

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



F12c

3-18-0650 (HARBAUGH SFD) NOVEMBER 6, 2020 HEARING EXHIBITS

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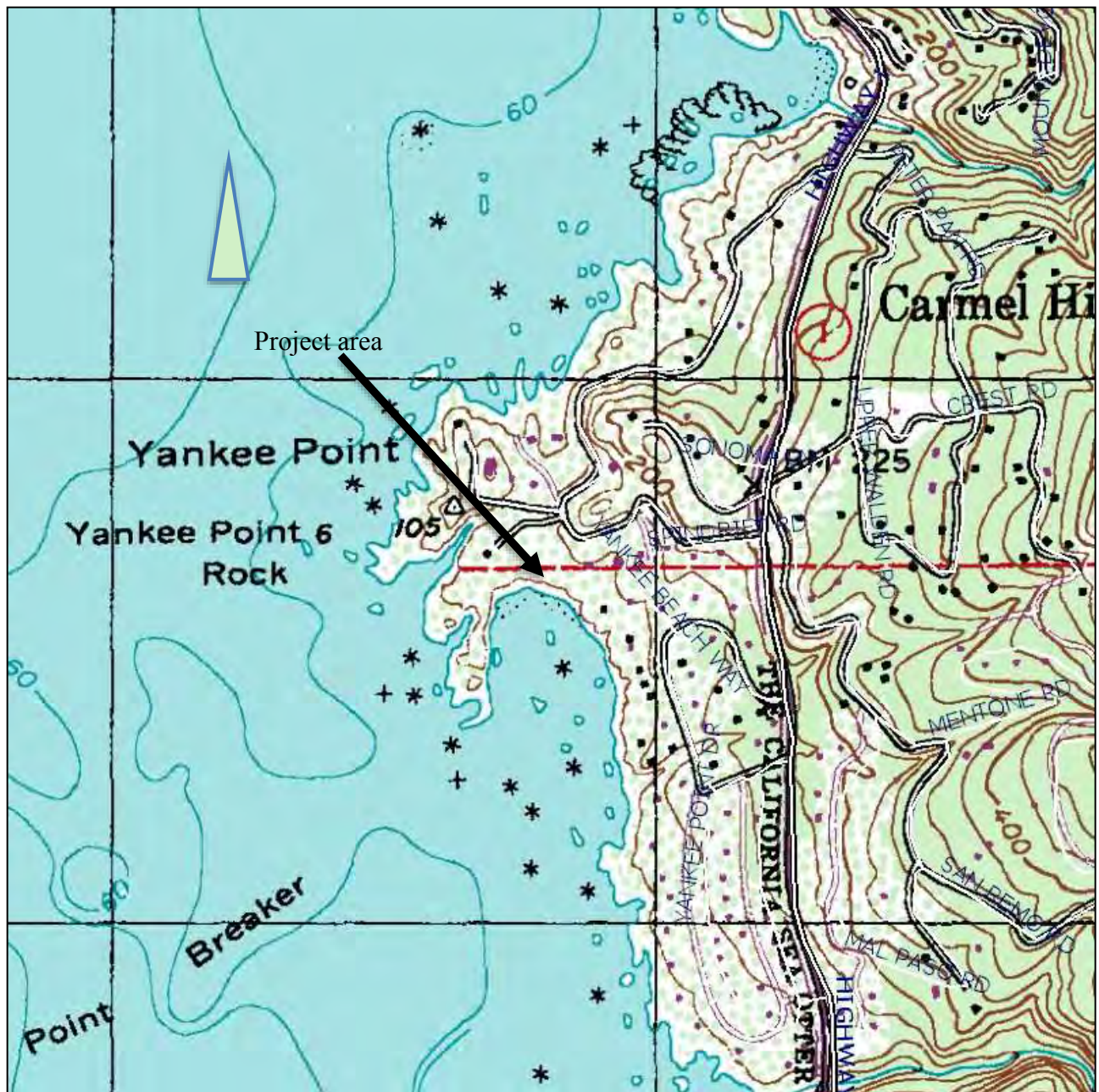
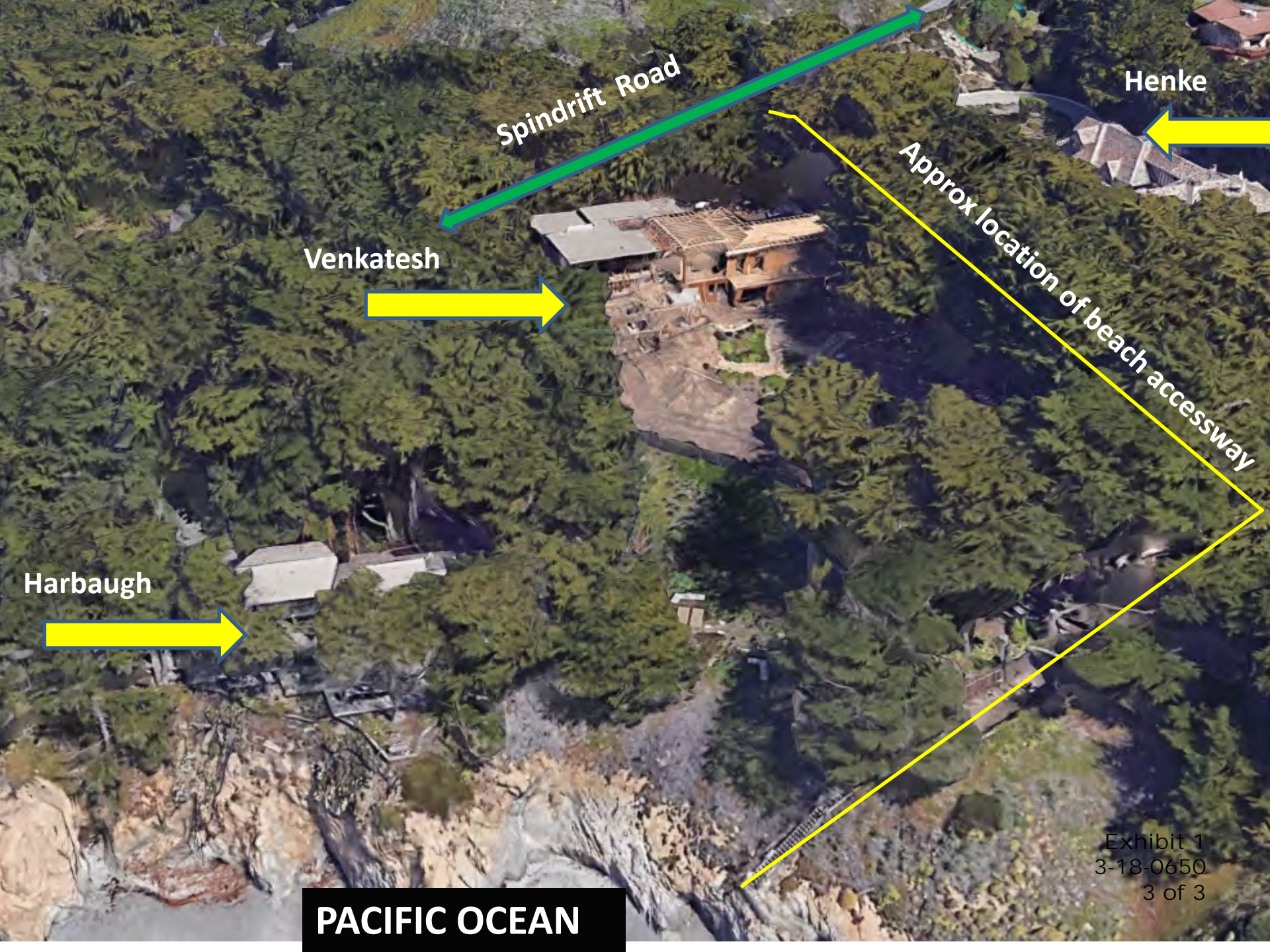


Figure 5: Project location on a portion of the USGS 7.5 minute Soberanes Quadrangle (1997) sent to the tribes on November 29, 2017.



Spindrift Road

Henke

Venkatesh

Approx location of beach accessway

Harbaugh

PACIFIC OCEAN

Exhibit 1
3-18-0650
3 of 3

IX. PHOTO DOCUMENTATION: April 2015

1. Zone 1: Invasive iceplant along cliff edge with fragmented Coastal Bluff Scrub plants.



2. Zone 1: Invasive iceplant along cliff edge with fragmented Coastal Bluff Scrub plants below existing main residence.



3. Zone 2: Landscape plant material near the entry of the house



4. Zone 2: Landscape plant material at the rear south side of the house.



5. Zone 3: Monterey Cypress with understory duff layer northeast of main residence.



6. Monterey cypress with duff understory layer facing south.



7. Area of proposed expansion facing southeast showing mixed cypress, duff layer and invasive iceplant mats.



8. Southeast area showing iceplant dominant landscape with other exotics and elements of Coastal Bluff Scrub native plants.



Yankee Point Beach (from overlook)



Exhibit 3
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1 of 5

Yankee Point Beach (beach level)



Exhibit 3
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Yankee Point Beach (Beach Level)



Exhibit 3
3-18-0650
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Yankee Point Beach (looking Downcoast)



Exhibit 3
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Harbaugh Residence

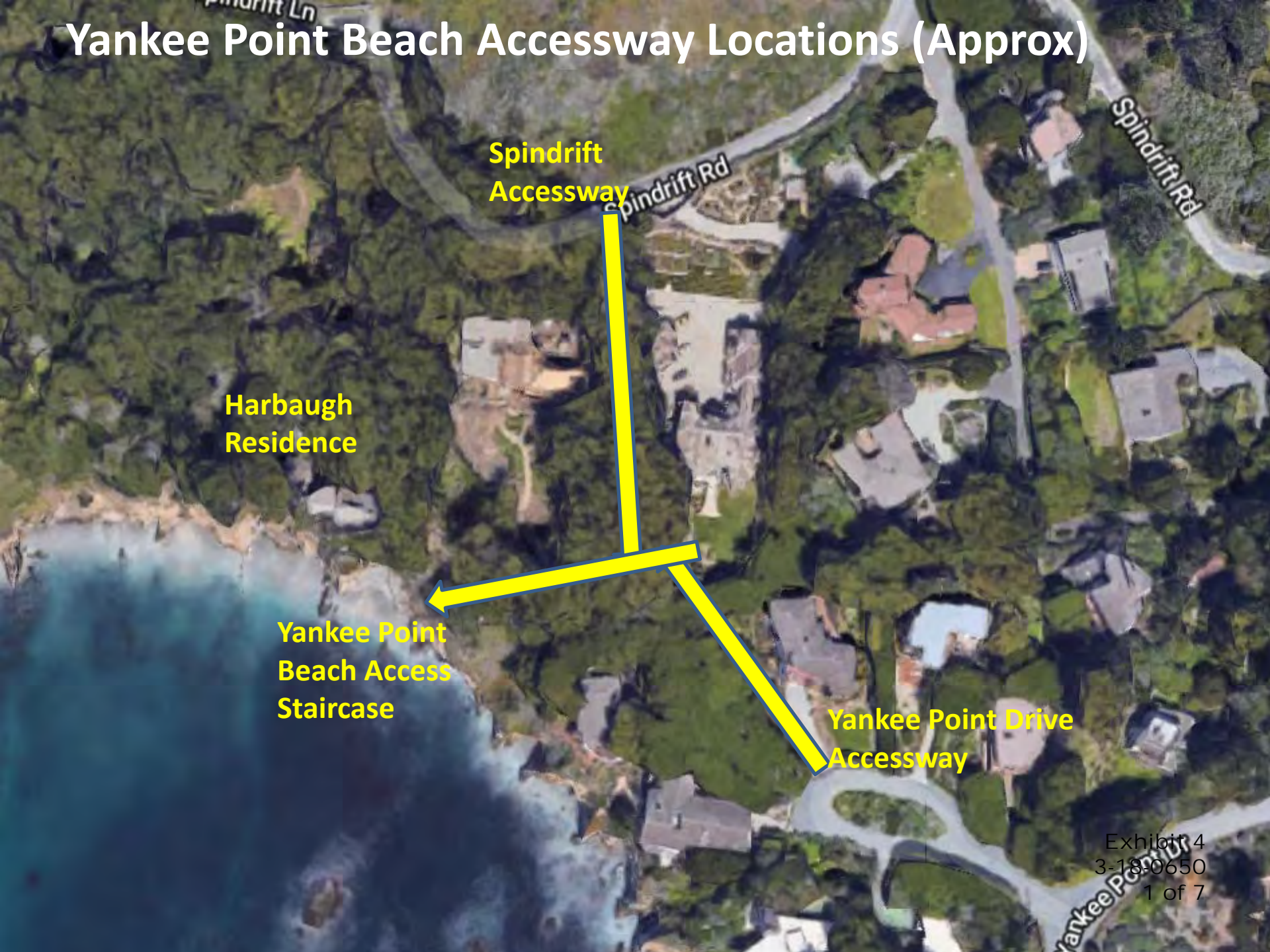


Yankee Point Beach

Exhibit 3
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Yankee Point Beach Accessway Locations (Approx)



Spindrift
Accessway

Harbaugh
Residence

Yankee Point
Beach Access
Staircase

Yankee Point Drive
Accessway

Spindrift Gate



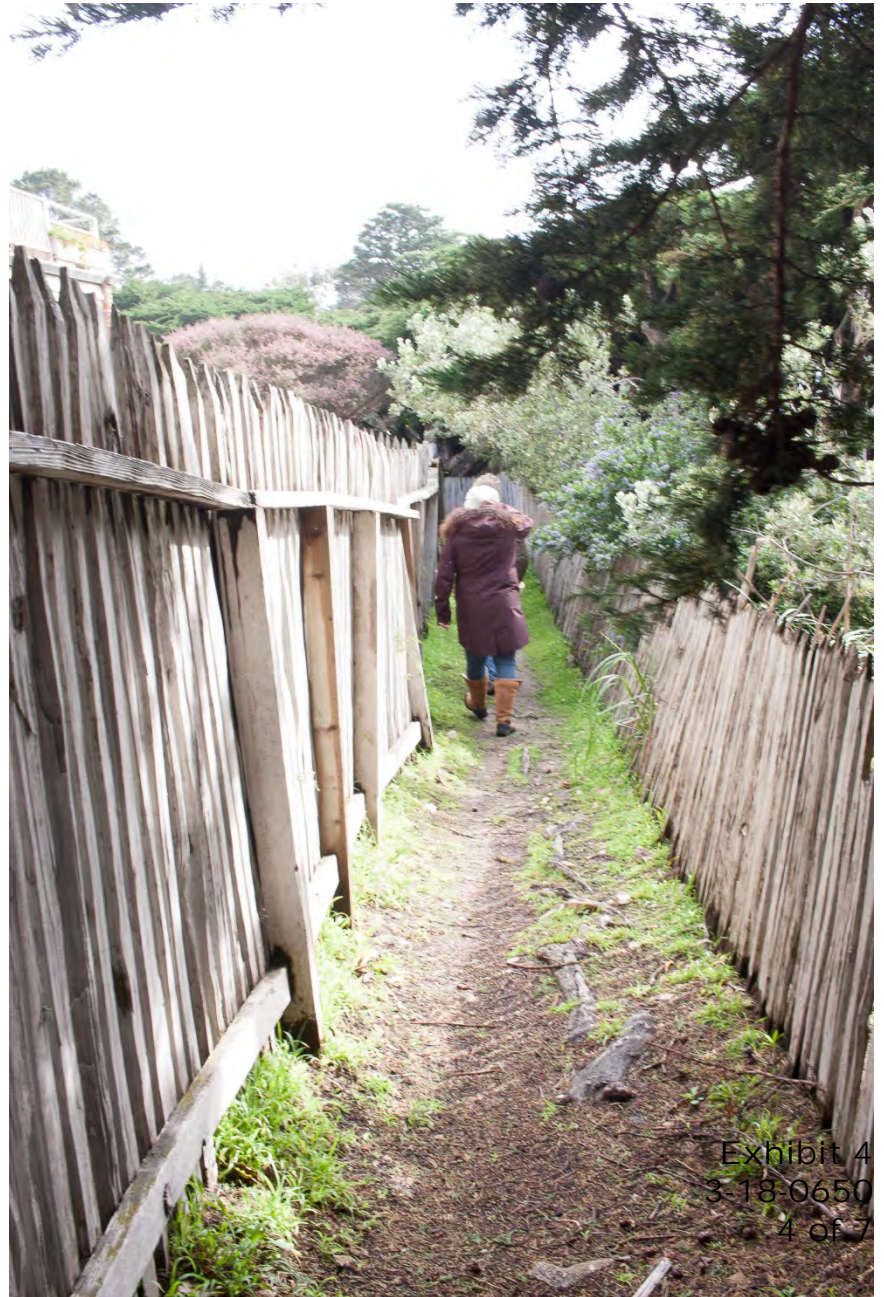
Exhibit 4
3-18-0650
2 of 7

Spindrift Path



Exhibit 4
3-18-0650

Yankee Point Drive Gate & Path



Joint Path to Cliff Stairs



Cliff Stairs



Stainless Steel Railing (close up)



HARBAUGH RESIDENCE

CARMEL HIGHLANDS, CALIFORNIA

CONRAD
ASTURI
STUDIOS INC.

