

Exhibit B

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Joseph F. Pitta
Monterey County Recorder
Recorded at the request of
County of Monterey

CRBARBARA
3/25/2002
8:07:55

WHEN RECORDED, RETURN TO:

Monterey County Planning and
Building Inspection Department
240 Church Street, Room 116
Post Office Box 1208
Salinas, California 93902
(831) 755-5025

DOCUMENT: **2002028360**

Titles: 1/ Pages: 16



2002028360

Fees.
Taxes
Other
AMT PAID

Space above for Recorder's Use

Permit No.: PLN 990490

Applicant Name: Te Chiang Hu and Jane P. Hu, Co-Trustees
of the Hu Family Trust u/d/t dated 4/15/87

Project Planner: Matthew Sundt

**CONSERVATION AND SCENIC EASEMENT DEED
(COASTAL)**

THIS DEED made this 22 day of June, 2001,
by and between Te Chiang Hu and Jane P. Hu, Co-Trustees of the Hu
Family Trust u/d/t dated April 15, 1987 as
Grantor, and the COUNTY OF MONTEREY, a political subdivision of
the State of California, as **Grantee**,

WITNESSETH:

WHEREAS, said Grantor is the owner in fee of the real
property more particularly described in Exhibit "A" attached
hereto and made a part hereof, situated in Monterey County,
California (hereinafter "the property"); and

WHEREAS, the said land of said Grantor has certain natural
scenic beauty and existing openness; and

WHEREAS, the Grantor and the Grantee desire to preserve and

Document Prepared by
BRIAN FINEGAN
Attorney at Law

6/18/01

conserve for the public benefit the great natural scenic beauty and existing openness, natural condition and present state of use of said property of the Grantor; and

WHEREAS, the California Coastal Act of 1976, (hereinafter referred to as the "Act") requires that any coastal development permit approved by the County must be consistent with the provisions of the certified Local Coastal Program (LCP); and

WHEREAS, Pursuant to the Act, and the LCP, Grantor applied to the County for a permit to undertake development as defined in the LCP; and

WHEREAS, an amended coastal development permit (Permit No. PLN 990490) was granted on May 19, 2000, by the County in accordance with the provisions of the Staff Recommendation and Findings, attached hereto as Exhibit "B" and hereby incorporated by reference, subject to the following condition(s): Conditions numbered 1-34 inclusive as shown in Exhibit "B".

WHEREAS, the County, acting on behalf of the People of the State of California and pursuant to the Act, and in accordance with the findings contained in Resolution No. 990490 attached hereto as Exhibit "B" and hereby incorporated by reference, granted the permit to the Grantor upon Condition No. 10 (hereinafter the "Condition") requiring inter alia, that the Grantor record a conservation and scenic easement over all portions of the property as shown in Exhibit "A" attached hereto and hereby incorporated by reference, and agree to restrict development on and use of the property so as to preserve the open space, scenic, and/or natural resource values present on the property and so as to prevent the adverse direct and cumulative effects on coastal resources and public access to the coast which could occur if the property were not restricted in accordance with this easement; and

WHEREAS, the County has placed the Condition on the permit because a finding must be made under the law that the proposed development is in conformity with the provisions of the certified Local Coastal Program and that in the absence of the protections provided by the Condition said finding could not be made; and

WHEREAS, Grantor has elected to comply with the Condition and execute this easement so as to enable Grantor to undertake the development authorized by the Permit; and

WHEREAS, it is intended that this easement is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8, of the California Constitution and that said easement shall thereby qualify as an enforceable restriction under the provision of the California Revenue and Taxation Code, Section 402.1; and

WHEREAS, the said Grantor is willing to grant to the County of Monterey the scenic use as herein expressed of the said land, and thereby protect the present scenic beauty and existing openness by the restricted use and enjoyment of said property by the Grantor through the imposition of the conditions hereinafter expressed;

NOW, THEREFORE, for and in consideration of the premises the Grantor does hereby grant and convey unto the County of Monterey an estate, interest, and conservation and scenic easement in said real property of Grantor of the nature and character and to the extent hereinafter expressed, which estate, interest, and easement will result from the restrictions hereby imposed upon the use of said property by said Grantor, and to that end and for the purposes of accomplishing the intent of the parties hereto, said Grantor covenants on behalf of itself, its heirs, successors, and assigns, with the said Grantee, its successors and assigns, to do and refrain from doing severally and collectively upon the Grantor's said property the various acts hereinafter mentioned.

