

[ADA Compliant Transcription of Original]

Monterey County Coastal Implementation Plan



Part 3

**Regulations for Development
In the Big Sur Coast Land Use Plan Area**

(Chapter 20.145)

as adopted by the Monterey County
Board of Supervisors
January 5, 1988

**Monterey County
Coastal Implementation Plan**

**Adopted By The Monterey County
Board of Supervisors
On January 5, 1988**

Karin Strasser Kauffman, Chair
Marc Del Piero
Sam Karas

Dusan Petrovic
Barbara Shipnuck

**Adopted By The
Monterey County Planning Commission
On August 26, 1987**

Louis Calcagno, Chairman
Tom Glau
Marit Evans
Manuel Jimenez

Gloria Moore
Jo Stallard
Lynn Riddle
David Hendrick
Calvin Reaves

Certified By The California Coastal Commission On December 10, 1987

Participating Staff Members:

Robert Slimmon, Jr., Director of Planning
Dale Ellis, Zoning Administrator
Bonnie Stibbe
Kellie Morgantini
Bruce Bowman
Steve Early
Jim DiMaggio
Steve Sigala
Carmelia Moon
Martha Chavarria
Rosalba Johnson

**The Monterey County Coastal Implementation Plan
Is Published In Six Parts:**

- Part 1: Coastal Zone Regulations (Chapters 20.105 – 20.139)
Regulations for Coastal Development Permits
(Chapter 20.140)
General Provisions and Exceptions in the Coastal Zone
(Chapter 20.142)
Title 20 (Zoning Ordinance)
- Part 2: Regulations for Development in the North County Land
Use Plan Area (Chapter 20.144)
- Part 3: Regulations for Development in the Big Sur Coast Land
Use Plan Area (Chapter 20.145)
- Part 4: Regulations for Development in the Carmel Area Land Use
Plan Area (Chapter 20.146)
- Part 5: Regulations for Development in the Del Monte Forest
Land Use Plan Area (Chapter 20.147)
- Part 6: Appendices
Applicable County Ordinances

Table of Contents

Part 3: Regulations for Development in the Big Sur Coast Land Use Plan Area (Chapter 20.145)

Regulations for Development in the Big Sure Coast Land use Plan Area

Sections:

| | |
|------------|---|
| 20.145.010 | Purpose |
| 20.145.020 | Definitions |
| 20.145.030 | Visual Resources Development Standards |
| 20.145.040 | Environmentally Sensitive Habitat Development Standards |
| 20.145.050 | Water Resources Development Standards |
| 20.145.060 | Forest Resources Development Standards |
| 20.145.070 | Agricultural Development Standards |
| 20.145.080 | Hazardous Area Development Standards |
| 20.145.090 | Mineral Resources Development Standards |
| 20.145.100 | Dredging, Filling, and Shoreline Structures Development Standards |
| 20.145.110 | Historical Resources Development Standards |
| 20.145.120 | Archaeological Resources Development Standards |
| 20.145.130 | Transportation Development Standards |
| 20.145.140 | Land Use and Development Standards |
| 20.145.150 | Public Access Development Standards |

**Regulations for Development
In The
Big Sur Coast Land Use Plan Area**

Chapter 20.145

Regulations For Development In The Big Sur Coast Land Use Plan Area

Sections:

| | |
|------------|--|
| 20.145.010 | Purpose |
| 20.145.020 | Definitions |
| 20.145.030 | Visual Resources Development Standards |
| 20.145.040 | Environmentally Sensitive Habitat Development Standards |
| 20.145.050 | Water Resources Development Standards |
| 20.145.060 | Forest Resources Development Standards |
| 20.145.070 | Agricultural Development Standards |
| 20.145.080 | Hazardous Area Development Standards |
| 20.145.090 | Mineral Resources Development Standards |
| 20.145.100 | Dredging, Filling, and Shoreline Structures Development Standards |
| 20.145.110 | Historical Resources Development Standards |
| 20.145.120 | Archaeological Resources Development Standards |
| 20.145.130 | Transportation Development Standards Development Standards |
| 20.145.140 | Land Use and Development Standards |
| 20.145.150 | Public Access Development Standards |

20.145.010 Purpose.

The purpose of this Chapter is to establish regulations, standards and procedures to fully implement the policies of the Big Sur Coast Land Use Plan. These regulations apply only to parcels within the Big Sur Coastal zone, as subject to the Big Sur Coast Land Use Plan.

20.145.020 Definitions.

- A. Access Area is area encompassing the accessway(s) and shoreline destination. (Carmel Area Shoreline Access Background Report)

- B. Access Destination/Shoreline Destination is an area which provides either contact with the water's edge, such as a beach, or visual access to the ocean, such as a blufftop trail or vista point. (Santa Cruz County LCP)
- C. Access Management Plan is a plan which details all aspects of improvements to and development of a shoreline access or trail. The plan must be prepared when an application for the accessway development is submitted to the Planning Department. (Ref. Section 20.144.150.B)
- D. Accessory or Appurtenant Use or Structure is any or structure accessory to the main use and customarily a part thereof; an accessor use is clearly incidental and secondary to the main use and does not change the character of the main use. (North County LUP)
- E. Accessway is a trail (or staircase, ramp, boardwalk, etc.) to or along the shoreline or blufftop. It may provide vertical or lateral access. (Carmel Area Shoreline Access Background Report)
- F. Active Fault is one that has moved in recent geologic time and which is likely to move again in the relatively near future. For planning purposes, the time frame extends on the order of 11,000 years in the past and 100 years in the future. (American Geological Institute)
- G. Agriculture Related Uses, Facilities or Operations are those uses and facilities that are related to or involve the production of plant materials and animals useful to humans but which tend not to be onsite soil dependent. (Monterey County Planning Department)
- H. Agricultural Viability Report is a report which assesses the viability of parcels as agricultural or grazing units, given existing conditions and proposed development. Viability is considered in terms of many factors, including product marketability, parcel production history, water conditions, soils, parcel size and any other factors relevant to the particular parcel. The report is prepared by a consultant according to approved county procedures. (Ref. Section 20.144.080.B)
- I. Anadromous Fish are those species of fish which ascend rivers from the sea in order to breed. Streams in Big Sur which support anadromous fish habitat include Garrapata Creek, Rocky Creek, Bixby Creek, Little Sur

River, Big Sur River, Partington Creek, Anderson Creek, Hot Springs Creek, Vicente Creek, Big Creek, and Limekiln Creek.

- J. Aquaculture is the culture and husbandry of aquatic organisms, including but not limited to fish, shellfish, mollusks, crustaceans, kelp and other algae. (Public Resources Code)
- K. Archaeological Sensitivity Zones are intended to generally describe the probability of finding archaeological resources throughout the County, as shown on County archaeological sensitivity maps. A “low” sensitivity zone is one in which there is limited probability that the area was used by native Americans for hunting, gathering, or collecting. In a “high” sensitivity zone, there are archaeological sites already identified in the area, or a strong possibility that Native Americans lived in and occupied the area.
- L. Archaeological Site is a site of known Native American remains or activity, as evidenced by shells, fire-cracked rocks, lithics, charcoal, bedrock mortars, rock art, quarry activity, etc.
- M. Bluff-Top Access is to and along a bluff where no beach exists for the purpose of public viewing, or where trails can be sited to connect pocket beaches. (After Statewide Interpretive Guidelines for Public Access)
- N. Caretaker’s Quarters is a permanent residence, secondary and accessory to an existing main residence, for persons employed exclusively on-site, for purposes of security or to provide continuous care for persons, plants, animals, equipment, or other conditions on the site. The caretaker’s unit may not be rented, let or leased.
- O. Chaparral is an evergreen plant community of drought-adapted shrubs usually found on dry slopes and ridges. Chamise, toyon, scrub oak, ceonothus, and manzanita re characteristics species. (Monterey County Planning Department)
- P. Coastal Dependent Development or Use refers to a development or land use which requires a site on or adjacent to the sea in order to be able to function at all. (Coastal Act)
- Q. Coastal Prairie is a relatively rare grassland community dominated by native perennial bunch grasses and limited to the coastal terraces and

outer Coast Ranges from Monterey County to southern Oregon. (After Point Lobos State Resource Inventory, Dr. W. J. Barry)

- R. Coastal-Related Development is any use or development that is dependent on a coastal dependent development or use (Coastal Act)
- S. Community (Biotic) is an aggregate of organisms which forms a distinct ecological unit; it may be described in terms of flora or fauna, or both. (Wildlife Planning Glossary, U.S. Forest Service)
- T. Complete Application is an application for which: 1) the Planning Department has completed its review and has requested any additional information or studies to be submitted by the applicant, and 2) all requested information has been submitted to the Planning Department's satisfaction. An application is considered "incomplete" until all such information has been supplied, and accepted by the Planning Department.
- U. Cottage Shop Industry is small-scale manufacturing of artistic or craft items as conducted out of the home or from a workshop accessory to an existing principal residence. (Ref. Section 20.145.140.B.2.c)
- V. Critical Viewshed is everything within sight of Highway 1 and major public viewing areas including turnouts, beaches and the following specific locations: Soberanes Point, Garrapata Beach, Abalone Cove Vista Point, Bixby Creek Turnout, Hurricane Point Overlook, Upper Sycamore Canyon Road (Highway 1 to Pias Road), and Pfeiffer Beach/Cooper Beach. (Ref. Policy 3.2.2.1)

Also Included in the "Critical Viewshed" are those views of Pico Blanco from the Old Coast Road. All other views from the Old Coast Road shall be excluded from "Critical Viewshed" with the exception of those views also visible from Highway 1. Pico Blanco is defined as that land form bounded on the south by the south Fork of the Little Sur River on the north by the north Fork of the Little Sur River and on the east by the Ventana Wilderness Area. (Ref. Policy 3.8.4.4)

All locations are identified on the Zoning Maps of the Coastal Zone.

- W. Cross Slop/Average Cross Slope is the average slope of a parcel determined by the formula $S = 0.002291L/A$

Where: 1 = Interval of measured contours in feet
 S = Average percent cross slope of parcel
 L = Summation of length of contours in feet (i.e. map
 measurement of contours in inches X the scale).
 A. = Area of parcel in acres. (Monterey County Subdivision
 Ordinance 1713)

The derivation is based on the fact that 1 acre – 43,560 square feet and that one square foot (the unit produced by multiplying 1 times L) = 43,560 acre, or 2.29 x 0.00001 acre, and that it is necessary to multiply by 100 in order to arrive at a percent rather than a decimal. (North Coast Land Use Plan)

- X. Development is on land, in or under water:
1. Placement or erection of any solid material or structure, including but not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line;
 2. Discharge or disposal of any dredging, mining, or extraction of any gaseous, liquid, solid, or thermal waste;
 3. grading, removing, dredging, mining, or extraction of any materials, including excavation and filling which requires a grading permit pursuant to chapter 16.08 or which materially alters the natural landform;
 4. Change in the density or intensity of use of land, including but not limited to:
 - a) Subdivision pursuant to the subdivision Map Act (commencing with Section 66410 of the Government Code);
 - b) lot line adjustments;
 - c) any other division of land, including lot splits; and,
 - d) conditional certificates of compliance pursuant to the subdivision Map Act;
 5. Change in the intensity of use of water, or of access thereto;

6. Expansion or construction of water wells, surface water diversions, or septic systems, except for replacement thereof;
 7. Construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility;
 8. Removal or harvesting of major vegetation including land clearing pursuant to chapter 16.12 and removal of natural vegetation specified in the applicable ordinances as requiring a coastal development permit. "Development" shall not include removal or harvesting of major vegetation for agricultural purposes, except in North County as per Section 20.144.080.A, kelp harvesting and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Zberg-Nejedly Forest Practice Act of 1973 (commencing with Section 45111);
 9. Any project within 750 of a known archaeological resource, as per sections 20.144.110.A, 20.145.120.A, 20.146.090.A, and 20.147.080.A;
 10. Any project on a parcel in the Big Sur Coast Land Use Plan area with an historical site, as per Section 20.146.110.A;
 11. Tree removal, as per sections 20.144.050.A, 20.145.060.A, 20.146.060.A, and 20.147.050.A; and,
 12. Granting of transferable density credits pertaining to a lot in the critical viewshed of Big Sur, pursuant to Chapter 20.156.
- Y. Discretionary Permit is a permit which requires a public hearing before and decision by the Zoning Administrator, Subdivision Committee, Planning Commission, and/or Board of Supervisors. Examples are Coastal Development Permits, use permits, variances and scenic conservation permits.
- Z. Disjunct is a plant or animal species found in an area outside of its normal range or distribution. (San Luis Obispo County LCP Land Use Plan)
- AA. Dwarf Coastal Chaparral is a maritime Chaparral association that supports several endemic plant species and in which the plants are dwarf in stature, possibly the result of low water availability. (After Point Lobos State Reserve Resource Inventory)