LINCOLN ST. 35E OF OCEAN AVE. STE 3
CARMEL BY THE SEA, CA. 93921
PHONE: 831.822.9724
WEB: CONRADASTURI.COM

1121 OAKDALE RD. STE 5
MODESTO, CA. 95355
PHONE: 209.521.7200

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PROJECT:

HARBAUGH RESIDENCE
172 SPINDRIFT RD.
CARMEL HIGHLANDS, CA.
93923
A.P.N.: 241-301-015

HARBAUGH
RESIDENCE
DESIGN
DEVELOPMENT

TIMELINE	
DATE	ISSUED FOR:
-	1ST SUBMITTAL
-	PLAN CHECK
-	BID / FINAL
-	CONSTRUCTION

REVISIONS	
Δ	LUAC APPROVED 5/2/2016
Δ	REVISED 1/16/2017
Δ	REVISED 8/1/2017
Δ	REVISED 11/14/2018

PROJECT NO: 1405
DRAWN BY: STAFF
CHECKED BY: GW
DESCRIPTION:
COVER SHEET

SHEET:

T0.1
Exhibit 5
PRINTED: NOVEMBER 14, 2018
3-18-0650
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A	ARTISAN	ELEV.	ELEVATION	H.B.	HOSE BIBB	P.L.	PROPERTY LINE
A.F.F.	ABOVE FINISHED FLOOR	EQ.	EQUAL	H.C.	HOLLOW CORE	PLYWD.	PLYWOOD
A.F.S.	ABOVE FINISHED SURFACE	EQUIP.	EQUIPMENT	H.C.	HANDICAPPED	REF.	REFRIGERATOR
ALT.	ALTERNATE	EXT.	EXPANSION	HDWD.	HARDWOOD	REQ'D.	REQUIRED
APPROX.	APPROXIMATE	EXT.	EXTERIOR	HR.	HOUR	R.O.	ROUGH OPENING
ARCH.	ARCHITECTURAL	F.D.	FLOOR DRAIN	HT.	HEIGHT	SCHED.	SCHEDULE
BLDG.	BUILDING	F.D.C.	FIRE DEPARTMENT CONNECTION	HVAC	HEATING, VENTILATION AND AIR CONDITIONING	SHT.	SHEET
BOT.	BOTTOM	FDN.	FOUNDATION	INT.	INTERIOR	SIM.	SIMILAR
C.J.	CONTROL JT.	F.F.	FINISH FLOOR	KIT.	KITCHEN	SPEC.	SPECIFICATION
CLG.	CEILING	FIN.	FINISH	MAX.	MAXIMUM	SQ.	SQUARE
CLR.	CLEAR	F.L.	FLOW LINE	MECH.	MECHANICAL	S.S.	STAINLESS STEEL
C.M.U.	CONCRETE MASONRY UNIT	FLR.	FLOOR	MFR.	MANUFACTURER	STRUC.	STRUCTURAL
CONC.	CONCRETE	FND.	FOUNDATION	MIN.	MINIMUM	TYP.	TYPICAL
CONT.	CONTINUOUS	FT.	FOOT OR FEET	MISC.	MISCELLANEOUS	W.C.	WATER CLOSET
DET./DTL.	DETAIL	FTG.	FURRING	MTL.	METAL	Φ	SQUARE FEET
D.G.	DECOMPOSED GRANITE	G.A.	GAUGE	N.T.S.	NOT TO SCALE	℄	CENTERLINE
DIA.	DIAMETER	GALV.	GALVANIZED	OH.	OVERHEAD	℄	PLATE
DN.	DOWN	GR.	GRADE			R	
DS.	DOWNSPOUT	GYP.	GYPSUM				
(E)	EXISTING	GYP. BD.	GYPSUM BOARD				
EA.	EACH						
E.J.	EXPANSION JOINT						
ELEV.	ELEVATION						
ELEC.	ELECTRICAL						

NOTE: CLARIFY WITH DESIGNER ALL ABBREVIATIONS NOT LISTED.

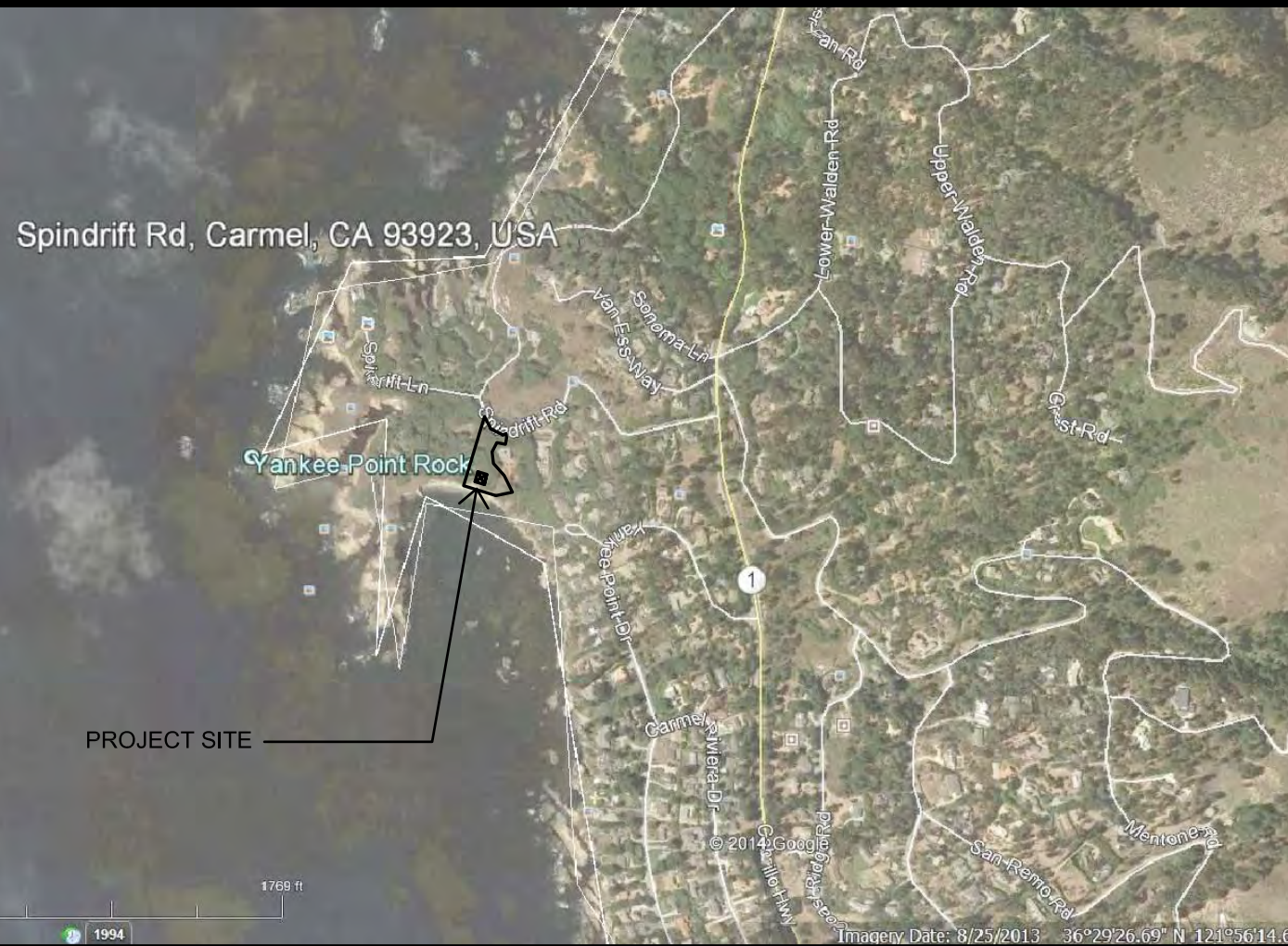
ABBREVIATIONS

EXISTING FLOOR AREA RATIO	EXISTING LOT COVERAGE
(E) 1ST FLOOR SQFT: 1239 SQFT. (E) 2ND FLOOR SQFT: 756 SQFT. (E) 3RD FLOOR SQFT: 339 SQFT. MAIN HOUSE TOTAL: 2334 SQFT. (E) 1ST FLOOR STUDIO SQFT: 524 SQFT. (E) CARPORT/WORKSHOP: 782 SQFT. (E) COVERED TRELLIS: 264 SQFT. TOTAL FLOOR AREA: 3904 SQFT. TOTAL LOT AREA: 64506 SQFT. FLOOR AREA RATIO: 6%	(E) 1ST FLOOR SQFT: 1239 SQFT. (E) 1ST FLOOR STUDIO SQFT: 524 SQFT. (E) COVERED TRELLIS: 264 SQFT. (E) CARPORT: 782 SQFT. (E) DECK 24" ABOVE GRADE: 828 SQFT. TOTAL FOOTPRINT: 3637 SQFT. TOTAL LOT AREA: 64506 SQFT. EXISTING LOT COVERAGE: 5.6%
PROPOSED FLOOR AREA RATIO	PROPOSED LOT COVERAGE
(E) 1ST FLOOR SQFT: 1239 SQFT. (E) 1ST FLOOR STUDIO SQFT: 524 SQFT. (CONVERT TO MAIN) (E) 2ND FLOOR SQFT (347 SQFT DEMO): 409 SQFT. (E) 3RD FLOOR SQFT (339 SQFT. DEMO): 0 SQFT. (N) 1ST FLOOR ADDITION: 2361 SQFT. (N) 2ND FLOOR ADDITION: 385 SQFT. PROPOSED MAIN HOUSE TOTAL: 4938 SQFT. Δ (N) MAIN HOUSE ATTACHED GARAGE: 335 SQFT. (N) MAIN HOUSE ROOF DECKS: 133 SQFT. CONVERTED FROM (E) 782 SQFT. CARPORT/WORKSHOP: (N) GYM / WORKOUT ROOM: 663 SQFT. (N) ATTACHED GARAGE: 501 SQFT. TOTAL FLOOR AREA: 6570 SQFT. Δ TOTAL LOT AREA: 64506 SQFT. FLOOR AREA RATIO: 10%	(E) 1ST FLOOR SQFT: 1239 SQFT. Δ (N) 1ST FLOOR ADDITION: 2361 SQFT. Δ (E) 1ST FLOOR STUDIO SQFT: 524 SQFT. (CONVERT TO MAIN) PROPOSED MAIN HOUSE TOTAL: 4144 SQFT. Δ (N) MAIN HOUSE ATTACHED GARAGE: 335 SQFT. CONVERTED FROM (E) 782 SQFT. CARPORT/WORKSHOP: (N) GYM WORKOUT ROOM: 663 SQFT. (N) ATTACHED GARAGE: 501 SQFT. (N) DECKS: 660 SQFT. TOTAL FOOTPRINT: 6303 SQFT. Δ TOTAL LOT AREA: 64506 SQFT. NEW LOT COVERAGE: 9.8% TOTAL LENGTH EXTERIOR WALLS: 457' TOTAL LENGTH EXTERIOR WALLS TO BE DEMO: 193' (42%) (50% MAX) CEQA (2414 SQ.FT. (N) FLOOR AREA): 42 % ADDITIONS

FLOOR AREA RATIO AND LOT COVERAGE

OWNER: DARLA HARBAUGH 1524 LITTLE DR. HORTON, MI 49246 PH: (419)345-2286	SEPTIC DESIGN: BIOSPHERE CONSULTING 1315 KING STREET SANTA CRUZ, CA 95060 831-430-9116
AGENT: TINA HANNAS-DE FREITAS 37748 PALO COLORADO RD. CARMEL, CA. 93923 831-620-0622 TINA.HANNAS@GMAIL.COM	BIOLOGICAL ASSESSMENT: FRED BALLERINI (2015) FRED BALLERINI HORTICULTURAL SERVICES PO BOX 1023 PACIFIC GROVE, CA 93950 831-333-9006 fred@fredballerini.com
DESIGNER: CONRAD ASTURI STUDIOS, INC. 1121 OAKDALE RD. STE 5 MODESTO, CA. 95355 209-521-7200 P.O. BOX 1556 CARMEL BY THE SEA, CA. 93921 831-238-4945	GEOTECHNICAL ENGINEER: EARTH SYSTEMS PACIFIC GEORGE BARNETT, GEOTEC. ENGR. 1414 MOFFETT ST, SUITE G SALINAS, CA 93905 831-422-8547
STRUCTURAL ENGINEERING: MOZAFFARI ENGINEERING ANDRE MOZAFFARI P.E., S.E. 1500 F ST. MODESTO, CA. 95354 209-572-4430	GEOLOGIST REPORT CRAIG S. HARWOOD ENGINEERING GEOLOGIST 239 PARK DR. BEN LOMAND, CA 95005 831-325-9327 kimig@cruzio.com
CIVIL ENGINEER: C3 ENGINEERING INC. FRANK CAMPO, PRINCIPAL ENGINEER 126 BONIFACIO PLACE, STE C MONTEREY, CA 93940 831-647-1192	ARCHEOLOGIST REPORT ARCHAEOLOGICAL CONSULTING (1991) PO BOX 3377 SALINAS, CA 93912 408-422-4912 ANNA RUNNINGS, MA & GARY BRESCHINI, SOPA
LANDSCAPE DESIGNER: KEN WESTFALL LANDSCAPE ARCHITECT 4138 PO BOX 1731 MODESTO, CA 95353 209-572-3771	ARBORIST REPORT / FRANK ONO, ARBORIST, FOREST MGMT. PLAN (2014) URBAN FORESTER 1213 MILES AVE PACIFIC GROVE, CA 93950

PROJECT TEAM



VICINITY MAP

THIS PROJECT WILL CONFORM TO

THE 2016 EDITION OF THE CALIFORNIA BUILDING CODE, CRC, CPC, CMC, CEC, AND THE CALIFORNIA GREEN BUILDING STANDARDS CODE (CGBS)

THIS PROJECT WILL CONFORM TO

THE 2016 CALIFORNIA FIRE CODE, AND THE 2016 CALIFORNIA ENERGY EFFICIENCY STANDARDS (CEES).