A. LAND SUBJECT TO EASEMENT. The land of the Grantor hereinabove referred to and to which the provisions of this instrument apply is situated in the County of Monterey, State of California, and is particularly described in Exhibit "A", attached hereto, and made a part hereof.

B. RESTRICTIONS. The restrictions hereby imposed upon the use of said property by the Grantor and the acts which said Grantor shall refrain from doing upon the said property in connection herewith are, and shall be, as follows:

1. That no above-ground structures will be placed or erected upon said described premises except (a) within the building envelope (see Exhibit "C"), only a single family dwelling with patio, garage and other accessory structures limited to one story; and (b) the area of the property outside the building envelope (see Exhibit "C") shall have no above-ground development and no other development nor site disturbance other than the driveway, septic system and landscaping as shown on approved plans.

2. That no advertising of any kind or nature shall be located on or within said property.

3. That the Grantor shall not plant nor permit to be planted any vegetation upon said premises, except landscaping in accordance with an approved landscaping plan consistent with the conditions of approval.

4. That, except for the construction, alteration, relocation and maintenance of public roads, public and private pedestrian trails, the approved single family dwelling, garage, patios and other accessory structures, the approved driveway, septic system and landscaping consistent with the conditions of approval, the general topography of the landscape shall be maintained in its present condition and no excavation or topographic changes shall be made.

5. That no use of said described property which will or does materially alter the landscape or other attractive scenic features of said land other than those specified above shall be done or suffered.

C. EXCEPTIONS AND RESERVATIONS. The following are excepted and reserved to the Grantor:

1. The right to maintain all existing private roads, bridges, trails and structures upon said land, and the right to repair, maintain the approved single family dwelling garage, patios and other accessory structures, the approved driveway, septic system and landscaping so long as not inconsistent with the conditions of approval.

2. The use and occupancy of said land not inconsistent with the conditions and restrictions herein imposed.

D. SUBJECT TO ORDINANCES. Land uses permitted or reserved to the Grantor by this instrument shall be subject to the ordinances of Grantee regulating the use of land.

E. BENEFIT AND BURDEN. This grant of conservation and scenic easement shall run with and burden the property, and all obligations, terms, conditions, and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the property from the date of recordation of this document and shall bind the Grantor and all of its successors and assigns. This grant shall

benefit the County of Monterey and its successors and assigns forever.

F. RIGHT OF ENTRY. The Grantee or its agent may enter onto the property to ascertain whether the use restrictions set forth above are being observed at times reasonably acceptable to the Grantor. The public may enter onto the property for scientific research purposes at times reasonable acceptable to the Grantor.

G. ENFORCEMENT. Any act or any conveyance, contract, or authorization whether written or oral by the Grantor which uses or would cause to be used or would permit use of the property contrary to the terms of this offer will be deemed a breach hereof. The Grantee may bring any action in court necessary to enforce this grant of easement, including, but not limited to, injunction to terminate a breaching activity and to force the restoration of all damage done by such activity, or an action to enforce the terms and provisions hereof by specific performance. It is understood and agreed that the Grantee may pursue any appropriate legal and equitable remedies. The Grantee shall have sole discretion to determine under the what circumstances an action to enforce the terms and conditions of this grant of easement shall be brought in law or in equity. Any forbearance on the part of the Grantee to enforce the terms and provisions hereof in the event of a breach shall not be deemed a waiver of Grantee's rights regarding any subsequent breach.

H. MAINTENANCE. The Grantee shall not be obligated to maintain, improve, or otherwise expend any funds in connection with the property or any interest or easement created by this grant of easement. All costs and expenses for such maintenance, improvement use, or possession shall be borne by the Grantor, except for costs incurred by Grantee for monitoring compliance with the terms of this easement.

I. LIABILITY AND INDEMNIFICATION. This conveyance is made and accepted upon the express condition that the Grantee, its agencies, departments, officers, agents, and employees are to be free from all liability and claim for damage by reason of any injury to any person or persons, including Grantor, or property of any kind whatsoever and to whomsoever belonging, including Grantor, from any cause or causes whatsoever, except matters arising out of the sole negligence of the Grantee, while in, upon, or in any way connected with the property, Grantor hereby covenanting and agreeing to indemnify and hold harmless the Grantee, its agencies, departments, officers, agents, and employees from all liability, loss, cost and obligations on

_____ personally known to me or proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Signature

[Handwritten Signature]



(Seal)

This is to certify that the Conservation and Scenic Easement Deed set forth above is hereby acknowledged by the Board Chair on behalf of the Monterey County Board of Supervisors pursuant to the action of the _____ when it granted Coastal Development Permit No. _____ on _____ and the Monterey County Board of Supervisors consents to recordation thereof by its duly authorized officer.

