATION:
PERMANENT GRAZING 10 160 AC MIN

CURRENT USE:
AGRICULTURAL PRESERVE

OCCUPANCY GROUP:
U-1 FOR BARN

NUMBER OF STORIES:
TWO

TYPE OF CONSTRUCTION:
TYPE II

LOT SIZE:
LOT = 9,103,604.40 SQ. FT. (208.99 ACRES)

BUILDING SITE COVERAGE:
MAXIMUM ALLOWED: 455,180 SQ. FT. (5%)

PROPOSED BARN:	9,267 SQ.FT.
PROPOSED STORAGE SHED:	2,400 SQ.FT.
PROPOSED MACHINE SHED:	7,200 SQ.FT.
PROPOSED POTTING SHED:	216 SQ.FT.
PROPOSED LIVESTOCK SHED:	1,200 SQ.FT.
TOTAL PROPOSED SITE COVERAGE:	20,283 SQ.FT. (0.22%)

IMPERVIOUS COVERAGE:

PROPOSED BARN:	9,267 SQ.FT.
PROPOSED STORAGE SHED:	2,400 SQ.FT.
PROPOSED MACHINE SHED:	7,200 SQ.FT.
PROPOSED POTTING SHED:	216 SQ.FT.
PROPOSED LIVESTOCK SHED:	1,200 SQ.FT.
PROPOSED TRUSSED HORSE SHELTERS:	864 SQ.FT.
PROPOSED CHICKEN COOPS:	3,456 SQ.FT.
TOTAL PROPOSED SITE COVERAGE:	24,603 SQ.FT. (0.27%)

FLOOR AREA:

MAXIMUM ALLOWED:	
PROPOSED BARN:	7,452 SQ.FT.
PROPOSED STORAGE SHED:	2,400 SQ.FT.
PROPOSED MACHINE SHED:	7,200 SQ.FT.
PROPOSED POTTING SHED:	216 SQ.FT.
PROPOSED LIVESTOCK SHED:	1,000 SQ.FT.
TOTAL PROPOSED FLOOR AREA:	18,268 SQ.FT. (0.20%)

AVERAGE NATURAL GRADE:

PROPOSED BARN:	+1,368.87' ELEVATION
PROPOSED LIVESTOCK SHED:	+1,643.375' ELEVATION
PROPOSED MACHINE SHED:	+1,336' ELEVATION
PROPOSED POTTING SHED:	+1,322' ELEVATION

BUILDING HEIGHT:

MAIN STRUCT. MAX. HGT.:	+35'-0" ABOVE A.N.G.
ACCESSORY STRUCT. MAX. HGT.:	+35'-0" ABOVE A.N.G.
PROPOSED BARN:	+30'-2" ABOVE A.N.G.
PROPOSED STORAGE SHED:	+16'-6" ABOVE A.N.G.
PROPOSED LIVESTOCK SHED:	+15' ABOVE A.N.G.
PROPOSED POTTING SHED:	+13'-7" ABOVE A.N.G.
PROPOSED MACHINE SHED:	+22'-0" ABOVE A.N.G.

PARKING SUMMARY:
10 STANDARD SIZE PARKING SPACES PROVIDED

GRADING SUMMARY:

ROAD CUT:	14,200 CU.YD.
BARN CUT:	6,100 CU.YD.
TOTAL CUT:	20,300 CU.YD.
ROAD FILL:	10,200 CU.YD.
BARN FILL:	10,100 CU.YD.
TOTAL FILL:	20,300 CU.YD.

TOTAL AREA OF DISTURBANCE:	424,710 SQ.FT. (9.75 ACRES)
TOTAL AREA OF IMPACT TO 25% SLOPES:	40,075 SQ.FT. (0.92 ACRES)

PROJECT TEAM

PROJECT OWNER:
BEN CHRISTENSEN & TARIN CHRISTENSEN
1410 DRY CREEK ROAD
SAN JOSE, CA 95125
TEL: (310) 782-5511

ARCHITECT:
CRAIG HOLDREN
HOLDREN + LIETZKE ARCHITECTURE
225 CANNERY ROW SUITE A, MONTEREY CA. 93940
TEL: (831) 649-6001

SURVEYOR:
THOMAS HANNAH
WHITSON ENGINEERS
6 HARRIS COURT MONTEREY, CALIFORNIA 93940
TEL: (831) 649-5225

CIVIL ENGINER:
RICHARD WEBER
WHITSON ENGINEERS
6 HARRIS COURT MONTEREY, CALIFORNIA 93940
TEL: (831) 649-5225

GEOTECHNICAL ENGINEER:
BELINDA TALUBAN
SOIL SURVEYS GROUP, INC.
103 CHURCH STREET, SALINAS CA. 93901
TEL: (831) 757-2172

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C001	CIVIL COVER SHEET
C002	CIVIL DETAILS
C003	CIVIL DETAILS
C004	CIVIL NOTES
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C101	RANCH ROAD GRADING PLAN
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C103	RANCH ROAD GRADING PLAN
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C303	TEMPORARY EROSION AND SEDIMENT CONTROL NOTES & DETAILS
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A1.1	SLOPE MAP
A1.2	SLOPE DENSITY MAP
A1.3	NEW SITE PLAN
A1.7	PROPOSED BARN DRAINAGE PLAN
A1.8	FUEL MANAGEMENT AND PROPERTY GATES PLANS
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A3.6	PROPOSED MACHINE SHED PLANS AND EXTERIOR ELEVATIONS

HOLDREN + LIETZKE ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

Ph: 831.649.6001
Fax: 831.649.6003

www.hl-arc.com

DATE:	02/07/2024
SCALE:	N.T.S.
DRAWN:	A.P.
JOB NUMBER:	20.09
REVISION	

COVER SHEET

ABALONE CREEK RANCH
18000 CORRAL DE CIELO
SALINAS CA. 93908
A.P.N. 416-441-047

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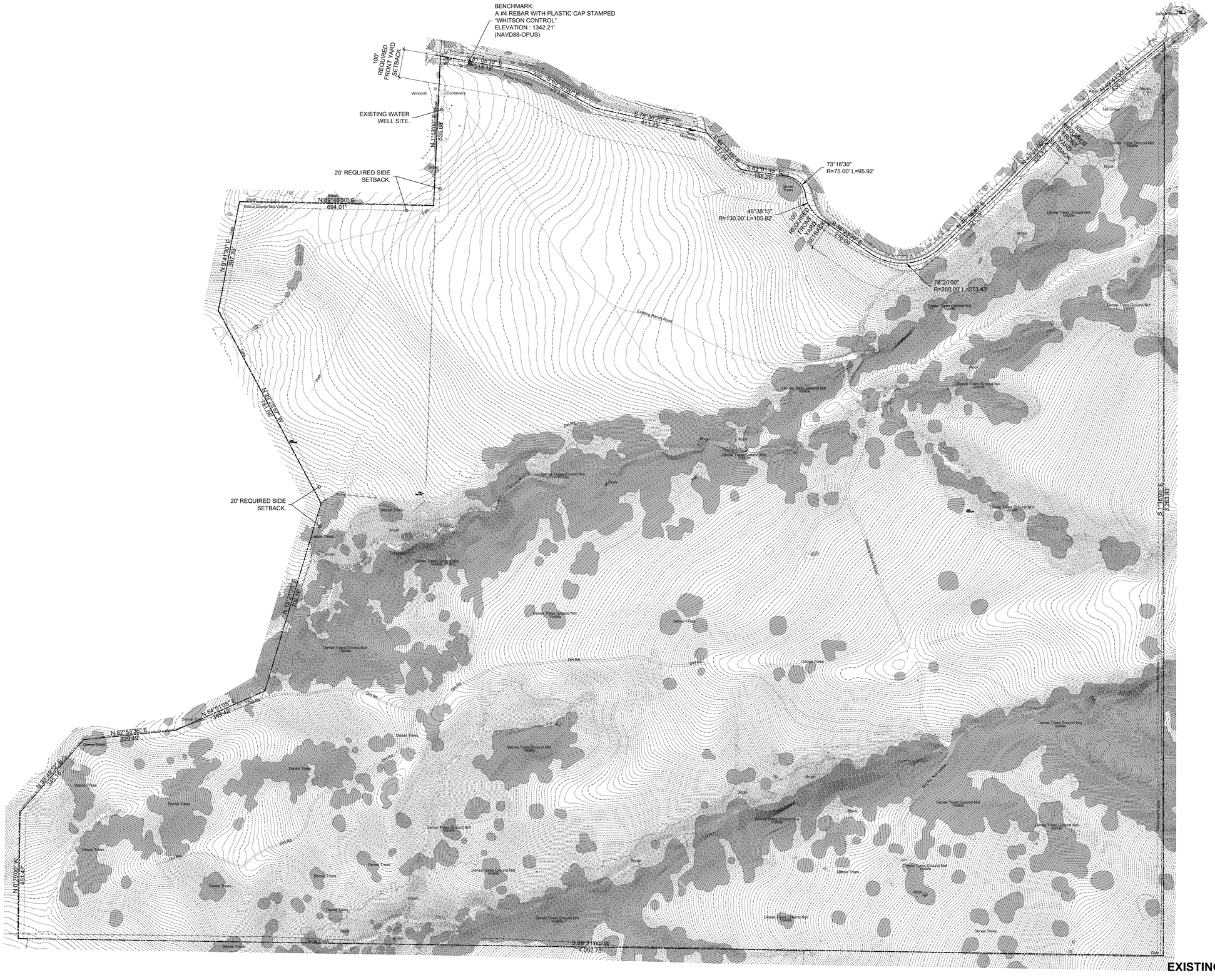

EXISTING SITE PLAN

SCALE: 1" = 160'-0"

TRUE NORTH

HOLDREN + LIETZKE ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

Ph: 831.649.6001
Fax: 831.649.6003

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DATE:	11/30/2022
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JOB NUMBER:	20.09
REVISION	

