# CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE 725 FRONT STREET, SUITE 300 NTA CRUZ, CA 95060 98) 427-4863 HEARING IMPAIRED: (415) 904-5200





Staff: SG Staff Report: 03/19/98 Hearing Date: 04/08/98 Commission Action: Approval with Conditions on 3/11/98

# STAFF REPORT REVISED FINDINGS

APPLICATION NUMBER: 3-97-023

APPLICANT: BILL WESNOUSKY

PROJECT LOCATION: On the C.T. Ranch approximately 3,000 feet northeast of the end

of Bridge Street, north of the community of Cambria, San Luis

Obispo County, APN: 013-081-010

PROJECT DESCRIPTION: Proposal to construct and operate a temporary (three year)

demonstration camping facility consisting of five "tent cabin" structures and associated water tank and hiking/biking trails.

LOCAL APPROVALS RECEIVED: Permit D950157P for project (at different site)

SUBSTANTIVE FILE DOCUMENTS: San Luis Obispo County Certified Local Coastal

Program; Administrative record for permit D950157P; C.T. Ranch draft environmental impact report; Dept. of Fish and Game, Calif.

Natural Diversity Database Map, Cambria Quadrangle

STAFF NOTE: On March 11, 1998, the Commission approved this project by a vote of 11 - 0 as recommended by staff, with an additional condition that the applicant submit a bond for the cost of removal of the proposed project and restoration of the project site. This revised findings staff report is before the Commission for approval of findings supporting the Commission's action of March 11, 1998. The revisions consist of a new Special Condition number 13 requiring submittal of a bond and a new findings section about bonding and temporary use. The new language is shown in **bold** on pages 6 and 11.

#### SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after public hearing, <u>approve</u>, as conditioned, a permit for the proposal for the reasons presented in this report.

The original proposal as approved by the County was for "tent cabin" camping in structures that resembled tents in their shape, but were much larger than typical camping tents and larger than typical tent-cabins. The tent cabins ranged in size from 350 square feet to 600 square feet with a maximum height of 35 feet, and a common dining tent cabin. None of the tent cabins would be permanent structures. They would be designed to be portable and be supported on piers. They would have no perimeter foundations and could be removed with relative ease. The County limited the proposal to an initial three year period. On May 14, 1997, the Commission opened and continued a hearing on the appeal of the County-approved project. On July 9, 1997, the Commission found that substantial issue existed with respect to the grounds on which the project was appealed.

The project that was appealed was on a parcel designated Agriculture. The substance of the appeal was that the approved tent-cabin camping was not "camping incidental to agriculture" but was an "organizational camp," a type of camping not allowed in the Agriculture land use category. The applicant now proposes to relocate development about 3,000 feet west of the Agriculture parcel to a nearby parcel designated Rural Lands. Both parcels are part of a single large holding totaling about 1500 acres, the C.T. Ranch. Relocating the development to a parcel designated as Rural Lands will resolve the appeal issues because the proposed tent cabin camping is allowed in the Rural Lands category. However, the appellant, or any other interested party may, of course, raise any objection to the Commission that they may have to the proposal on the new site and any reasons why it may not be consistent with the Local Coastal Program.

#### **Exhibits**

- A. Standard Conditions
- 1. Location Map
- 2. Vicinity Map
- 3. Site Map
- 4.. Elevations and Floorplans

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#### I. STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

# **APPROVAL WITH CONDITIONS**

The Commission hereby <u>approves</u>, subject to the conditions below, a permit for the proposed development, on the grounds that the development, as conditioned, will be consistent with the certified San Luis Obispo County Local Coastal Program, will be consistent with the public access and recreation policies of Chapter 3 of the Coastal Act, and will not have any adverse impacts on the environment within the meaning of the California Environmental Quality Act.

# II. STANDARD CONDITIONS (See Exhibit A)

#### III. SPECIAL CONDITIONS

# **Authorized Development**

1. This permit authorizes the development of a temporary, three year camp as described in the staff report and as shown on the site plan and as limited by other Special Conditions. The camp may operate year-round. Creation of the camp is authorized until September 30, 2001. At such time, all development approved by this permit shall be removed and the site restored to its pre-project condition.