- BB. Ecosystem is a system formed by the interactions of a community of organisms with their environment. (Wildland Planning Glossary, U.S. Forest Service)
- CC. Employee Housing Plan is a plan required for applications for commercial development, including new or expanded recreation, restaurant, and other visitor-serving facilities. The plan details the number of employees and the on-site and off-site housing to be provided by the employer. (Ref. Section 20.144.140.B.3.c)
- DD. Endangered Species: See Rare species
- EE. Environmentally Sensitive Habitats are areas in which plant or animal life or their habitats are rare or particularly valuable because of their special nature or role in an ecosystem. Environmentally sensitive habitats are also areas susceptible to disturbance or degradation by human activities and developments. Examples are riparian corridors and Areas of Special Biological Significance identified by the State Water Resources Control Board; rare and endangered species habitat; all coastal wetlands and lagoons; all marine wildlife haul-out, breeding and nesting area; education, research and wildlife reserves, including all tideland portions of the California Sea Otter State Fish and Game Refuge; nearshore reefs; tidepools; sea caves; islets and offshore rocks; kelp beds; indigenous dune plant habitats; Monarch butterfly mass over-wintering sites; and wilderness and primitive areas. The California Coastal Act limits uses to those which are dependent on such resources; examples include nature education and research, hunting, fishing and aquaculture. (Ref. LUP Section 3.3)
- FF. Essential Ranching Structures are structures required for commercial ranching operations such as barns, toolsheds, etc. (Monterey County Planning Department)
- GG. Estuary is a Coastal water body usually semi-enclosed by land, but which has open, partially obstructed, or intermittent exchange with the ocean and in which ocean water is at least occasionally diluted by freshwater runoff from the lands. The salinity may be periodically increased above the open ocean by evaporation. In general, the boundary between

“wetlands” and “estuary” is the line of extreme low water. (State-wide Interpretive Guidelines for Wetlands)

- HH. Existing Development constitutes all project legally developed as of December 31, 1976, or later if approved under a coastal development permit where such permit is required under the law. (Big Sur Coast Land Use Plan)
- II. Existing Parcel is a separate legal parcel recorded as of December 31, 1976, or later if approved under a coastal development permit. Does not include parcels recorded without benefit of coastal development permit where such permit was required by law prior to 1977. Parcels crossed by public road or highway rights-of-way will not be considered to have been “subdivided” by such a road or highway. Except where a legal determination by the County (or by the Coastal Commission on appeal of a permit application) concludes otherwise for a particular ownership, contiguous U.S. Lots which have been patented or aggregated under a single ownership will be considered as a single parcel for Subdivision Map Act purposes.
- JJ. Exotic Plant is any plant species that is not native to the area where it occurs; an introduced plant species. (After Wildland Planning Glossary, U.S. Forest Service)
- KK. Fault is a fracture in the earth’s crust along which there has been differential movement of the tow sides. (After Monterey County Seismic Safety Element 1975)
- LL. Fault Trace is the intersection of a fault with the Earth’s surface as revealed by the dislocation of fences, roads, by ridges and furrows in the grounds, by dislocations in rock strata, etc. (After Monterey County Seismic Safety Element 1975)
- MM. Fault Zone is a zone or band of interconnected, closely-spaced faults and fault traces. (Monterey County Seismic Safety Element 1975)
- NN. Feasible refers to development being capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors. (Coastal Act)

- OO. Forest Management Plans are the property owner's program for how the forest resources are to be maintained and managed on the parcel. These Plans are permanent and binding regardless of a change in ownership. (Ref. Section 20.145.060.B & C)
- PP. Forester is one of the qualified professional foresters included on the County's list of consulting foresters.
- QQ. Fragile Coastal Resources are exposed cliff faces, all environmentally sensitive habitats, and significant archaeological and paleontological resources which would likely be exposed to vandalism. (Big Sur Coastal Land Use Plan)
- RR. Guesthouse is a permanent attached or detached structure containing a living area, without kitchen or cooking facilities, clearly subordinate and incidental to an existing main residence on the same building site. The guesthouse may not be rented, let or leased, whether compensation is direct or indirect.
- SS. High Hazard Areas are areas in which there are or may be a substantial risk of damage to life and property as a result of flood, fire, or geologic and seismic hazards, including tsunamis. The following areas are defined as high hazard areas:
1. Seismic and Geologic Hazards:
 - Zones 1/8 mile on each side of active or potentially active faults
 - Areas of tsunami hazard
 - Areas indicated as "Underlain by Recent Alluvium" and "Relative Unstable Upland Areas" on Map 5 of the County Seismic Safety Element.
 - Geotechnical Evaluation Zones IV, V, and V1 on Maps A-Q of the County Seismic Safety Element Maps.
 - Geotechnical Evaluation Zones V and V1 on the Monterey Peninsula Map of the County Seismic Safety Element
 2. Flood Hazard Area:
 - Everything included within the 100-year floodplain.
 3. Fire Hazard:

- Areas classified as having a high to extreme (very high) fire hazard through application of the Department of Forestry Criteria.

- TT. Historical Site is a site which has been included on the County's list of adopted historical sites, due to its national, state or local significance as an historical or cultural resource. As of July, 1986, Big Sur Coast sites on the County's list include Big Sur Inn, Bixby Creek Bridge, Gamboa homestead, Grimes campground, Mansfield/Manchester, Molera Ranch, homestead, Point Sur Lighthouse, Post homestead, Slate's Hot Springs, and Yankee Point coal mines.
- UU. Informal Access is access established through public use without improvements or signing on public or private lands. (After Big Sur and Carmel Area Shoreline Access Background Reports)
- VV. In-Lieu-Fees are fees paid to the Count or other public agency as substitution for the required dedication of land to the agency or development for a stated public purpose, such as provision of access, low and moderate income housing, road improvements or parks. (Monterey County Planning Department)
- WW. Intermittent Stream is a stream which flows during a portion of the year only, generally during the wet season. Intermittent streams are designated on USGS Maps by a dash and three dots symbol. (After Statewide Interpretive Guideline for Wetlands)
- XX. Intertidal refers to the shoreline area that is above the low tide mark and below the high tide mark. (Santa Barbara County Coastal Plan)
- YY. Invasive Plant Species is an exotic or native plant species which is absent in undisturbed conditions but which will invade and, often displace, the original vegetation under conditions of disturbance including continued overuse. The term is most commonly used in connection with exotic or introduced species. (After Wildland Planning Glossary, U.S. Forest Service)
- ZZ. Landmark Trees are those trees which are 24 inches or more in diameter when measured at breast height, or a tree which is visually significant, historically significant, exemplary of its species, or more than 1000 years old.

- AAA. Lateral Access is a path or trail which runs parallel to or along the shoreline. On dry sand and rocky beaches, lateral access easements shall extend over the entire beach area to the toe of the coastal bluff, or absent such bluff, to the first line of terrestrial vegetation.
- BBB. Level of Service is a measure of the ability of a section of roadway of significant length to carry specific volumes of traffic. (Highway Capacity Manual, 1965)
- CCC. Low and Moderate Income Housing is housing which is affordable to those household earning up to 120% of the current County median household income. (County Inclusionary Housing Ordinance)
- DDD. Major Public Viewing areas are contained within the definition of ‘critical viewshed’ and are only used for the purpose of determining critical viewshed, as per Big Sur Coast LUP.
- EEE. Maritime Chaparral is a unique type of chaparral found close to the coast within the summer fog zone climate and characterized by a high proportion of localized endemic plant species. (After North County Environmentally Sensitive Habitat Areas Draft Background Report)
- FFF. Marsh is a wetlands area, or a tract of low wet land that is periodically inundated with fresh or saline water characterized by grasses, sedges, cattails and rushes.
- GGG. Mine includes all mineral bearing properties of whatever kind or character, whether underground, or in a quarry or pit, or any other source from which any mineral substance is or may be obtained. (Public Resources Code 2200)
- HHH. Mined Lands includes the surface, subsurface, and groundwater of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, working mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located. (Public Resources Code 2729)

- III. Mineral Development refers to the extraction of mineral resources, including both surface and subsurface mining and onshore and offshore exploitation of oil and gas resources. (Ref. Policy 3.8.2.4)
- JJJ. Mining Waste includes the residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations. (Public Resources Code 2730)
- KKK. Ministerial Permit is a grading or building permit. A project requiring a ministerial permit requires review by staff of both the Planning and Building Inspection departments, but does not require a public hearing before the Zoning Administrator, Planning Commission, Subdivision Committee, or board of Supervisors.
- LLL. Native Trees are those trees which are native to Monterey County, as listed in Attachment 2 to this Chapter.
- MMM. Natural Environment, as used in Policy 6.1.3 of the Big Sur Coast Land Use Plan and in the "Public Access Development Standards" section of this ordinance, is the same as the definition of "fragile coastal resources". (Big Sur Coast Land Use Plan)
- NNN. New Development is any development activity (c. f. Development) with the exception of replacement of structures (c. f. Replacement) remodeling of existing structures (c. f. Remodeling) or repair and maintenance activities (c. f. Repair and maintenance. (Statewide Interpretive Guidelines for Public Access)
- OOO. One-Hundred Year Floodplain is an area subject to a 1% chance of flooding in any given year, or once on one hundred years (e.g. the 100-year flood), and includes the floodway, as delineated on current FEMA resource maps. (County Floodplain Ordinance)
- PPP. One-Hundred Year Floodway is the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than 1 foot. (County Floodplain Ordinance)
- QQQ. Operator, mine means any person who is engaged in surface mining operations, himself, or who contracts with others to conduct operations

on his behalf, except a person who is engaged in surface mining operations as an employee with wages as his sole compensation. (Public resources Code 2731)

- RRR. Overall Development and Management Plan is a guide to the types, locations and management of future development to occur on a parcel. (Ref. Section 20.145.070.A)
- SSS. Perennial Stream is a stream (c. f. stream) that normally flows throughout the year. Perennial streams are designated by a solid line symbol on United States Geological Survey topographic maps. (After Coastal Commission's Interpretive Guidelines for Wetlands)
- TTT. Permit is any license, certificate, approval, or other entitlement for use granted or denied by any public agency which is subject to the provisions of the Local Coastal Program. (Coastal Act)
- UUU. Potentially Active Fault is a fault along with there has been displacement during the last 3 million years, but not during the last 11,000 years, and along which there might be displacement in the future. (Monterey County, Seismic Safety Element, 1975)
- VVV. Prime Agricultural Land/Soils are those lands defined in Section 51201 of the Government Code as follows:
1. All land which qualifies for rating as class 1 or Class 11 in the in the Soil Conservation Service land use capability classifications.
 2. Land which qualifies for rating 80 through 100 in the Stories Index rating.
 3. Land which supports livestock used for the production of food and fiber and which has annual carrying capacity equivalent to at least one animal unite per acre as defined by the United States Department of Agriculture.
 4. Land planted with fruit-or-not-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production not less than two hundred dollars per acre.