EXISTING SITE PLAN

ABALONE CREEK RANCH

18000 CORRAL DE CIELO
SALINAS CA. 93908
A.P.N. 416-441-047

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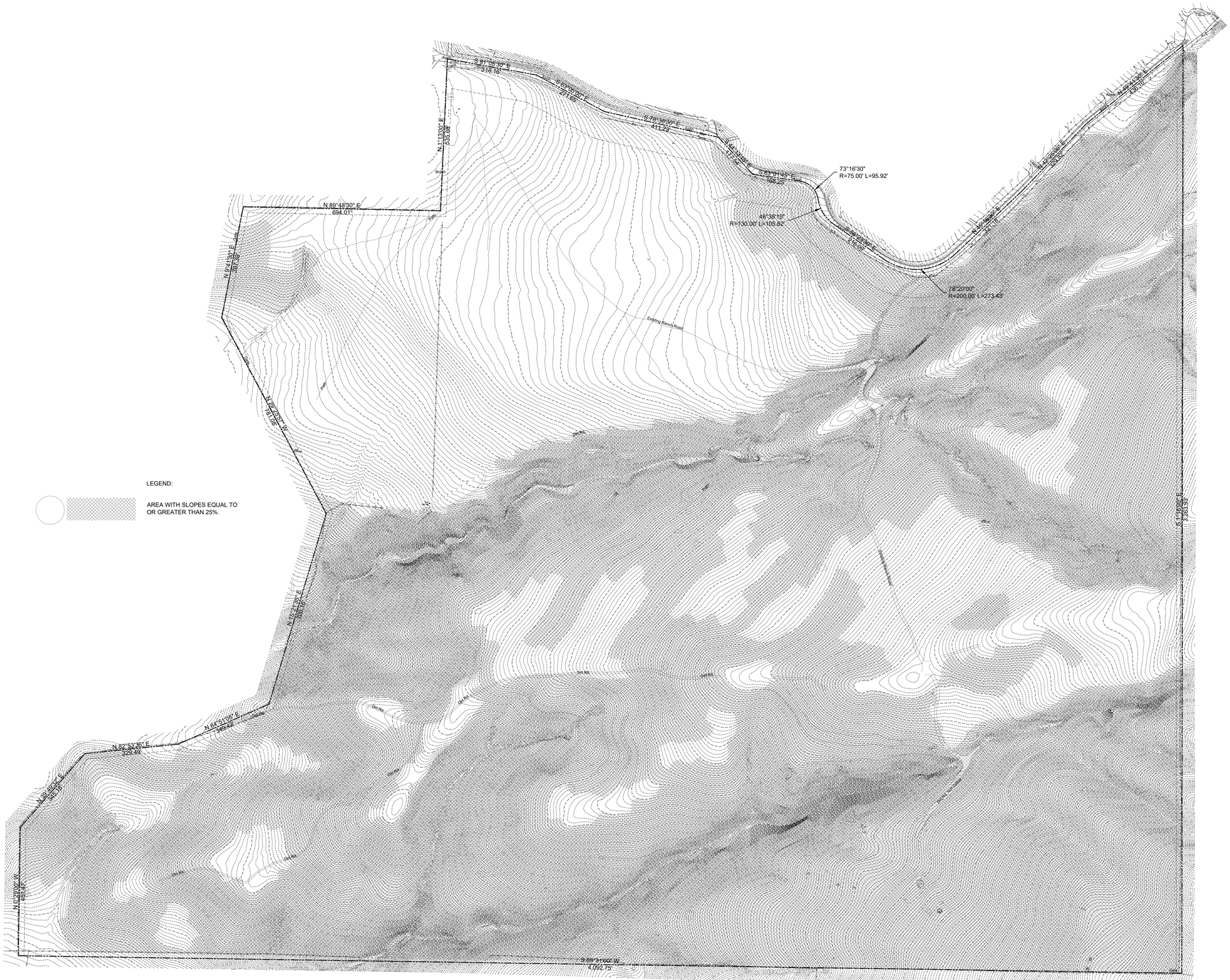
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318.16'
S 69°45'00" E
271.65'
S 76°39'30" E
411.23'
S 48°13'00" E
417.54'
S 33°11'45" E
166.35'
73°16'30"
R=75.00' L=95.92'
46°38'15"
R=130.00' L=105.82'
S 86°50'30" E
216.00'
78°20'00"
R=200.00' L=273.43'
N 47°30'30" E
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N 41°49'45" E
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N 1°13'00" E
535.08'
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781.08'
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808.10'
N 64°51'05" E
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329.49'
N 89°45'32" E
93.18'
N 0°20'00" W
1461.49'
S 89°31'00" W
4,092.75'
S 1°10'00" E
2,263.35'
Existing Ranch Road
Dirt Rd
Brush
Fence
Pine Trees
Oak Trees
Drainage
Ridge
Gully
Rock Outcrop
Dry Creek Bed
Dry Creek Road
Dirt Rd
Dirt Rd
Dirt Rd

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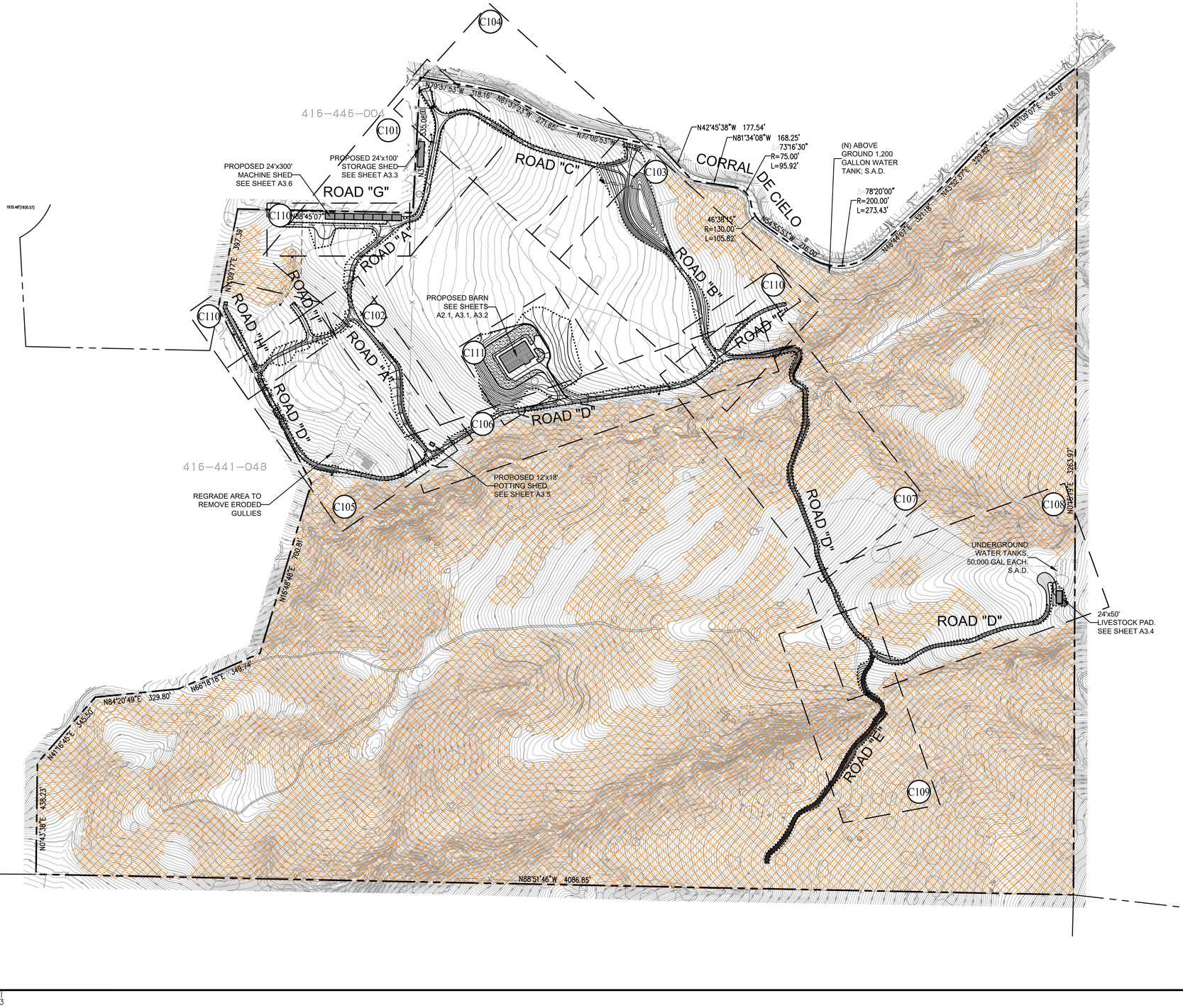
811 Know what's below. Call before you dig.



N

LEGEND

C101 SHEET NUMBER

AREA OF 25% OR GREATER SLOPE

Civil Engineering
Land Surveying
4 Harris Court
Monterey, California
831-649-3225
whitsonengineers.com

Whitson ENGINEERS

REGISTERED PROFESSIONAL ENGINEER
RICHARD P. WEBER
No. 55019
CIVIL
STATE OF CALIFORNIA

SUBMITTAL / REVISION

CHRISTENSEN
CORRAL DE CIELO

18000 CORRAL DE CIELO ROAD
Corral de Tierra, California

OVERALL SITE PLAN AND SHEET INDEX

416-441-047

SCALE:	1" = 200'
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JOB No.:	4238.00

SHEET C100 OF

I:\Monterey Projects\4238 - Christensen - Corral de Cielo - Survey\CAD\PLANSET\4238-CIVIL.dwg bcrossman Oct 26, 2022 - 8:24am