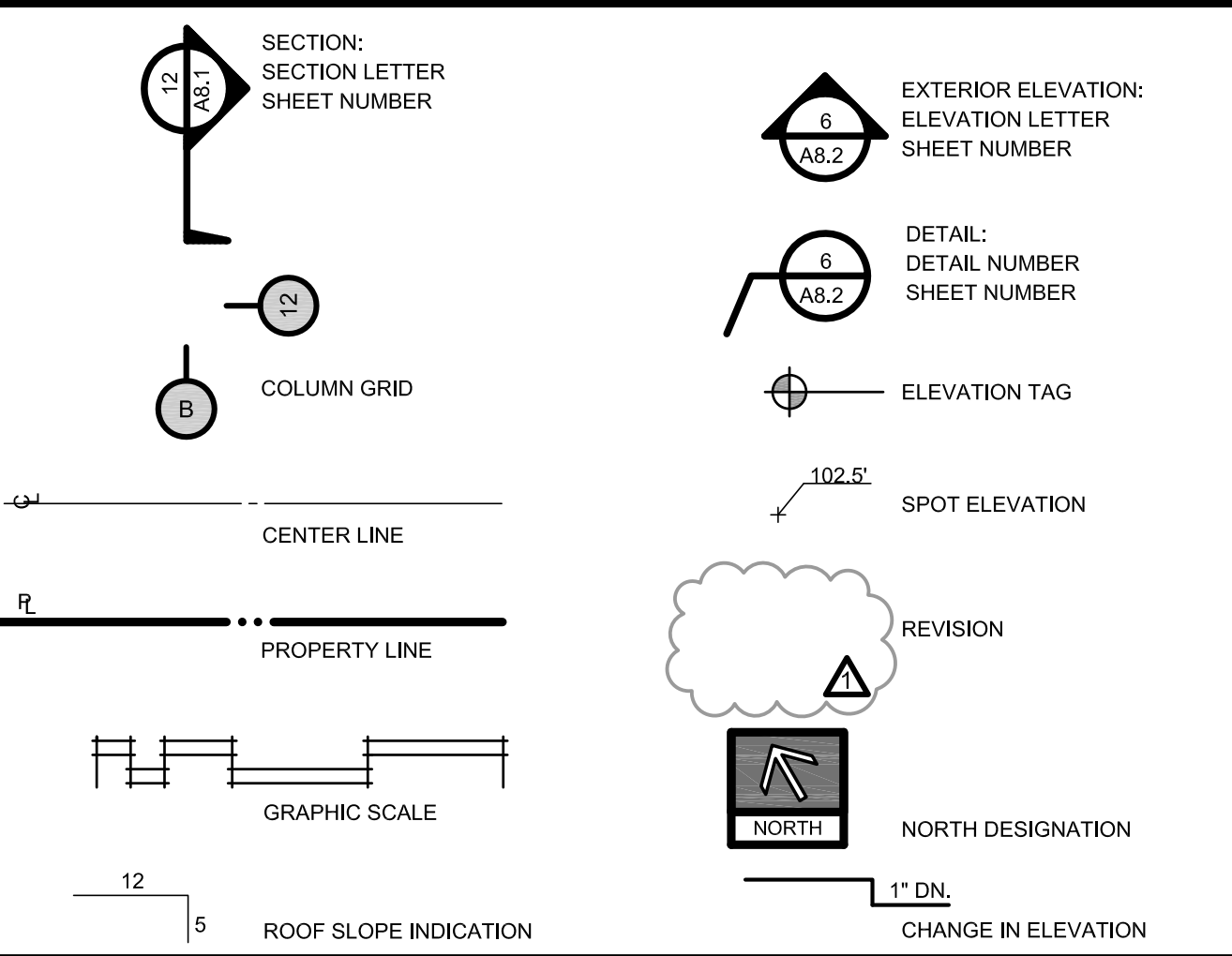
GOVERNING CODES

PROJECT LOCATION: 172 SPINDRIFT RD. CARMEL HIGHLANDS, CA	CONSTRUCTION TYPE: VB
A.P.N.: APN: 241-301-015	REQUIRED SETBACKS: FRONT: 30' SIDE: 20' REAR: 20'
LOT SIZE: 64,506 SQFT. 1.48 ACRES	ALLOWABLE HEIGHT: MAIN HOUSE: 30' MAX CARPORT / GYM: 15' MAX
ZONING: LDR1-G(CZ) / RC-D(20)(CZ)	YEAR BUILT: 1970
TREE REMOVAL: NONE	
FIRE SPRINKLERS: YES	
SEWER PROVIDER:	
OCCUPANCY: B4U BLDG #1: PROPOSED DWELLING - 2 STORY BLDG #2: PROPOSED GYM / WORKOUT ROOM WITH ATTACHED GARAGE	

PROJECT INFORMATION



PERSPECTIVE



ARCHITECTURAL SYMBOLS

REMODEL, DEMO AND ADDITIONS TO AN EXISTING 3 STORY 2334 SFD. WITH A 524 GUEST HOUSE, WHICH INCLUDES DEMO OF 686 SQ.FT., AND ADDITION OF 2584 SQ.FT., WITH A NEW 335 SQ.FT. ATTACHED GARAGE. TO CREATE A 2 STORY 4,856 SFD.
RENOVATION OF AN EXISTING 782 SQ.FT. 2 CAR CARPORT/WORKSHOP INTO A 663 SQ.FT. GYM / WORKOUT ROOM WITH A 501 SQ.FT. ATTACHED GARAGE. TO CREATE A 1 STORY 1,164 SQ.FT. GARAGE/GYM.
REMOVAL OF (1) 24" LIMB OF A TRIPLE TRUNCATED CYPRESS, APPROX. 560 CY CUT/180 CY FILL (NET = 380 CY FILL) GRADING, RETAINING WALLS OF APPROX. 5' IN HEIGHT AND 60 LINEAR FEET AT BUILDING #1, APPROX. 5' IN HEIGHT 85 LINEAR FEET AT BUILDING #2 AND RE-PAVING EXISTING DRIVEWAY TO INCLUDE AN EMERGENCY VEHICLE TURN AROUND.
(N) PROPANE FIRE PIT ADDED. REPLACE (E) SEPTIC SYSTEM WITH (N) ETU SEPTIC SYSTEM.

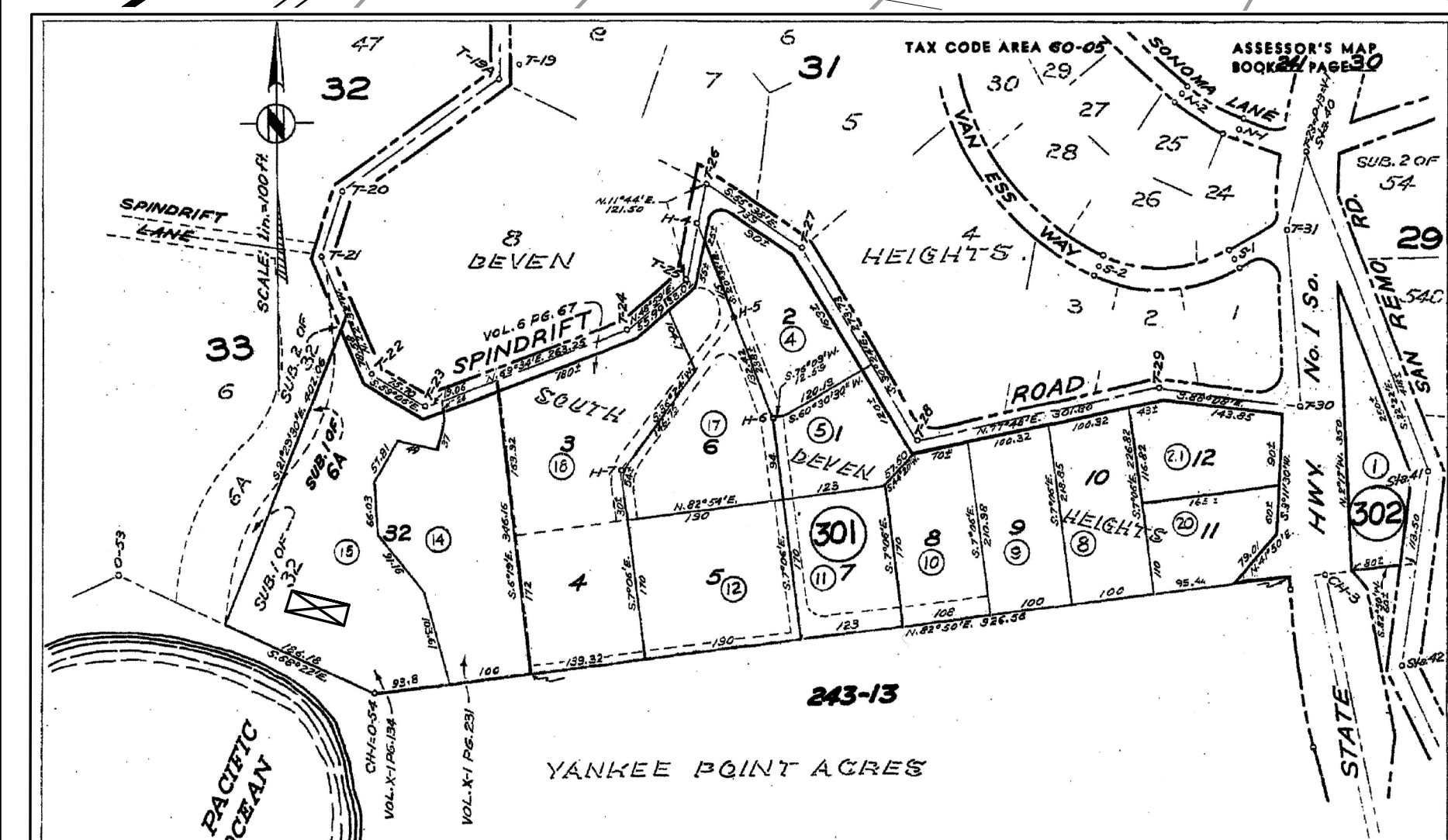
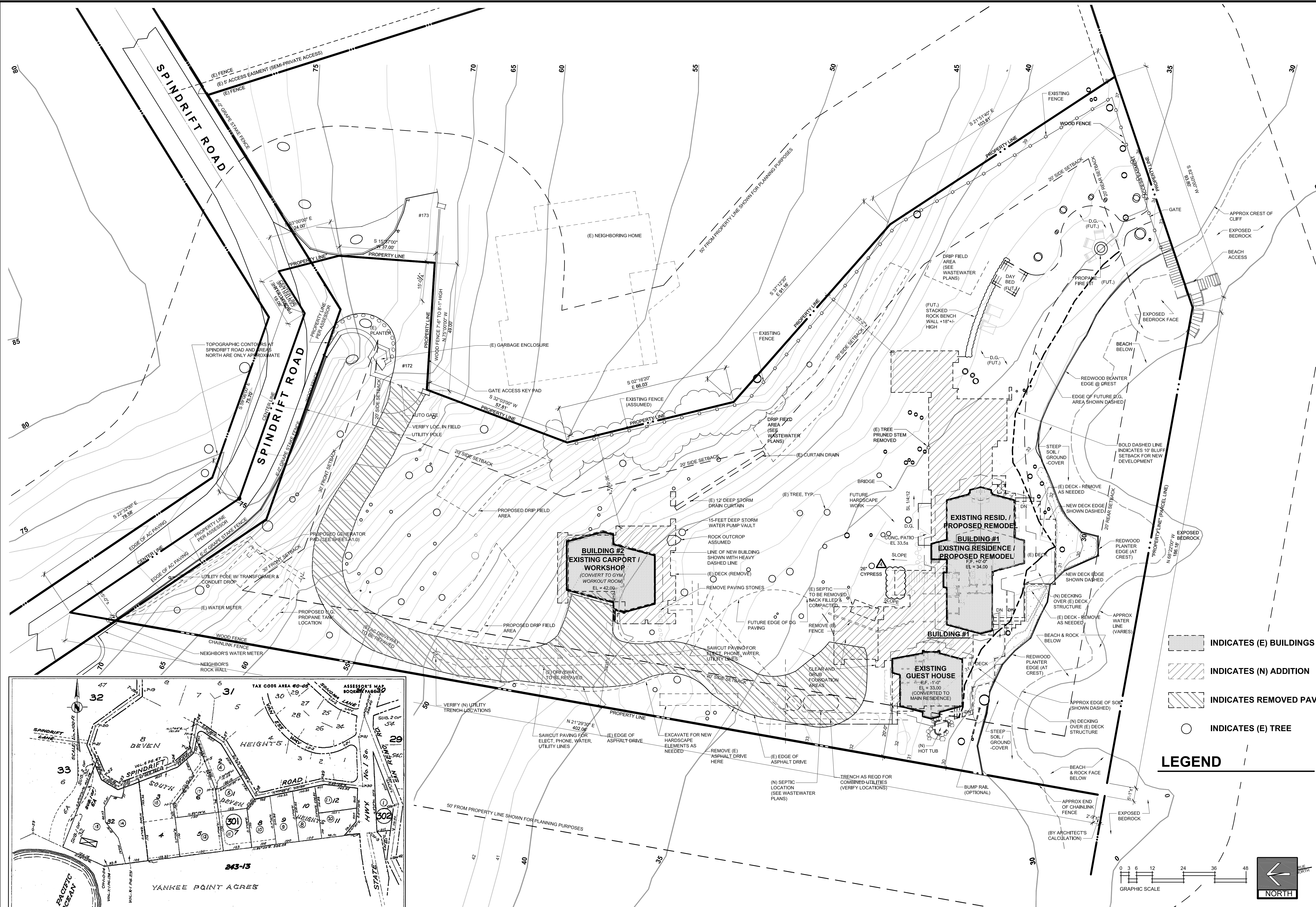
MAIN HOUSE STAIRWELL REDUCTION OF 33 SQ. FT. BY MOVING EXTERIOR WALL IN APPROX. 3'-6", REPLACE CHIMNEY CAP TYPE DETAIL WITH A TILE ROOF TO MATCH PROPOSED MAIN ROOF ABOVE 2ND FLOOR CLOSET. REMOVE RAISED PLANTER FROM SCOPE IN FRONT OF BEDROOM 2. ROOF AT BEDROOM 2 AND GARAGE LOWERED APPROX. 1'-4". (E) DECK AT REAR OF BEDROOM 2 IS TO REMAIN. REPLACE 4'-6" WIDE WINDOW WITH SOLID WALL AT ENTRY NEXT TO STAIRWELL. REMOVE MAIN DOOR AT EAST SIDE OF GARAGE. REPLACE TALL WINDOW WITH SMALL VENT AT FRONT OF GARAGE. REMOVE ROOF OVERHANG BETWEEN HALL #3 AND STAIRWELL. INTERIOR ADDITION AT 2ND FLOOR BATHROOM & CLOSET OF 115 SQ.FT.

SCOPE OF WORK

ARTIST'S RENDERINGS ARE SHOWN TO SHOW INTENT. TO ESTABLISH COLORS, AND FOR PLANNING PURPOSES. DETAILS MAY VARY SOMEWHAT

NO.	SHEET
T0.1 Δ	COVER SHEET
T0.2	CALIFORNIA GREEN BUILDING STANDARDS
T0.3	GENERAL NOTES & SPECIFICATIONS
T0.4 Δ	CONDITIONS OF APPROVAL
C1	COVER SHEET AND GENERL. NOTES
C2	EXISTING SITE PLAN
C3	SITE PLAN
C4	GRADING AND DRAINAGE PLAN
C5	DETAILS
C6	EROSION CONTROL PLAN
D1.0 Δ	(E) SITE PLAN / DEMOLITION SITE PLAN
A1.0 Δ	SITE PLAN
A1.1	SITE UTILITY PLAN
A1.2	EXISTING HOUSE PICTURES
A1.3	VIEW FROM NEIGHBORS
D2.0	(E) 1ST FLOOR PLAN / DEMO PLAN - BLDG #1
D2.1	(E) 2ND FLOOR PLAN / DEMO PLAN - BLDG #1
D2.2	(E) 3RD FLOOR PLAN & ROOF PLAN / DEMO PLAN - BLDG #1, (E) 1ST FLOOR PLAN / DEMO PLAN - BLDG #2
D5.0	(E) ELEVATIONS - BLDG #1
D5.1	(E) ELEVATIONS - BLDG #1
D5.2	(E) ELEVATIONS - BLDG #2, BLDG #2 PHOTOS
A2.0 Δ	1ST FLOOR PLAN - BLDG #1
A2.1 Δ	2ND FLOOR PLAN - BLDG #1
A2.2 Δ	1ST FLOOR PLAN - BLDG #2
A4.0 Δ	ROOF PLAN - BLDG #1
A4.1	ROOF PLAN - BLDG #2
A5.0 Δ	PROPOSED EXTERIOR ELEVATIONS - BLDG #1
A5.1 Δ	PROPOSED EXTERIOR ELEVATIONS - BLDG #1
A5.2 Δ	PROPOSED EXTERIOR ELEVATIONS - BLDG #2
A5.3 Δ	PERSPECTIVES - BLDG #1
A5.4	PERSPECTIVES - BLDG #2
A6.0 Δ	SECTIONS - BLDG #1
A6.1 Δ	SECTIONS - BLDG #1
A6.2 Δ	SECTION - BLDG #1 & #2
1 of 2	ALTERNATIVE ONSITE WASTEWATER SYSTEM DESIGN
2 of 2	ALTERNATIVE ONSITE WASTEWATER SYSTEM DESIGN
L-1	LANDSCAPE IRRIGATION PLAN
L-2	LANDSCAPE PLANTING PLAN
L-3	LANDSCAPE DETAIL SHEET
L-4	LANDSCAPE NOTES

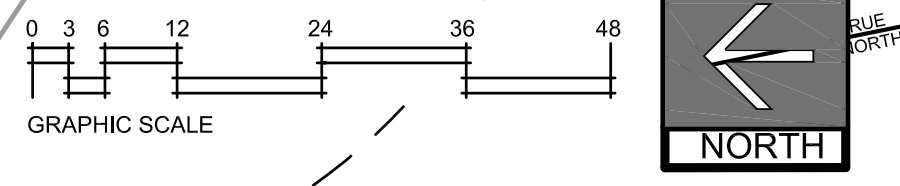
SHEET INDEX



EXISTING SITE PLAN / DEMOLITION SITE PLAN
SCALE: 1/16"=1'-0"

- INDICATES (E) BUILDINGS
- INDICATES (N) ADDITION
- INDICATES REMOVED PAVG
- INDICATES (E) TREE

LEGEND



CONRAD ASTURI
STUDIOS INC.