- WWW. Productive agricultural Land/Soils are those lands that qualify as Class 111 or 1v in the Soil Conservation Service land use capability classification scheme (Soil Conservation Service.) In North County, lands qualifying as primer under (c) and (d), of Section 51201 of the Government Code are included as productive agricultural lands.
- XXX. Project Planner is the planner responsible for reviewing the development.
- YYY. Project Referral Process is a process whereby the Planning Department refers an application for a discretionary permit to various County departments for review and recommendation, prior to public hearings on the project.
- ZZZ. Pico Blanco Limestone Deposits refers to those deposits that were classified as MRZ-2 or MRZ-3 areas by the California State Mining and Geology Board in 1982. (Ref. Policy 3.8.4.6)
- AAAA. Public Viewing Area is any area open to the public, such as a public road or public lands.
- BBBB. Public Works include the following:
1. All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities;
 2. All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities;
 3. All Public financed recreational facilities, all projects of the State Coastal Conservancy and any development by a special district; and
 4. all community college facilities. (Coastal Act)
- CCCC. Rare and Endangered Species are species identified as rare, endangered and/or threatened by the State Department of Fish and Game, United States Department of Interior Fish and Wildlife Service, and/or the

California Native Plant Society. (After Monterey County LCP ESH background reports)

- DDDD. Reclamation means the combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization or other measures. (Public resources Code 2733)
- EEEE. Relict is a persistent remnant of an otherwise extinct flora or fauna. (San Luis Obispo County LCP Land Use Plan)
- FFFF. Remodeling of Existing Structure refers to improvements to a structure which do not change the use or intensity of use of the structure, or of the land or water; no increase the area, height and/or bulk of the structure by more than 10 percent; and which do not interfere with a currently existing public view or public accessway. (Statewide Interpretive Guidelines for Public Access)
- GGGG. Repair and Maintenance refers to activities required to prevent the declined or failure of a structure (c. f. Structure) or public works facility (c. f. Public Works) and which do not result in an additional to, or enlargement or expansion of, the object of such repair or maintenance activities. (After Coastal Act, Sec., 306210)
- HHHH. Replacement of Structures is the action or process of restoring or rebuilding a structure (c. f. Structure) in the same location as the original structure. Replacement must be consistent with zoning requirements, be of the same use, and in size, area, height, and bulk no more than 10% in excess of the destroyed structure. (Coastal Act. Action 30610)
- IIII. Ridgeline development is development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when viewed from a common public viewing area.

- JJJJ. Riparian Corridor is the area consisting of the stream channel and an area on each side of the stream to the measured from the mean rainy season (bankful) flowline as follow:
1. 150-foot zone from each side of perennial streams, or the extent of riparian vegetation, whichever is greater.
 2. 50-foot zone from each side of intermittent streams, or the extent of riparian vegetation, whichever is greater.
- KKKK. Riparian Habitat is an area of riparian vegetation. This Vegetation is an association of plant species which grows adjacent to freshwater watercourses, including perennial and intermittent streams, lakes, and other bodies of fresh water. (State-wide Interpretive Guidelines for Wetlands)
- LLLL. Safe Yield: See Sustained Yield
- MMMM. Salvage Logging is cutting primarily to utilize dead or dying trees or deteriorating trees that will no be merchantable if left in the stand until the next scheduled cut. (Wildland Planning Glossary, U.S. Forest Service)
- NNNN. Sand Dune Habitats are areas of dunelands. Dunelands include the active dunes, sand ridges, troughs, and flats lying behind the beach berms that mark the upper limit of the "dry beach." Bounded at their seaward edge by the upper line of the beach at the annual highest tide mark, or a coinciding "vegetation line," the dunelands extend landward as far as the land is subject to active gain or loss of sand because of the sea or sea wind. (Coastal Environmental Management, Conservation Foundation; U.S. Government Printing Office, 1980)
- OOOO. Seating refers to restaurant seating, and includes any chair, sofa, stool, or bench that is either temporary or permanent or in an open or enclosed area, at which a customer can sit and order food, including full meals, a la carte items, and appetizers, regardless of the presence of a table.
- PPPP. Second Structures are guest rooms, guests houses or non-commercial and non-residential accessory structures clearly subordinate and incidental to the principal residence or other main building on the same building site. (After Monterey County Zoning Ordinance 911 and Big Sur Land Use Plan)

- QQQQ. Seismic Hazard Zones are intended to generally describe, on a scale of 1 to 6, the seismic hazard of areas throughout the County, as shown on County seismic hazard maps. Seismic Hazard Zones 1, 2, and 3 are low hazard zones. Seismic hazard Zone 4 is a moderately high hazard zone. Seismic hazard Zones 5 and 6 are high hazard zones.
- RRRR. Selective Logging is the removal of mature timber (usually the oldest, largest trees) either as single scattered trees or small groups, at relatively short intervals, by means of which the continuous establishment of natural reproduction is encouraged and an uneven-aged stand is maintained. (Wildland Planning Glossary, U.S. Forest Service)
- SSSS. Shoreline Access is access provided from the nearest public road to the shoreline or coast. Types of access include access across and to bluffs, along a beach, vertical access to a beach, scenic overlooks, and visual access.
- TTTT. Shoreline Access Plan maps areas of coastal access according to criteria listed in Policy 6.1.5.A. of the Big Sur Coast Land Use Plan and mapped as “Figure 2” of the plan.
- UUUU. Shoreline Destination: See Access Destination.
- WWWW. Significant Historical Buildings, Landmarks and Districts are those buildings, landmarks or districts identified as historically significant by the National Historic Landmarks Program or the Nation Register of Historic Places and/or the Register of California Historical Places and/or the County’s future inventory and registry program. (Monterey County Planning Department; After Big Sur Land Use Plan)
- XXXX. Special District is any public agency other than a local government formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. “Special district” includes but is not limited to, a county service area, a maintenance district or area, and improvement district or zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for a service or improvement benefiting that area. (Coastal Act)

YYYY. Special Treatment Area (Forestry) are those identifiable and geographically bounded forested areas, depicted on the LCP Resource Maps, that constitute a significant habitat area, area of special scenic significance, and any land where logging activities could adversely affect public recreation area or the biological• productivity of any wetland, estuary, or stream especially valuable because of its role in a coastal ecosystem. (After Coastal Act)

ZZZZ. Stream/Stream Corridor/Stream Channel is a natural watercourse as designated by a solid line or dash and three dots symbol shown on the United States Geological Survey map most recently published, or any well-defined channel with distinguishable bed and bank that shows evidence or having contained flowing water as indicated by scour or deposit of rock, sand, gravel, soil or debris. (Statewide Interpretive Guidelines for Wet- lands)

AAAAA. Stream Discharge is the volume of water flowing past a point per unit time, commonly expressed as cubic feet per second, million gallons per day, gallons per minute. (Soil Conservation Society of America)

BBBBB. Structure is a building or other facility, including but not limited to, any road, retaining wall, pipe, conduit, telephone line, electrical power transmission or distribution line. (After Coastal Act)

CCCCC. Surface Mining Operations means all, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations shall include, but are not limited to:

- a. Inplace distillation or retorting or leaching;
- b. The production and disposal of mining waste; and,
- c. Prospecting and exploratory activities.

The following operations are excluded from the definition of "Surface mining":

- a. The operations conducted by the California Department of Transportation to extract road building materials for local use; and,

- b. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden, when the total amount is less than 500 cubic yards, in any one permit area or from any deposits that have been classified as a significant mineral resource by the California Division of Mines pursuant to Public Resources Code 2761 (b). (Ref. Policy 3.8.2.4 and Public Resources Code 2735)
- DDDDD. Sustained Yield or Long-Term Sustained Yield is the yield that a renewable resource can produce continuously over the long-term at a given intensity of management without impairment of the resource and other associated resources. (After Wildland Planning Glossary, U .S. Forest Service)
- EEEE. Threatened Species: See Rare and Endangered Species.
- FFFF. Tidepool is an accumulation of sea water remaining in a depression on a beach or reef after the tide has receded. Characteristic habitat of a variety of plant and animal species. (From Santa Barbara County Local Coastal Plan)
- GGGG. Timber Harvest Plans are plans required under the Forest Practices Act (Public Resources Code Sec. 4582) for certain timber harvest operations, as administered by the California Department of Forestry
- HHHH. Trails generally provide scenic and recreation access for hikers, equestrians, and/or bicyclists along the coast, to recreation areas, and to public lands.
- IIII. Trails Plan shows general locations of trails and trail corridors over public and private lands, mapped as "Figure 3" of the Big Sur Coast Land Use Plan.
- JJJJ. Upper Watershed of the Little Sur River is considered to be the North Fork and South Fork of the Little Sur River and their respective watersheds. (Little Sur River Protected Waterways Management Plan, p. 69)
- KKKK. Vertical Access is a patch or trail which connects the nearest public roadway with a shoreline destination via a reasonably direct route. (Santa Cruz County LCP)

- LLLLL. Visitor-Serving Facility is a public and private development that provides accommodations, food and/or services for visitors or tourists. (Santa Cruz County LCP)
- MMMMM. Visual Access is access for scenic viewing of the shoreline and/or ocean from either a vista point or public road or trail. (Monterey County Planning Department)
- NNNNN. Water Resource Study Areas are those areas of the Big Sur Coast considered to have potential water supply problems and riparian habitat impacts. As such, the designated Water Resource Study Areas include the following watersheds: Sycamore Canyon, Palo Colorado Canyon, Castro Canyon, Mud Creek, Graves Canyon, Little Sur River, and Big Sur River (including Post Creek). See Attachment 5 for watershed boundaries, as prepared by the California coastal Commission.
- OOOOO. Watershed is the region drained by, or contributing water to, a stream, spring, lake or other body of water. (Santa Cruz County LCP)
- PPPPP. Wetlands are lands within the Coastal Zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mud- flats, and fens. (Coastal Act)

20.145.030 Visual Resources Development Standards.

Intent of Section: The intent of this Section is to provide development standards which will allow preservation of Big Sur's Scenic resources and promote the restoration of the natural beauty of visually degraded areas wherever possible. To this end, all future public or private development which would be visible within the "Critical Viewshed", as defined in Section 20.145.020.V., shall be prohibited. All development not visible within the "Critical Viewshed" shall be conditioned as to siting and design, as provided in the development standards of this chapter. "Development", as used in this section only, shall be considered to include all structures, the construction of public and private roads, utilities, lighting, grading and removal or extraction of natural materials. (Ref. Policy 3.2.1)

- A. Development Within the Critical Viewshed

1. Critical Viewshed Determination.
 - a. The project planner shall make an on-site investigation in order to determine whether the project would intrude on the critical viewshed. Proposed buildings shall be accurately indicated as to dimensions, height, and rooflines by poles with flags. The staking may be waived by the Director of Planning where it can be determined through evaluation of topographic maps, prior investigations in the specific areas, or by similar means, that there is no possibility that the proposed development will intrude on the critical viewshed. The grading for the development and the location of proposed access roads, including the centerline top of cut and toes of fill, shall be accurately indicated by stakes with flags. Both poles and stakes shall remain in place for the duration of the project review and approval process. The planner, in the course of the on-site investigation, shall record the proposed development photographically. The applicant may also be required to provide photographs upon which have been superimposed a representation of the proposed project. Where a project may intrude on the critical viewshed, the photographic representation may be require to be 2' x 3' in size for public hearing purposes. During the on-site investigation, the planner shall also review the project for conformance with the ordinance elements, and shall determine development alternatives which would bring the project into full conformance with the ordinance. (Ref. Policy 3.2.3.B.1)
 - b. Development shall be considered to be within the critical viewshed if any portion of the proposed development is visible from Highway 1, including pull-outs, right-of-ways, and walkways at the highways edge, or the major public viewing areas identified in the "critical viewshed" definition, as contained in Section 20.145.020.V. Visibility will be considered in terms of normal, unaided vision in any direction for any amount of time at any season. As well, visibility shall be considered in terms of what portions of the development would be visible under existing conditions, regardless of landscaping or other techniques which

could be later employed to screen the development. As such, development shall be considered to be within the critical viewshed if it would be visible from Highway 1 or major public viewing areas given existing conditions. The Critical viewshed does not include areas visible from the hiking trails shown in the trails Plan contained in the Big Sur Coast Land Use Plan.

Ocean views from Highway 1 shall not be obscured by artificial berming, mounding, or landscaping. Distant development, although technically within the line of sight from Highway 1 or other major public viewing area, shall not be considered to be within the critical viewshed if it has been designed and sited so as not to be seen from Highway 1 or other major public viewing areas as defined in Section 20.145.020.V. Exterior light sources shall be prohibited if such light source would be directly visible from Highway 1 or other major public viewing area as defined in Section 20.145.020.V.

All new development not in conformance with the approved representations shall be removed. (Ref. Policy 3.2.3.B.1)

2. Development Standards.

- a. All new parcels created through the subdivision process must contain building sites outside the critical viewshed. An exception may be made for parcels which have been set aside for open space or which otherwise specifically preclude structural development, through zoning, deed restrictions and/or easements. Where initial application review indicates that development within the critical viewshed may result on a proposed lot, the applicant shall demonstrate that there is a building site and building height(s) available which will not create development within the critical viewshed. As such, possible building site dimensions and roof heights shall be delineated by poles with flags, subject to an on-site investigation by the Planner prior to the application being considered complete. A condition of project approval shall be the establishment of a building site and a building height envelope that provides specifications for non-critical viewshed development on the lot(s) in question.