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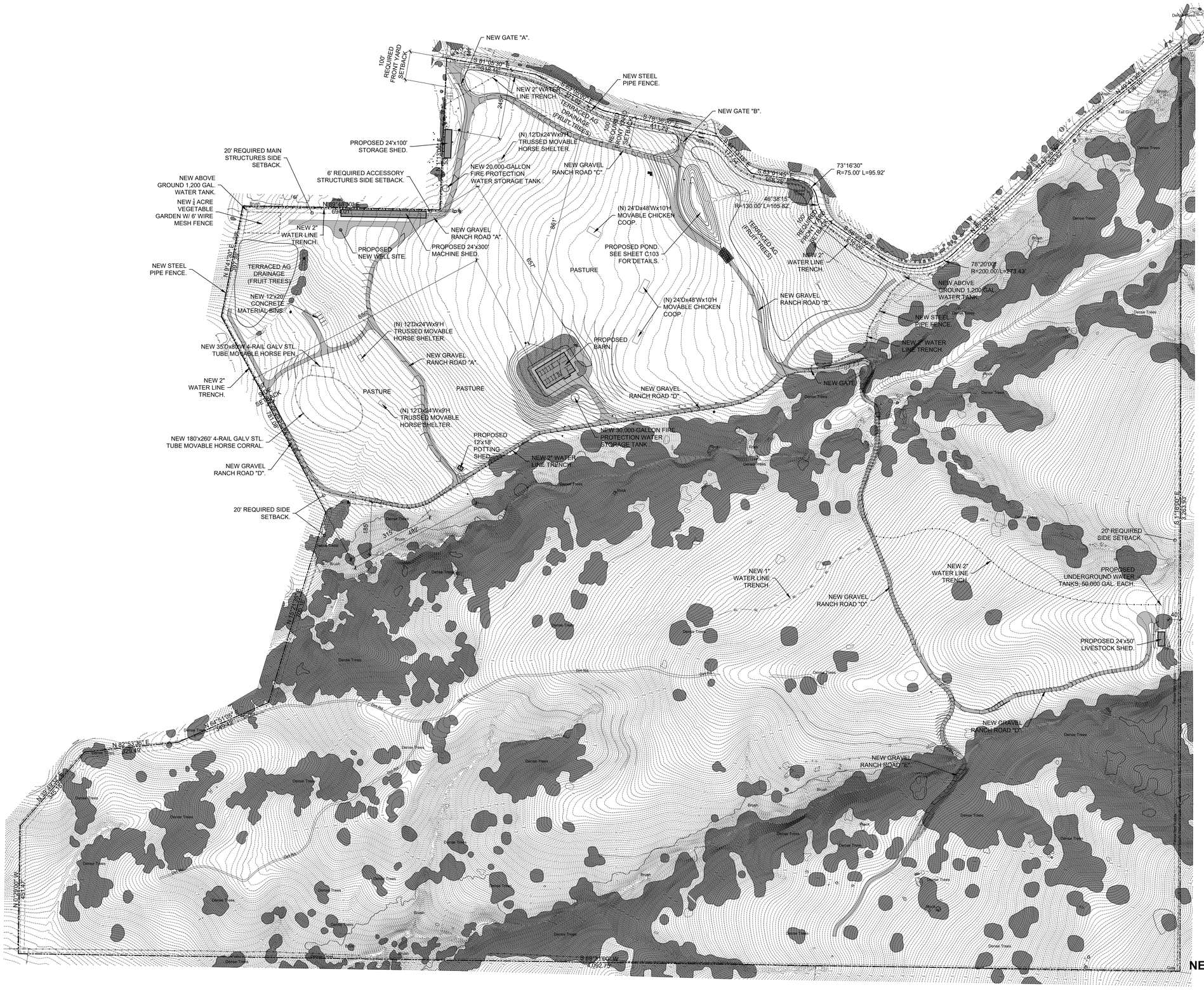

NEW SITE PLAN

SCALE: 1" = 160'-0"

TRUE NORTH

HOLDREN + LIETZKE ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

Ph: 831.649.6001
Fax: 831.649.6003

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REVISION	

NEW SITE PLAN

ABALONE CREEK RANCH

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SALINAS CA. 93908
A.P.N. 416-441-047

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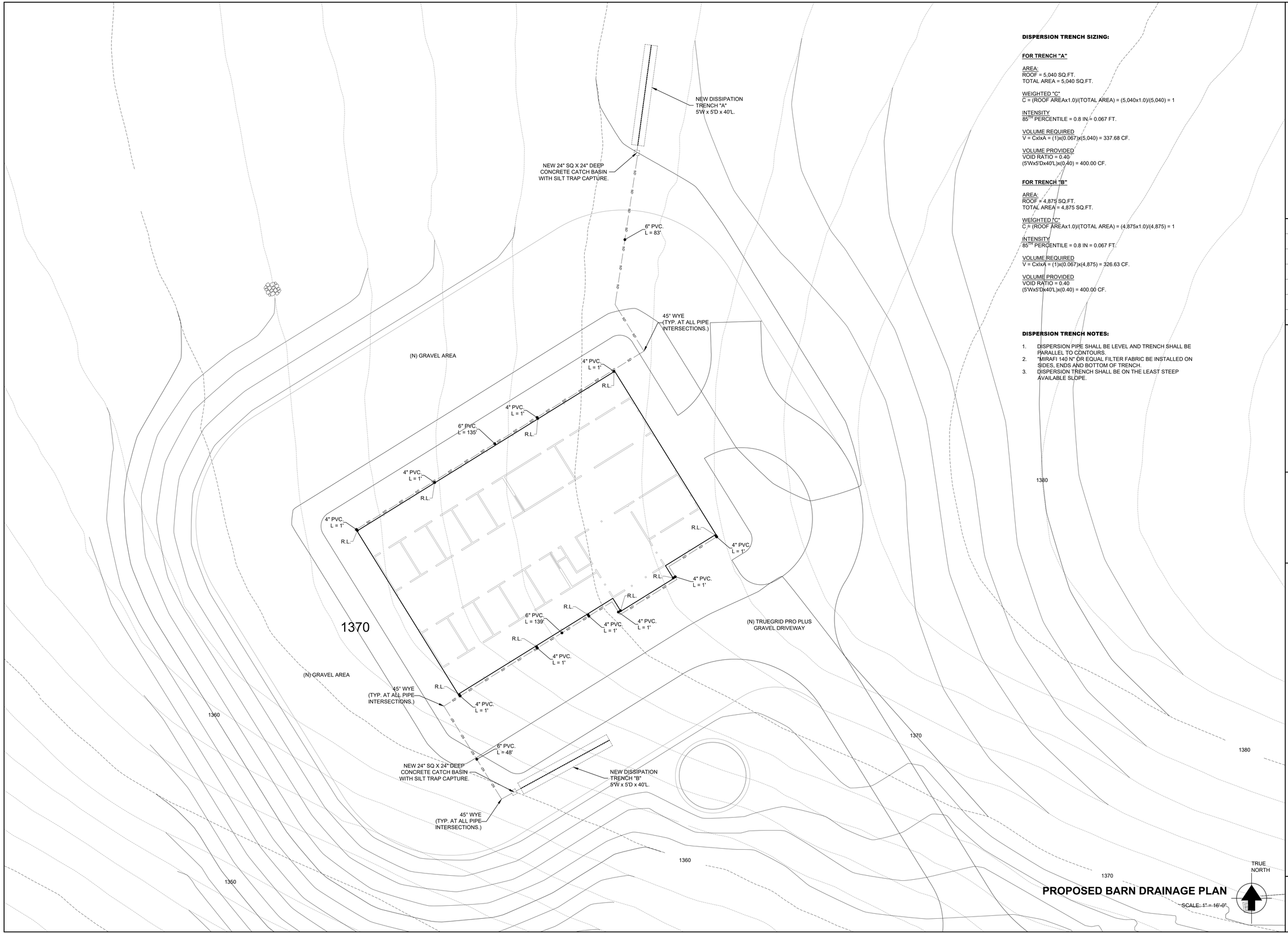

DISPERSION TRENCH SIZING:

FOR TRENCH "A"

AREA:
ROOF = 5,040 SQ.FT.
TOTAL AREA = 5,040 SQ.FT.

WEIGHTED "C"
C = (ROOF AREAx1.0)/(TOTAL AREA) = (5,040x1.0)/(5,040) = 1

INTENSITY
85TH PERCENTILE = 0.8 IN = 0.067 FT.

VOLUME REQUIRED
V = CxIxA = (1)x(0.067)x(5,040) = 337.68 CF.

VOLUME PROVIDED
VOID RATIO = 0.40
(5'Wx5'Dx40'L)x(0.40) = 400.00 CF.

FOR TRENCH "B"

AREA:
ROOF = 4,875 SQ.FT.
TOTAL AREA = 4,875 SQ.FT.

WEIGHTED "C"
C = (ROOF AREAx1.0)/(TOTAL AREA) = (4,875x1.0)/(4,875) = 1

INTENSITY
85TH PERCENTILE = 0.8 IN = 0.067 FT.

VOLUME REQUIRED
V = CxIxA = (1)x(0.067)x(4,875) = 326.63 CF.

VOLUME PROVIDED
VOID RATIO = 0.40
(5'Wx5'Dx40'L)x(0.40) = 400.00 CF.

DISPERSION TRENCH NOTES:

1. DISPERSION PIPE SHALL BE LEVEL AND TRENCH SHALL BE PARALLEL TO CONTOURS.
2. "MIRAFI 140 N" OR EQUAL FILTER FABRIC BE INSTALLED ON SIDES, ENDS AND BOTTOM OF TRENCH.
3. DISPERSION TRENCH SHALL BE ON THE LEAST STEEP AVAILABLE SLOPE.

PROPOSED BARN DRAINAGE PLAN

SCALE: 1" = 16'-0"

HOLDREN + LIETZKE ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

Ph: 831.649.6001
Fax: 831.649.6003

www.hl-arc.com

DATE:	11/30/2022
SCALE:	1"=16'-0"
DRAWN:	A.P.
JOB NUMBER:	20.09
REVISION	

PROPOSED BARN DRAINAGE PLAN

ABALONE CREEK RANCH

18000 CORRAL DE CIELO
SALINAS CA. 93908
A.P.N. 416-441-047

A1.7

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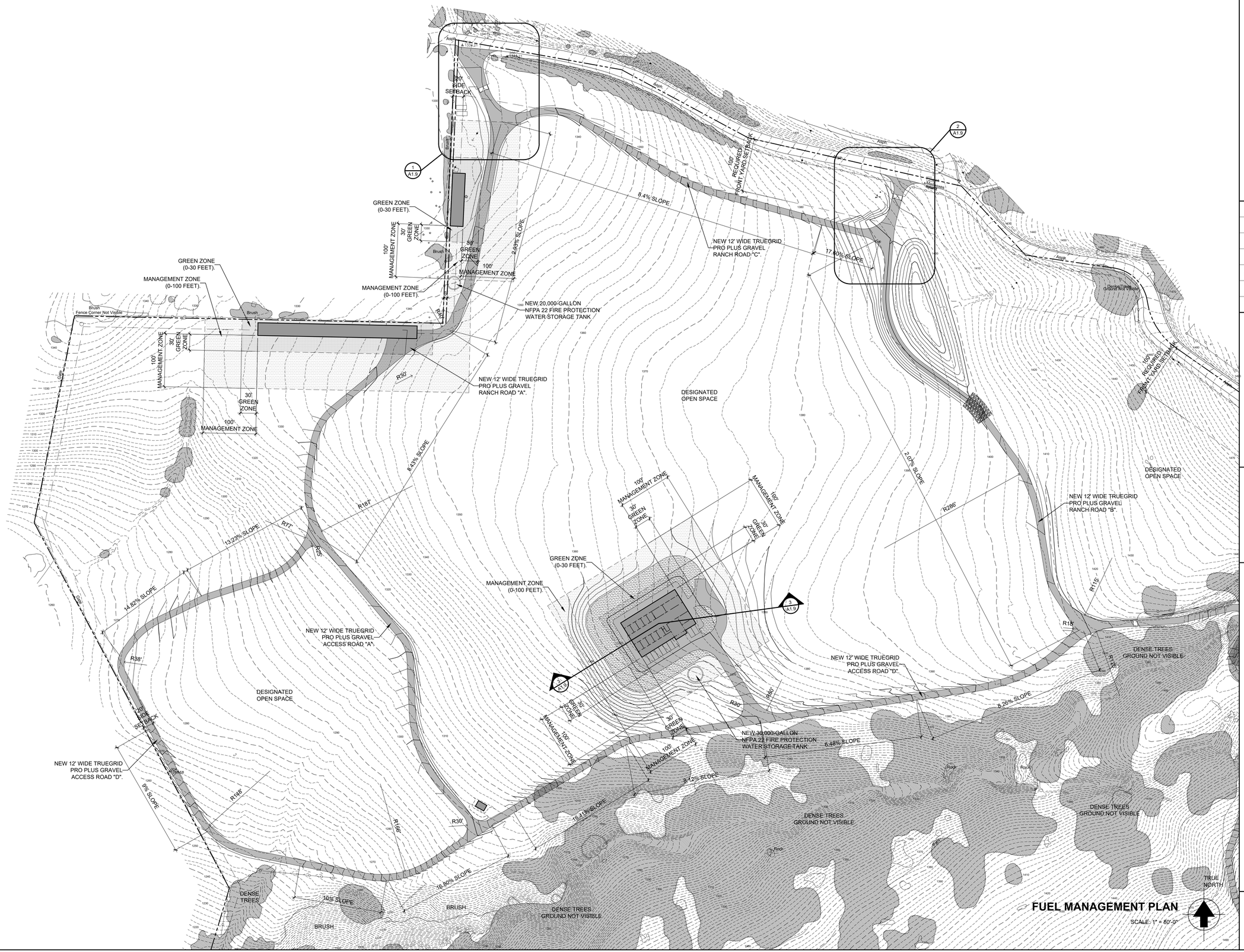