DATED:

3/12/02

[Handwritten Signature: Dave Potter]

Chair, Monterey County Board of Supervisors

ATTEST:

DATED:

[Handwritten Signature: Cynthia Juarez]

3/12/02

Cynthia Juarez, Deputy Clerk of Said Board

Document Form/Content Acceptable:

[Handwritten Signature], Deputy 7/30/01
County Counsel

Planning and Building Inspection Department

[Handwritten Signature] 3/18/02
LANTARO ECHIBURU
ASSOCIATE PLANNER

Document Prepared by
BRIAN FINEGAN
Attorney at Law

6/18/01

EXHIBIT "A"

Lot Numbered 13 as said Lot is shown on that certain map entitled, Map of "Tract No. 588 Carmel Sur", filed for record April 2, 1969, in the office of the County Recorder of the County of Monterey, State of California in Volume 10 of Maps, "Cities and Towns", at page 6

Exhibit "B"

PLANNING AND BUILDING INSPECTION DEPARTMENT
COUNTY OF MONTEREY
STATE OF CALIFORNIA

FILE NO. 990490

(Coastal Administrative Permit Amendment)

Big Sur Area

Assessor Parcel Number 243-351-002

FINDINGS AND DECISION

In the matter of the application of the Hu request for an Amendment to a Coastal Administrative Permit (Resolution No. 990044), in accordance with Monterey County Code Title 20 (Zoning), Section 20.76.115 (Amendments to Coastal Administrative Permits). The amendment consists of modification to conditions approved and contained in Resolution 99044 (approved September 9, 1999). The amended conditions pertain to the driveway, exterior lighting, scenic easement over second story, landscaping plans, and disposal of grading materials, as required by the California Coastal Commission.

The subject parcel is located on Otter Cove Tract, Lot 13, west of Highway 1, at 30860 Aurora Del Mar and Highway 1, Big Sur Coast Area, Coastal Zone. The Director of Planning and Building Inspection, having considered the application and the evidence presented relating thereto:

FINDINGS OF FACT

1. FINDING: Applicant filed an application for an amendment to Coastal Administrative Permit PLN990044, to allow a modification to conditions 10, 15, 17, 29, 30 and 33 of approved Resolution 990044 (approved September 9, 1999) for a one-story single-family dwelling with garage, septic system and leach fields and an access driveway. The amended conditions for the approved project reflects comments received from the Coastal Commission in their October 4, 1999 memo to County Planner David Ward and the applicant's representative.

EVIDENCE: Materials contained in Planning and Building Inspection file number 990490.

2. FINDING: The proposal is minor in nature and would not intensify the overall use or have any impacts from what was originally approved pursuant to Resolution 990044.

EVIDENCE: Coastal Commission Letter dated October 4, 1999 identifies issues pertaining to driveway width and amended and new conditions pertaining to the addition of lighting to the exterior of the structure, transport of excavated soils, scenic easements, preparation of a biotic report, and new language to landscape plan conditions (attached revised project conditions with changes indicated with underlining and strikeout). The amended conditions as requested by the Coastal Commission reduce project impacts and further constrain development.

EVIDENCE: Correspondence and materials contained in Planning and Building Inspection file number 990044.

3. FINDING: Consideration of the subject request for amendment has been carried out pursuant to Monterey County Code Section 20.76.115.

EVIDENCE: Materials contained in Planning and Building Inspection Department File Number 990490.

4. FINDING: Notice of the permit amendment has been carried out pursuant to Section 20.76.115(A) of the Coastal Implementation Plan.

EVIDENCE: Plans and documents contained in file 990490.

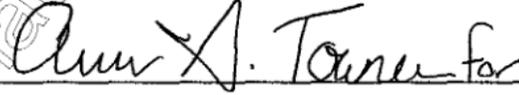
5. FINDING: No written objections were received during the required ten working day notice period which commenced on April 10, 2000.

EVIDENCE: Materials contained in Planning and Building Inspection Department File Number 990490.

DECISION

THEREFORE, it is the decision of the Zoning Administrator to **Approve** said application for an amendment to a Coastal Administrative Permit 990044.