- b. Planning techniques, including clustering of structures, sensitive site design, design control, and/or transfer of development credits shall be utilized to permit development of parcels located partially within the critical viewshed where such development will not intrude on the critical viewshed. (Ref. Policy 3.2.3.A.2)
- c. Development proposals shall be modified for design, height, and/or bulk, or shall be resited, where such modifications will result in a project which does not intrude on the critical viewshed. (Ref. Policy 3.2.3.A.3)
- d. Not with standing Section 20.98.080, where it is determined that a proposed development cannot be resited, redesigned, or otherwise made to not intrude upon the critical viewshed, then the site shall be considered environmentally inappropriate for development. Landscaping, berming, or mounding shall not be utilized to screen development which would otherwise be within the critical viewshed. (Ref. Policy 3.2.3.A.5)
- e. Development of new roads, improvement to an existing road requiring more than 100 cubic yards of grading, or development of grading or excavations which require a coastal development permit, including all alterations of natural landforms by earth-moving equipment, will not be allowed to damage or intrude upon the critical viewshed. Such road construction or other work shall not commence until the entire project has completed the permit and appeal processes. These restrictions shall not be interpreted as prohibiting restoration of severely eroded water course channels or gulying, provided a plan is submitted and approved prior to commencing work. (Ref. Policy 3.2.3.A.4)
- f. When a structure is to be replaced, resiting or redesign should be required as necessary in order to better conform with the Intent of this section. Replacement or enlargement of existing structures, or structures lost in fire or natural disaster within the critical viewshed shall be permitted on the original location on the site, provided no other less visible portion of the site is acceptable to the property owner, and provided the replacement or enlargement does not increase the visibility of the structure.

Replacement or enlargement of structures outside the critical viewshed shall be permitted as long as such replacement or enlargement does not cause the structure to intrude into critical viewshed. (Ref. Policy 3.2.3.A.7)

- g. Landowners shall be required to grant scenic easements to the County over portions of their land in the critical viewshed, as a condition of permit approval. To this effect the owner or applicant shall submit a "Critical Viewshed Map" for the Planning Department's approval prior to the application being determined complete. The map shall delineate those portions of the parcel which are in the critical viewshed as defined Section 20.145.020.V. The scenic easement over those areas shall be required as per Section 20.142.130. (Ref. Policy 3.2.3.A.8)
- h. Landowners shall be required as a condition of project approval, to grant scenic easements to the County over existing vegetated areas without which the proposed development would be located within the critical viewshed. The scenic easements shall be required in accordance with the provisions of Section 20.142.130.
- i. Development constituting "ridgeline development" shall not be allowed unless a use permit is first obtained. "Ridgeline development" is development on the crest or side of a hill which creates a silhouette against the sky when viewed from a public viewing area. A coastal development permit for such development may only be granted if the decision-making body is able to make findings that: 1) there are no alternatives to development so as to avoid ridgeline development; 2) the proposed development will not have significant adverse visual impacts due to required landscaping, required modifications to the proposal, or other conditions; or 3) development on the ridge will minimize grading, tree removal, or otherwise better meet resource protection policies of the Land Use Plan or development standards of this ordinance. The proposed development shall be modified for height, bulk, design, size, location, and siting, and/or shall incorporate landscaping or other techniques so as to avoid

or minimize the visual impacts of ridgeline development as viewed from a public viewing area.

- j. New subdivisions and lot line adjustments shall not create or configure a lot so as to create a building site that will result in ridgeline development. Where initial application review indicates that ridgeline development may result on a proposed lot, the applicant shall demonstrate that there is a building site and building height(s) available which will not create ridgeline development. As such, possible building site dimensions and roof heights shall be delineated by poles with flags, subject to an on-site investigation by the planner prior to the application being considered complete. A condition of project approval shall be the establishment of a building site and a building height envelope that provides specifications for non-ridgeline development on the lot (s) in question.

B. Exceptions for Development in the Critical Viewshed

1. "VSC" (Visitor-Serving Commercial) Zoning Districts.

Development within "VSC" (Visitor-Serving Commercial) zoning districts shall be permitted within the critical viewshed under careful design and siting controls as contained in Section 20.145.030, C.2. The Westmere parcel is an exception to this standard, as development of the parcel must comply with Section 20.145.140.B.1.f. (Ref. Policy 3.2.5.A.)

2. Essential Ranching and Agricultural Structures.

Essential agricultural structures required by commercial ranching and agriculture operations that cannot be feasibly located outside the viewshed shall be permitted under careful design and siting controls, as contained in Section 20.145.030.C.2. Examples of "essential agricultural structures" include barns, fences, windmills, water pumps, water tanks, stock-ponds and corrals. However, all aquaculture facilities will be subject to the same resource protection criteria and environmental standards as other development. All uses permitted as essential structures shall conform to the non-critical viewshed standards contained in Section 20.145.030.C.2. (Ref. Policy 3.2.5.B)

3. Highway 1 Facilities.

a. Public Highway Facilities.

Road capacity, safety and aesthetic improvements shall be allowed, as set forth below, provided they are consistent with Section 20.145.130 of this Chapter.

Signs, guardrails, and restrooms shall be of a design complementary to the rural setting and character of Big Sur, with preference for natural materials, or natural-appearing materials, where feasible. Protective barriers constructed by Caltrans should utilize boulders or walls of rock construction. Public agency permanent highway signs should be framed with unpainted redwood. The design of all structures shall be subject to the approval of the Director of Planning as a condition of project approval, subject to consultation with Caltrans. Caltrans shall consider any recommendations by the Director of Planning concerning signing and structure design. While an application for a public highway improvement is incomplete, Caltrans shall review all highway signs within the area encompassed by the project in order to determine the need for each sign's continued use. The information on each sign, including location, type, and necessity shall be submitted to the Planning Department before the application can be considered complete, as a condition of project approval, the signs determined to be unnecessary signs shall be removed prior to issuance of building or grading permits. (Ref. Policy 3.2.5.C.1)

b. Private Highway Improvements.

Private driveway entrances, gates, roadside fences, mailboxes, and signs shall be of a design complementary to the rural setting and character of Big Sur. Such structures shall be composed of natural materials, including wood and stone. The design of all structures shall be subject to the approval of the Director of Planning as a condition of project approval. (Ref. Policy 3.2.5.C.2)

4. Utilities

Utilities shall be installed underground, except as follows:

Overhead power or telephone lines shall be permitted only where overriding natural or physical constraints exist. Such constraints may include slopes of 30% or greater, landmark trees or environmentally sensitive habitats. Where permitted the poles will be placed in the least conspicuous locations out of public, and, where possible, private view. Where the aboveground development involves exterior lighting, a lighting plan shall be submitted to and approved by the Director of Planning as a condition of project approval to be completed prior to issuance of building or grading permits. Exterior lighting will require shielding to reduce its long-range visibility, and to cause the light source to not be visible. Further, exterior lighting shall be downlit and minimal to reduce as much as possible light pollution. Transmitter towers and power facilities must not appear in the critical viewshed. Water lines or underground conduits should be buried or otherwise located so that they are obscured from public view by vegetation. (Ref. Policy 3.2.5.D)

5. State Park Parking.

- a. In order to provide for parking and other low intensity support facilities for the State of California system of parks on the Big Sur coast, excavating, berming, and indigenous plant screening may be allowed at Soberanes Point, Garrapata Beach, Little Sur River Mouth, and Point Sur Lighthouse if no environmentally suitable site is available. that meets the critical viewshed criteria. Other new parking facilities shall be provided at off-highway locations rather than on the Highway One shoulder.
- b. The creation of new parking lots within the critical viewshed between Highway One and the ocean shall be avoided where such development would detract from scenic coastal views. This shall also apply to new units within the park system that may be opened to the public.
- c. Parking and support facilities existing at facilities shall be removed from Highway One whenever the necessary off-highway parking is provided. New off-highway facilities shall be designed to conform to applicable Development Standards. Existing

facilities shall be brought into conformance to the greatest extent possible.

- d. Land acquired exclusively for viewshed protection shall not be developed for parking or visitor serving facilities.
- e. Parking facilities for Soberanes Point, Garrapata Beach, and Little Sur River Mouth shall be located on the east side of Highway One and be completely out of the view of the Highway through the use of excavation, indigenous forestation and berming techniques which shall obscure all vehicles and facilities. Restroom facilities shall be located with the parking facilities.
- f. For public safety at Soberanes Point, Garrapata Beach, Little Sur River Mouth, and any new park units on the east side of Highway One, development of new parking areas for these' locations shall be required to incorporate underpasses to connect the parking and beach areas. The underpass requirement may be waived by the. decision-making body hearing the project if construction of the underpass is determined to be infeasible or undesirable as conflicting with resource protection standards of this ordinance. Parking shall be provided for maximum of 75 vehicles at these facilities, (Ref. Policy 3.2.5.E)

6. Rocky Point Area Parcels.

Within the "RDR" (Rural Density Residential) zoning district, existing vacant residential parcels in the critical viewshed between Highway 1 and the sea, from (and including) the southernmost existing residential parcel on Rocky Point, to the northernmost developed residential parcel on Kasler Point and from the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek shall be permitted to be used for residential purposes subject to development standards in Section 20.145.030.C.2. The following standards shall apply:

- a. Driveways kept as narrow as possible, shall avoid paving where practical, and shall be consolidated where possible;

- b. Roof and surface treatments, colors and materials shall be natural and earth tone in order to blend with the surrounding environment;
- c. Berming and other measures shall be used to minimize views of structures without blocking ocean vistas seen from Highway 1;
- d. Dumping of excavated materials over the coastal bluff, structural additions, antennae, exterior lighting, or other improvements in view of Highway 1 shall be prohibited without separate permit consideration ;
- e. Scenic easements shall be dedicated over undeveloped portion of lot;
- f. Development shall be modified as necessary for design, bulk, color, size, setbacks, materials, location, height, siting, or other methods in order to reduce the visual impact of the development. As well, regulations of the zoning district in which the parcel is located may be modified as necessary in order to reduce visual impacts of development; and
- g. Guesthouses shall be attached to the main dwelling except where they can be sited to better conform with these development standards. (Ref. Policy 3.2.5.F)
- h. Driveway ingress and egress shall meet traffic safety requirements as provided by the Public Works Department and the California Department of Transportation, within State Highway right-of-way.

7. Otter Cove.

Within the "RDR" (Rural Density Residential) zoning district, existing vacant residential parcels in the critical viewshed in the Otter Cove Subdivision seaward of Highway 1, south of Malpaso Creek, shall be permitted to be used for residential purposes subject to the Development Standards of Section 20.145.030.C.2. The following standards shall also apply:

- a. Driveways kept as narrow as possible, shall avoid paving where practical, and shall be consolidated where possible;
- b. Roof and surface treatments, colors and materials shall be natural and earth tone in order to blend with the surrounding environment;
- c. Berming and other measures shall be used to minimize views of structures without blocking ocean vistas seen from Highway 1;
- d. Dumping of excavated materials over the coastal bluff, structural additions, antennae, exterior lighting, or other improvements in view of Highway 1 shall be prohibited without separate permit consideration;
- e. Scenic easements shall be dedicated over undeveloped portion of lot;
- f. Development shall be modified as necessary for design, bulk, color, size, setbacks, materials, location, height, siting, or other methods in order to reduce the visual impact of the development. As well, regulations of the zoning district in which the parcel is located may be modified as necessary in order to reduce visual impacts of development; and
- g. Guesthouses shall be attached to the main dwelling. (Ref. Policy 3.2.5.G.)