LINCOLN ST. 3SE of OCEAN AVE. STE 3
CARMEL BY THE SEA, CA. 93921
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1121 OAKDALE RD. STE 5
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HARBAUGH RESIDENCE
172 SPINDRIFT RD.
CARMEL HIGHLANDS, CA. 93923
A.P.N.: 241-301-015

HARBAUGH RESIDENCE
DESIGN DEVELOPMENT

TIMELINE	
DATE	ISSUED FOR:
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-	CONSTRUCTION

REVISIONS	
Δ	LUAC APPROVED 5/2/2016
Δ	REVISED 1/18/2017
Δ	REVISED 8/1/2017
Δ	REVISED 11/14/2018

PROJECT NO: 1405
DRAWN BY: STAFF
CHECKED BY: GW
DESCRIPTION:
**EXISTING SITE PLAN /
DEMOLITION SITE PLAN**

SCALE: 1/16"=1'-0"

SHEET:

D1.0

Exhibit 5
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3-18-0650
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DESCRIPTION:
SITE PLAN
SCALE: 1/16"=1'-0"

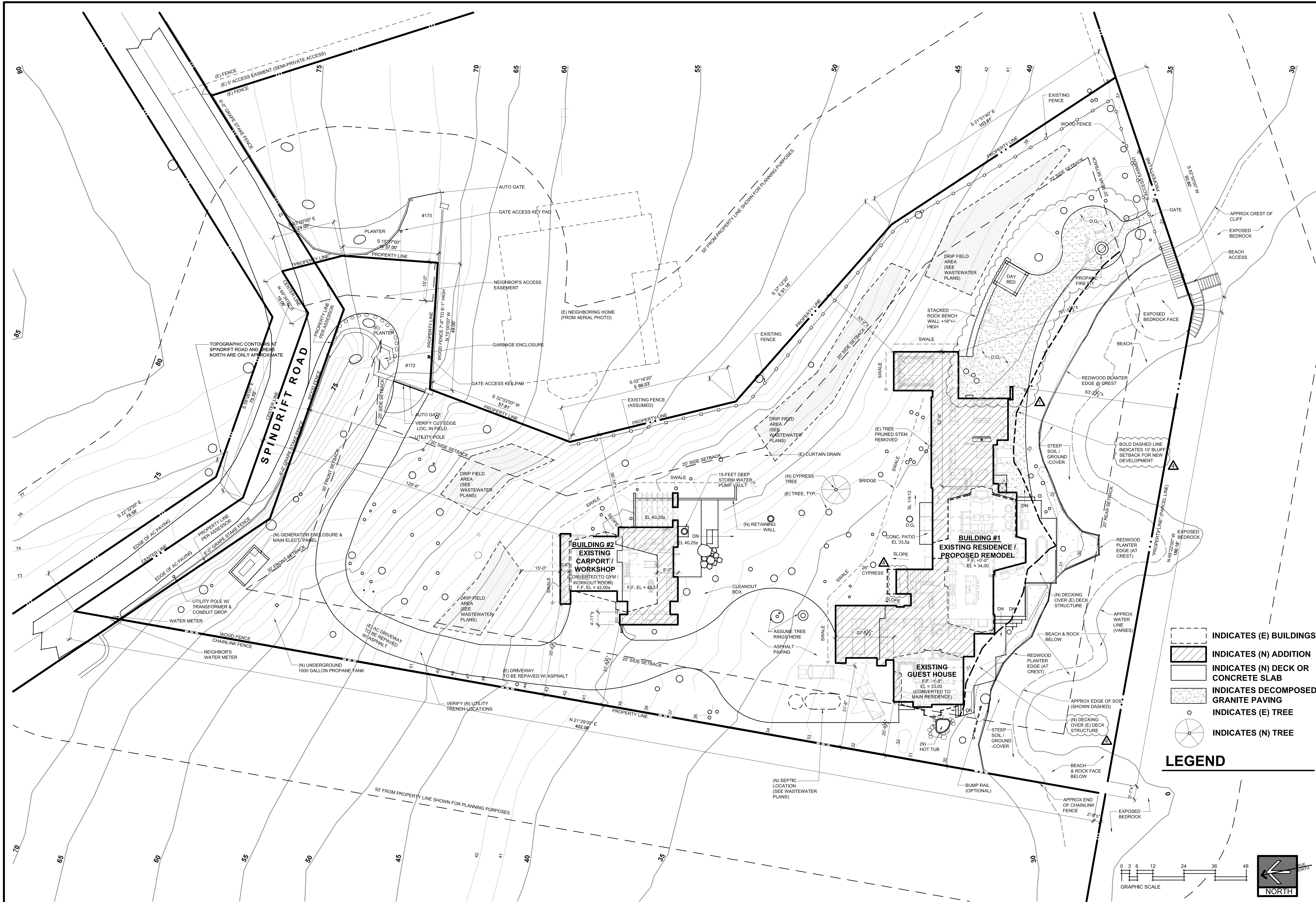
SHEET:

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SITE PLAN
SCALE: 1/16"=1'-0"

HARBAUGH
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PROJECT NO:	1405
DRAWN BY:	STAFF
CHECKED BY:	GW

DESCRIPTION:
UTILITY PLAN
SCALE: 1/16"=1'-0"

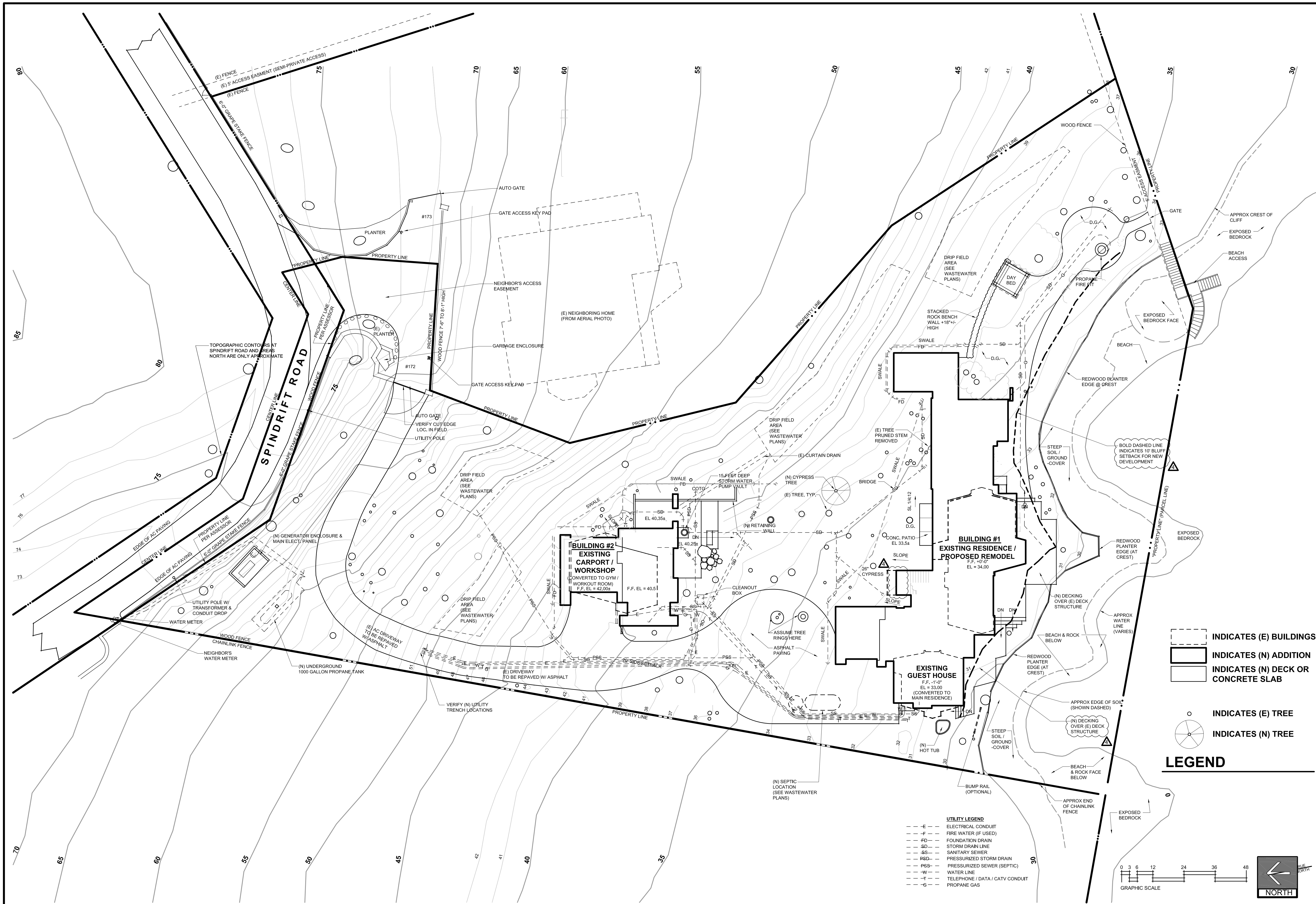
SHEET:

A1.1

Exhibit 5
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UTILITY PLAN
SCALE: 1/16"=1'-0"



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▲	REVISED 11/14/2018

PROJECT NO: 1405
DRAWN BY: STAFF
CHECKED BY: GW

DESCRIPTION:
(E) HOUSE PICTURES
SCALE: N.T.S.

SHEET:

A1.2

Exhibit 5
PRINTED: NOVEMBER 14, 2018

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(E) HOUSE PICTURES
SCALE: NOT TO SCALE



1. VIEW FROM NEIGHBOR'S
LOOKING AT GYM / CARPORT



2. VIEW FROM NEIGHBOR'S
LOOKING AT GYM / MAIN HOUSE



3. VIEW FROM NEIGHBOR'S
LOOKING AT MAIN HOUSE



4. VIEW FROM NEIGHBOR'S
LOOKING AT MAIN HOUSE / OCEAN



5. VIEW FROM NEIGHBOR'S
LOOKING AT MAIN HOUSE / OCEAN



6. VIEW FROM NEIGHBOR'S
LOOKING AT OCEAN

PHOTO'S FROM NEIGHBOR'S VIEW
SCALE: NOT TO SCALE

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▲	LUAC APPROVED 5/2/2016
▲	REVISED 1/18/2017
▲	REVISED 8/1/2017
▲	REVISED 11/14/2018

PROJECT NO:	1405
DRAWN BY:	STAFF
CHECKED BY:	GW

DESCRIPTION:
PHOTO'S FROM
NEIGHBOR'S VIEW
SCALE: N.T.S.

SHEET:

A1.3

Exhibit 5
PRINTED: NOVEMBER 14, 2018

3-18-0650
6 of 10

TIMELINE	
DATE	ISSUED FOR:
-	1ST SUBMITTAL
-	PLAN CHECK
-	BID / FINAL
-	CONSTRUCTION

REVISIONS	
▲	LUAC APPROVED 5/2/2016
▲	REVISED 1/18/2017
▲	REVISED 8/1/2017
▲	REVISED 11/14/2018

PROJECT NO: 1405

DRAWN BY: STAFF

CHECKED BY: GW

DESCRIPTION:
BUILDING #1
EXISTING ELEVATIONS
SCALE: 3/16"=1'-0"

SHEET:

D5.0

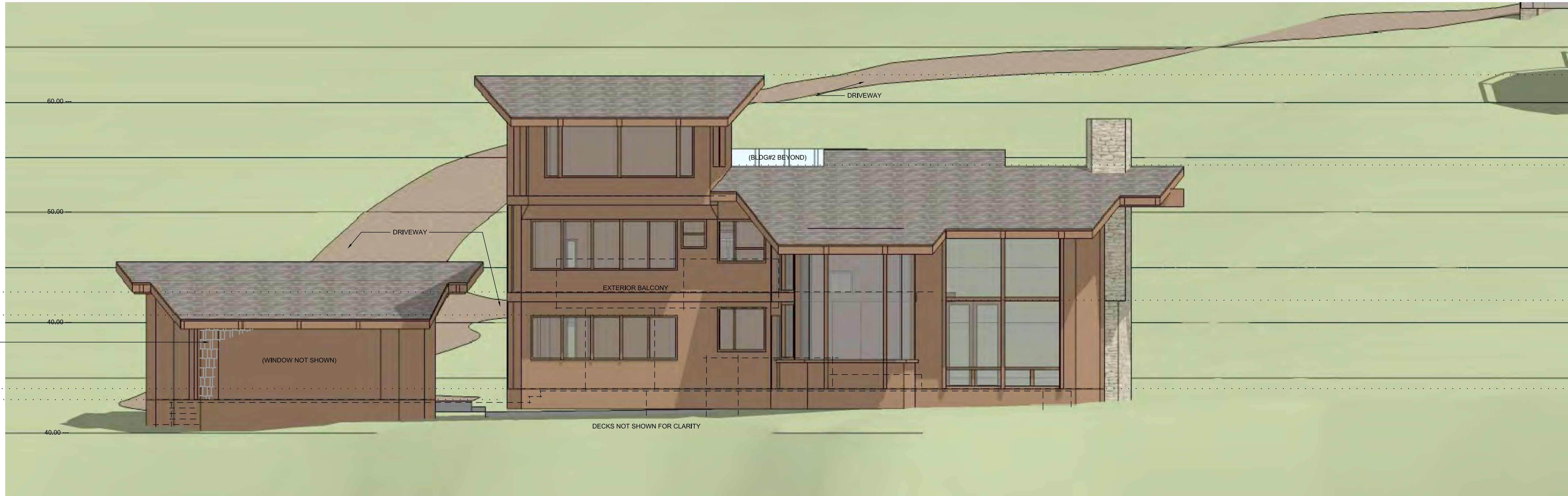
Exhibit 5
PRINTED: NOVEMBER 14, 2018

3-18-0650

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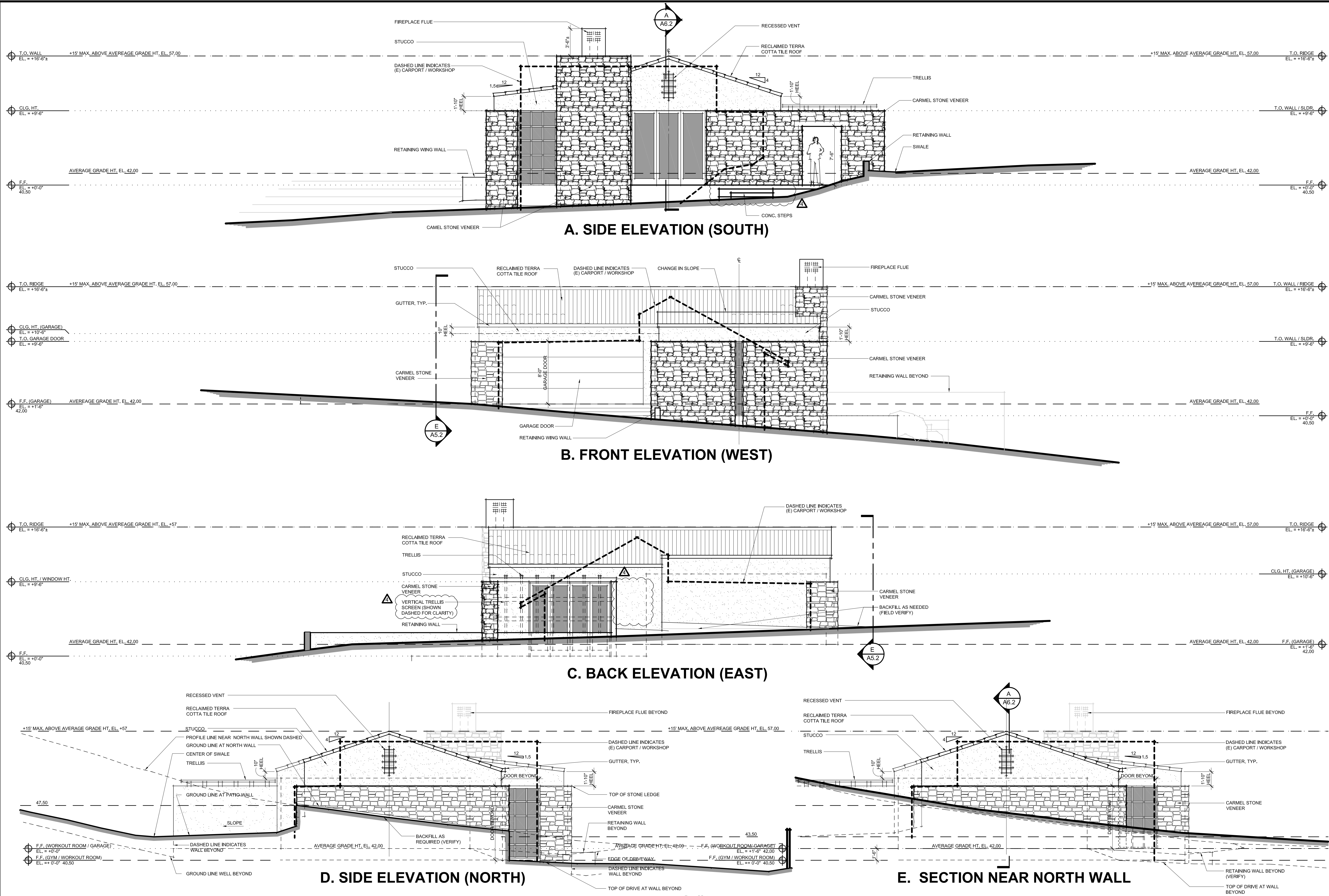


A. FRONT ELEVATION



B. REAR ELEVATION

BUILDING #1
EXISTING ELEVATIONS
SCALE: 3/16"=1'-0"



BUILDING #2

PROPOSED ELEVATIONS
SCALE: 3/16"=1'-0"

CONRAD
ASTURI
STUDIOS INC.

LINCOLN ST. 3SE of OCEAN AVE. STE 3
CARMEL BY THE SEA, CA. 93921
phone: 831.822.9724
web: CONRADASTURI.COM

1121 OAKDALE RD. STE 5
MODESTO, CA. 95355
phone: 209.521.7200

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PROJECT:

HARBAUGH RESIDENCE
172 SPINDRIFT RD.
CARMEL HIGHLANDS, CA.
93923
A.P.N.: 241-301-015

HARBAUGH
RESIDENCE
DESIGN
DEVELOPMENT

TIMELINE	
DATE	ISSUED FOR:
-	1ST SUBMITTAL
-	PLAN CHECK
-	BID / FINAL
-	CONSTRUCTION

REVISIONS	
⚠	LUAC APPROVED 5/2/2016
⚠	REVISED 1/18/2017
⚠	REVISED 8/1/2017
⚠	REVISED 11/14/2018

PROJECT NO: 1405
DRAWN BY: STAFF
CHECKED BY: GW
DESCRIPTION:
PROPOSED ELEVATIONS
SCALE: 3/16"=1'-0"

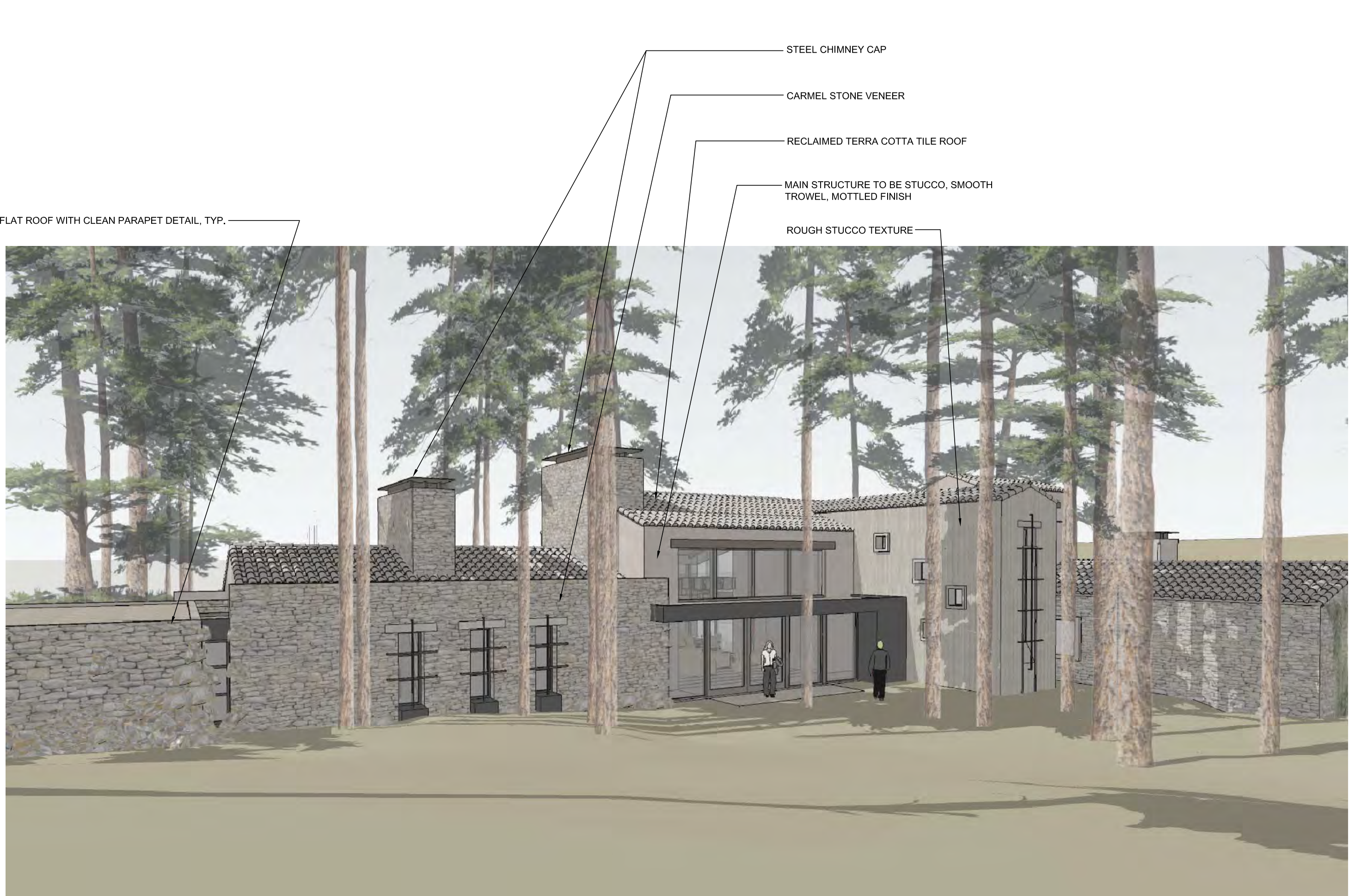
BUILDING #2

SHEET:

A5.2

Exhibit 5
PRINTED: NOVEMBER 14, 2018

3-18-0650
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A. PERSPECTIVE AT FRONT
(LOOKING SOUTHWEST)



B. PERSPECTIVE AT FRONT
(LOOKING SOUTHEAST)



C. PERSPECTIVE AT BACK
(LOOKING NORTHEAST)



D. PERSPECTIVE AT BACK
(LOOKING NORTHWEST)

BUILDING #1

PERSPECTIVES
SCALE: NOT TO SCALE

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STUDIOS INC.

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CARMEL BY THE SEA, CA. 93921
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web: CONRADASTURI.COM

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PROJECT:

HARBAUGH RESIDENCE
172 SPINDRIFT RD.
CARMEL HIGHLANDS, CA.
93923
A.P.N.: 241-301-015

HARBAUGH
RESIDENCE
DESIGN
DEVELOPMENT

TIMELINE	
DATE	ISSUED FOR:
-	1ST SUBMITTAL
-	PLAN CHECK
-	BID / FINAL
-	CONSTRUCTION

REVISIONS	
▲	LUAC APPROVED 5/2/2016
▲	REVISED 1/18/2017
▲	REVISED 8/1/2017
▲	REVISED 11/14/2018

PROJECT NO: 1405
DRAWN BY: STAFF
CHECKED BY: GW
DESCRIPTION:
PERSPECTIVES
SCALE: N.T.S.

BUILDING #1

SHEET:
A5.3
Exhibit 5
PRINTED: NOVEMBER 14, 2018

3-18-0650
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A. PERSPECTIVE FROM ENTRY GATE



B. PERSPECTIVE AT GARAGE DOOR



C. PERSPECTIVE AT BACK



D. PERSPECTIVE AT BACK

BUILDING #2

PERSPECTIVES
SCALE: NOT TO SCALE

CONRAD
ASTURI
STUDIOS INC.

LINCOLN ST. 3SE of OCEAN AVE. STE 3
CARMEL BY THE SEA, CA. 93921
phone: 831.822.9724
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PROJECT:

HARBAUGH RESIDENCE
172 SPINDRIFT RD.
CARMEL HIGHLANDS, CA.
93923
A.P.N.: 241-301-015

HARBAUGH
RESIDENCE
DESIGN
DEVELOPMENT

TIMELINE	
DATE	ISSUED FOR:
-	1ST SUBMITTAL
-	PLAN CHECK
-	BID / FINAL
-	CONSTRUCTION

REVISIONS	
▲	LUAC APPROVED 5/2/2016
▲	REVISED 1/18/2017
▲	REVISED 8/1/2017
▲	REVISED 11/14/2018

PROJECT NO: 1405
DRAWN BY: STAFF
CHECKED BY: GW

DESCRIPTION:
PERSPECTIVES
SCALE: N.T.S.

BUILDING #2

SHEET:

A5.4

Exhibit 5
PRINTED: NOVEMBER 14, 2018

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PLANTING NOTES:

SOIL PREPARATION, MULCH AND AMENDMENTS:

- (A) PRIOR TO THE PLANTING OF ANY MATERIALS, COMPACTED SOILS SHALL BE TRANSFORMED TO A FRIABLE CONDITION. ON ENGINEERED SLOPES, ONLY AMENDED PLANTING HOLES NEED MEET THIS REQUIREMENT.
- (B) SOIL AMENDMENTS SHALL BE INCORPORATED ACCORDING TO RECOMMENDATIONS OF THE SOIL REPORT AND WHAT IS APPROPRIATE FOR THE PLANTS SELECTED (SEE SECTION 492.5).
- (C) FOR LANDSCAPE INSTALLATIONS, COMPOST AT A RATE OF A MINIMUM OF FOUR CUBIC YARDS PER 1,000 SQUARE FEET OF PERMEABLE AREA SHALL BE INCORPORATED TO A DEPTH OF SIX INCHES INTO THE SOIL. SOILS WITH GREATER THAN 6 PERCENT ORGANIC MATTER IN THE TOP 6 INCHES OF SOIL ARE EXEMPT FROM ADDING COMPOST AND TILLING.
- (D) A MINIMUM THREE INCH (3") LAYER OF MULCH SHALL BE APPLIED ON ALL EXPOSED SOIL SURFACES OF PLANTING AREAS EXCEPT IN TURF AREAS, CREEPING OR ROOTING GROUNDCOVERS, OR DIRECT SEEDING APPLICATIONS WHERE MULCH IS CONTRAINDICATED. TO PROVIDE HABITAT FOR BENEFICIAL INSECTS AND OTHER WILDLIFE, UP TO 5 PERCENT OF THE LANDSCAPE AREA MAY BE LEFT WITHOUT MULCH. DESIGNATED INSECT HABITAT MUST BE INCLUDED IN THE LANDSCAPE DESIGN PLAN AS SUCH.
- (E) STABILIZING MULCHING PRODUCTS SHALL BE USED ON SLOPES THAT MEET CURRENT ENGINEERING STANDARDS.
- (F) THE MULCHING PORTION OF THE SEED/MULCH SLURRY IN HYDRO-SEEDED APPLICATIONS SHALL MEET THE MULCHING REQUIREMENT.
- (G) ORGANIC MULCH MATERIALS MADE FROM RECYCLED OR POST-CONSUMER SHALL TAKE PRECEDENCE OVER NON-ORGANIC MATERIALS OR VIRGIN FOREST PRODUCTS UNLESS THE RECYCLED POST-CONSUMER ORGANIC PRODUCTS ARE NOT LOCALLY AVAILABLE. ORGANIC MULCHES ARE NOT REQUIRED WHERE PROHIBITED BY LOCAL FUEL MODIFICATION PLAN GUIDELINES OR OTHER APPLICABLE LOCAL ORDINANCES.

I CERTIFY THAT THIS LANDSCAPING AND IRRIGATION PLAN COMPLIES WITH MONTEREY COUNTY LANDSCAPING REQUIREMENTS INCLUDING THE USE OF NATIVE, DROUGHT-TOLERANT, NON-INVASIVE SPECIES, LIMITED TURF, AND LOW-FLOW, WATER CONSERVING IRRIGATION FIXTURES.

ALL LANDSCAPED AREAS AND FENCES SHALL BE CONTINUOUSLY MAINTAINED BY THE APPLICANT; ALL PLANT MATERIAL SHALL BE CONTINUOUSLY MAINTAINED IN A LITTER-FREE, WEED FREE, HEALTHY, GROWING CONDITIONS.

IRRIGATION SYSTEM IS FOR ESTABLISHMENT PURPOSES ONLY. PLANTS SHOULD GROW WITH NATURAL RAINFALL ONCE ESTABLISHED.

I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE AND APPLIED THEM ACCORDINGLY FOR THE EFFICIENT USE OF WATER IN THE IRRIGATION DESIGN PLAN.

Keith E. Westfall

LICENSED LANDSCAPE ARCHITECT CA #4138

§ 492.5. SOIL MANAGEMENT REPORT:

- (A) IN ORDER TO REDUCE RUNOFF AND ENCOURAGE HEALTHY PLANT GROWTH, A SOIL MANAGEMENT REPORT SHALL BE COMPLETED BY THE PROJECT APPLICANT, OR HIS/HER DESIGNEE, AS FOLLOWS:
- (1) SUBMIT SOIL SAMPLES TO A LABORATORY FOR ANALYSIS AND RECOMMENDATIONS.
- A. SOIL SAMPLING SHALL BE CONDUCTED IN ACCORDANCE WITH LABORATORY PROTOCOL INCLUDING PROTOCOLS REGARDING ADEQUATE SAMPLING DEPTH FOR THE INTENDED PLANTS.
- B. THE SOIL ANALYSIS SHALL INCLUDE:
1. SOIL TEXTURE
 2. INFILTRATION RATE DETERMINED BY LABORATORY TEST OR SOIL TEXTURE INFILTRATION RATE TABLE
 3. PH
 4. TOTAL SOLUBLE SALTS
 5. SODIUM
 6. PERCENT ORGANIC MATTER AND
 7. RECOMMENDATIONS
- C. IN PROJECTS WITH MULTIPLE LANDSCAPE INSTALLATIONS (I.E. PRODUCTION HOME DEVELOPMENTS) A SOIL SAMPLING RATE OF 1 IN 7 LOTS OR APPROXIMATELY 15 PERCENT WILL SATISFY THIS REQUIREMENT. LARGE LANDSCAPE PROJECTS SHALL SAMPLE AT A RATE EQUIVALENT TO 1 IN 7 LOTS.
- (2) THE PROJECT APPLICANT, OR HIS/HER DESIGNEE, SHALL COMPLY WITH ONE OF THE FOLLOWING:
- A. IF SIGNIFICANT MASS GRADING IS NOT PLANNED, THE SOIL ANALYSIS REPORT SHALL BE SUBMITTED TO THE LOCAL AGENCY AS PART OF THE LANDSCAPE DOCUMENTATION PACKAGE; OR
- B. IF SIGNIFICANT MASS GRADING IS PLANNED, THE SOIL ANALYSIS REPORT SHALL BE SUBMITTED TO THE LOCAL AGENCY AS PART OF THE CERTIFICATE OF COMPLETION.
- (3) THE SOIL ANALYSIS REPORT SHALL BE MADE AVAILABLE, IN A TIMELY MANNER, TO THE PROFESSIONALS PREPARING THE LANDSCAPE DESIGN PLANS AND IRRIGATION DESIGN PLANS TO MAKE ANY NECESSARY ADJUSTMENTS TO THE DESIGN PLANS.
- (4) THE PROJECT APPLICANT, OR HIS/HER DESIGNEE, SHALL SUBMIT DOCUMENTATION VERIFYING IMPLEMENTATION OF SOIL ANALYSIS REPORT RECOMMENDATIONS TO THE LOCAL AGENCY WITH CERTIFICATE OF COMPLETION.