PASSED AND ADOPTED THIS 19TH DAY OF MAY 2000.



DALE ELLIS, AICP
ZONING ADMINISTRATOR

- COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON 5/22/00.
- COPY OF THIS DECISION WAS MAILED TO THE COASTAL COMMISSION ON 5/22/00.

ATTACHMENT A

AMENDED CONDITIONS

THEREFORE, it is the decision of said Zoning Administrator, that said application for a Coastal Administrative Permit be granted as shown on the attached sketch, subject to the following conditions:

1. The proposed project consists of a Coastal Administrative Permit and Design approval for a new 4,429 square foot single-story, single family dwelling and garage located in a scenic road corridor, including access driveway, septic system and leach fields and patio. The property is fronting on and westerly of Aurora Del Mar, lot 13 on Aurora Del Mar (Assessor's Parcel Number 243-351-002-000) in the Big Sur area of the Coastal Zone. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or constructions other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities (Planning and Building Inspection Department)

Prior to the Issuance of a Demolition, Grading and/or Building Permits:

2. Prior to the issuance of a building permit, the applicant shall provide three copies of a drainage plan for review and approval by the Monterey County Water Resources Agency. The drainage plan shall be prepared by a registered civil engineer or architect to include dispersal of impervious surface stormwater runoff onto a non-erodible surface below the coastal bluff. (Water Resources Agency)
3. Before construction begins, temporary or permanent address number shall be posted. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be visible and legible from the road on which the address is located. (Carmel Highlands Fire Protection District)
4. The applicant shall review the drainage recommendations contained in the Soil Investigation Report prepared for the site by M. Jacobs & Associates Soil and Foundation Engineers, dated October 1985, and the Geologic Report prepared for the site by Kingsley Associates, dated August 1986, in preparation of the drainage plan requirement listed above. (Planning and Building Inspection Department)
5. Prior to the issuance of a building permit, the applicant shall incorporate the recommendations contained in the Soil Investigation Report prepared for the site by M. Jacobs & Associates Soil and Foundation Engineers, dated October 1985, and the Geologic Report prepared for the site by Kingsley Associates, dated August 1986, into the building permit plans. (Planning and Building Inspection Department)
6. Prior to the issuance of a building permit, the applicant shall revise the building permit plans to designate that the access roadway shall be decomposed granite (or other pervious material) which reduces the amount of surface runoff. (Planning and Building Inspection Department).
7. Prior to the issuance of building permit, the applicant shall record a deed restriction, which states: "the access driveway shall be installed and maintained as pervious material to allow for permeability of stormwater. At no time shall the material be replaced with an impervious material without the authorization and/or permit approval of the Monterey County Planning and Building Inspection Department and the Carmel Highlands Fire Protection Fire District". Proof of recordation of this deed restriction shall be furnished to the Director of Planning and Building Inspection. (Planning and Building Inspection Department).

8. Prior to the issuance of a building and/or grading permit, the applicant shall record a deed restriction stating that "because of the visual sensitivity of the area, all landscaping shall be approved by the Planning and Building Inspection Department. All exterior design changes, including color changes associated with repainting, re-roofing, exterior lighting changes shall be approved by through the design approval process, subject to approval by the Planning Commission." The deed restriction shall be subject to the approval of the Director of Planning and Building Inspection prior to recordation.
9. Prior to the issuance of a building permit, the applicant shall record a deed restriction stating "the parcel is located in a high fire hazard area and that development may be subject to certain restrictions required as per Section 20.145.080 of the Big Sur Coastal Implementation Plan (Part 3)". (Planning and Building Inspection Department)
10. Prior to the issuance of a building and/or grading permits, the applicant shall grant a scenic and conservation easement to the County of Monterey for undeveloped all portions of the property. ~~excluding the access driveway and building footprint.~~ The scenic and conservation easement shall state that within the building envelope only a single family dwelling with patio, garage and other accessory structures limited to one story shall be allowed. The scenic and conservation easement shall also state that the area of the property outside the building envelope shall have no above ground development and no other development nor site disturbance other than the driveway, septic system and landscaping as shown on approved plans. The scenic and conservation easement shall be submitted to and approved by the Board of Supervisors and, pursuant to Code Section 20.64.280, the scenic and conservation easement shall be submitted to the Coastal Commission Executive Director for review before it is recorded.
11. The property owner agrees as a condition of the approval of this discretionary development permit, pursuant to agreement and statutory provisions, including but not limited to Government code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection Department)
12. The applicant shall record a notice which states: "A permit (Resolution 990044) was approved by the Zoning Administrator for Assessor's Parcel Number and 243-351-002-000 on August 18, 1999 and subsequently amended by adoption of the Minor and Trivial Amendment approved by the Zoning Administrator on May 19, 2000, was granted subject to 34 32 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection Department)
13. No land clearing or grading shall occur on the subject property between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. (Planning and Building Inspection Department)
14. If during the course of future development activity on the subject property, cultural,