FUEL MANAGEMENT PLAN

SCALE: 1" = 80'-0"

HOLDREN + LIETZKE ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

Ph: 831.649.6001
Fax: 831.649.6003

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DATE:	02/05/2024
SCALE:	1"=80'-0"
DRAWN:	A.P.
JOB NUMBER:	20.09
REVISION	

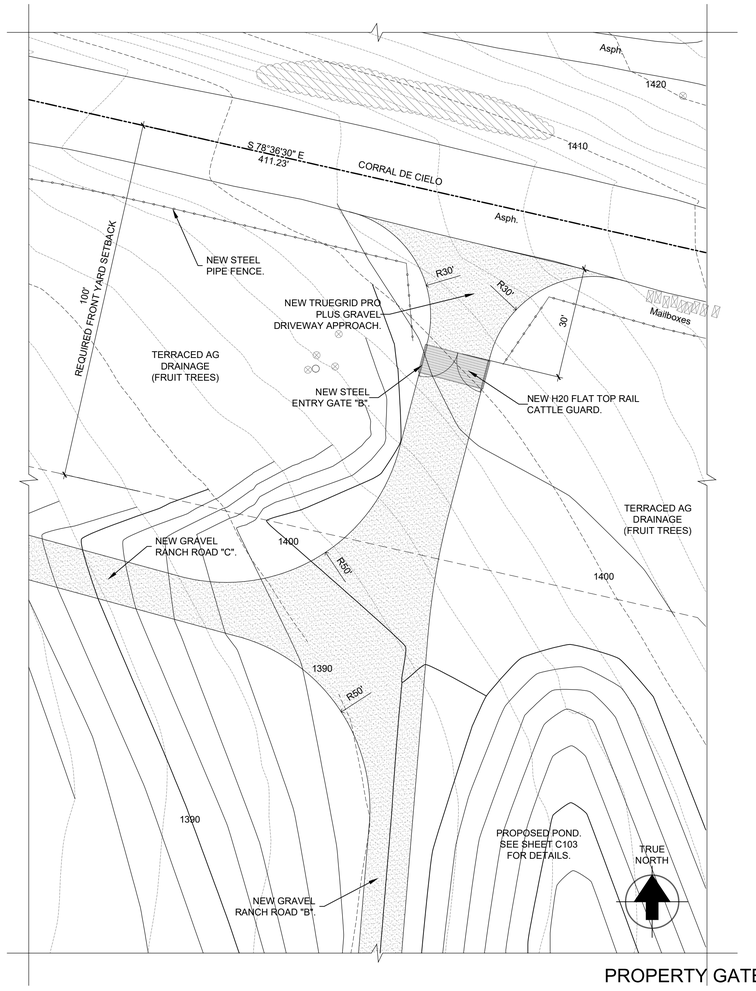
FUEL MANAGEMENT PLAN

ABALONE CREEK RANCH

18000 CORRAL DE CIELO
SALINAS CA. 93908
A.P.N. 416-441-047

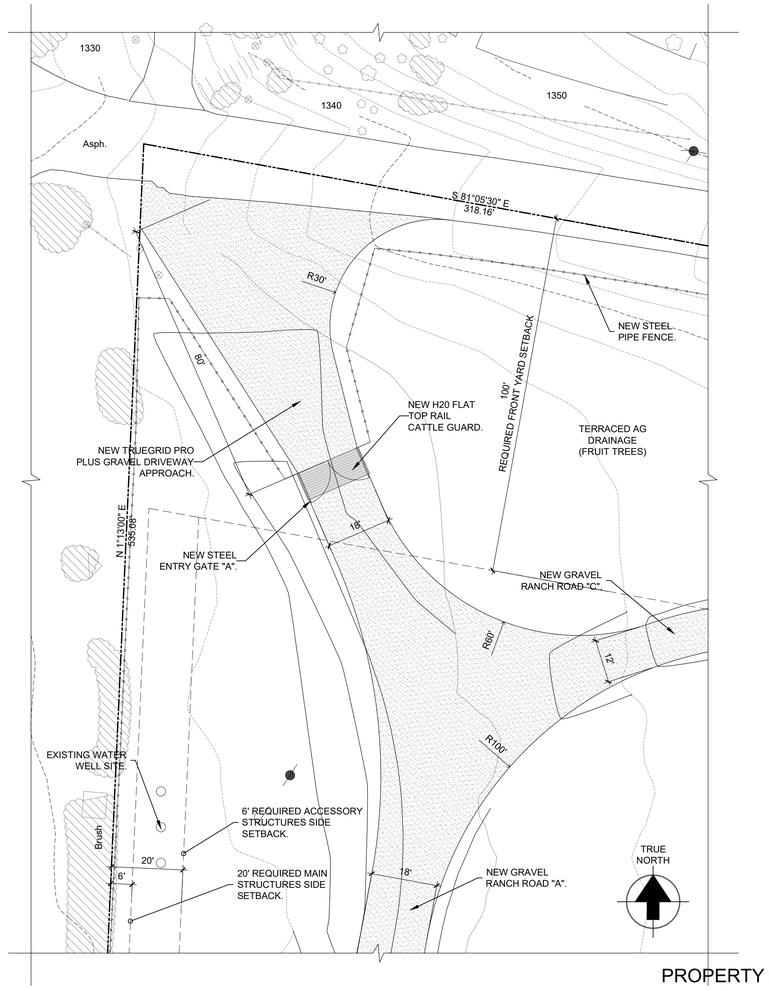
A1.8

Docusign Envelope ID: 6D7A664F-8A93-482E-93AA-E499321C31E5



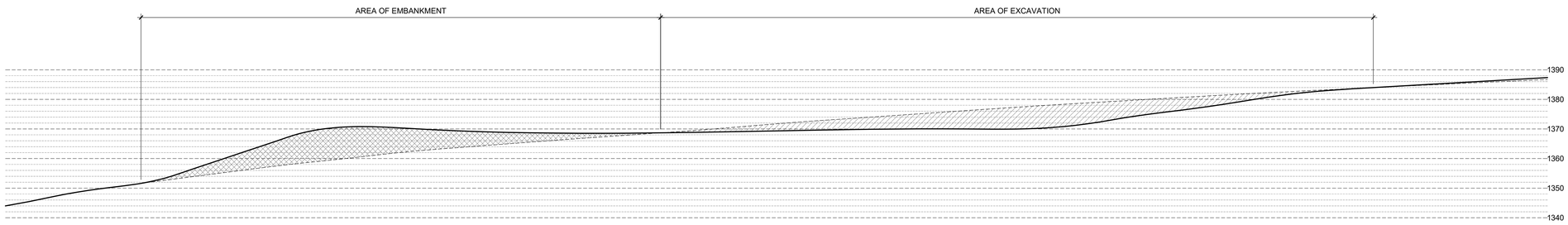
PROPERTY GATE "B" PLAN (2)

SCALE: 1" = 20'-0"



PROPERTY GATE "A" PLAN (1)

SCALE: 1" = 20'-0"



PARTIAL SITE SECTION (3)

SCALE: 1" = 60'-0"

HOLDREN + LIETZKE
ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

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Fax: 831.649.6003

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DATE:	11/30/2022
SCALE:	1"=20'-0"
DRAWN:	A.P.
JOB NUMBER:	20.09
REVISION	