8. Coastal-dependent Uses Exception.

Coastal-dependent uses, natural resource management needs, and certain necessary public facilities as specified below are permitted provided that in each case there be a finding that no reasonable alternative exists, that no significant adverse visual impacts will result, and that all such uses are in conformance with Section 20.145.030.C.2 and all other relevant standards. The exceptions are limited to:

- a. Removal of non-native trees with the exception of landmark trees, as per Section 20.145.060.D.1 or trees whose removal would result in the expose of structures in the critical viewshed, as per 20.145.060.D.1;

- b. County road improvements in keeping with Land Use Plan Policy 3.2.5.C.1;
- c. Minimal public access improvements on the beach along shoreline lateral accessways, such as litter collection facilities and rustic stairways;
- d. On-shore navigational aids (lights, radio beacons, weather stations) needed by the commercial fishing industry; and
- e. Improvements to Pacific Valley School.
- f. The joint U.S. Forest Service-State Parks-Caltrans administrative site in Pfeiffer-Big Sur State Park. (Ref. Policy 3.2.5.H)

C. Development Not Within the Critical Viewshed

1. Non-Critical Viewshed Determination.

The project planner shall make an on-site investigation, where necessary, to determine whether the project would intrude on the critical viewshed. Proposed buildings shall be accurately indicated as to dimensions, height, and rooflines by poles with flags. The location of proposed access roads shall be accurately indicated by stakes with flags. Both poles and stakes shall remain in place for the duration of the project review and approval process. The planner, in the course of the on-site investigation, may record the proposed development photographically. The applicant may also be required to provide photographs upon which have been superimposed a representation of the proposed project. Where needed, the photographic representation may be required to be 2' x 3' in size. During the on-site investigation, the planner shall review the project for conformance with the ordinance elements, and shall determine development alternatives which would bring the project into full conformance with the development standards (Ref. Policy 3.2.4.B)

2. Development Standards.

- a. All structures, whether residential, commercial, agricultural, or public, and access thereto, shall be designed and sited so as not

to detract from the natural beauty of the undeveloped skylines, ridgelines, and the shoreline. (Ref. Policy 3.2.4.A.1)

- b. Buildings shall be located so as to minimize their visual impact upon public views as well as the views and privacy of neighbors. New structures shall be located on that portion of a parcel least visible from public viewpoints.

New structures shall be located where existing topography or trees provide natural screening and shall not be sited on open hillsides or silhouetted ridges. Sites shall not leave excavation scars or slop disturbance. Structures and access roads shall be designed to minimize alterations of the natural landform and to avoid, insofar as feasible, removal of healthy tree cover. (Ref. Policy 3.2.4.A.2, 3.7.3.A.1 and 5.4.3.L.4)

- c. New development shall incorporate appropriate material, colors, or other techniques in order to blend with and be subordinate to its surrounding environment. Modifications shall be required for siting, structural design, size, shape, color, textures, building materials, access, and screening, where such modifications will provide for greater blending with the surrounding environment. (Ref. Policy 3.2.4.A.3)
- d. Landscape screening shall be required as a condition of project approval where needed to mitigate a development's visual impact upon public or private views. The screening materials shall consist of plant species similar to and compatible with those of the surrounding environment. In addition, the screening shall, wherever possible, act as an extension of surrounding native forested or chaparral areas. (Ref. Policy 3.2.4.A.4)
- e. New structures shall be sited so as to avoid the construction of visible access roads and minimize the extent of environmental and engineering problems resulting from road construction. (Ref. Policy 3.2.4.A.5)
- f. Development of new private roads outside of the critical viewshed shall conform to the standards of Section 20.145.130.D. (Ref. Policy 3.2.4.A.6)

- g. Television antennas shall be unobtrusive. Antenna design, location, color, and size shall be subject to the approval of the Director of Planning as a condition of project approval. (Ref. Policy 3.2.4.A.8)
- h. Development outside of the critical viewshed shall be subject to ridgeline development standards, as contained in Section 20.145.030.A.2.i and 20.145.030.A.2.j.

20.145.040 Environmentally Sensitive Habitat Development Standards.

Intent of Section: The intent of this Section is to provide development standards which will allow for the preservation of Big Sur's environmentally sensitive habitats. To this end, all practical efforts shall be made to maintain, restore, and if possible, enhance Big Sur's environmentally sensitive habitats. The development of all categories of land use, both public and private, should be subordinate to the protection of these critical areas. (Ref. Policy 3.3.1)

A. Biological Survey Requirement

1. A biological survey shall be required for all proposed development meeting one or more of the following criteria:
 - a. The development is located within an environmentally sensitive habitat, as shown on the current Big Sur Coast Environmentally Sensitive Habitat resource map or other documented resource information, or through the planner's on-site investigation;
 - b. The development is expected to be located within an environmentally sensitive habitat, according to documented resource information or on-site investigation;
 - c. The development is or may potentially be located within 100 feet of an environmentally sensitive habitat and/or has potential to negatively impact the long-term maintenance of the habitat, as determined through staff's project review; or
 - d. There is disagreement between staff and the applicant as to whether the proposed development meets one of the above criteria. (Ref. Policy 3.3.2.2)

2. The Survey report shall be required, submitted, and meet approval of the Planning Department prior to the project application being determined complete. Two copies of the report shall be submitted.
3. The survey report shall be prepared by a qualified biologist, as selected from the County's list of Consulting Biologists. Report preparation shall be at the applicant's expense.
4. The biological report shall contain the following elements:
 - a. Identify the property surveyed, with accompanying location map and site plan showing topography and all existing and proposed structures and roads, and the proposed project site(s);
 - b. Describe the method of survey;
 - c. Identify the type(s) of plant and animal habitats found on the site (and/or on adjacent properties where development is adjacent to the habitat), with an accompanying map delineating habitat location(s);
 - d. Identify the plant and animal species, including rare and endangered species, found on the site (or on adjacent properties, where development is adjacent to the habitat) with a map showing their habitat locations;
 - e. In areas which are not documented environmentally sensitive habitat areas, provide a determination whether or not area is an environmentally sensitive habitat. If area is determined to be or have a direct effect on an environmentally sensitive habitat, the following additional information will be required.
 - f. In areas of potential public access, determine the maximum amount and type(s) of public use which will allow for the long-term maintenance of the habitat;
 - g. Describe and assess potential impacts of the development on the environmentally sensitive habitat(s) found on the site and/or on neighboring properties;
 - h. Recommend mitigation measures, such as buffer area and/or setbacks from the habitat, building envelopes, and modifications

to proposed siting, location, size, design, vegetation removal, and grading, which will reduce impacts to on-site or neighboring habitats and allow for the habitat's long-term maintenance;

- i. Assess whether the mitigation measures will reduce the development's impact to an insignificant level, which is the level at which the long-term maintenance of the habitat is assured; and,
- j. Other information or assessment as necessary to determine or assure compliance with resource protection standards of the Big Sur Coast Land Use Plan and of this ordinance.

B. General Development Standards

1. All development, including vegetation removal, excavation, grading, filling, and the construction of roads and structures, shall be prohibited in the environmentally sensitive habitat areas if it has been determined through the biological survey prepared for the project that the development's impact cannot be reduced to a level at which the long-term maintenance of the habitat is assured, (i.e. to an insignificant level). To approve any development within an environmentally sensitive habitat area, the decision making body must find that the disruption of such habitat caused by the development would not be significant. (Ref. Policy 3.3.2.1)
2. Deed restrictions or conservation easement dedications over environmentally sensitive habitat areas shall be required as a condition of approval for any development proposed on parcels containing environmentally sensitive habitats. Where the proposed project is to occur on an already-developed parcel, restrictions or easement dedications shall still be required, Easements and deed restrictions shall be required according to the provisions of section 20.142.130. (Ref. Policy 3.3.2.3)
3. Removal of indigenous vegetation and land disturbance, such as grading, excavation, paving, and fill, on parcels containing environmentally sensitive habitats shall be limited to that necessary for the structural improvements and driveway access. Modifications to the proposal shall be made for siting, location, design, bulk, vegetation

removal, and grading where such modifications will reduce impacts to the habitat. (Ref. Policy 3.3.2.4)

4. Development on parcels containing or within 100 feet of environmentally sensitive habitats, as identified on the current Big Sur Coast Environmentally Sensitive Habitat resource map, other resource information, or planner's on-site investigation, shall not be permitted to adversely impact the habitat's long-term maintenance, as determined through the biological survey prepared for the project. Proposals shall be modified for siting, location, bulk, size, design, grading vegetation removal, and/or other methods where such modifications will reduce impacts to an insignificant level and assure the habitat's long-term maintenance. Also, the recommended mitigation measures of the biological survey will be considered and made conditions of project approval. (Ref. Policy 3.3.2.4, Policy 3.3.2.7)
5. New land uses and new subdivisions on parcels within 100 feet of environmentally sensitive habitats, as identified on the current Big Sur Environmentally Sensitive Habitat resource map, other documented resource information, or through the biological survey process shall not be permitted where they will adversely impact the habitat's long-term maintenance, either on a project or cumulative basis. As such, a project shall only be approved where sufficient conditions of approval are available, such as for siting, location, design, size, and design which will mitigate adverse impacts to and allow for the long-term maintenance of the habitat, as determined through the biological survey. Also, a project shall only be approved where the decision-making body makes a finding that the project will not set a precedent for continued land development which, on a cumulative basis, could degrade the habitat. (Ref. Policy 3.3.2.7 and 3.3.2.8)
6. Subdivisions which create a new building site are completely within an environmentally sensitive habitat shall not be permitted. (Ref. Policy 3.3.2.6)
7. Subdivision of parcels containing an environmentally sensitive habitat area, as identified on the current Big Sur Coast Environmentally Sensitive Habitat resource map, other resource information or through the biological survey process shall only be permitted where not

resulting in adverse impacts to the habitat's long-term maintenance, as determined through the biological survey. Such subdivisions shall incorporate techniques, such as clustering in the least environmentally sensitive habitat areas, appropriate setbacks from the habitat, building envelopes, and conservation easements, in order to mitigate adverse impacts to the habitat. Where feasible, continuous areas of native vegetation shall be retained in open space use so as to provide sufficient vegetative habitat for the long-term maintenance of its associated wildlife. Further conditions of subdivision approval shall include: a) establishment of building envelopes on each approved parcel which allows for the least impact on and vegetation removal within and adjacent to the environmentally sensitive habitat; b) recordation of the building envelopes on the final map or record of survey; c) placement of a note on the final map stating that no grading, structures, roads, or other activities may take place outside of the building envelope; and, d) recordation of a notice with the County Recorder stating that a building envelope has been established on the parcel, and that no grading, structures, roads, or other activities may take place outside of the envelope. The terms of conservation easements shall generally prohibit vegetation removal and grazing of livestock within the environmentally sensitive habitat, except as needed for removal of non-native plant species, and in those cases where the biological survey recommends such grazing or vegetation removal as beneficial to the protected habitat. (Ref. Policy 3.3.2.6)

8. Public access to and within areas of environmentally sensitive habitats shall be limited to low-intensity recreational, scientific, or educational uses, such as nature study and observation, education programs in which collecting is restricted, photography, and hiking. Provision of public access in areas of sensitive habitats shall be permitted only if the development will not significantly disrupt or otherwise impact the long-term maintenance of the habitat, as determined through the biological survey prepared for the project. Where public access is permitted, a condition of project approval shall be that the public access is strictly managed, controlled, and confined to designated trails and paths so as to reduce potential adverse impacts. As well, the public access in

environmental sensitive habitat areas must conform to the standards contained in Section 20.145.140.E.2, (Ref. Policy 3.3.2.5)

9. The use of native species consistent with and found in the project area shall be required in landscaping required as a condition of project approval. A list of appropriate native plant species is included as Attachment 4. (Ref. Policy 3.3.2.9)

C. Specific Development Standards

1. Terrestrial Plant, Riparian, and Wildlife Habitats
 - a. In sand dune habitats development shall be restricted to scientific and educational activities. Mitigation measures, as contained in the biologic survey prepared for the project, shall be required as conditions of project approval in order to assure the long-term maintenance of the habitat, including any rare and endangered species found in the habitat. Included in the mitigation measures shall be that recreational access and associated facilities be directed away from dune habitats and focused on the beach area. As well, signs shall be posted, at a minimum, to prohibit off-road vehicle use in dune areas. Also, such measures as boardwalks. (Ref. Policy 3.3.3.A.1)
 - b. In serpentine rock associated habitats, development shall be restricted to low intensity uses and activities and designed to ensure long-term maintenance of the habitat, as provided through the biological survey prepared for the project. (Ref. Policy 3.3.3.A.2)
 - c. Development and land use activities adjacent to riparian habitat shall not adversely impact the long-term maintenance of the habitat nor diminish the stream's surface flow to a level that causes loss of the riparian plant or wildlife habitat. Determination of the potential impacts shall be made through the biological survey and any other consultant reports deemed necessary by staff and/or consulting biologist in order to make .an adequate assessment. Mitigation measures, as contained in the biological survey, shall be made conditions of approval where needed to minimize impacts. As well, the project shall be modified including

modification of project intensity, location, siting, design, and size as necessary to minimize erosion, run-off, and water pollution. (Ref. Policy 3.3.3.A.3)