# San Luis Obispo County Conditions of Approval

- 2. The following eight conditions of approval of San Luis Obispo County Permit D950157P are incorporated into this Coastal Development Permit without change: 1, 2, 3, 4, 12, 16, 17, and 18. (see Exhibit 1)
- 3. The following conditions of approval of San Luis Obispo County Permit D950157P are not incorporated as part of the Coastal Development Permit because they are not applicable at the revised site or are superseded by the conditions contained in this permit: 5, 6, 7, 8, 9, 10, 11, 13, 14, and 15. (see Exhibit 1)

# **Grading, Sedimentation, and Erosion**

- 4. Prior to any grading, the permittee shall submit grading, sedimentation, and erosion control plans for review and approval to the Executive Director of the Coastal Commission, the Department of Planning and Building, and the County Engineering Department. Total grading shall not exceed 100 cubic yards. The plans shall include temporary erosion control and sedimentation measures for disturbance of any areas of greater than 20 percent slopes, shall include revegetation plans for all disturbed areas, and shall show all areas where grading is proposed and the amount of earth to be moved at each discrete area of grading. Construction permits shall not be issued until the grading, sedimentation, and erosion control plans are approved by all three agencies.
- 5. At the conclusion of each rainy season (approximately April 15), the access roads, driveways, and all hiking trails shall be inspected by the permittee for damage from run-off and erosion. The permittee shall submit to the Executive Director for review and approval a letter report describing the status of the roads, driveways, and hiking trails, and any repairs and stabilization measures proposed, along with a timetable for the installation of such measures. The Executive Director will identify which measures, if any, will require an amendment to this permit.

#### Fire Safety/Access

 Any vegetation clearance required by the California Department of Forestry/County Fire shall be the absolute minimum necessary. Road widths shall not exceed 18 feet. Road surface shall be all-weather but roads shall not be paved or surfaced with any nonpermeable material.

#### **Vegetation Removal and Revegetation**

7. Removal of natural vegetation shall be minimized to the greatest extent possible. Prior to any vegetation removal, permittee shall submit to the Executive Director for review and approval a vegetation removal and revegetation plan. The plan shall also show all other proposed planting, including any proposed for screening the tent cabins from one another. All new planting and revegetation shall be with native plants. Removal of mature native trees shall be limited to those which display symptoms of Pine pitch canker disease, or are dead or dying of other causes and are not likely to survive beyond the effective period of

this permit. If any Monterey pines or oaks are required to be removed, they shall be replaced at the typical County ratio of 2:1 for pines and 4:1 for oaks. Replacement pines shall be from native Cambria pine forest stock. Replacement trees shall be maintained until successfully established using standard County procedures. Permittee shall submit a letter to the Executive Director from a qualified professional (e.g., landscape contractor, arborist) verifying that the replacement trees have been planted and that measures typically required by the County to ensure successful growth have been implemented.

# **Wastewater**

8. PRIOR TO TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit to the Executive Director evidence of approval of the wastewater disposal system from County Environmental Health. Since the project is temporary and because of the poor percolation characteristics of the soils on the site, no in-ground septic systems shall be allowed. Wastewater shall either be transported to a County Environmental Health approved treatment and/or disposal site or be treated on-site by the use of composting toilets or other County Environmental Health approved treatment method, and disposed of at a County Environmental Health approved disposal site.

# Potable Water

9. PRIOR TO TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT, permittee shall submit to the Executive Director evidence of approval of the potable water supply and distribution system from County Environmental Health. Water shall be obtained from an off-site source, but not from the Cambria Community Services District, San Simeon Community Services District, nor from any other supplier taking water from an overdrafted source, including Pico, San Simeon, or Santa Rosa Creeks, or their tributaries. If the source is located within the coastal zone, it shall be subject to review and approval by the Executive Director; and, if necessary, an amendment to this permit or a separate coastal development permit shall be obtained.

#### Trails

10. At least two weeks prior to commencement of camp operations, permittee shall submit to the Executive Director for review and approval an access management plan (including a map of hiking trails and a report by a qualified biologist or botanist discussing the impact of the trails on the Monterey pine forest habitat, and recommended mitigation measures). Trails shall follow contours to minimize site disturbance. Trail construction shall minimize ground disturbance to the greatest extent possible. Cuts and fill shall be allowed only when there is no other trail construction method or location available; they shall not exceed 12 inches in depth. Trails shall not exceed three feet in width. Following the initial month of experience, the access management plan may be modified from time to time, subject to prior review and approval by the Executive Director, as needed to mitigate resource impacts, improve recreational opportunities, or minimize conflicts with neighboring uses.