PROPERTY GATES PLANS AND PARTIAL SITE SECTION

ABALONE CREEK RANCH

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SALINAS CA. 93908

A.P.N. 416-441-047

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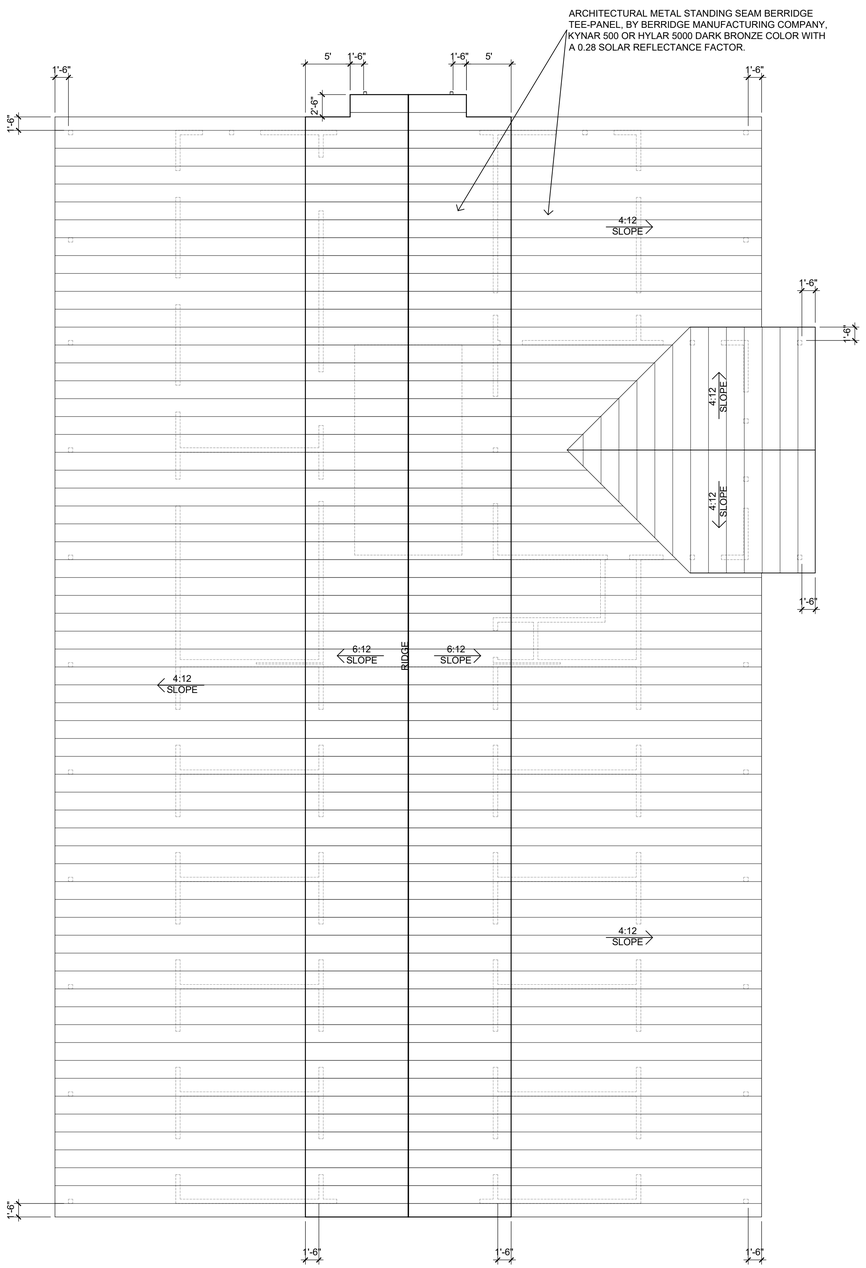
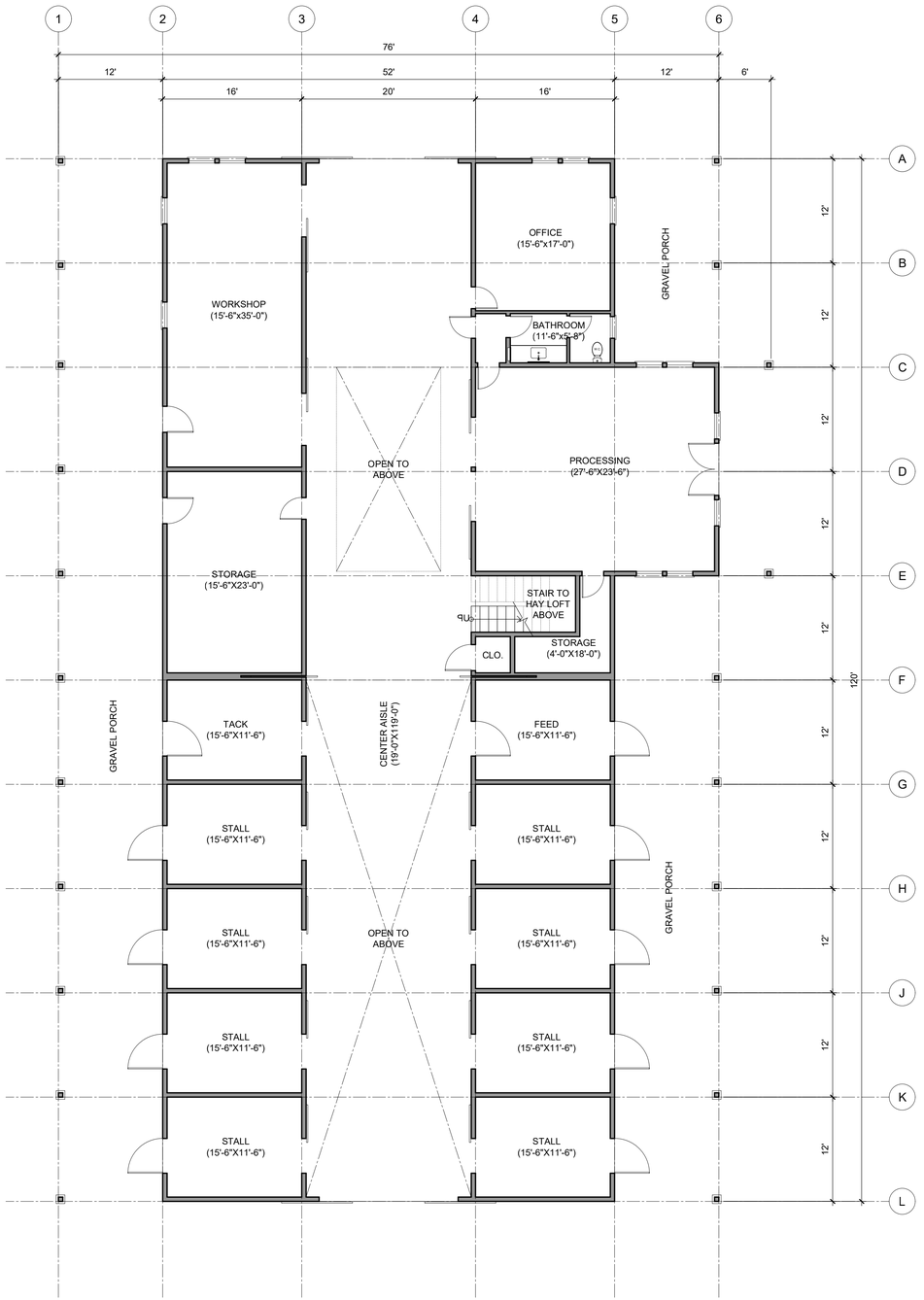


BARN ROOF PLAN

SCALE: 1/8" = 1'-0"



BARN FLOOR PLAN

SCALE: 1/8" = 1'-0"

HOLDREN + LIETZKE ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

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Fax: 831.649.6003

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DATE:	11/30/2022
SCALE:	1/8"=1'-0"
DRAWN:	A.P.
JOB NUMBER:	20.09
REVISION	

PROPOSED BARN PLANS

ABALONE CREEK RANCH

18000 CORRAL DE CIELO
SALINAS CA. 93908
A.P.N. 416-441-047

A2.1

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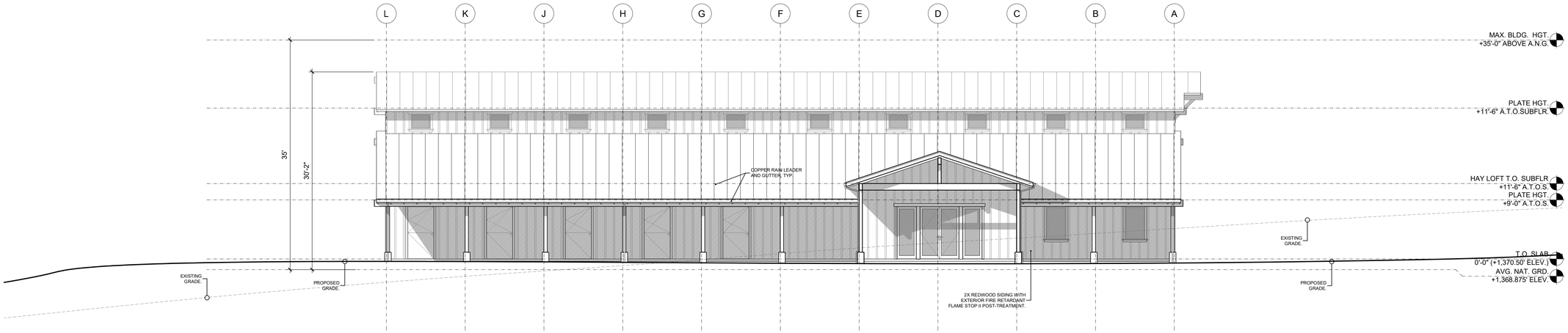
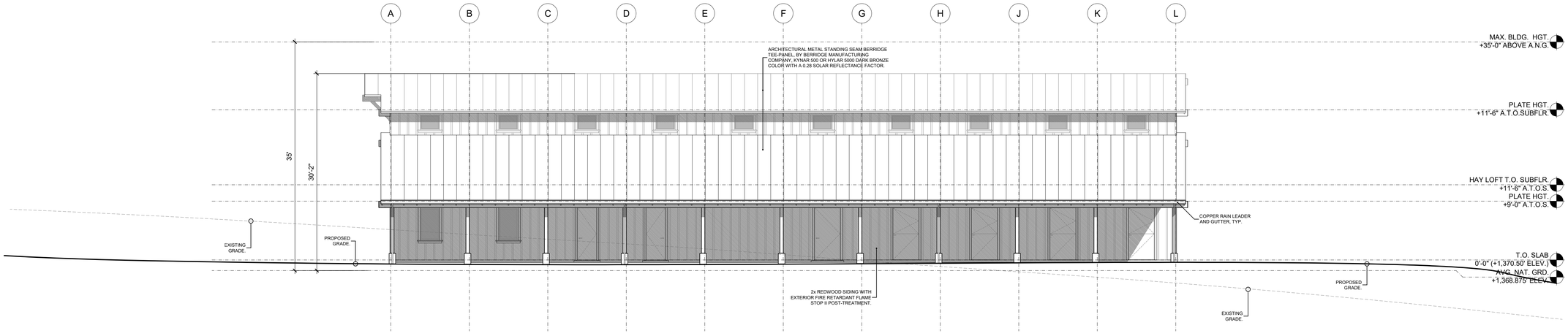


PROPOSED SOUTH ELEVATION

SCALE: $\frac{1}{8}$" = 1'-0"



PROPOSED NORTH ELEVATION

SCALE: $\frac{1}{8}$" = 1'-0"

HOLDREN + LIETZKE
ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

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DRAWN:	A.P.
JOB NUMBER:	20.09
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PROPOSED BARN EXTERIOR ELEVATIONS