- d. All development shall be set 150 feet back from each bank of perennial and intermittent streams, as mapped on U.S. Geological Survey maps or as identified by the Department of Fish and Game. The decision-making body may allow a reduction in the required setback if it has been conclusively demonstrated in the biological survey that the reduced setback is sufficient to protect existing riparian vegetation from the impacts of development. As well, the decision-making body may require a wider setback if so recommended in the biological survey or otherwise necessary for the mitigation of development impacts to existing riparian vegetation. Where the biological survey identifies areas of previously-disturbed riparian vegetation on the parcel, a condition of project approval shall include replanting of riparian vegetation where such replanting would restore the habitat and is so recommended in the survey. (Ref. Policy 3.3.3.A.4)
- e. Access routes, including recreational trails, driveways, and roads adjacent to riparian habitats shall not adversely impact the long-term maintenance of the habitat, as determined through the biological survey prepared for the project. Mitigation measures, such as those contained in the biological survey, shall be made conditions of project approval where necessary to reduce impacts to a level at which the habitats long-term maintenance is assured. (Ref. Policy 3.3.A.5)
- f. Recreational access to scientifically-important terrestrial environmentally sensitive habitat areas shall be restricted as necessary in order to protect long-term maintenance of the habitat as determined through the biological survey prepared for the project. (Ref. Policy 3.3.3.A.6)
- g. Development and land use activities in areas of natural grassland shall not be permitted to adversely impact the long-term maintenance of the habitat, as determined through the biological

survey prepared for the project. As such, allowable uses in natural grassland areas shall include managed grazing, low-intensity recreational, and residential uses. Conditions of approval shall be applied and development modified as necessary, including for design, siting, location, size, density, and intensity of use, to reduce impacts to and assure the long-term maintenance of the habitat. Conditions of approval shall include recommendations contained in the biological survey prepared for the project. (Ref. Policy 3.3.A.7)

- h. Residential development and recreational uses shall minimize impacts to redwood trees, as determined by the biological survey prepared for the project. Where development is to occur within or adjacent to, or has potential to impact, redwood forest or redwood trees, a biological survey shall be prepared for the project in accordance with Section 20.145.040.A. The survey shall include an assessment of the impacts on the trees from soil compaction and other solid and root disturbances. Conditions of approval, and project modifications, shall be required as necessary to minimize impacts to redwood trees. (Ref. Policy 3.3.3.A.8)

2. Marine Habitats

- a. Development on parcels adjacent to intertidal habitat areas shall be modified as necessary including for siting, location, design, and size where necessary to prevent percolation of septic runoff and deposition of sediment into the habitat. (Ref. Policy 3.3.3.B.1)
- b. Alteration of the shoreline, including diking, dredging, and filling, shall be prohibited. An exception shall be made for work essential for the maintenance of Highway 1. The maintenance work shall be subject to modifications and conditions of approval designed to minimize project impacts. Such conditions of approval shall include recommendations contained in the biological survey prepared for the project according to the requirements of Section 20.145.100.A. (Ref. Policy 3.3.3.B.2)

- c. Development of recreational opportunities or activities shall not be permitted where they would increase public access to accessible tidepool communities. An exception may be made where adequate management measures are available to assure long-term maintenance of the habitat, as determined through the biological report prepared for the project. Such management measures shall be made conditions of project approval. (Ref. Policy 3.3.3.B.3)
- d. Site design techniques intended to screen structures from view of Highway 1 shall not involve major land modification that may impact adjacent marine habitats as determined through the biological survey prepared for the project. The project shall be modified as necessary so as to avoid need for land modification, in accordance with Section 20.145.030.C.2.b. (Ref. Policy 3.3.3.B.4)
- e. Development shall be prohibited within coastal lagoon and estuary areas. (Ref. Policy 3.3.3.B.5)
- f. A buffer area shall be established adjacent to coastal lagoons and estuaries, prior to development of these areas. Development within the buffer area shall be limited to the minimum required to support low-intensity recreational, scientific, or educational uses, and may be permitted only if:
 - 1) Significant adverse habitat impacts can be prevented through appropriate site planning, design, siting and other mitigation measures, as determined through the biological survey prepared for the project; and
 - 2) The decision-making body finds that approval of the development does not establish a precedent for continued land development which, on a cumulative basis, could degrade the adjacent coastal lagoon or estuary habitat.

The buffer areas shall include, at a minimum, all areas within 150 feet of the landward extent of either the hydrophytic vegetation or the average high water mark where no such vegetation exists. Upon recommendation in the biological survey prepared for the

project, the buffer areas may be wider than the minimum 150 feet where necessary to assure protection and long-term maintenance of the coastal lagoon and estuary habitat. The buffer area shall be mapped by the biologist, and as a condition of approval, shall be placed in open space easement, as per the requirements of Section 20.142.130. (Ref. Policy 3.3.3.B.5)

g. Development proposing new or expanded wastewater discharge into the Monterey Bay and coastal waters of Monterey County shall be reviewed by the Health Department prior to application submittal pursuant to Section 20.140.080.D.1. Prior to the application being determined complete, the applicant shall be required to submit, at a minimum, the following information and studies:

- 1) Three years monitoring records identifying the existing characteristics of the proposed wastewater discharge. Particular areas of concern include toxic chemicals, inorganic heavy metals, bacteria, and other indicators, prescribed as threats to the health and safety of coastal waters.
- 2) Provide comprehensive projections of the increase of the proposed wastewater discharges; both quantitative and qualitative characteristics must be specifically identified. Specific figures for the indicators identified in 1) must be included in the projections.
- 3) Provide complete information on levels of treatment proposed at the treatment facility to remove those indicators mentioned in 1). This information shall also include reliability and efficiency data of the proposed treatment.
- 4) Provide a comprehensive monitoring plan for testing of wastewater for indicators identified in 1).
- 5) Perform oceanographic studies to determine the most suitable location and methods for discharge into the ocean.

- 6) Perform tests of ocean waters at the proposed discharge site and surrounding waters to establish baseline or background levels of toxic chemicals, heavy metals, bacteria and other water quality indicators. These tests must be performed no more than one year prior to submittal of the proposal. Historical data may not be substituted for this requirement.
- 7) Perform toxicity studies to determine the impacts of the proposed wastewater discharges on marine life, as well as on recreational uses of the coastal waters.
- 8) Identify and analyze alternative methods of wastewater disposal. This shall include hydrogeologic studies of the applicant's groundwater basin to determine the water quality problems in that area and if on-site disposal will have an adverse impact on groundwater quality.

The data and results of requirements 1) through 8) must be submitted to the County's Chief of Environmental Health for evaluation. A wastewater discharge permit, as a part of the overall Coastal Development Permit, shall be issued only if the above information demonstrates that the proposed wastewater discharge will not degrade marine habitats; will not create hazardous or dangerous conditions; and will not produce levels of pollutants that exceed any applicable state or federal water quality standards. (LUP Amendment)

20.145.050 Water Resources Development Standards.

Intent of Section: The intent of this Section is to provide development standards which will allow for the protection and maintenance of Big Sur's water resources, as a basic prerequisite to the protection of all other natural systems. Therefore, water resources will be considered carefully in all planning decisions and approvals. In particular, the County shall insure that adequate water is retained in the stream system to provide for the maintenance of the natural community of fish, wildlife, and vegetation during the driest expected year. (Ref. Policy 3.4.1)

A. Water Supply and Use Development Standards

1. Development of residential, commercial, and visitor-serving facilities shall be required to demonstrate that there is an adequate water supply of good quality and quantity from a surface or groundwater source, or from a community water system under permit from the County. A single-family dwelling must have at least a ½ gallon per minute. An adequate water supply for commercial and visitor serving facility shall be based on estimated water usage and then equated to an equivalent numerical user public water system. Water flow rate measurements of springs or surface sources shall be done in the driest portion of the year. The determination of adequacy shall be made by the County Health Department.

The procedure shall be as follows. The proposed development shall be reviewed by the Health Department as per the procedures contained in Section 20.140.080.D. At that time, the Health Department shall determine what additional information, such as specific testing (such as testing during the driest expected month) or hydrologic reports, may be needed in order for the department to evaluate water supply adequacy. A.1 such information must be submitted to the satisfaction of the Health Department shall make a determination as to the water supply's adequacy and provide written verification to the Planning Department as to the results of the determination. (Ref. Policy 3.4.3.A.1)

2. Development which includes the use and appropriation of a water supply from a surface water source not occurring on the parcel to be served shall be required to obtain the necessary rights or permits from the State Division of Water Rights. A condition of project approval shall be that the necessary rights or permits be obtained and that proper documentation be provided to the Planning Department prior to issuance of building or grading permits. The requirement that water rights be obtained shall not apply to development where the water source is on a parcel commonly owned by and contiguous to the parcel to be served. (Ref. Policy 3.4.3.A.3)
3. Development which includes the use of a riparian water supply located on the parcel to be served shall be required to perfect and record the water rights with the State Division of Water Rights. A condition of project approval shall be to provide documentation to the Planning

Department that the water rights have been properly perfected and/or recorded prior to issuance of building or grading permits. Riparian water supply includes diversion of water from perennial streams or from springs that feed perennial streams and the use of wells and infiltration fields which are located within or near a stream channel so as to tap stream sub-flow rather than groundwater. The Director of Planning may waive the requirement to perfect water rights where there is no potential for conflict between uses, as demonstrated by the applicant. (Ref. Policy 3.4.3.A.3)

4. Development of a new water system or expansion of an existing water system which transports water out of the watershed of any perennial stream shall not be allowed. A watershed shall be considered to be that area from which groundwater, surface water and run-off drains into the stream. (Ref. Policy 3.4.3.A.4)
5. An undeveloped parcel in one watershed shall not be allowed to utilize water which has been transported from another watershed. However, an exception may be made for the development of a primary residence on a vacant parcel if:
 - a. No on-site surface water supply exists; and,
 - b. The parcel is to be served by a County-approved connection to an existing water system. Where the total number of existing/potential vacant buildable residential parcels on such water system is more than four, such exceptions will be subject to a demonstration that:
 - 1) No significant degradation of any of the Big Sur Coast's trout streams or other environmentally sensitive habitats will result. As such, pursuant to the procedures in Section 20.140.080.D, the planner shall evaluate the proposed project's potential to degrade the originating watershed's environmentally sensitive habitats and trout streams. Planner shall consult with the California Department of Fish and Game where needed to evaluate impacts. Upon the California Department of Fish and Game's recommendation or upon planner's identification

of potential impacts, a biological survey shall be required in accordance with Section 20.145.040.A. Prior to the survey being accepted by the Director of Planning, it shall be transmitted to the California Department of Fish and Game for review and comment.

- 2) No increased water system pumping (i.e. pumping of water at the water source) transmission or storage capacity (other than fire reservoir capacity) will be required for the proposed development as verified by both the Health Department and County Fire Warden's Office or local fire district. The verification must be provided in writing to the Planning Department prior to the application being determined complete.
- 3) Such exception will not result in export of water beyond the Big Sur Coast or the authorized service area of the Carmel Riviera Mutual Water Company.

Water system development or expansions constructed or installed after December 31, 1976, without benefit of coastal development permit will not be considered as "existing". (Ref. Policy 3.4.3.A.4)

6. Development of individual and community water systems, both public and private, shall be in conformance with State and County codes, as administered by the County Health Department. During the Health Department's review of the project pursuant to Section 20.140.080.D, the application will be reviewed for conformance with applicable codes and guidelines. The Health Department shall require any modifications necessary to assure conformance. (Ref. Policy 3.4.3.A.5 & A.6)
7. Where watersheds are affected by or are threatened by overuse of available water supplies, the County will use its land use regulatory authority to limit development as necessary to protect the public health and welfare, and to protect the natural values of the stream and its watershed. The County may also implement additional conservation and restoration measures as needed to prevent further degradation of instream flows. Permits for development on parcels containing

degraded stream corridors may be conditioned to require appropriate restoration measures, such as enhancement of flows for instream uses, improvement of fish habitat, and re-establishment of riparian vegetation. (Ref. Policies 3.4.2.3, 3.4.3.C-1, 3.4.3.C-2, and 5.4.2.7).