#### Off-site Parking Plan

11. On-site parking for private guest vehicles is not authorized by this permit. PRIOR TO TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT, permittee shall submit to the Executive Director for review and approval, an off-site parking plan showing location of parking, number of spaces, and evidence of authority to use the area designated for parking. Such off-site parking facility shall access via an existing all-weather road or street, and shall not be located on any part of the C.T. Ranch.

# **Plant Survey**

12. WITHIN 90 DAYS OF THE DATE OF COMMISSION ACTION ON THIS PERMIT AND PRIOR TO ANY GROUND DISTURBANCE, the permittee shall submit to the Executive Director for review and approval a report from a qualified professional biologist or botanist relating the results of a springtime survey of the site to determine if the rare Gairdner's yampah (*Perideridia gairdneri subsp. gairdneri*) is present. If the plant is found on the site, a map shall be created showing the location(s) of the plant relative to the proposed development. If any Gairdner's yampa would be adversely impacted by the proposed development, the location of the development shall be adjusted so that it does not impact the plant. An adjustment of the development location shall be subject to review and approval by the Executive Director; and, if necessary, an amendment to this permit shall be obtained. However, if such siting adjustment is not feasible, the impacted plants shall be relocated in accordance with Department of Fish and Game procedures for endangered plants; or, if translocation is not a viable option, the impacted plants shall be replaced in the number and manner recommended by the biologist/botanist.

# **Temporary Use and Restoration Bond**

13. PRIOR TO TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit to the Executive Director for review and approval a bond for the cost of removal of the proposed project and restoration of the project site. The permittee shall forfeit the bond if all development approved by this permit has not been removed and the site restored to its pre-project condition no later than September 30, 2001. The bond shall be returned to the permittee if the required removal and restoration is complete no later than September 30, 2001.

#### IV. RECOMMENDED FINDINGS AND DECLARATIONS

#### A. Proposal Description and Location

This proposal is to construct and operate a tent-cabin camping demonstration project. The project that was appealed was on a parcel designated Agriculture. The substance of the appeal was that the approved tent-cabin camping was not "camping incidental to agriculture" but was an "organizational camp," a type of camping not allowed in the Agriculture land use category. The applicant now proposes to relocate development about 3,000 feet west of the Agriculture parcel to a nearby parcel designated Rural Lands. Both parcels are part of a single large holding totaling about 1500 acres, the C.T. Ranch. Relocating the development to a

parcel designated as Rural Lands will resolve the appeal issues because the proposed tent cabin camping is allowed in the Rural Lands category.

The project would be composed of fabric tents and fabric-roofed tent cabin structures on four elevated decks, a fabric-roofed pavilion on a fifth elevated deck, and an outdoor amphitheater/observation deck with a fabric roof. The tent cabin decks are proposed to each be 2470 square feet in size. Each tent cabin deck would have one fabric sleeping tent about 350 square feet in size and one fabric-roofed tent cabin about 400 square feet in size, containing a shower, toilet, and computer space. The pavilion would be approximately 2000 square feet in size and would be on a 4660 square foot deck; the pavilion would be used for registration and meetings. The outdoor amphitheater/observation deck would be about 2700 square feet in size and would have seating (e.g., benches) and a fabric cover or roof with supports, but no walls. It would be used for classes, viewing, and meditating. No new roads would be constructed. An existing dirt ranch road would be upgraded by minimal grading and the addition of an all-weather, but not paved, surface (such as decomposed granite) to provide access to the site. Parking for five vehicles for camp staff would be provided. As with the original submittal approved by the County on the first site, guests would be shuttled in from Cambria, water would be trucked in to a 2500+ gallon tank (approx. 8 ft. high x 8 ft. diameter) and would flow by gravity to the tent-cabins and pavilion. As submitted, sewage disposal is proposed to be by individual septic system. The original submittal approved by the County on the first site did not specify a wastewater disposal method, but required simply that the method must be "consistent with the definition of incidental camping and subject to the approval of the Environmental Health Agency." Proposed total site disturbance is 15,760 square feet (0.88 percent of the 41 acres).