ABALONE CREEK RANCH

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SALINAS CA. 93908
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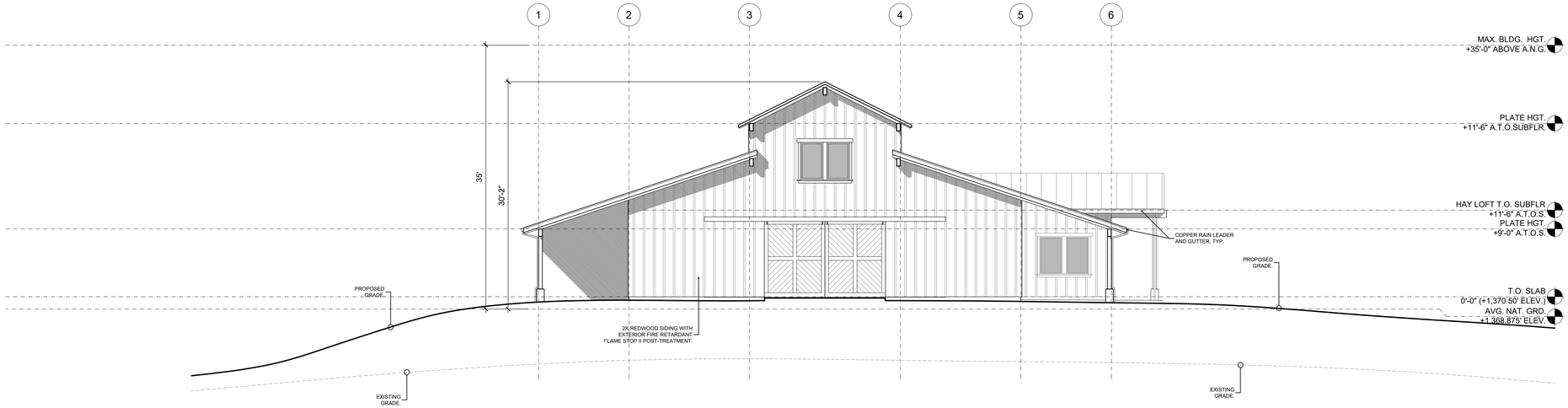
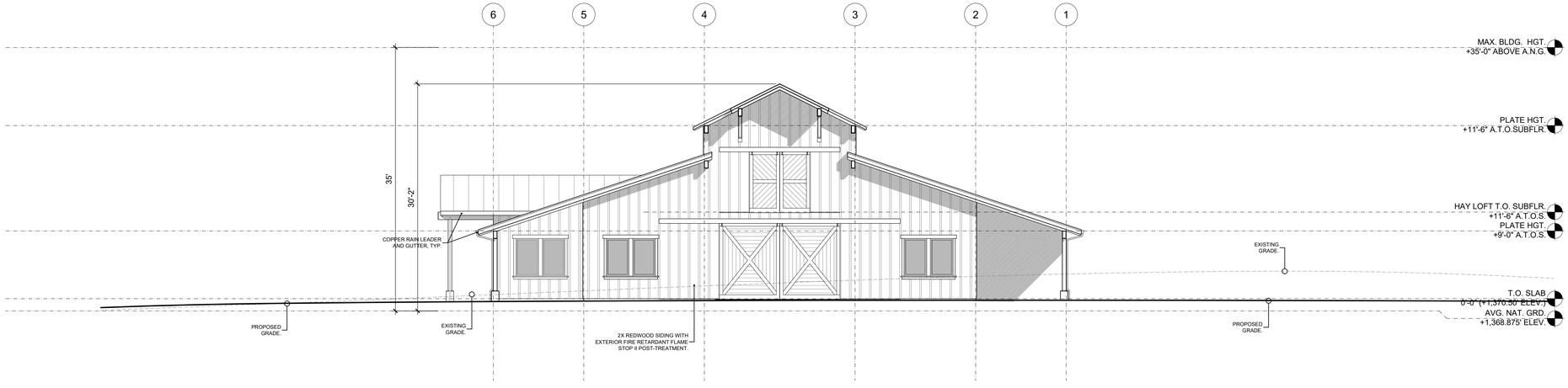


PROPOSED WEST ELEVATION

SCALE: 3/8" = 1'-0"



PROPOSED EAST ELEVATION

SCALE: 3/8" = 1'-0"

HOLDREN + LIETZKE ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

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Fax: 831.649.6003

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DATE:	11/30/2022
SCALE:	1/8"=1'-0"
DRAWN:	A.P.
JOB NUMBER:	20.09
REVISION	

PROPOSED BARN EXTERIOR ELEVATIONS

ABALONE CREEK RANCH

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SALINAS CA. 93908

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A3.2

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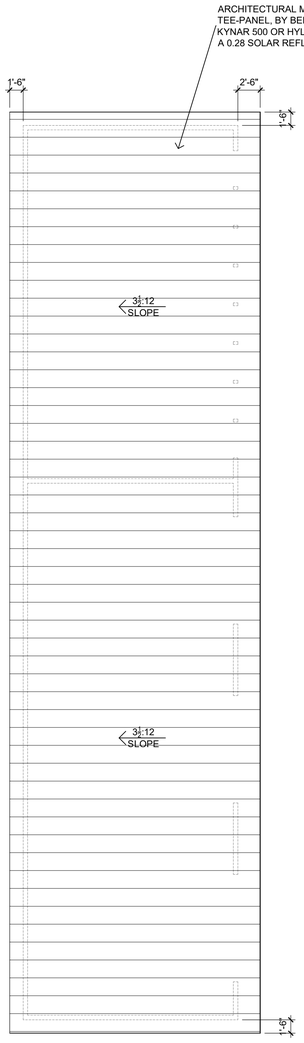
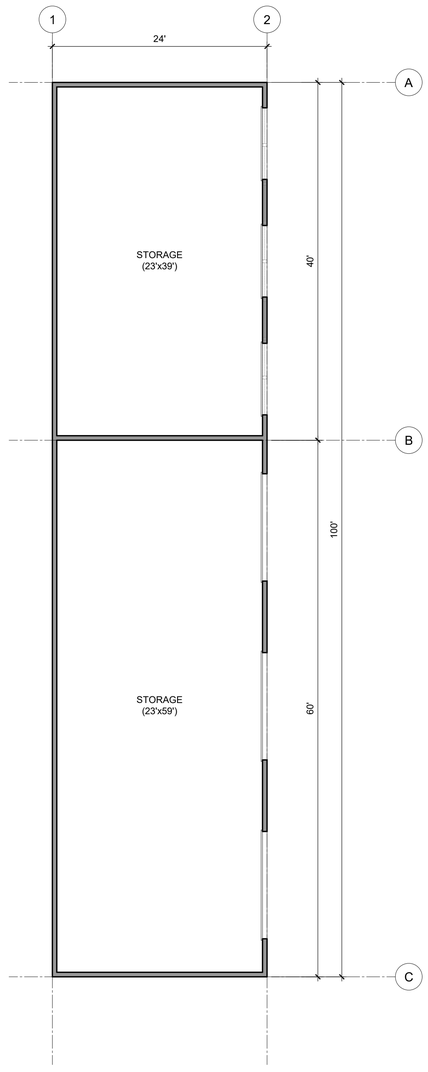
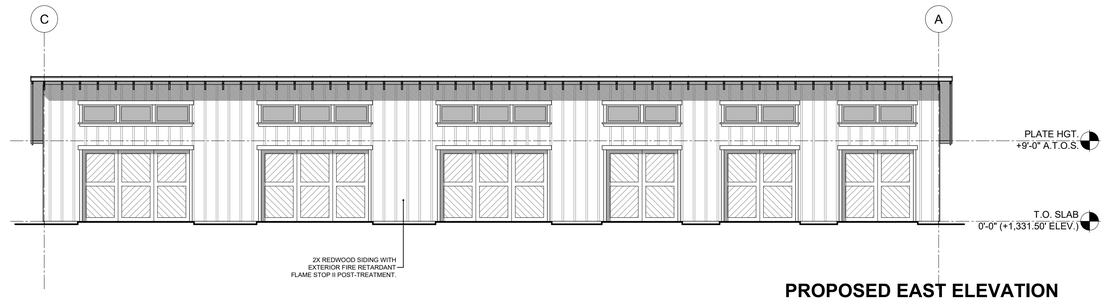




PROPOSED PLANS

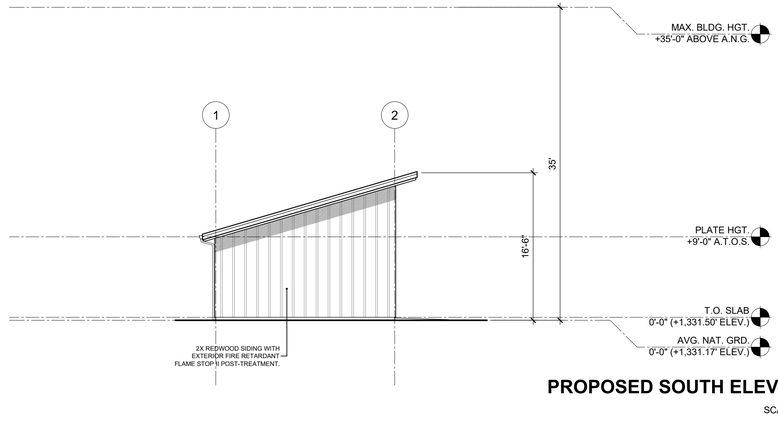
SCALE: $\frac{1}{8}$" = 1'-0"

TRUE NORTH



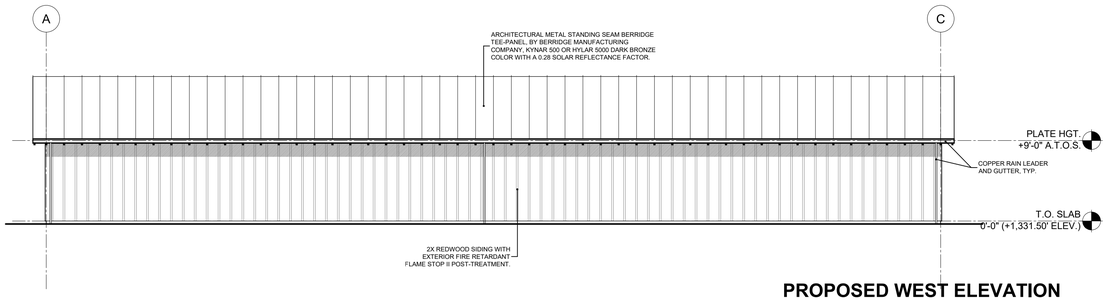
PROPOSED EAST ELEVATION

SCALE: $\frac{1}{8}$" = 1'-0"



PROPOSED SOUTH ELEVATION

SCALE: $\frac{1}{8}$" = 1'-0"



PROPOSED WEST ELEVATION

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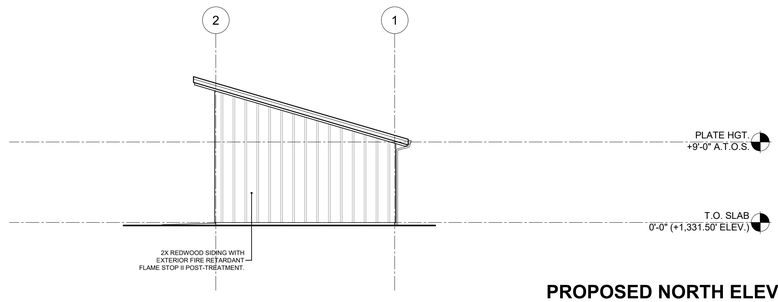