B. River and Stream Development Standards

1. Development which is either new or includes intensification of land use or water use shall not be permitted if it will result in significant adverse impacts to a river or stream's scenic quality, water quality or quantity, wildlife or fish habitat, or recreational values. "Intensification" shall include such development as subdivisions, second units, commercial uses, and expansion of an existing or development of a new water system. During project review, pursuant to Section 20.140.080, the planner shall evaluate the development for such potential impacts to adjacent or nearby, rivers and streams.

The evaluation of impacts to scenic quality and recreation values shall be made by the planner in the course of the planner's project review. At that time, the planner shall recommend any necessary mitigation measures and project modifications, such as for height, siting, location, design, size, landscaping and materials, where needed to mitigate adverse impacts to scenic or recreation quality. Such recommendations shall be required as conditions of project approval, where needed to reduce impacts to scenic or recreational quality.

Evaluation of impacts to water quality and quantity of nearby or adjacent streams shall be made through the planner's project review. The planner shall consult with the Health Department in order to make the evaluation. If the departments determine that there are potentially significant impacts, then a hydrologic report shall be required. The report shall be prepared by a qualified professional hydrologist or registered civil engineer, at the applicant's expense. The report shall be required by, submitted to, and accepted by the Planning Department prior to the application being determined. complete. -The report shall, at a minimum, evaluate the existing water quality and quantity of the potentially impacted river or stream, including seasonal fluctuations, the proposed developments intended water use, and the resulting potential changes in the river or stream's water quantity and quality.

The report shall include an evaluation of ground and surface water conditions and variations, including hydrologic changes caused by the development (e. g. introduction of sewage effluent and irrigation water to the groundwater system and alteration in surface drainage). As well, the report shall provide recommendations and mitigation measures to reduce potential impacts. Such recommendations shall be made conditions of project approval where needed to mitigate impacts. Prior to the report being accepted by the Planning Department, the Planning Department shall transmit a copy to the Health Department for review and comment.

Evaluation of impacts to fish and wildlife of nearby or adjacent rivers or streams shall be made through the planner's initial review of the project. The planner shall consult with the California Department of Fish and Game where necessary to determine potential impacts, or upon recommendation of the Department of Fish and Game, a biological survey shall be required in accordance with the requirements of Section 20.145.040.A prior to the application being determined complete. If a hydrologic report has been prepared, it shall be included in the biological survey assessment. Prior to the survey being accepted by the Planning Department, the Planning Department shall transmit a copy to the California Department of Fish and Game for review and comment. Recommendations contained in the survey shall be made conditions of project approval where needed to mitigate adverse impacts to fish and wildlife habitats. (Ref. Policy 3.4.3.B.1).

2. Development of water diversions beyond year-round entitlements, as apportioned by the State Department of Water Rights, shall meeting the following criteria:
 - a. The diversion shall not impair beach sand supply and/or anadromous fish runs. During project review, pursuant to Section 20.140.080, the planner shall evaluate the proposed diversion to determine potential impacts to sand supply and anadromous fish. The planner shall also consult at that time with the California Department of Fish and Game, where necessary, to assess potential impacts.

Where the planner's project review identifies potential impacts to beach sand supply, or upon recommendation of the California Department of Fish and Game, a hydrologic report shall be required. The report shall be prepared by a qualified professional hydrologist or a registered civil engineer, at the applicant's expense. The report shall be required by, submitted to, and accepted by the Planning Department prior to the application being determined complete. Prior to the report being accepted by the Planning Department, the Planning Department shall transmit a copy of the report to the California Department of Fish and Game for review and comment. The report shall evaluate existing sand supply carried in the stream to be diverted and assess the proposed amount of stream water to be diverted. The report shall also determine the potential impacts on the sand supply available to the beach and provide recommendations for mitigating potential impacts. Report recommendations may be made conditions of project approval where needed to mitigate potential impacts.

Where the planner's project review identifies potential impacts to anadromous fish runs, or upon recommendation of the California Department of Fish and Game, a biological survey shall be required in accordance with the requirements of Section 20.145.040.A, prior to the application being determined complete. If a hydrologic report has been prepared, it shall be included in the biological survey assessment. Prior to the survey being accepted by the Planning Department, the Planning Department shall transmit a copy to the California Department of Fish and Game for review and comment. Recommendations contained in the survey shall be made conditions of project approval where needed to mitigate adverse impacts to anadromous fish runs.

- b. The diversion shall meet the requirements of Section 20.145.050.B.6.

- c. The diversion shall be limited to the purpose of agricultural irrigation and to development where the primary function is the improvement of fish and wildlife habitat. (Ref. Policy 3.4.3.B.2)
3. Development shall not cause significant adverse impacts to water quality, year-round flows, and/or stream bed gravel conditions of Garrapata Creek, Rocky Creek, Bixby Creek, Little Sur River, Big Sur River, Partington Creek, Anderson Creek, Hot Springs Creek, Vicente Creek, Big Creek, or Limekiln Creek, where such changes may cause significant adverse impact on the rainbow and/or steelhead trout populations.

During project review, pursuant to Section 20.140.080.D, the planner shall evaluate the proposed development's potential adverse impacts on rainbow and/or steelhead trout population as potentially caused by changes in water quality, year-round flows and/or stream bed gravel conditions of Garrapata Creek, Rocky Creek, Bixby Creek, Little Sur river, Big Sur River, Partington Creek, Anderson Creek, Hot Springs Creek, Vicente Creek, Big Creek, and Limekiln Creek. The planner shall consult with the California Department of Fish and Game where necessary to determine potential adversely impacts. Upon the planner's identification of potential impacts to rainbow and/or steelhead trout populations, or upon the California Department of Fish and Game's recommendation, a hydrologic report and biologist's assessment shall be required. Each shall be required by, submitted to and accepted by the Planning Department prior to the application being determined complete. Four copies of each report shall be submitted. Prior to Planning Department acceptance, the Planning Department shall transmit the reports to the California Department of Fish and Game for review and comment. (Ref. Policy 3.4.3.B.3)

The hydrologic report shall be prepared by a qualified professional hydrologist or registered civil engineer at the applicant's expense. The report shall be required by, submitted to, and accepted by the Planning Department prior to the application being determined complete. The report shall evaluate existing stream gravel conditions and shall assess the proposed project for potential impacts in these areas. Also included in the report shall be recommendations, where needed to mitigate such potential impact.

Once the hydrologic report has been prepared, an assessment of impacts to rainbow and steelhead trout, shall be conducted by a biologist selected from the County's List of Consulting Biologists, at the applicant's expense. It shall be the responsibility of the applicant to transmit a copy of the hydrologic report to the biologist for use in the assessment. The biologist's assessment shall evaluate impacts to the anadromous fish habitat due to changes in water quality, year-round flows and/or stream gravel conditions, as determined through the hydrologic report. As well, the assessment shall contain recommendations where needed to mitigate potential impacts to the trout. Recommendations of both the hydrologic report and biologist's assessment shall be made conditions of project approval where needed to mitigate impacts to the rainbow and/or steelhead trout populations. (Ref. Policy 3.4.3.B.3)

4. Development of channelization's, dams, and other substantial alterations of natural streams shall not be allowed. However, minor alterations may be considered and approved if they meet all development standards and criteria for:
 - a. Environmentally Sensitive Habitats, as specified in section 20.145.040;
 - b. Trout populations, as specified in Section 20.145.050.B.3 and Section 20.145.050.B.2.a.
 - c. Flood hazards, as specified in Section 20.145.080. (Ref. Policy 3.4.3.B.5)
5. Development which includes proposed water use shall be required to utilize groundwater, where groundwater of adequate quality and quantity is available on the parcel to be developed. Accordingly, except as permitted below, development shall not be allowed if it includes: a) diversion of water from perennial streams or from springs that feed perennial streams; or b) use of wells and infiltration fields which are located within or near a stream channel so as to tap stream sub-flow rather than groundwater.

During project review pursuant to Section 20.140.080.D, the planner shall evaluate the development's intended water source, where water

use is proposed as part of the development. A project proposing stream diversion or use of wells adjacent to or within a stream channel shall be required to demonstrate that groundwater of adequate quality and/or quantity is not available for the proposed development or that the project otherwise qualifies for an exception as outlined below. The demonstration shall be required by the Planning Department, if not previously required as part of the Health Department's initial review before application submittal to the Planning Department as per Section 20.140.080.D. The applicant shall submit such demonstration to the satisfaction of the Health Department prior to the application being determined complete. As determined by the Health Department test boring and/or other technical data will be necessary for the Health Department's examination. (Ref. Policy 3.4.3.B.6)

An exception to the groundwater requirement to permit use of surface water, may be allowed under the following circumstances:

- a. For the development of a primary residence on a vacant parcel served by a. County-approved connection to an existing water system where no inter-basin transfer of water will result;
 - b. For the development of a primary residence on a vacant parcel which qualifies as an exception for inter-basin transfer of water under Section 20.145.050.A.5
 - c. Where groundwater wells would significantly deplete recharge areas(s) to the extent of adversely impacting natural springs dependent on recharge from the area; or
 - d. Where the use of groundwater either on the site or through a community system, is demonstrated to the Health Departments satisfaction to be infeasible, according to the above-mentioned procedures, and where adverse impacts of surface water diversion are mitigated to the fullest extent through conditions of approval. (Ref. Policy 3.4.3.B.6)
6. Substantial water use intensification shall only be allowed if:
- a. adequate water supplies are available, as demonstrated according to the provisions of Section 20.145.050.A.1; and

- b. There will be no adverse affects, cumulatively or individually, to existing water supplies as needed for the maintenance of riparian vegetation and anadromous fish habitats, or as needed by existing users during the driest expected year.

“Substantial water use intensification” shall be considered that intensification required for, but not limited to, the following types of development: residential subdivision with potential to increase number of households, residential or inn development of more than one unit, restaurant, bar or other food service development or expansion, recreational vehicle campground, and development for commercial irrigated agriculture. Development of a single family residence on a vacant legal lot of record shall not be considered to be substantial water use intensification.

During project review, pursuant to Section 20.140.080.D, the planner shall evaluate the proposed water use intensification to determine potential impacts to water supply. Permit applicant will be required to provide sufficient hydrologic data for the planner to conduct this evaluation. The planner shall consult with the California Department of Fish and Game where necessary to determine potential impacts to water supply required for maintenance of riparian vegetation and/or anadromous fish habitats.

The planner shall consult with the County Health Department regarding potential impacts to water supply needed by existing users during the direst year. Unless the planner, County health Dept., and Californian Dept. of Fish and Game each determine that there is no potential for significant adverse impacts a hydrologic report and biologists assessment shall be required for each project which involves a substantial water use intensification. In making this determination, the cumulative impact of development within the entire watershed shall be specifically considered by the County. Each report shall be required by, submitted to, and accepted by the Planning Department prior to the application being determined complete. Four copies of each report shall be submitted. Prior to Planning Department acceptance, the Department shall transmit the reports to the Health Department and California Department of Fish and game for review and comment.

The hydrologic report shall be prepared by a qualified professional hydrologist or registered civil engineer, at the applicant's expense. The report, through use of well logs, stratigraphic profiles, and other technical data, shall evaluate existing water supply to the river or stream in question, including supply sources and seasonal fluctuations, and the amount of water use of the proposed development. The report shall include an evaluation of ground and surface water conditions and variations, including hydrologic changes caused by the development (e.g. introduction of sewage effluent and irrigation water to the groundwater system and alteration in surface drainage). As well, the report shall include a determination of the water supply needed for maintenance of riparian vegetation and anadromous fish where able to be determined by the consultant, and needed by existing users during the driest year (which is generally considered to be 1976). Finally, the report shall assess potential impacts to the water supply, resulting impacts to riparian vegetation and anadromous fish where able to be determined by the consultant, and supplies to existing users, and recommendations to mitigate potential impacts.