Three of the tent-cabins would be for campers/guests while the fourth would be for a caretaker. The pavilion tent-cabin would be used as a fitness workout area, classroom, and common dining area. The tent cabins are proposed to be portable and temporary; they would not have permanent or perimeter foundations but would be on platforms or decks built on piers so that the only ground disturbance from the tent cabins themselves would be for placement of the piers. The applicant also proposes to build hiking and/or biking trails.

A maximum of 20 people, including the camp staff, would be on-site at any one time. Guests could be accommodated for up to three days and two nights. Unlike the permit granted by the County which limited use to 120 days per year, the current proposal at a revised location allows the tent-cabin campsites to be occupied year-round.

The site of the proposal is about one-half mile due north of the Cambria Cemetery and about one mile due north of the community of Cambria. The development would be sited within an existing two to three acre clearing near the northeast corner of a 41 acre parcel which is one of several parcels making up a 1500 acre ranch, the C.T. Ranch. The parcel is designated Rural Lands by the County's Local Coastal Program (LCP). There are no prime agricultural soils on this parcel. The parcels to the north and west are designated Rural Lands and are not part of the C.T. Ranch. The parcel to the south is designated Rural Lands and is part of the C.T. Ranch. The parcel to the east is designated Agriculture and is also a part of the C.T. Ranch. The entire site, as was the original site, is within a mapped Sensitive Resource Area and Terrestrial Habitat, both of which are meant to recognize the presence of the Monterey pine forest on most of this parcel and in the area in general. The current project site, as with the original site, is on grassland at the fringe of the Monterey pine forest; no trees are proposed for removal. Slopes at the project site are similar to those at the original site and range from less

than ten percent to between 20 and 30 percent. The County has reviewed the proposed new site and believes it to be a better site than the original one (see Exhibit 11).

# B. Standard of Review and Analysis

The standard of review for this proposal at this site is the County's certified Local Coastal Program.

# 1. Organizational Camp

Most of the regulations applicable to organizational camps are found in the Coastal Zone Land Use Ordinance (CZLUO) section 23.08.072 (Please see Exhibit 6 for the full text of the section). The first subsection of that section limits organizational camps to Rural Lands, Recreation, and Public Facilities land use categories. The proposed camp would be located on a parcel designated Rural Lands. The other subsections to which an organizational camp is subject are listed below with a discussion following each one.

- Minimum site area. Reference is made to section 23.04.020 (Parcel Size). However that section is for determining minimum parcel sizes in new subdivisions. Section 23.04.040 et seq. determines the minimum size of an existing parcel that is required in order to establish a use. Section 23.04.044 states that there is no minimum site area required for recreation uses, excepting off-road vehicle courses and public assembly and entertainment, neither of which apply to this proposal. Therefore there is no minimum size required for this proposal.
- ◆ Density. A maximum density of one camping unit per acre is allowed. The parcel size is 41 acres. Therefore the maximum density is 41 camping units. Because each tent would accommodate only five people (20 people max. ÷ 4 tent cabins = 5 people/tent cabin), the occupancy of each "camping unit" would be within the range of normal (State Parks allows up to eight people per campsite).
- Setbacks. All camping facilities and activities are to be no closer than 1000 feet from any property line or public road. The parcel is approximately one-quarter mile (1320 feet) from the nearest public road. As proposed, the facilities and activities would be as close as approximately 200 feet from a property line of another owner. For purposes of this application, the east and south property lines are not considered because property to the east and south is owned by the owner of the subject parcel. Therefore, the 1000 foot setback standard is measured only from the north and west property lines. CZLUO section 23.08.012b allows waiver of special use standards when the specific conditions of the site make the standard unnecessary. One thousand feet from the north and west property lines describes a rectangle of about 2.5 acres in the extreme southeast corner of the parcel. That area, as most of the parcel except where the development is proposed, is thick Monterey pine forest. The applicant's proposed site, while about 200 feet from the north property line and about 400 feet from the west property line would be on the fringe of the pine forest. A development in the southeast corner of the parcel which would meet County setbacks would cause major impacts to the pine forest there. In contrast, development at the applicant's proposed site will have minimal impacts on the pine forest. Further, the abutting property to the north and west consists of three currently vacant residential parcels of 18, 36, and 73 acres respectively and the tent-cabin area would be about 1600 feet from the building envelopes on those parcels. Any camping-related activity or facility, even if

right on the property boundary, would be approximately 800 to 1000 feet away from the building envelopes. The development at the proposed site will have minimal impacts to the pine forest and still provide approximately 800 to 1000 feet of separation between camping activities and residential use on parcels to the north and west.