- archaeological, historical, paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologist) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection Department)
15. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan for the proposed additions which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection Department)
- a. The applicant shall execute and record a deed restriction in a form and content acceptable to the Director of Planning and Building Inspection which states that exterior light sources shall be prohibited if such light source would be directly visible from Highway One or other major public viewing area and that no lights shall be directed onto the shoreline or the sea. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Director of Planning and Building Inspection determines may affect the enforceability of the restriction. The deed restriction shall not be removed or changed without a County approved amendment to this permit.
16. If excavated soils are to be exported from the site to other locations within the Coastal Zone, consent of the Director of Planning and Building Inspection shall be required prior to transport. No dirt or other excavated material will be placed on the site outside of the immediate building location. Dumping of construction debris, excavated materials or any portion of the structure authorized for demolition, over the coastal bluff is expressly prohibited.
17. The applicant shall submit a biological survey for the entire site pursuant to the preparation guidance in County Code Section 20.145.040.A. The report shall include recommendations for compatible native landscaping. If any environmentally sensitive habitat areas are delineated, the site plan shall be adjusted accordingly to avoid their disturbance, pursuant to the policies of the Big Sur Coast Land Use Plan. If any coast buckwheat is present, then the applicant shall consult with the U.S. Fish and Wildlife Service as to survey requirements for Smith's Blue butterfly and include the results in the survey report.

Prior to Occupancy:

18. The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
- a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
- b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency & Planning and Building Inspection Department)
19. Permanent address numbers shall be posted prior to request for final inspection. (Carmel Highlands Fire Protection District).

20. Size of letters, numbers and symbols for addresses shall be a minimum of 3 inch letter height, 3/8 inch stroke, contrasting with the background color of the sign. (Camel Highlands Fire Protection District)
21. All building(s) on the property shall be fully protected with automatic fire sprinkler systems. The following notation is required on the plans when a building permit is applied for:
- "The building shall be fully protected with automatic fire sprinkler systems. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for the fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection."* (Cypress Fire Protection District)
22. The access roadway shall be all-weather driving surface capable of supporting fire apparatus (22 tons), not less than 12 feet of unobstructed width, a minimum of 13'6" vertical clearance, and a maximum of 15 % grade. EXCEPTION: When building is protected by an approved automatic fire sprinkler system, the provisions of this section may be modified, subject to the approval of the Local Jurisdiction. (Camel Highlands Fire Protection District)
23. The fire alarm flow switch shall be wired to the kitchen refrigerator circuit. Any deviations require approval from the fire department and building department. (Camel Highlands Fire Protection District)
24. Roadway turnarounds shall be required on driveways and 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. (Camel Highlands Fire Protection District)
25. Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25 foot taper on each end. (Camel Highlands Fire Protection District)
26. Unobstructed vertical clearance shall not be less than 15 feet for all access driveways (Camel Highlands Fire Protection District)
27. Roof construction shall be a Class A or Class B, with fire resistive materials as approved by the Reviewing Authority. This requirement shall apply to all new construction & existing roofs that are repaired or modified so as to affect 50 percent or more of the roof. (Camel Highlands Fire Protection District)
28. All flammable vegetation or other combustible growth shall at all times maintain clear distance of not less than 30 feet on each side from structures or buildings. This shall not apply to single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from the native growth to any structure. Additional fire protection or fire break may be required when, because of extra hazardous conditions, a fire break of only 30 feet around such structure is not sufficient to provide reasonable fire safety. Environmentally sensitive area may require alternative fire protection, to be determined by the Fire Chief and the Director of Planning and Building Inspection. This project requires 30 feet clearance. (Camel Highlands Fire Protection District)
29. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for all development. Fees shall be paid at the time of submittal of the landscape plan. The landscaping plan shall be in sufficient detail to identify the location, specie and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate for the cost of installation. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. (Planning and Building Inspection Department). Said landscape plan shall be submitted

to the Coastal Commission Executive Director; Director of the Planning and Building Inspection Department shall occur after consultation with Coastal Commission staff.