HYDROZONE: ALL TREE AND SHRUB PLANTINGS THROUGHOUT THE SITE ARE LOW WATER-USE

BLUFF HYDROZONE: LOW WATER-USE SHRUBS

PLANT LEGEND

TREES

Symbol	Botanical Name	Common Name	Size	Comments
CT	Ceanothus thyrsiflorus	Ceanothus	15 gal	Evergreen, Green Foliage, Purple Flower
CM	Cupressus macrocarpa	Monterey Cypress	15 gal	Replacement Tree
HA	Heteromeles arbutifolia	Tayon	24" Box	Evergreen, Green Foliage Red Berries

SHRUBS LANDSCAPE ZONE

Symbol	Botanical Name	Common Name	Size	Comments
1	Arctostaphylos edmundii	Little Sur Manzanita	5 gal	Low Growing Evergreen, Pink Flower
2	Ceanothus griseus 'Horizontalis'	Ceanothus	5 gal	Low Growing/Spreading, Purple Flower
3	Mahonia repens	Creeeping Mahonia	5 gal	Low Growing, Green Foliage
4	Deleted	Deleted		
5	Ribes viburnifolium	Catalina Currant	5 gal	Medium Height, Green Foliage

SHRUBS OCEAN BLUFF ZONE/REVEGETATION

Symbol	Botanical Name	Common Name	Size	Comments
6	Ceanothus flagellifolia	California Aser	1 gal	Grey/Silver Foliage, Pink Flower
7	Dianthus spicata	Salt Grass	1 gal	Ornamental Grass/Meadow Grass
8	Dudleya farinosa	Bluff Lettuce	1 gal	Succulent, Silver/Red/Purple Foliage
9	Erigeron glaucus	Seaside Daisy	1 gal	Green Clumping Foliage, Pink Daisy-like Flower
10	Grindelia stricta Platyphyllo	Gumplant	1 gal	Clumping Green Foliage, Yellow Daisy-like Flower
11	Ilia douglasiana	Pacific Coast Iris	1 gal	Narrow Green Spiky Foliage
12	Lorus heermannii Orbicularis	Hermanns Lotus	1 gal	Grey/Green Yellow Flower
13	Stachys bullata	California Hedge Nettle	1 gal	Green Foliage, Pink Flower

MEADOW GRASS/ GROUND COVER

Symbol	Botanical Name	Common Name	Size	Comments
	Dianthus spicata	Salt Grass	Plugs	Meadow Grass, Plant 6" oc

NOTES:

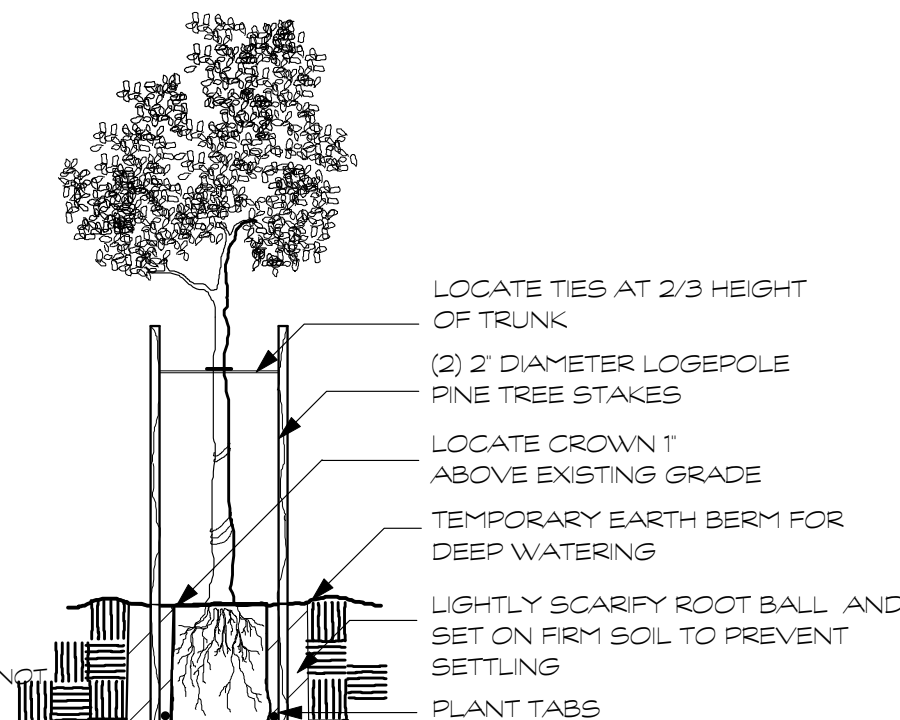
1. DO NOT DAMAGE OR DESTROY ROOT BALL WHEN INSTALLING TREE STAKES.

2. TO WATER, BACKFILL 50% IRRIGATE, THEN COMPLETE BACKFILL PROCESS.

3. PLACE TREE STAKES PERPENDICULAR TO THE PREVAILING WINDS.

4. PROVIDE GUY WIRES IF NECESSARY ON LARGER BOXED TREES.

5. MULTI-TRUNK TREES MAY NOT NEED STAKES.



TREE PLANTING/STAKING (NOT TO SCALE)

NOTES:

1. USE CARE WHEN PLANTING SHRUBS. DO NOT DAMAGE OR DESTROY ROOT BALL WHEN REMOVING PLANTS FROM CONTAINERS.

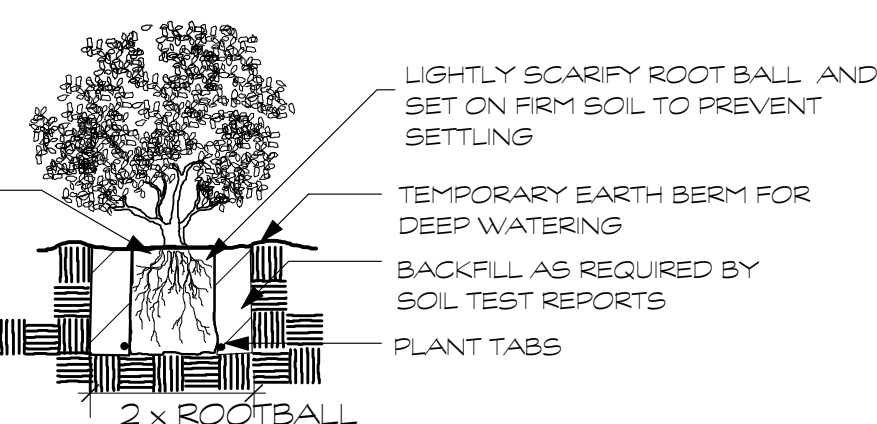
2. TO WATER, BACKFILL 50% IRRIGATE, THEN COMPLETE BACKFILL PROCESS.

LOCATE CROWN 1" ABOVE EXISTING GRADE

LOCATE TIES AT 2/3 HEIGHT OF TRUNK

LOCATE CROWN 1" ABOVE EXISTING GRADE

SHRUB PLANTING (NOT TO SCALE)



REVISIONS	BY

Ken Westfall
Landscape Architect 4138
PO Box 1731
Modesto, CA 95353
Phone (209) 572-3771
kenwestfall@reglobal.net

WESTFALL
DESIGN STUDIO

HARBAUGH RESIDENCE
172 SPINDRIFT ROAD
CARMEL HIGHLANDS, CA 93923 APN: 241-301-015
LANDSCAPE PLANTING PLAN

DRAWN BY:
KEW
DATE:
08/01/17
SCALE:
1/16"=1'-0"
JOB NUMBER:
2015-17
SHEET:
L2
OF SHEETS



Exhibit 6
3-18-0650

172 Spindrift Road Tree Resource Assessment Forest Management Plan

Prepared for:

Darla Harbaugh

Prepared by:

Frank Ono
Urban Forester
Society of American Foresters Member #48004
ISA Certified Arborist #536
1213 Miles Avenue
Pacific Grove, CA 93950

November 4, 2014

Owner:

Darla Harbaugh
1524 Little Drive
Horton, MI 49246

Architect:

Conrad Asturi Studios
1121 Oakdale Road, STE 5
Modesto, CA 95355

Forester and Arborist:

Frank Ono, SAF Forester #48004 and ISA Certified Arborist #536
F.O. Consulting
1213 Miles Ave
Pacific Grove, CA 93950

SUMMARY

The property owner is applying for a Combined Development Permit consisting of:

- 1) Coastal Administrative Permit for a demolition and rebuild of an existing 2,334 three story single family dwelling with a 2,961 square foot addition and a new attached 335 square foot two car-garage;
- 2) Coastal Administrative Permit to allow the demolition of an existing 728 square foot two-car garage and construction of a new detached 637 square foot gym/workout room with attached 555 square foot garage; construction of a five foot high, 60 linear foot long retaining wall, grading (approximately 279 cubic yards cut/fill), and the significant pruning of a planted Cypress tree;
- 3) Coastal Development Permit to allow development with a positive archaeological report;
- 4) Coastal Development Permit to allow development within 50 feet of a Coastal bluff;
- 5) Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat; and 6) Design Approval.

As part of the application, this tree assessment/arborist report is prepared because of a planted Cypress tree (24", 28", 14" in diameter) will be pruned for (14" stem to be removed and root zones encroached). The report identifies and addresses the affects that the project will have to the existing tree resources on site as well as a list of recommendations for the project.

INTRODUCTION

This tree assessment/arborist report is prepared for Darla Harbaugh the owner of the property located at 172 Spindrift Road, Carmel CA by Frank Ono, Urban Forester and Certified Arborist, member Society of American Foresters #48004 and International Society of Arboriculture Certified Arborist #536 due to the proposed construction improvements to an existing structure and driveway. The Carmel Land Use Plan and Monterey County Zoning Ordinance Title 20 (Coastal Zone) identify native Monterey Cypress trees as a tree species requiring protection and special consideration for management.

ASSIGNMENT/SCOPE OF PROJECT

Cypress Trees forest this site in high concentrations and development of this parcel may have various affects to the adjacent trees from construction. To ensure protection of the tree resources on site, the property owner, Mrs. Darla Harbaugh, has requested an assessment of the trees in proximity to proposed development areas and a Tree Resource Assessment/ Forest Management plan report for trees that are adjacent to these areas on this property. To accomplish this assignment, the following tasks have been completed;

- Evaluate health, structure and preservation suitability for each tree within or adjacent (15 feet or less) to proposed development of trees greater than or equal to six diameter inches at 24 inches above grade.
- Review proposed building site plans as provided by Conrad Asturi Studios.
- Make recommendations for alternative methods and preconstruction treatments to facilitate tree retention.
- Create preservation specifications, as it relates to a Tree Location/Preservation Map.
- Determine the quantity of trees affected by construction that meet “Landmark” criteria as defined by the County of Monterey, Title 20 Monterey County Zoning Ordinance; as well as mitigation requirements for those to be affected.
- Document findings in the form of a report as required by the County of Monterey Planning Department.

LIMITATIONS

This assignment is limited to the review of plans submitted to me dated October 28, 2014 by Conrad Asturi Studios to assess affects from potential construction to trees within or adjacent to construction activities. The assessment has been made of these plans specifically and no other plans were reviewed. Only minor grading and erosion details are discussed in this report as it relates to tree health.

PURPOSE

This Tree Resource Assessment/Forest Management plan is prepared for this parcel due to proposed construction activities that are intent on improving the existing structures located at 172 Spindrift Road, Carmel CA. Its purpose is to give an independent assessment of the trees that forest this site and to determine what trees if any, which will be affected by the proposed project. Native Monterey cypress trees are considered protected trees as defined by the County of Monterey, Title 20 Monterey County Zoning Ordinance.

GOAL

The goal of this plan is to protect and maintain the Carmel Coastal forested resources through the adherence of development standards, which allow the protection, and maintenance of its forest resources. Furthermore it is the intended goal of this Tree Resource Assessment/Forest management plan to aid in planning to offset any potential effects of proposed development on the property while encouraging forest stability and sustainability, perpetuating the forested character of the property and the immediate vicinity.

SITE DESCRIPTION

- 1) Assessor's Parcel Number: 241-301-015-000
- 2) Location: 172 Spindrift Road, Carmel CA
- 3) Parcel size: Approximately 1.48 Acres
- 4) Existing Land Use: The parcel is zoned for residential use LDR/1-D(CZ) RC-D(20')(CZ)
- 5) Slope: The parcel is sloped ranging from 5% to 20%
- 6) Soils: The parcel is located on soils classified by the Monterey County Soils report as Sheridan coarse sandy loam (SoG), 30 to 75 percent slopes and Arroyo Seco gravelly sandy loam 5-9 percent slopes. Sheridan Coarse sandy loam is a steep and very steep soil on hills and mountains. The dominant vegetation associated with this soil type is oak and grass or grass type however, in some areas, there are stands of mixed conifers and hardwoods and very little grass. Soil is used mostly for range with some areas used for watershed, wildlife habitat, and recreation. On the Monterey Peninsula, some areas are used for building sites. The seedling mortality is slight or moderate, and the wind throw hazard is slight. The equipment limitation is moderate or severe. The Arroyo Seco series (AsC) consists of well-drained soils formed in granitic alluvium on alluvial fans and plains. Slopes are 0 to 9 percent. The vegetation associated with this soil type is annual grasses and a few scattered oaks. In a representative profile, the surface layer is grayish brown, neutral, and mildly alkaline gravelly sandy loam 29 inches thick. The underlying material is brown, mildly alkaline gravelly sandy loam 13 inches thick and yellowish brown, mildly alkaline very gravelly coarse sandy loam. Permeability is moderately rapid. Most roots can penetrate to a depth of more than 60 inches, but the very gravelly underlying material limits the available water capacity and nutrient storage for some plants.
- 7) Vegetation: The vegetation on site is composed primarily of Monterey cypress (*Cupressus macrocarpa*) with minor understory present due to shading by the Cypress trees. What understory is present is made up of mixed ornamentals and Hottentot fig ice plant.
- 8) Forest Condition and Health: The stand of trees and their health is evaluated with the use of the residual trees and those of the surrounding adjacent trees as a complete stand. The stand is a dominant stand of Monterey cypress trees in fair to good health and condition. No significant pest such as cypress tip borer or cypress bark beetle was observed at the time of assessment.

BACKGROUND

On July 24, 2014, I (Frank Ono, F.O. Consulting) I met with Mr. Conrad Asturi, Conrad Asturi Design Studios, on site at 172 Spindrift Road. The purpose of the meeting was to understand the scope of what was being requested and to see what impacts would be created for the trees that are adjacent to proposed development on this property. Mr. Asturi requested a review and assessment of trees on the site due to the fact that cypress trees are located adjacent to the structure proposed for improvements.