The County ordinance provides for a waiver from special use standards where the necessity for modification or waiver of the standards identifies specific conditions of the site and/or vicinity which make the standard unnecessary; identifies the specific standards being waived or modified; and when the project, including any proposed modifications, will meet the findings required by section 23.02.034c(4), the County's standard Development Plan findings. The six applicable findings from that section require the proposed project to be consistent with the LCP; require that the proposal satisfy all applicable provisions of the Coastal Zone Land Use Ordinance; require that the establishment and operation of the project will not be detrimental to health, safety, or welfare of the general public or persons living or working in the vicinity of the use; require that the project will not be inconsistent with the character of the immediate neighborhood; require that the project will not generate traffic beyond the capacity of roads providing access; and require any additional findings required by planning area standards, combining designations, or special uses. As discussed above and throughout this report, the proposed project, as conditioned, is consistent with the LCP, including any special findings required therein. Therefore, the requirement that camping activities or facilities must be 1000 feet from the property lines of the parcel can be modified, consistent with Section 23.08.012b.

- Parking. Parking requirements are to be determined by Development Plan approval, i.e., by the Planning Commission; there is no set number of parking spaces. The proposal would provide five parking spaces on-site. These spaces are for staff and camp vehicles. According to the applicant, guests would be shuttled in, probably in a van. Therefore, it will be necessary for the applicant to provide the Executive Director with a parking plan showing location of such off-site parking, proof of ownership or other right to use the parking area, and number of spaces. That plan will be subject to review and approval by the Executive Director.
- Access. All-weather access is to be provided to the site. The applicant has stated that the
  access will be all-weather, and this permit is conditioned to require an all-weather
  permeable surface other than paying.
- ♦ Allowed facilities. In addition to tent camping areas, organizational camps may have cabins, meeting hall, etc. The proposal will have tent-cabins, and a pavilion for meeting, exercise, and dining.
- Sanitation. Restrooms are to be provided as required by the Health Department. This permit is conditioned to require Health Department approval of the wastewater disposal system. No in-ground systems are allowed since the use is temporary and percolation through the soil at the site is very slow. The soil is San Simeon sandy loam and the USDA Soil Conservation Service Soil Survey of San Luis Obispo County (Coastal Part) indicates that because of the slow percolation and the relatively shallow depth to rock, San Simeon sandy loam presents severe problems for septic tank absorption fields.

**Conclusion:** As conditioned, the proposed use is consistent with the Coastal Zone Land Use Ordinance requirements for an organizational camp.

# 2. Environmentally Sensitive Habitat

The County found that the applicant's proposal at the original site would "not create significant adverse impacts on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation. . . ." The Sensitive Resource Area, which is designated on both the original site and the new site is meant to recognize the Monterey pine forest as an environmentally sensitive habitat. Environmentally sensitive habitats are protected by the Policies document of the LCP, as well as the Coastal Zone Land Use Ordinance (CZLUO) which implements the policies.

The CZLUO requires a biological report for applications for projects in or adjacent to an environmentally sensitive habitat. Because a previous EIR addressed biological issues for a larger project on the entirety of the CT Ranch, of which both the original site and the new site are a part, the County did not require a new biological report. The County did prepare a negative declaration for the original site which identified the rare Gairdner's yampah as being in the area but concluded that no impact on the plant was expected. In response to the relocation of the project to the new site, the County stated:

the new location will result in less overall site disturbance and fewer impacts than the original proposal. Both locations are similar in regard to terrain and vegetation and all the environmental related Conditions of Approval would still apply. There is one new issue raised by the revised location. The revised project location is near an area identified as containing the rare Gairdner's yampah (*Perideridia gairdneri subsp. gairdneri*). Though the proposed site is located outside of the area of occurrence mapped as part of the CT Ranch Draft EIR, a springtime survey prior to construction, with required replanting if the plant is encountered, would not be inappropriate as an extra measure of protection.

As stated previously, the Monterey pine forest habitat is the reason for the sensitive resource area and environmentally sensitive habitat designations. The area is further designated a terrestrial habitat, to distinguish it from other sensitive habitat areas which might include wetland sites, for example. Similar to the proposal on the original site, the proposal on this site would be at the forest fringe. No trees are presently proposed for removal (although it may become necessary to remove dead, diseased or hazardous trees during the life of the permit) and, no other potential adverse impacts or significant disruptions to the forest and its habitat are anticipated.

