

Exhibit A

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**EXHIBIT A
DRAFT RESOLUTION**

**Before the Housing and Community Development Chief of Planning
in and for the County of Monterey, State of California**

In the matter of the application of:

**BEHLAU CHRISTOPHER AND BEHLAU JULIEN AND BEHLAU STEFAN
(FORMERLY HAYWARD GILES) (PLN140625-EXT2)**

RESOLUTION NO. 26-043

Resolution by the County of Monterey HCD Chief of Planning:

- 1) Consider a previously adopted EIR and prepared Addendum, and find that the preparation of a subsequent environmental document is not required pursuant to CEQA Guidelines section 15162; and
- 2) Approve a Second three-year extension to a previously approved four (4) year Extension (PLN140625-EXT1) of previously approved permit (PLN140625), an Amendment of a previously approved Combined Development Permit to allow construction of a 2,800 square foot one-story single family dwelling with a 331 square foot covered deck and a 2,711 square foot uncovered deck; a 1,960 square foot one-story yoga studio with a 906 square foot uncovered deck; a 576 square foot one-story detached garage; installation of a septic system; construction of a well; and associated grading; development within 100 feet of environmentally sensitive habitat; and development within 750 feet of known archaeological resources.

[PLN140625-EXT2, Christopher and Stefan and Julien Behlau, 38025 Rocky Creek Road, Big Sur, Big Sur Coast LUP (Assessor's Parcel Number 418-132-002-000)]

The Behlau application (PLN140625-EXT2) came on for an administrative hearing before the County of Monterey HCD Chief of Planning on May 6, 2026. Having considered all the written and documentary evidence, the Chief of Planning finds and decides as follows:

RECITALS

WHEREAS, on March 8, 2000, a Coastal Administrative Permit and Design Approval (PLN990440) was approved by the Monterey County Zoning Administrator through Resolution No. 990440 and is incorporated by reference. The approved Coastal Development Permit consisted of construction of a multi-story single-family dwelling with an attached two car garage, a horse barn and corrals and associated site improvements including construction of retaining walls a new driveway, a well and septic system, and removal of 7 Coast Live Oaks. In accordance with the resolution, this entitlement is set to expire on March 8, 2002;

WHEREAS, on March 28, 2002, an Extension (PLN020073) was approved by the County of Monterey Director of Planning through Resolution No. 020073 and is incorporated by reference. The Extension granted the applicant an additional two years, setting the updated expiration date to March 8, 2004;

WHEREAS, on May 4, 2004, an Extension (PLN040077) to a previously approved Combined Development Permit (PLN990440) was approved by the Director of Planning through Resolution No. 040077, and granted an extension of two years with an updated expiration date of March 8, 2006;

WHEREAS, on March 8, 2006, an Extension (PLN060176) to a previously approved Extension of a Combined Development Permit (PLN040077) was approved by the Director of Planning and granted an extension of two years with an updated expiration date of March 8, 2008;

WHEREAS, on April 11, 2008, an Extension (PLN080111) to a previously approved Extension of a Combined Development Permit (PLN060176) was approved by the Director of Planning and granted an extension of two years with an updated expiration date of April 11, 2010;

WHEREAS, on October 31, 2013, an Amendment and Extension (PLN100119) was approved by the County of Monterey Zoning Administrator through Resolution No. 13-041 and is incorporated by reference. The project included changes to both the approved permit and related extensions; therefore, an Amendment was required. This granted an extension of one year with an updated expiration date of September 26, 2014;

WHEREAS, on May 28, 2015, a Combined Development Permit (PLN140625) was approved by the Monterey County Zoning Administrator through Resolution No. 15-033 and is incorporated by reference. As approved, the project consists of construction of a 2,800 square foot one-story single family dwelling with a 331 square foot covered deck and a 2,711 square foot uncovered deck; a 1,960 square foot one-story yoga studio with a 906 square foot uncovered deck; a 576 square foot one-story detached garage; installation of a septic system; construction of a well; and associated grading; development within 100 feet of environmentally sensitive habitat; and development within 750 feet of known archaeological resources. This permit expired on May 28, 2018;

WHEREAS, on October 2, 2019, an Extension (PLN140625) to a previously approved Combined Development Permit (PLN140625-EXT1) was approved by the Director of Planning and granted an extension of four years to May 28, 2022;