A second visit was taken to the property on July 28, 2014 where trees were assessed for health and condition at that time. In particular exploratory trenches were hand dug to see where roots zones were located to determine how close house foundation footings could be installed. The assessment focused on incorporating the preliminary location of site improvements coupled with consideration for the general goals of site improvement desired of the landowner. During this second site visit, the proposed improvements assessed included preserving additional trees to the greatest extent feasible, maintaining the view shed and general aesthetic quality of the area while complying with Monterey Codes. A study of the individual trees was made to determine the treatments necessary to complete the project and meet the goals of the landowner. As a result trees within and immediately adjacent to the proposed development area were located, measured, inspected, flagged and recorded. The assessment of each tree concluded with an opinion of whether the tree should be removed, or preserved, based on the extent and effect of construction activity to the short and long term health of the tree. All meetings and field review were focused on the area immediately surrounding the proposed development. An assessment of trees adjacent or within the proposed construction areas has been prepared and documented in an arborist report that will work in conjunction with other conditions for approval of the building permit application.

OBSERVATIONS/DISCUSSION

The following list includes observations made while on site, and summarizes details discussed during this stage of the planning process.

- The site is developed with an existing driveway, retaining walls, structures and landscaped trees.
- Tree spacing is tight with trees spaced at approximately 10-15 feet apart or closer where the canopies are the thickest. Tree height varies, the overall crown is almost contiguous and approximately 60-70 feet tall. Tree stumps litter the area, most notably are large stumps ranging from 60" -30" diameters. Trees appear to be planted in rows with a few found as scattered clusters.
- Trees diameters on the property are of different size classes ranging from larger trees are moderate size (20"-35" diameter) and smaller suppressed or intermediate trees ranging from 6"-14" diameter sizes.
- No trees are proposed for removal with this design. One stem is proposed to be pruned where the building is proposed and the root zone will be bridged.
- No alternate building sites were considered for this assessment as the site is restricted by setbacks or topography.

TREE CHART

The trees listed in the following table have been tagged in the field and are rated Good, Fair, or Poor according to their health, vigor and structural condition. Trees with a good rating are trees that are in the best condition and health for the surrounding climate. Trees that are rated as fair are usually trees of lesser condition that may have some structural problem or health factor limiting them from fully developing as a healthy tree. Trees that are rated poor are of less quality condition and have either structural flaws that cannot be overcome over time, or that are in poor health.

ID	Diameter	Species	Condition	Position	Comments
2632	20	Cypress	Fair	Codominant	
2633	22	Cypress	Fair	Codominant	
2634	12,12	Cypress	Fair	Codominant	
2635	14	Cypress	Fair	Suppressed	
2636	16	Cypress	Fair	Codominant	
2637	20	Cypress	Fair	Codominant	
2638	10,8,6	Cypress	Fair	Codominant	
2639	24,18,24	Cypress	Fair	Codominant	
2640	36,18,36	Cypress	Fair	Codominant	
2641	24,28,14	Cypress	Fair	Codominant	Prune 14" stem
2642	16,12	Cypress	Fair	Codominant	
2643	28	Cypress	Fair	Codominant	
2644	20	Cypress	Fair	Codominant	
2645	12	Cypress	Fair	Suppressed	
2646	26	Cypress	Fair	Codominant	
2647	10	Cypress	Fair	Suppressed	
2648	22	Cypress	Fair	Codominant	
2649	8	Cypress	Fair	Suppressed	
2650	16	Cypress	Fair	Codominant	
2651	16	Cypress	Fair	Codominant	
2652	18	Cypress	Fair	Codominant	
2653	28	Cypress	Fair	Codominant	
2654	16	Cypress	Fair	Codominant	
2655	22	Cypress	Fair	Codominant	
2656	12	Cypress	Fair	Suppressed	
2657	10	Cypress	Fair	Suppressed	
2658	18	Cypress	Fair	Suppressed	
2659	14	Cypress	Fair	Codominant	
2660	12	Cypress	Fair	Codominant	
2661	20	Cypress	Fair	Codominant	
2662	32	Cypress	Fair	Codominant	
2663	18	Cypress	Fair	Codominant	
2664	30	Cypress	Fair	Codominant	
2665	46	Cypress	Fair	Codominant	

Tree vigor correlates with canopy position within the stand and is measured by leaf and crown area. Tree rated Dominant and co-dominant are trees that generally have larger crowns capable of supporting more leaves, and have a generally healthy and appealing growth form. Dominant trees are trees with wide crowns above the level of the forest canopy that receive sunlight from above as well as the sides. Codominant trees are large crowned trees at the general level of the forest canopy that receive sunlight from above and partly from the sides. Crowns are somewhat smaller than dominant but healthy and vigorous. Trees rated intermediate and particularly suppressed trees have smaller crowns and are therefore less vigorous. Intermediate trees have much of the canopy below the general level of the forest or are pinched at the sides. They will receive sunlight from above but very little to none from the sides. Suppressed trees are trees that are overtopped by large trees and receive no direct sun from above or from the sides.

PROJECT ASSESSMENT/ CONCLUSION

The project proposes demolition and rebuild of an existing 2,334 three story single family dwelling with a 2,961 square foot addition and a new attached 335 square foot two car-garage. The project also proposes the demolition of an existing 728 square foot two-car garage and construction of a new detached 637 square foot gym/workout room with attached 555 square foot garage; construction of a five foot high, 60 linear foot long retaining wall, grading (approximately 279 cubic yards cut/fill), and the pruning of a 14" stem from a planted Cypress tree (tree #241 -24", 28", 14" diameter multiple stems).

The remainder of the property contains tree cover, which will remain undisturbed. This tree cover appears it is not part of the indigenous Monterey cypress which ranges from Point Lobos to Cypress Point on the granitic headlands and promontories but rather started from plantings that spread onto properties as landowners planted cypress to distinguish property boundaries and windbreaks as illustrated in Images of America: Point Lobos (Monica Hudson and Suzanne Wood, Arcadia Publ. 2004)

From my understanding no tree removal is to occur. One small suppressed 14" diameter tree limb will be removed. Tree canopy coverage will not be effected to any point of significance. The 14" diameter limb that is to be removed (tree #2641) is a sparsely vegetated limb. Its removal would remove far less than one third the trees total crown and would not affect the tree negatively. Exploratory hand trenching was performed around the tree to locate areas where structural roots may be that would affect the tree. No roots were not found on the south side of the tree where the structure's foundation is to be installed. A few insignificant roots (2" or less in diameter) were found on the east side of the tree which will be addressed appropriately through a scheme of judicious root pruning and bridging. Therefore the tree is not expected to be effected negatively. Remaining trees that are near foundations or new structure footings do not appear they will be impacted negatively because of the prior grading and excavations performed in the past for the pre-existing buildings have dictated root growth patterns.

Short Term affects

Site disturbance will occur during building construction Short term site affects are confined to the construction envelope and immediate surroundings where a tree stem will be removed and trimmed and root systems reduced. The pruning of tree crowns above 30% and reduction of root area may have a short term effects on those trees treated, including a reduction of growth, and limb dieback.

Long Term Affects

No significant long-term affects to the forest ecosystem are anticipated. The project as proposed is not likely to significantly reduce the availability of wildlife habitat over the long-term as this site has surrounding occupied residences and has continuous canopy cover which acts as a corridor for animal movement for most wild life and birds.

Tree removal evaluations are in the following areas with the following findings:

- Air Movement- Removal of the tree stem would not result in adverse or significant changes to air movement as its removal will have little or no effect on the movement of air in this vicinity.
- Erosion - Soil erosion potential is low due to the mild slopes where trees are located. Appropriate erosion control measures will apply to address potential impacts.
- Water Quality - No watercourses are near the planned construction; tree work at this

site is unlikely to generate harmful substances that could be detrimental to the plant, animal or human environment.

- Ecological Impacts - Negligible potential. The remaining native trees on the property will be retained.
- Noise Pollution - Not a significant factor.
- Wildlife Habitat - Negligible impact as portions of the surrounding sites are developed. Wildlife use in the area is being conditioned by surrounding residential and human use.

RECOMMENDATIONS

Tree Removal

No tree removal is proposed for this project, however one 14" stem from tree #2641 is proposed for removal. All other trees are to remain and be protected from construction affects when closer than 25 feet from construction areas.

Tree Replacement

It is recommended that additional Monterey cypress be planted along the perimeter to act as a visual barrier between the property and upslope neighbor. The cypress after gaining sufficient height may be appropriately maintained through crown thinning and crown reduction to prevent infringement of the upslope property's view shed.

Tree Pruning

It is to be understood that the pruning of retained trees will be expected for this site, especially along the driveway and building construction areas. Pruning should include the larger canopied trees that have deadwood or are exhibiting some minor structural defect or minor disease that must be compensated. Those trees that require pruning and possible monitoring are the closest to the road ways, driveway and structures. Trees should be monitored on occasion for health and vigor after pruning. Should the health and vigor of any tree decline it will be treated as appropriately recommended by a certified arborist or qualified forester.

The following are offered as guidelines when pruning

- In general the trees will be pruned first for safety, next for health, and finally for aesthetics.
- Type of pruning is determined by the size of branches to be removed.
General guidelines for branch removal are:
 1. Fine Detail pruning- limbs under 2 inch diameter are removed
 2. Medium Detail Pruning – Limbs between 2 and 4 inch diameter
 3. Structural Enhancement – limbs greater than 4 inch diameter.
 4. Broken and cracked limbs-removed will be removed in high traffic areas of concern.

Types of pruning:

Crown thinning is the cleaning out of or removal of dead diseased, weakly attached, or low vigor branches from a tree crown

- All trees will be assessed on how a tree will be pruned from the top down. Trimmers will favor branches with strong, U- shaped angles of attachment and where possible remove branches with weak, V-shaped angles of attachment and/or included bark.
- Lateral branches will be evenly spaced on the main stem of young trees and areas of fine pruning.
- Branches that rub or cross another branch will be removed where possible.
- Lateral branches will be no more than one-half to three-quarters of the diameter of the stem to discourage the development of co-dominant stems where feasible.
- In most cases trimmers will not remove more than one- quarter of the living crown of a tree at one time. If it is necessary to remove more, it will be done over successive years.

Crown- raising removes the lower branches of a tree to provide clearance for buildings, vehicles, pedestrians and vistas.

- Live branches on at least two-thirds of a tree's total height will be maintained wherever possible. The removal of many lower branches will hinder the development of a strong stem.
- All basal sprouts and vigorous epicormic sprouts will be removed where feasible.

Crown reduction is used to reduce the height and/or spread of trees and is used for maintaining the structural integrity and natural form of a tree.

- Crown reduction pruning will be used only when absolutely necessary. Pruning cuts will be at a lateral branch that is at least one-third the diameter of the stem to be removed wherever possible.
- When it is necessary to remove more than half of the foliage from a branch it may be necessary remove the entire branch.

Crown restoration is used to improve the structure and appearance of trees that have been topped or severely pruned by the use of heading cuts. One of three sprouts on main branch stubs should be selected to reform a natural appearing crown. Selected vigorous sprouts may need to be thinned to ensure adequate attachment for the size of the sprout. Restoration may require several years of pruning.

Tree Protection

Prior to the commencement of construction activities:

- Trees located adjacent to the construction area shall be protected from damage by construction equipment by the use of temporary fencing and through wrapping of trunks with protective materials.
- Fencing shall consist of chain link, snowdrift, plastic mesh, hay bales, or field fence. Existing fencing can also be used.
- Fencing is not to be attached to the tree but free standing or self-supporting so as not to damage trees. Fencing shall be rigidly supported and shall stand a minimum of height of four feet above grade.
- Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials should not be allowed adjacent to trees on the property especially within fenced areas.
- Fenced areas and the trunk protection materials should remain in place during the entire construction period.

During grading and excavation activities:

- All trenching, grading or any other digging or soil removal that is expected to encounter tree roots should be monitored by a qualified arborist or forester to ensure against drilling or cutting into or through major roots.
- The project architect and qualified arborist should be on site during excavation activities to direct any minor field adjustments that may be needed.
- Trenching for the retaining wall and driveway located adjacent to any tree should be done by hand where practical and any roots greater than 3-inches diameter should be bridged or pruned appropriately.
- Any roots that must be cut should be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment.
- Any roots damaged during grading or excavation should be exposed to sound tissue and cut cleanly with a saw.

If at any time potentially significant roots are discovered:

- The arborist/forester will be authorized to halt excavation until appropriate mitigation measures are formulated and implemented.
- If significant roots are identified that must be removed that will destabilize or negatively affects the target trees negatively, the property owner will be notified immediately and a determination for removal will be assessed and made as required by law for treatment of the area that will not risk death decline or instability of the tree consistent with the implementation of appropriate construction design approaches to minimize affects, such as hand digging, bridging or tunneling under roots, etc..

Remedial pruning should occur prior to construction. Following construction, any above ground tree pruning/trimming should be delayed until one year after completion of construction. Following construction, a qualified arborist should monitor trees adjacent to the improvements area and if any decline in health that is attributable to the construction is noted, additional trees should be planted on the site.

Best Management Practices to Observe

The following practices must be adhered to:

- A) Do not deposit any fill around trees, which may compact soils and alter water and air relationships. Avoid depositing fill, parking equipment, or staging construction materials near existing trees. Covering and compacting soil around trees can alter water and air relationships with the roots. Fill placed within the drip-line may encourage the development of oak rot fungus (*Armillaria mellea*). As necessary, trees may be protected by boards, fencing or other materials to delineate protection zones.
- B) Contractor is to verify and document absence of wildlife or bird nesting in ant tree prior to any tree work. If wildlife or birdlife is found then work must stop and a wildlife biologist is to be consulted for course of action.
- C) Pruning shall be conducted so as not to unnecessarily injure the tree. General-principals of pruning include placing cuts immediately beyond the branch collar, making clean cuts by scoring the underside of the branch first, and for live oak, avoiding the period from February through May.
- D) Native trees are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the drip line of trees. Native, locally adapted, drought resistant species are the most compatible with this goal.
- E) Root cutting should occur outside of the springtime. Late June and July would likely be the best. Pruning of the live crown should not occur February through May.
- F) Tree material greater than 3 inches in diameter remaining on site more than one month that is not cut and split into firewood should be covered with thick clear plastic that is dug in securely around the pile. This will discourage infestation and dispersion of bark beetles.
- G) A mulch layer up to approximately 4 inches deep should be applied to the ground under selected trees following construction. Only 1 to 2 inches of mulch should be applied within 1 to 2 feet of the trunk, and under no circumstances should any soil or mulch be placed against the root crown (base) of trees. The best source of mulch would be from chipped material generated on site.
- H) If trees along near the development are visibly declining in vigor, a Professional Forester or Certified Arborist should be contacted to inspect the site to recommend a course of action.

Report Prepared By:

Frank Ono,
Professional Member SAF #48004
ISA Certified Arborist #536

November 4, 2014
Date

PHOTOGRAPHS

View of existing home



Limb to be removed from tree #2641 for building all other trees are to remain



Limb to be removed (#1241)

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS

1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527

(831)755-4800

www.co.monterey.ca.us/rma

MEMORANDUM

Date: January 10, 2019

To: California Coastal Commission (Central Coast District)
Michael Watson, Coastal Planner
Ryan Moroney, Coastal Planner

From: Elizabeth Gonzales, Senior Planner

Subject: Harbaugh – 172 Spindrift, Carmel
California Coastal Commission Application 3-18-0650
Monterey County Application PLN140635

cc: Christine G. Kemp, Noland, Hamerly, Etienne & Hoss
Tina Hannas, Permit Coordinator

This is to confirm that there are no archaeological resources located on 172 Spindrift, Carmel, and therefore, no requirement for an archaeological easement on this parcel is necessary. Should you have any questions, please feel free to contact me at (831) 755-5102 or gonzalesl@co.monterey.ca.us.

Sincerely,


Elizabeth Gonzales
Senior Planner

:eag

Ohlone/Costanoan-Esselen Nation



*Previously acknowledged as
The San Carlos Band of Mission Indians
The Monterey Band
And known as
O.C.E.N. or Esselen Nation
P.O. Box 1301
Monterey, CA 93942*

www.ohlonecostanoanesselenation.org.

February 26, 2019

Ryan Moroney
Coastal Commission

Saleki Atsa,

Ohlone/Costanoan-Esselen Nation is an historically documented previously recognized tribe. OCEN is the legal tribal government representative for over 600 enrolled members of Esselen, Carmeleno, Monterey Band, Rumsen, Chalon, Soledad Mission, San Carlos Mission and/or Costanoan Mission Indian descent of Monterey County. Though other indigenous people may have lived in the area, the area is the indigenous homeland of our people. Included with this letter please find a territorial map by Taylor 1856; Levy 1973; and Milliken 1990, identifying Tribal areas.