Besides the Monterey pine forest, another sensitive feature exists on the new site: Leffingwell Creek. The stream and its bed are not proposed to be altered. The project plans show the camp development to be at least 100 feet away from riparian vegetation and more from the creek itself. The LCP requires a setback of at least 100 feet from the upland extent of riparian vegetation in rural areas. Therefore, the proposed development meets the environmentally sensitive habitat requirements of the LCP.

# 3. Temporary Use and Removal and Restoration Bond

The applicant proposes that the use be for a three year period so that he can gauge guest and community response to the style of camping he proposes. The intent is to have as little impact on the site as possible. To this end, no electrical, phone, water, or sewer extensions are proposed. Electricity will be produced by solar cells or some other "alternative" energy source and cellular phones are anticipated. Water will be trucked in to the site and, although the applicant has proposed septic systems as the method for wastewater disposal, he is willing to utilize some other method, as required by Special Condition number 8.

To ensure that all structures are removed and the site restored to pre-project conditions at expiration of the permit, the applicant will be required to submit a bond to pay for structure removal and site restoration. The County's condition requiring bonding would have allowed the structures on the original site to remain even after the temporary, three-year life of the permit if the applicant was actively pursuing permits to allow long-term use of that site.

While there is nothing in this Coastal Commission approval to prevent the applicant from seeking an amendment to extend the expiration date for the use on this new site, the terms of this permit still require that the site must be cleared of all structures and restored to pre-project conditions no later than the date of expiration of this permit. However, it must be clearly understood that the Commission's approval of this project on a temporary basis does not in any way prejudice any future action the County (or upon appeal the Commission) might take on this or any other project, whether such action is to approve or to deny a proposal or whether such action is for a permanent or temporary use. The County (or by way of amendment request or appeal, the Commission) shall take whatever independent action it finds to be consistent with the certified Local Coastal Program, as well as the Coastal Act's public access and recreation policies. NOTE: A permanent development would be considered a new project, which will require a separate and new application to the County.

# D. California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. The Commission finds that the proposed project, as conditioned, will not have any significant adverse impacts on the environment and that feasible mitigation measures have been identified and will be implemented with the proposed development.

#### CALIFORNIA COASTAL COMMISSION

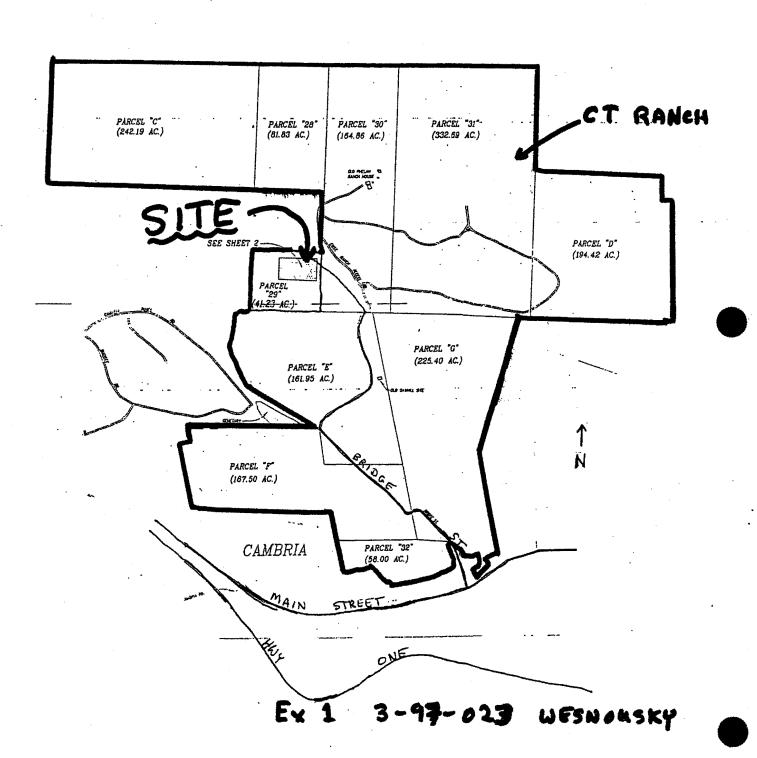
CENTRAL COAST AREA OFFICE 725 FRONT STREET, SUITE 300 SANTA CRUZ, CA 95060 8) 427-4863 ARING IMPAIRED: (415) 904-5200