PROPOSED NORTH ELEVATION

SCALE: $\frac{1}{8}$" = 1'-0"

HOLDREN + LIETZKE ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

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PROPOSED STORAGE SHED PLANS AND EXTERIOR ELEVATIONS

ABALONE CREEK RANCH

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SALINAS CA. 93908

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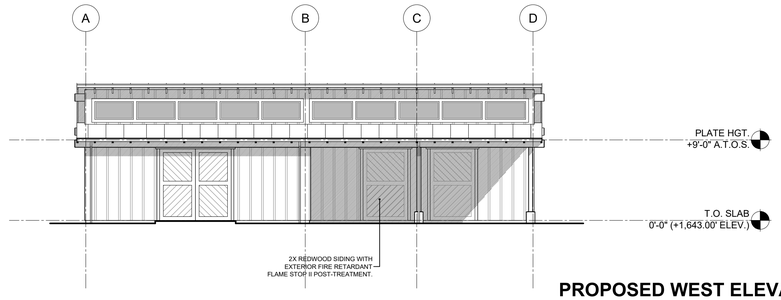
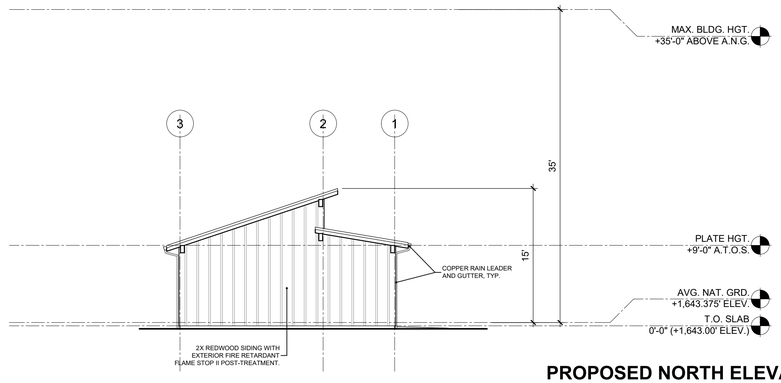


PROPOSED WEST ELEVATION

SCALE: $\frac{1}{8}$" = 1'-0"



PROPOSED NORTH ELEVATION

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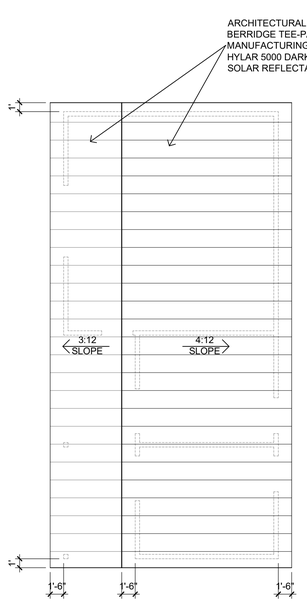
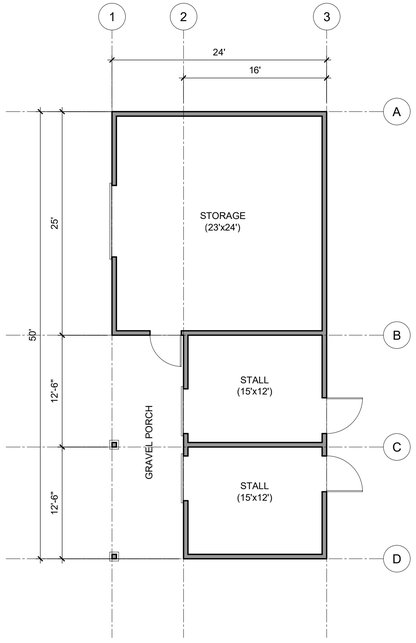
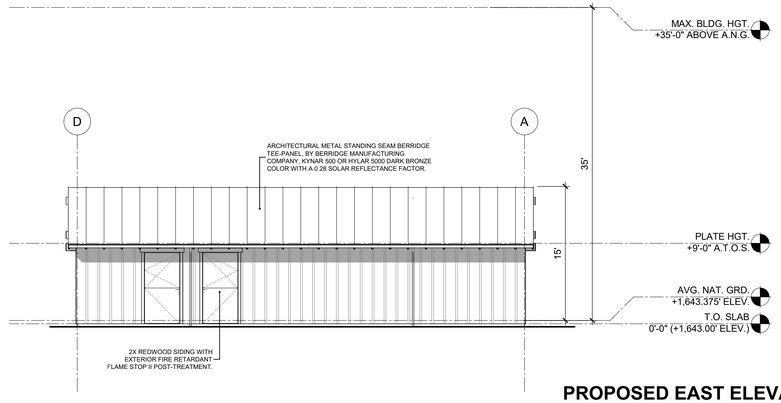




PROPOSED PLANS

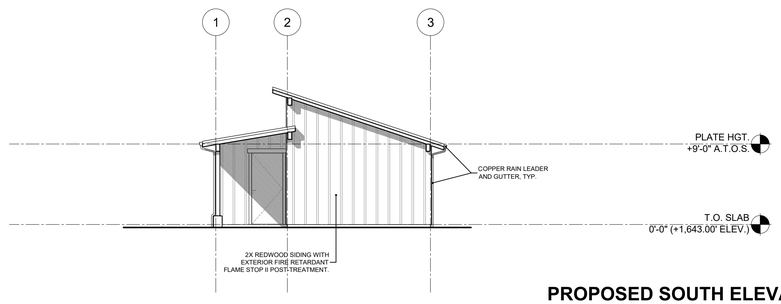
SCALE: $\frac{1}{8}$" = 1'-0"

TRUE NORTH



PROPOSED EAST ELEVATION

SCALE: $\frac{1}{8}$" = 1'-0"



PROPOSED SOUTH ELEVATION

SCALE: $\frac{1}{8}$" = 1'-0"

HOLDREN + LIETZKE
ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

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SCALE:	1/8"=1'-0"
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JOB NUMBER:	20.09
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PROPOSED LIVESTOCK SHED PLANS
AND EXTERIOR ELEVATIONS

ABALONE CREEK RANCH

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SALINAS CA. 93908
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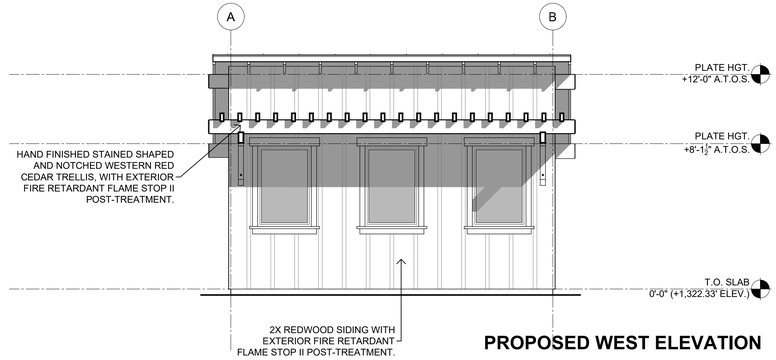
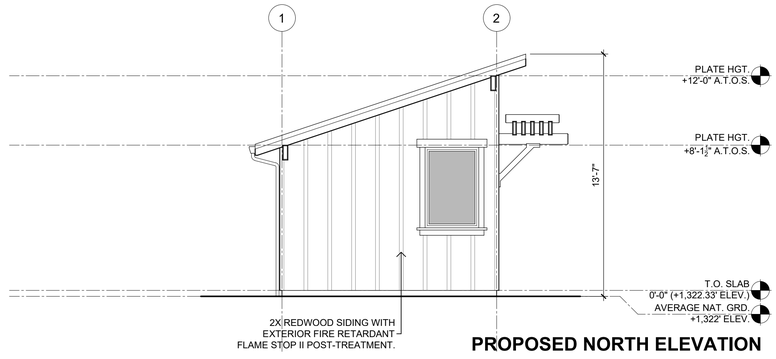


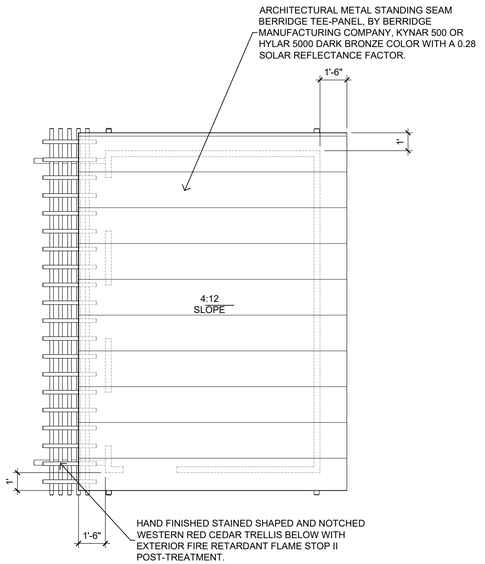
PROPOSED WEST ELEVATION

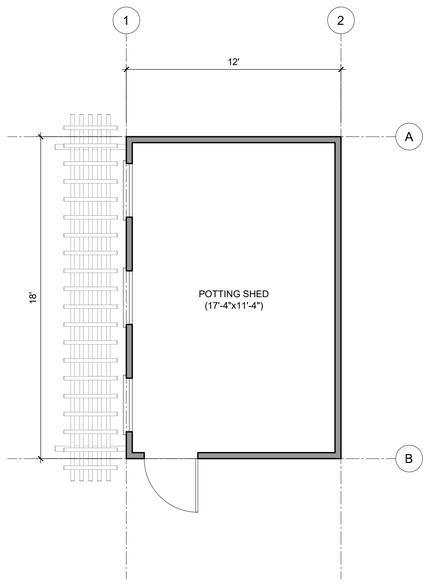
SCALE: 1/4" = 1'-0"