Ohlone/Costanoan-Esselen Nation objects to all excavation in known cultural lands, even when they are described as previously disturbed, and of no significant archaeological value. Please be advised that it is our priority that our ancestor's remains be protected and undisturbed. We desire that all sacred burial items be left with our ancestors on site or as culturally determined by OCEN. We request all cultural items returned to Ohlone/Costanoan-Esselen Nation. We ask for the respect that is afforded all our current day deceased, by no other word these burial sites are cemeteries, respect for our ancestors as you would expect respect for your deceased family members in today's cemeteries. **Our definition of respect is no disturbance.**

OCEN request consultation with the lead agency and with all soil disturbance.

OCEN's Tribal leadership desires to be provided with:

Archaeological reports/surveys, including subsurface testing, and presence/absence testing.

OCEN request to be included in mitigation and recovery programs,

OCEN request that Cultural and Tribal mitigation measures reflect request for OCEN Tribal Monitor,

Reburial of any of our ancestral remains, burial artifacts,

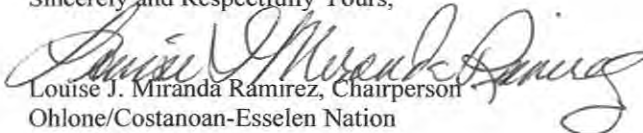
Placement/return of all cultural items to OCEN, and that

A Native American Monitor of Ohlone/Costanoan-Esselen Nation, approved by the OCEN Tribal Council is used within our aboriginal territory.

OCEN has requested of Monterey County and now the Coastal Commission that the entire area surrounding San Carlos de Borromeo de Carmelo Mission known as our Ancestral burial cemetery cease to issue requests to build basements. Many areas of this village and cemetery has been disturbed for larger homes. We continue to ask for respect of this area, as stated by Ms. Morley there are 15 known sites within 1 mile of this project.

Please feel free to contact me at (408) 629-5189. Nimasianexelpasaleki. Thank you

Sincerely and Respectfully Yours,


Louise J. Miranda Ramirez, Chairperson
Ohlone/Costanoan-Esselen Nation
(408) 629-5189

Cc: OCEN Tribal Council

Distribution of Ohlone/Costanoan-Esselen Nation Tribal Rancherías, Districts, Landgrants and Historic Landmarks

OCEN DIRECT LINEAL DESCENT

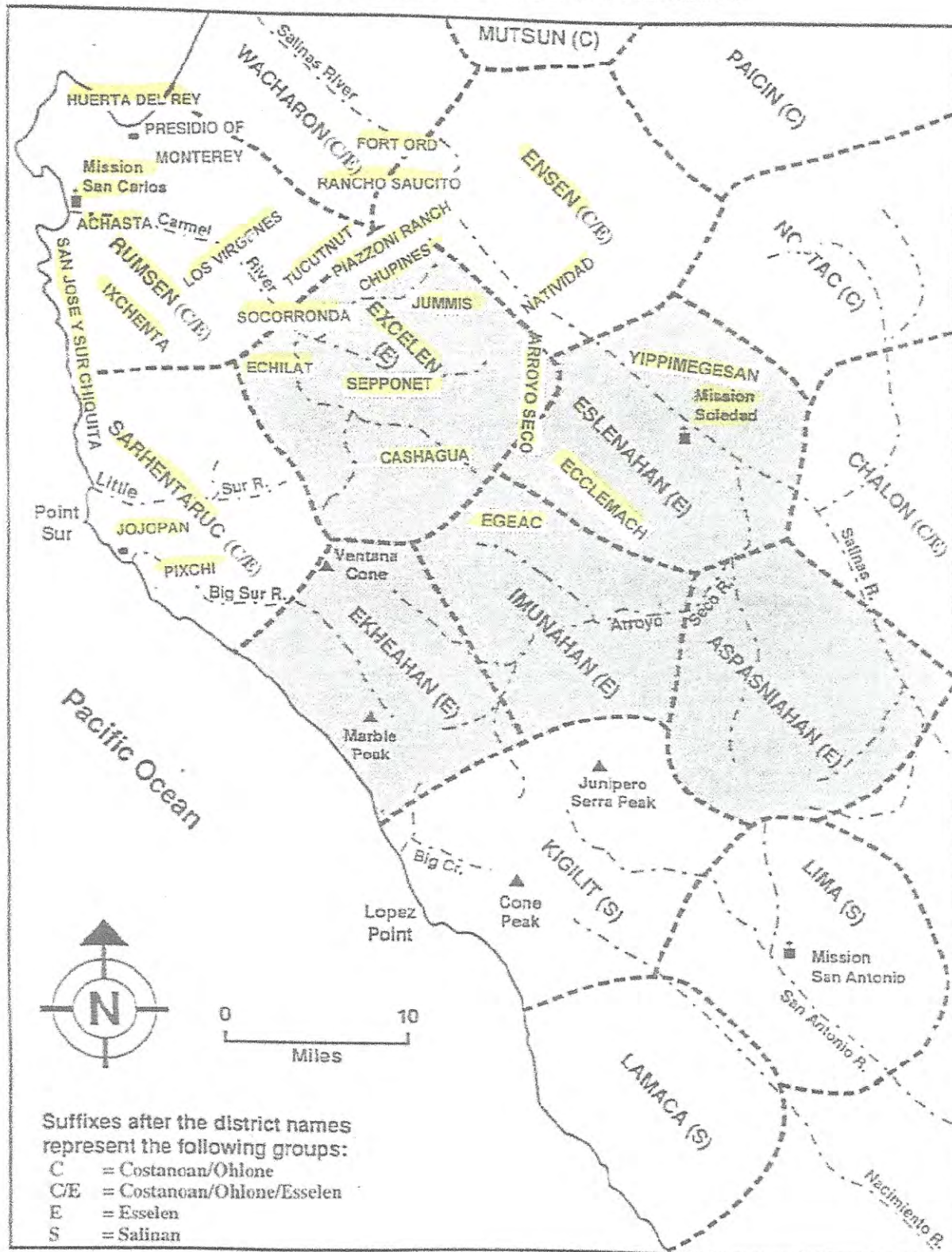


Figure 2:

Map after Taylor 1856; Levy 1973; Hester 1978; Milliken 1990

From: Moroney, Ryan@Coastal
To: ["Louise Ramirez"](#)
Subject: RE: construction project in Carmel
Date: Tuesday, March 05, 2019 12:47:00 PM

Thank you Louise for your response and input. We have fashioned a special condition on the project with these concerns in mind. Please see below for draft and let me know if you would like to discuss further. Regards, Ryan

Archaeological Protection. An archaeological monitor qualified by the Native American Heritage Commission shall be present at the site during all ground disturbance (including grading activities), and shall be consulted to provide recommendations for subsequent measures for the protection and disposition of significant artifacts in the event such artifacts are discovered. In the event that any article of historical or cultural significance is encountered, all activity that could damage or destroy these resources must cease and the Executive Director, the Native American Heritage Commission, and an appropriate local tribal representative (as identified in the project's tribal consultation report) must be notified so that the articles may be suitably protected or flagged for future research. Mitigation measures shall be developed in accordance with Native American Heritage Commission and local tribal representative recommendations, and submitted to the Executive Director for review and approval, and such measures shall be required to address and proportionately offset the impacts of the project on such archaeological resources prior to recommencement of construction activity.

From: Louise Ramirez [mailto:ramirez.louise@yahoo.com]
Sent: Tuesday, February 26, 2019 4:34 PM
To: Moroney, Ryan@Coastal
Subject: Re: construction project in Carmel

Saleki Atsa Mr. Moroney,

Attached is OCEN's response.

Thank you

Louise J. Miranda Ramirez
Tribal Chairwoman
Ohlone/Costanoan-Esselen Nation

www.ohlonecostanoanesselennation.org

On Friday, January 25, 2019, 10:29:12 AM PST, Moroney, Ryan@Coastal
<Ryan.Moroney@coastal.ca.gov> wrote:

Louise: per our call, attached are the reports we reviewed for this project.

Exhibit 8
3-18-0650
4 of 8

From: Louise Ramirez [mailto:ramirez.louise@yahoo.com]
Sent: Thursday, January 24, 2019 4:57 PM
To: Moroney, Ryan@Coastal
Subject: Re: construction project in Carmel

Saleki Atsa Ryan Moroney,

Thank you for contacting me, as I have been trained by the Native American Heritage Commission that AB52 consultation is always with the lead agency. I am available tomorrow at 10:00 a.m. and can be reached at (408) 629-5189. If not then I can contact you on Wednesday, January 30, 2019 at 10:00 a.m.

I will also provide you with another letter with our request on site disturbances. Thank you.

Louise J. Miranda Ramirez

Tribal Chairwoman

Ohlone/Costanoan-Esselen Nation

www.ohlonecostanoanesselenation.org

On Thursday, January 24, 2019 03:58:20 PM PST, Moroney, Ryan@Coastal
<Ryan.Moroney@coastal.ca.gov> wrote:

Thank you Susan, please let this email serve as confirmation of our receipt.

Chairperson Ramirez: I would be happy to discuss the proposed project with you and our proposed permit condition regarding protection of sensitive cultural resources. Is there a good time we could talk by phone?

Exhibit 8
3-18-0650
5 of 8

From: Susan [mailto:achasta@gmail.com]
Sent: Thursday, January 24, 2019 3:32 PM
To: Louise Ramirez; Moroney, Ryan@Coastal
Subject: Re: construction project in Carmel

Dear Chairperson Ramirez,

Thank you for your response to my letter dated November 29, 2018 requesting tribal consultation for a project at 172 Spindrift Road in Carmel Highlands, County of Monterey. The lead agency is the California Coastal Commission and that is why I am also sending this email to Supervisor Morony. I promised I would forward any responses to the Coastal Commission that I received even if was after December 30, 2018, which was the end of the thirty-day waiting period for this particular project.

Dear Supervisor Moroney,

Today I received the attached letter from Chairperson Ramirez of the Ohlone-Costanoan/Esselen Nation regarding the project at 172 Spindrift Road in the Carmel Highlands, County of Monterey. I have attached the response that I just received this afternoon to this email. Please let me know if you need any further

assistance and also that you received the attached letter successfully.

Respectfully,

Sue Morley

831-262-2300.

On Thu, Jan 24, 2019 at 2:15 PM Louise Ramirez <ramirez.louise@yahoo.com> wrote:

Saleki Atsa,

Attached please find OCEN's response.

Louise J. Miranda Ramirez

Tribal Chairwoman

Ohlone/Costanoan-Esselen Nation

www.ohlonecostanoaneselelennation.org

On Tuesday, October 24, 2017 11:05:03 AM PDT, Susan <achasta@gmail.com> wrote:

Greetings, Louise, and I hope you are well.

I'm following up on a letter I sent you last week about a construction project in Carmel to ask for your input and recommendations about that project. The reason I am sending this email is in case you tried to email me, the email on my letter has a typo. My email address is

achasta@gmail.com

(not achasts@gmail.com which is misspelled.)

Please will you let me know that you received my letter (October 15) and can you advise me of your recommendations for the project. Thank you for your help in this matter.

Respectfully yours,

Susan Morley

Changes to Special Condition 12

(a) **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, and in order to implement the Permittee's agreement to record an ~~OTD~~offer to dedicate under the terms and conditions set forth herein, the Permittee shall execute and record a document(s) in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private entity (which agency or entity shall assume all liability, other than that specified in Civil Code section 846(d), maintenance, repair, and security for public use of the easement) approved by the Executive Director, a public access easement for public access and recreational uses in perpetuity as set forth herein. Such offer shall be irrevocable for a period of 21 years. The easement shall be coterminous with the existing portion of the beach access easement that is located ~~on~~along the ~~eastern~~southeastern perimeter of the Permittee's property ~~that is currently for use exclusively by~~, as shown in the ~~Carmel Highlands Association~~Record of Survey map, recorded in Monterey County on ~~September~~December 22, 1958, in Volume X-1, 1921 in Book 183 of DeedsOfficial Records, Page ~~358231~~ (the "~~Association~~Easement"). Nothing in this dedication shall require Permittee to remove the existing fence running parallel to the ~~Association~~Easement. Any proposed repair and/or replacement of any portion of Permittee's existing fence is not part of this CDP and will therefore be considered independently at the time of the proposal. No development, as defined in Section 30106 of the Coastal Act, shall occur within the ~~easement~~Easement area except for grading and construction necessary to maintain public access amenities.

The recorded document(s) shall include a legal description and corresponding graphic depiction of the legal parcel(s) subject to this permit and a metes and bounds legal description and a corresponding graphic depiction, drawn to scale, of the perimeter of the ~~easement~~Easement area prepared by a licensed surveyor based on an on-site inspection of the ~~easement~~Easement area. Public use of the ~~easement~~Easement area shall be limited to one hour before sunrise to one hour after sunset daily. Any restrictions on public use adopted for the trail system or as part of a Local Coastal Program Policy, whichever is more protective of resources and privacy rights, in the future would apply to the segment over the Permittee's property as well.

The ~~easement~~Easement area that is the subject of the ~~OTD~~offer to dedicate shall not be required to be open and available for public access or recreational uses unless and until ~~remaining contiguous segments of the accessway which connect the Association Easement to either:~~

Public access rights from Spindrift Road ~~or~~and Yankee Point Drive, or comparable areas (i.e., connect the Association Beach Way to the Easement to a area are established or confirmed by a final court judgment, with such judgment no longer subject to judicial review. Consistent with the offer to dedicate, Permittee shall not voluntarily, in her individual capacity, interfere with or oppose any efforts to establish or confirm public road), are made available for public access access rights along the portion of the access trail over Permittee's property. Nothing in this condition, however, shall limit Permittee's rights as a member of the Carmel Highlands Association or in support of the Mal Paso Creek Association or a subsidiary group of landowners of one or both associations, to oppose the above-

referenced court action, or to defend any legal or regulatory action in which Permittee, or her successor or assignee, is a named party.

(b)- The irrevocable offer to dedicate shall be recorded free of prior liens and any other encumbrances that the Executive Director determines may affect the interest being conveyed~~-, except for the easement and access rights held by the Carmel Highlands Association and its members, the Mal Paso Creek Association and its members, and the adjacent property owners over which the trail runs commonly referenced as Assessor Parcel Numbers 241-301-014; 241-301-018; 243-141-017; 241-141-016 and 243-141-005.~~ The document shall provide that the offer of dedication shall not be used or construed to allow anyone to interfere with any rights of public access acquired through use which may exist on the property.

(c)- The offer to dedicate shall run with the land in favor of the People of the State of California, binding successors and assigns of the applicant or landowner~~-in perpetuity~~, and shall be irrevocable for a period of 21 years, such period running from the date of recording, and it shall indicate that once the restrictions on the use of the land have become enforceable, they shall be in effect upon recording and remain as enforceable covenants, conditions and restrictions running with the land in perpetuity; (unless the landowner affirmatively revokes parties agree to remove the restrictions). The restrictions set forth in the offer to dedicate shall become enforceable on the date that both of the following have occurred: (1) the acceptance of the offer by an entity approved by the Executive Director in writing, and (2) public access rights have been established as indicated in the final paragraph of subdivision (a). Until such time that public access rights have been established as indicated in the final paragraph of subdivision (a), acceptance of the offer to dedicate by a third party shall not imply that said third party or any other entity has any access rights or any other rights to the Easement area.

(d) If, by December 31, 2060, public access rights have not been established as indicated in the final paragraph of subdivision (a), or if, at any time, there is a final judicial determination that no public rights exist along any portion of the trail, the offer and any acceptance thereof will be extinguished. The recorded offer to dedicate shall provide that: (1) if either of the conditions set forth in the prior sentence occurs, the offer and any acceptance thereof both expire; and (2) if the offer and acceptance expire as set forth in part (1) of this sentence, the party who accepted the offer shall execute and record a release of its acceptance and an acknowledgement that the offer and acceptance have expired within 30 days of December 31, 2060 or within 30 days of a final judicial determination that no public rights exist, whichever is earlier.