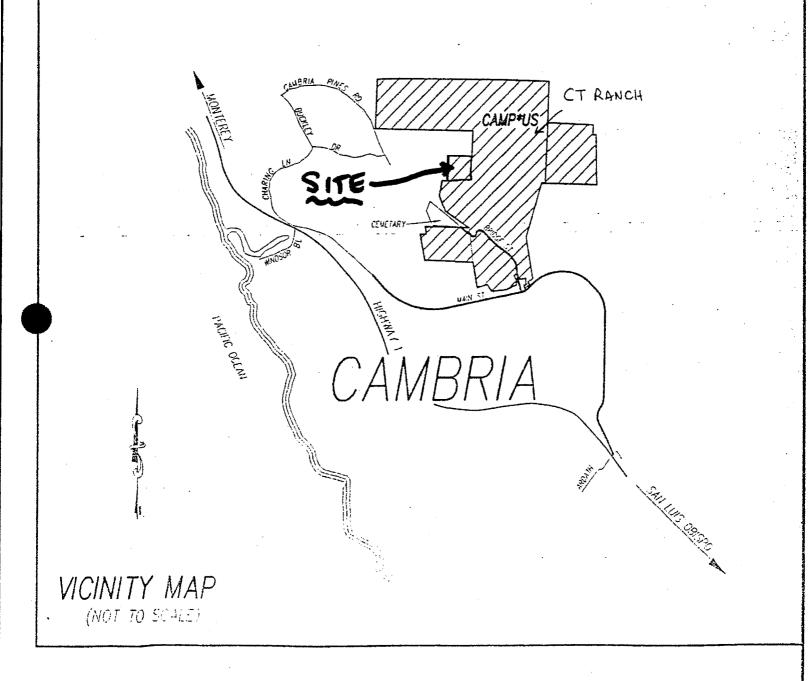


# EXHIBIT A STANDARD CONDITIONS

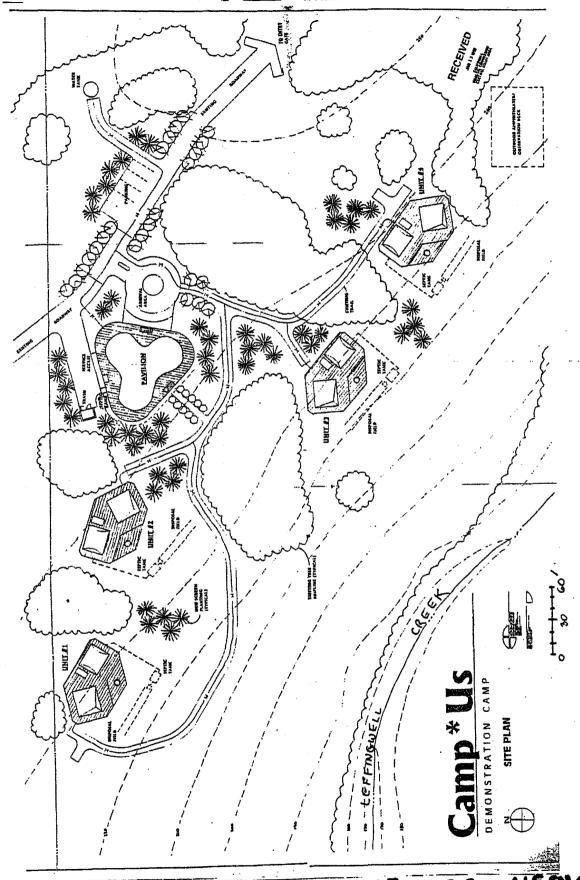
- 1. <u>Notice of Receipt and Acknowledgment.</u> The permit is not valid and development shall not commence until a copy of the permit, signed by the permitee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. <u>Expiration</u>. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. <u>Compliance</u>. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
- 4. <u>Interpretation</u>. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 5. <u>Inspections.</u> The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
- 6. <u>Assignment.</u> The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 7. <u>Terms and Conditions Run with the Land.</u> These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

3-97-023 WESNOUSKY





Ex 2 3-93- 023 MESNOUSKY



Ex3 3-4

3-97-023

WESWOUSKY