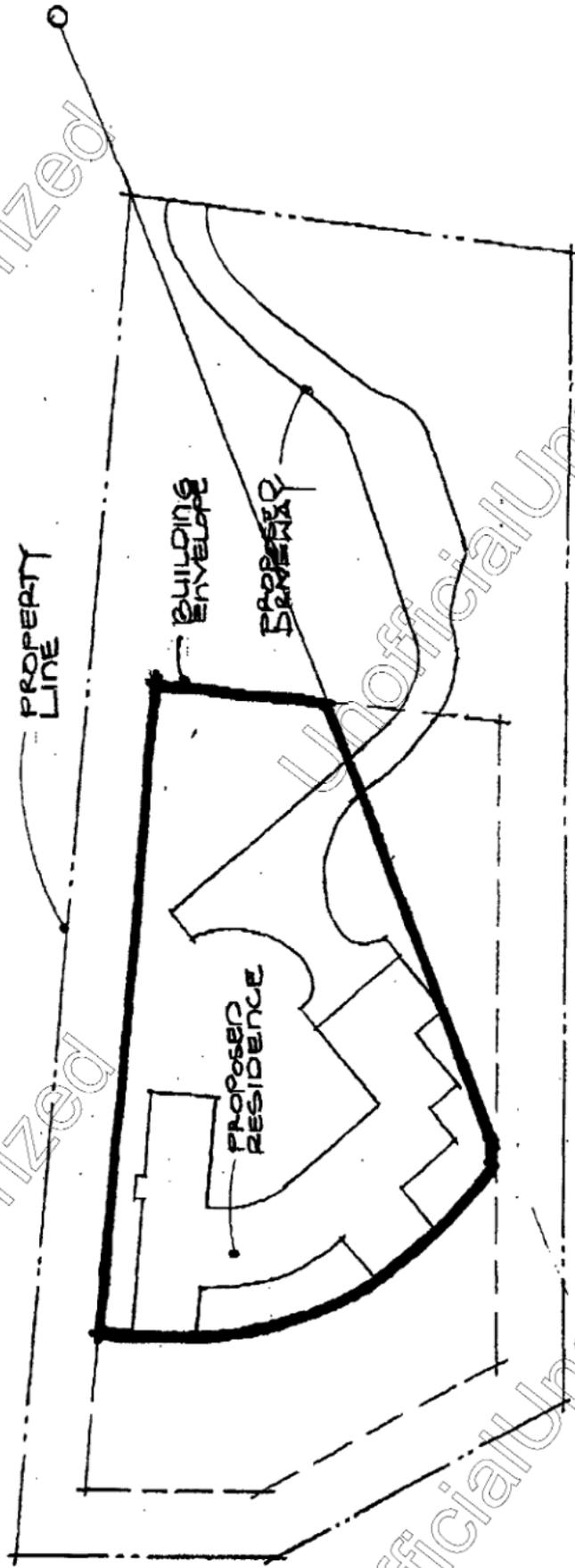
30. Landscaping on site shall include native plants to screen the structure (south and west elevations) from the scenic road corridor of State Highway One. Native plants which will not exceed the structure ridgeline to protect ocean views above and across the structure, shall be approved under the landscape plan. All plants shall be consistent with the findings and recommendation so of the biotic report. (Planning and Building Inspection Department)

Continuous Permit Conditions:

31. The approved materials and colors to be used shall consist of the following: stucco siding (light brown) with wood fascia windows (dark brown) and gravel roof. Future changes to these design colors and materials will be subject to approval by the Planning Commission. (Planning and Building Inspection Department)
32. Future structural additions or other improvements to the site shall be require authorization and/or permit approval by the Planning and Building Inspection Department. (Planning and Building Inspection Department)
33. All landscaped areas and/or fences shall be continuously maintained by the property owner. Landscaped plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. Landscaping shall be maintained according to the approved landscape plan; it shall be the applicant's responsibility to remove or trim any vegetation that is inconsistent with the landscape plan (Planning and Building Inspection Department)
34. The location, type and size of all antennas, satellite dishes, towers, and similar appurtenances shall be approved by the Director of Planning and Building Inspection. (Planning and Building Inspection Department)

Unofficial/Unauthorized

Unofficial/Unauthorized



APN: 243-351-002
 Scale: 1"=50'

EXHIBIT "C"

END OF DOCUMENT