PROPOSED NORTH ELEVATION

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

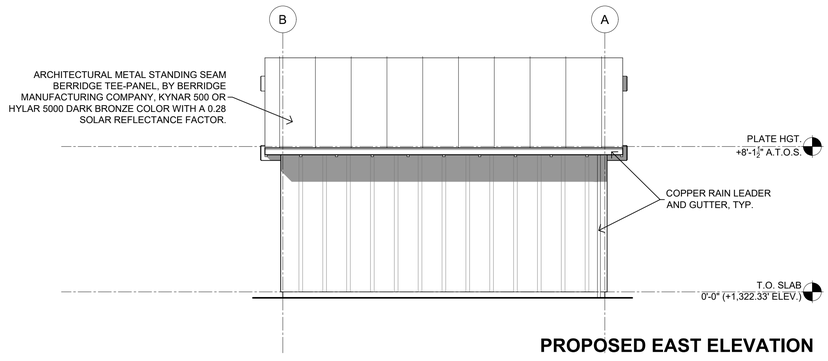




PROPOSED PLANS

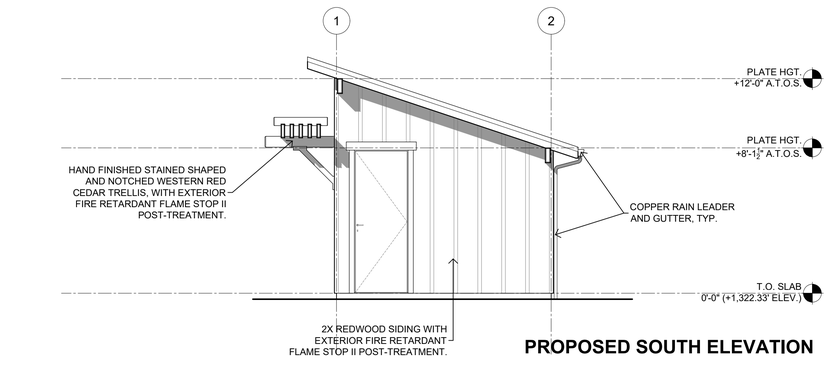
SCALE: 1/4" = 1'-0"





PROPOSED EAST ELEVATION

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



PROPOSED SOUTH ELEVATION

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

HOLDREN + LIETZKE ARCHITECTURE

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DATE:	11/30/2022
SCALE:	1/4"=1'-0"
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JOB NUMBER:	20.09
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PROPOSED POTTING SHED PLANS AND EXTERIOR ELEVATIONS

ABALONE CREEK RANCH

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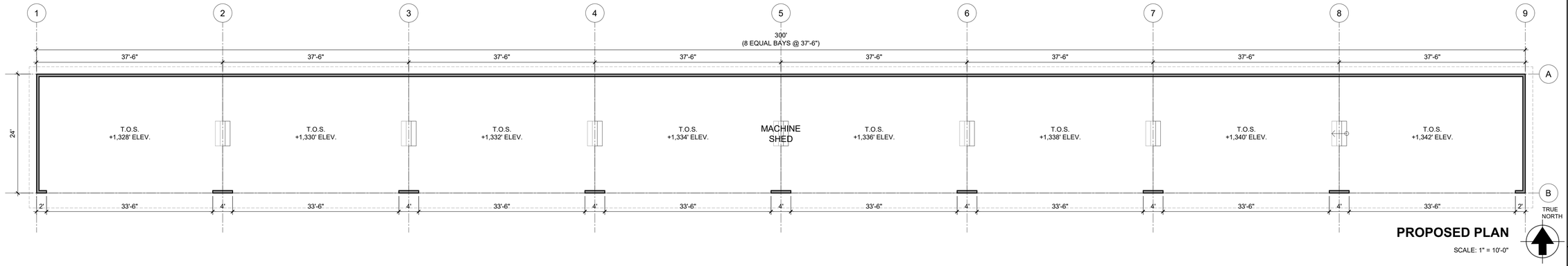
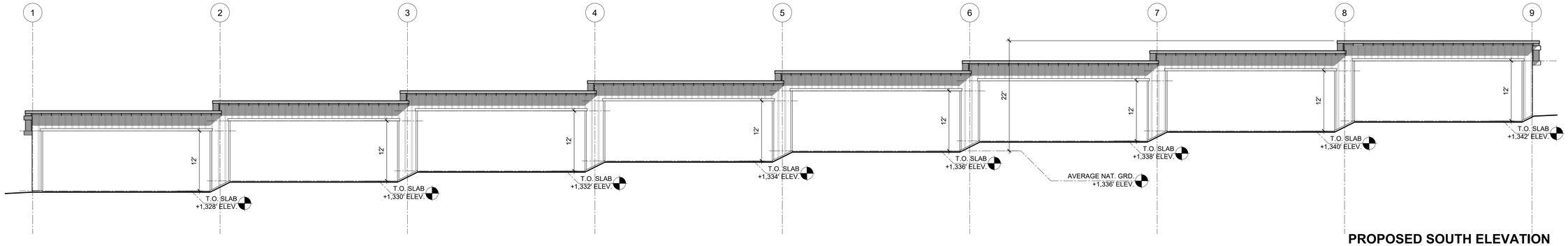


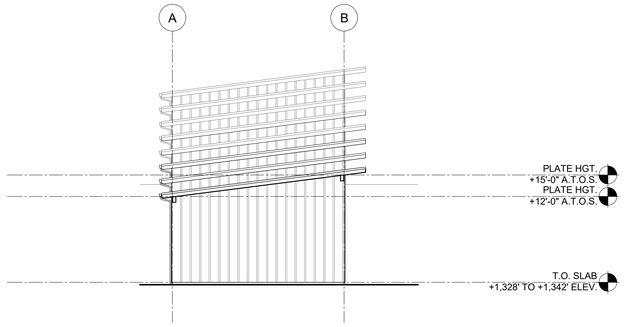
PROPOSED PLAN

SCALE: 1" = 10'-0"



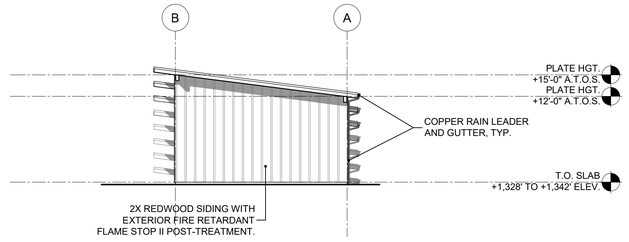
PROPOSED SOUTH ELEVATION

SCALE: 1" = 10'-0"



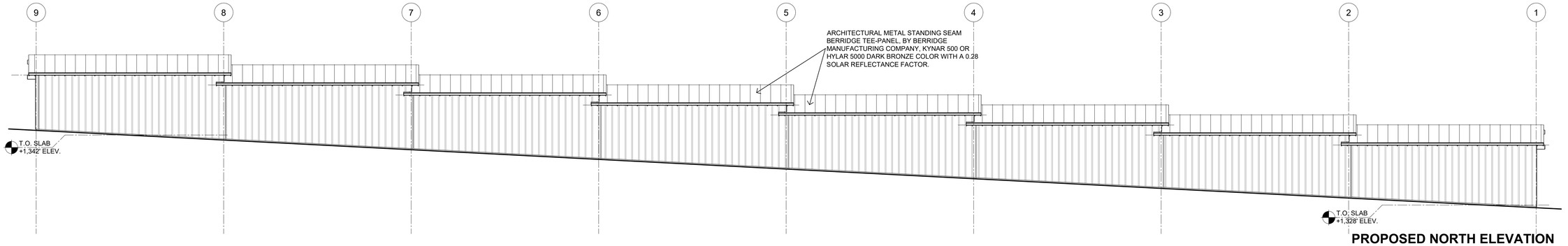
PROPOSED WEST ELEVATION

SCALE: 1" = 10'-0"



PROPOSED EAST ELEVATION

SCALE: 1" = 10'-0"



PROPOSED NORTH ELEVATION

SCALE: 1" = 10'-0"

HOLDREN + LIETZKE
ARCHITECTURE

225 CANNERY ROW - SUITE A
MONTEREY, CA 93940

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JOB NUMBER:	20.09
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PROPOSED MACHINE SHED PLANS
AND EXTERIOR ELEVATIONS

ABALONE CREEK RANCH

18000 CORRAL DE CIELO
SALINAS CA. 93908

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ABALONE CREEK RANCH

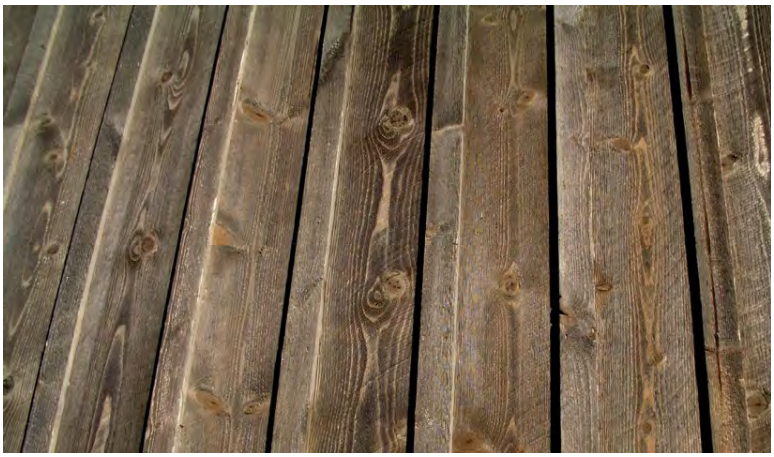
APN: 416-441-047

18000 CORRAL DE CIELO
SALINAS CA. 93908

COLORS & MATERIALS

Exterior siding:

Stained cedar board and batten siding.



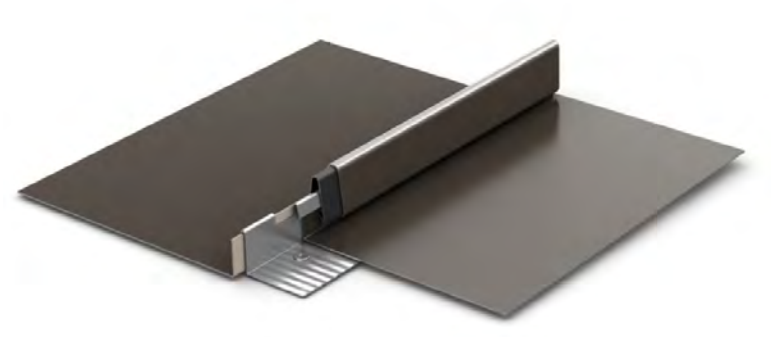
Exterior Trim Color:

Full Body Stained Rough Sawn Cedar Decorative Outriggers, Trellis, Rafter Tails and Fascia.



Roof Material:

Architectural metal standing seam berridge tee-panel, dark bronze color with a 0.28 solar reflectance factor.



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ABALONE CREEK RANCH

APN: 416-441-047

18000 CORRAL DE CIELO
SALINAS CA. 93908

COLORS & MATERIALS

Window & Door Finish:

Reduced Lustre Matte Finish
Black Aluminum Clad.



Copper Rain Leader and Gutter:

Copper Stabilized and Treated
for Brown/Red Patina.