WHEREAS, the applicant submitted a written request on December 16, 2021, more than 30 days prior to the expiration of the Combined Development Permit pursuant to Monterey County Code (MCC) section 20.82.110. The applicant submitted a written request from the permittee, provided such request is made at least thirty (30) days prior to the expiration of the Combined Development Permit. The written request for a three-year extension shall be filed with the Appropriate Authority and set forth reasons supporting the request;

WHEREAS there is no new information or substantial changes in circumstances that would have altered the original approval of the Combined Development Permit. This Extension only modifies the term of the Combined Development Permit; no changes in the scope of work are proposed;

WHEREAS, Monterey County HCD-Planning and HCD-Building Services records were reviewed, and the County is not aware of any violations existing on subject property;

WHEREAS condition compliance approved with Resolution No. 15-033 continues to apply and shall be satisfied under PLN140625. This Extension only modifies the expiration date of the

Combined Development Permit as extended by PLN140625-EXT1 from September 11, 2025, to September 11, 2028;

WHEREAS this extension does not include any change to the approved project scope; therefore, there is no change to the findings of site suitability and health life and safety;

WHEREAS Resolution No. 15-033 adopted a Environmental Impact Report (EIR) together with an Addendum to the previously adopted EIR, and found that the Combined Development Permit did not require supplemental or subsequent environmental review pursuant to CEQA Guidelines sections 15162 and 15164. Other than the expiration date, there are no changes proposed in this extension, and the conditions on the ground have not changed since the original approval.

Therefore, this extension to the Combined Development Permit does not require subsequent environmental review pursuant to CEQA Guidelines sections 15162 and 15164 because no substantial changes are proposed requiring major revisions to the EIR or Addendum.; and

WHEREAS, pursuant to Title 20 section 20.88.030, the discretionary decisions of the Chief of Planning are appealable to the Planning Commission. The decision of the Planning Commission would be final and may not be appealed.

DECISION

NOW, THEREFORE BE IT RESOLVED, based on the above recitals, the County of Monterey HCD-Chief of Planning does hereby:

- 1) Consider a previously adopted EIR and prepared Addendum, and find that the preparation of a subsequent environmental document is not required pursuant to CEQA Guidelines section 15162; and

- 2) Approve a Second three-year extension to a previously approved four (4) year Extension (PLN140625-EXT1) of previously approved permit (PLN140625), an Amendment of a previously approved Combined Development Permit to allow construction of a 2,800 square foot one-story single family dwelling with a 331 square foot covered deck and a 2,711 square foot uncovered deck; a 1,960 square foot one-story yoga studio with a 906 square foot uncovered deck; a 576 square foot one-story detached garage; installation of a septic system; construction of a well; and associated grading; development within 100 feet of environmentally sensitive habitat; and development within 750 feet of known archaeological resources

PASSED AND ADOPTED this 6th day of May 2026.

Melanie Beretti, AICP,
Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

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

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.
2. 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.
3. Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

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County of Monterey HCD Planning

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

PLN140625-EXT1-EXT2

0. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Extension permit (PLN140625-EXT2) allows a Second three-year extension to a previously approved four (4) year Extension (PLN140625-EXT1) of previously approved permit (PLN140625), an Amendment of a previously approved Combined Development Permit to allow construction of a 2,800 square foot one-story single family dwelling with a 331 square foot covered deck and a 2,711 square foot uncovered deck; a 1,960 square foot one-story yoga studio with a 906 square foot uncovered deck; a 576 square foot one-story detached garage; installation of a septic system; construction of a well; and associated grading; development within 100 feet of environmentally sensitive habitat; and development within 750 feet of known archaeological resources. The property is located at 38025 Rocky Creek Road, Big Sur (Assessor's Parcel Number 418-132-002-000), Big Sur Coast Land Use 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 on-going basis unless otherwise stated.

0. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"An Extension (Resolution Number 26-) was approved by Chief of Planning for Assessor's Parcel Number 418-132-002-000 on May 6, 2026. The permit was granted subject to 3 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.

0. PD032 - PERMIT LENGTH

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This permit shall be granted for a specific period of time, with an expiration date as specified in the permit. (HCD - Planning)

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