Once the hydrologic report has been prepared, an assessment of impacts to riparian vegetation and anadromous fish shall be conducted by a biologist selected from the County's List of Consulting Biologists, at the applicant's expense. It shall be the responsibility of the applicant to transmit a copy of the hydraulic report to the biologist for use in the assessment. The biologist's assessment shall evaluate impacts to riparian vegetation and anadromous fish due to changes in water supply as a result of the water use intensification. As well, the assessment shall contain recommendations where needed to mitigate potential impacts. Recommendations of both the hydrologic report and the biologist's assessment shall be made conditions of project approval where needed to mitigate potential impacts. (Ref. Policy 3.4.3.B.7)

7. In those cases where stream or spring diversions are allowed, the following additional development standards shall apply:
 - a. The water system shall be designed so that the amount diverted will in no event exceed user demand, or the permitted maximum daily use, whichever is less;

- b. The system shall be designed so that actual water use can be measured at the water source;
- c. The maximum daily use shall be identified in the coastal development permit;
- d. The maximum daily use (i.e., maximum amount diverted) shall be consistent with the instream flow requirements needed to serve the other beneficial uses which rely on the same water source; the beneficial uses which must be considered include:
 - 1) Existing and potential recreational use and development;
 - 2) Existing and potential visitor serving commercial use;
 - 3) Existing livestock watering and other agricultural use;
 - 4) Existing and potential residential development;
 - 5) The amount needed to maintain the natural riparian vegetation along the stream; and
 - 6) The amount needed by anadromous fish and other wildlife;
- e. Wherever feasible, increased run-off generated by the development, as well as wastewater, shall be collected and returned to recharge through leach fields or lateral drains; such recharge shall be in the watershed of origin, provided that an exception may be allowed where the receiving watershed has been identified as a Water Resource Study Area and would benefit from the increased recharge; and
- f. In the case of spring development, the catchment facility shall be constructed in a manner which will not change the natural flow rate of supply.

The document "Guidelines for Applications, Appropriations, Permits, Control and Protection of Water Supply, Storage, Distribution, and Use" by Roy M. Trotter, May 2 1977, on file in the County Planning Dept., contain appropriate and specific recommendations for the design and construction of water

supply facilities, particularly spring catchment installations and the design of water systems supply development from stream or spring diversions. (Ref. Policies 3.4.3.A-1, 3.4.3.A.6, and 3.4.3.B.7)

C. Water Conservation

1. All new construction, as a condition of project approval, shall be required to be equipped with ultra-low flush toilets with a maximum tank size or flush capacity of 1-1/2 gallons, and with shower heads with a maximum flow capacity of 2-1/2 gallons per minute. Provisions for these measures shall be included on building plans submitted to the Department of Building Inspection, prior to issuance of building permits. (Ref. Policy 3.4.2.5)
2. Where Landscaping is required as a condition of project approval, it shall consist of native plants as selected from the plant list in Attachment 4 of this ordinance chapter. The plants must be clearly delineated as to type, size, and quantity in the landscaping plan. The landscaping plan shall be submitted to and approved by the Director of Planning prior to occupancy of the house. (Ref. Policy 3.4.2.5)
3. Where landscaping is required as a condition of project approval, and irrigation of the landscaping is planned, the landscaping shall consist of low precipitation sprinkler heads, bubblers, drip irrigation, and timing devices. If the landscaped area is not to include an irrigation system, this must be stated on the plan. The landscaping plan, including irrigation plans, shall be submitted for the approval of the Director of Planning, prior to occupancy of the residence. (Ref. Policy 3.4.2.5)
4. Where development includes an addition to an existing structure, or change in use of an existing structure, a condition of project approval shall be that the existing structure be retrofitted, if not already so, with ultra-low flush toilets with a maximum size tank - or flush capacity of 1-1/2 gallons, and shower heads with a maximum flow capacity of 2-1/2 gallons per minute. Provisions for these measures shall be included on the building plans submitted to the Department of Building inspection prior to issuance of building permit.

D. Water Resource Study Areas

1. Water Resource Study Areas are those areas of the Big Sur Coast considered to have potential water supply problems and riparian habitat impacts. As such, the designated Watershed Resource Study Areas include the following watersheds: Sycamore Canyon, Palo Colorado Canyon, Castro Canyon, Mud Creek, Graves Canyon, Little Sur River and Big Sur River (including Post Creek). The boundaries of each watershed, as prepared by the California Coastal Commission, are delineated in Attachment 5. (Ref. Policy 3.4.3.C.2)
2. Within the Water Resource Study Areas, as shown in Attachment 5, development of a new or improvements to an existing public or private and individual or community water system, including wells and spring or stream diversion, shall require on-going, monthly monitoring of water use by the system operator. As such, a condition of project approval shall be that: a) the water system operator install a metering device or use another appropriate measuring method of a type and location subject to the approval of the Director of Environmental Health; b) The water system operator maintain a table of monthly readings of the water use; and c) in the case of new wells, the water system operator retain the well-driller's log as a permanent record; d) that the table of monthly readings and well driller's log be submitted to the appropriate authority, such as the Planning Department, Flood Control District or Health Department upon request. Upon the water system operator's request, the submitted information shall not be released to the public and shall only be used for water resource study purposes. (Ref. Policy 3.4.3.C.2)
3. Within the Water Resource Study Areas, as shown in Attachment 5, all development which includes water use shall be required as a condition of project approval to record a deed restriction stating that the property owner agrees to make a one-time financial contribution to the County at a rate of \$1 per gallon for each gallon of water expected to be used in one day. One day's water usage shall be estimated according to the expected average daily water use over a year's time. For example, a single-family dwelling in Big Sur typically uses an average of 600 gallons of water per day. Consequently, the one-time contribution would be a total of \$600. The required contribution shall be paid upon the County's

request at such time that the Board of Supervisors implements a Water Resource Monitoring Program. In the case of a single family dwelling, the contribution shall not be more than \$600. The deed restriction shall be required as per Section 20.142.130.B. (Ref. Policy 3.4.3.C.2)

4. The intent of the Monterey County Board of Supervisors is to initiate the Water Resource Monitoring Program within five years of final County adoption of this Ordinance.

20.145.060 Forest Resources Development Standards.

Intent of Section: The intent of this Section is to provide development standards which will allow for the protection and maintenance of Big Sur's forest resources. As such, the primary use of forested land in Big Sur shall be for recreational and aesthetic enjoyment and for educational, scientific, watershed, and habitat protection activities. Commercial logging of healthy old growth redwood shall be considered an inappropriate use of a nationally significant resource. Limited salvage and selective logging activities will be allowed to maintain the health of the forest provided that all natural resource protection provisions of this ordinance and Big Sur Coast Land Use Plan are met. (Ref. Policy 3.5.1)

A. Coastal Development Permit Requirement

1. A coastal development permit must be obtained for the removal of trees and other major vegetation with the following exceptions:
 - a. Removal of non-native or planted trees, except where this would result in the exposure of structures in the critical viewshed or where the tree(s) is/are determined to be a landmark tree as per Section 20.145.060.D.1.
 - b. Removal of hazardous trees which pose an immediate danger to life or structures;
 - c. Thinning of small (less than 12" diameter) or dead trees from densely forested areas, especially as needed to reduce unsafe fuel accumulations adjacent to existing occupied buildings;
 - d. Prescribed burning, crushing, lopping or other methods of brush clearing which do not materially disturb underlying soils; or

- e. A Timber Harvest Plan is required for the tree removal, in accordance with State requirements.
2. No coastal development permit is required if the Zoning Administrator determines that:
 - a. Removal of diseased trees which threaten to spread the disease to nearby forested areas, a verified in writing by a qualified professional forester selected from the County's list of consulting foresters; or,
 - b. Removal of trees in accordance with a previously-approved forest management plan.

B. Forest Management Plan Requirement

1. A forest management plan will be required for the following:
 - a. Tree removal requiring a Coastal Development Permit; and,
 - b. Tree removal, regardless of tree size, type, or amount, proposed as part of a development requiring a Coastal Development Permit.
2. The Forest Management Plan shall be required, submitted, and approved by the Director of Planning prior to the project application being determined complete. Three copies of the Forest Management Plan shall be submitted, such that there is an approved copy for the project file, applicant, and the Monterey County Planning Department Library.
3. The Forest Management Plan shall be prepared by a qualified professional forester, as selected from the County's list of consulting foresters. Plan preparation shall be at the applicant's expense.
4. The Forest Management Plan shall consist of a plot plan and a Forest Maintenance Plan. Both elements shall be prepared in accordance with Attachment 1. Each copy of the plot plan and the Forest Maintenance Plan must contain the signatures of the owner and the forester preparing the plan. The forest management plan shall apply to the entire parcel, even if tree removal is proposed only for a portion of the parcel.

C. Amended Forest Management Plan Requirement

1. An amended forest management plan shall be required when:
 - a. A Forest Management Plan for the parcel has been previously-approved by the Coastal Commission and/or the Monterey County Director of Planning; and,
 - b. The proposed tree removal requiring a coastal development permit, has not been shown in the previously approved Forest Management Plan.
2. The amended Forest Management Plan shall conform to all requirements of the Forest Management Plan, as listed in the preceding section. As such, the previously-approved Forest Management Plan shall be revised as necessary in order that the amended plan may meet all requirements.
3. At a minimum, the amended Forest Management Plan shall consist of:
 - a. A plot plan showing the location, type, and size of each tree proposed for removal, as well as the location and types of trees to be replanted; and,
 - b. A narrative describing reasons for the proposed removal, alternative to minimize the amount and impacts of the proposed tree removal, tree replanting information, and justification for removal of trees outside of the developed area, if proposed.

D. Development Standards

1. Landmark trees of all species shall not be permitted to be removed. A landmark tree is one which is 24 inches or more in diameter when measured at breast height, or a tree which is visually significant, historically significant, exemplary of its species, or more than 1,000 years old. An exception may be granted by the decision-making body for removal of a landmark tree within the public right-of-way or area to be purchased for the right-of-way where no feasible and prudent alternatives to such removal are available, subject to obtaining a coastal development permit.

An exception may be granted by the decision-making body for removal of a tree that is 24 inches or greater in diameter (measured at breast height) and not also visually or historically significant, exemplary of its species or more than 1000 years old, provided that a finding may be made that no alternatives to development (such as resiting, relocation, or reduction in development area) exists whereby the tree removal can be avoided. (Ref. Policy 3.5.2.4)

2. Removal of any trees which would result in the exposure of structures in the critical viewshed shall not be permitted, subject to the provisions of Section 20.145.030.A. A condition of project approval shall be that the applicant grant a scenic easement to the County over existing vegetated areas without which the approved development would be located in the critical viewshed. The easement shall be required in accordance with the provisions of Section 20.142.130.
3. Removal of native trees shall be limited to that which is necessary for the proposed development shall be modified for siting, location, size, bulk, and/or design where such modifications will result in less removal of healthy trees in a healthy forest condition or as otherwise meeting the objectives of the forest management plan.
4. Removal of native trees other than directly necessary for the proposed development shall be limited to that required for the overall health and long-term maintenance of the forest, as verified in the Forest Management Plan.
5. Tree removal shall not be permitted within the riparian corridor. Trees located beyond the riparian corridor shall not be felled into the riparian corridor, unless it is demonstrated that the felling and bucking of such trees will not result in trees, logs, or debris being deposited in the stream. Where a tree might fall into or across a stream, it shall be cabled so that it falls at a right angle to the stream. (Ref. Policy 3.5.3.3.)
6. Native trees to be removed which are 12 inches or more in diameter, when measured at breast height shall be replaced on the parcel. Replacement shall be at a rate of one tree of the same variety for each tree removed, except where demonstrated in the Forest Management

Plan or Amended Plan that this would result in an overcrowded, unhealthy forest environment.

7. Development which includes the preparation of a forest management plan shall be required as a condition of approval to record a notice which states: "A Forest Management Plan has been prepared for this parcel by (forester's name) (Date) and is on record in the Monterey County Planning Department Library as (library no.). All tree removal on the parcel must be in accordance with this forest management plan, as approved by the Director of Planning". The notice must be recorded prior to issuance of building or grading permits.
8. Tractor yarding, as well as road construction and other grading activity to accommodate salvage logging and other tree removal subject to obtaining a coastal development permit shall not be permitted unless the following criteria are met:
 - a. Substantive consideration has been given to alternative harvesting systems which have less environmental impact, as evidenced by the environmental review process;
 - b. The environmental review process demonstrates that no feasible alternative exists;
 - c. The amount of road construction or other soil disturbance is kept to an absolute minimum;
 - d. The applicant has evaluated the expected sediment yield/increased run-off which will result from the project, and the potential for secondary impacts on aquatic and marine resources;
 - e. The project is condition to incorporate all necessary erosion control measures, and such measures are accomplished and in place by September 30 of each year;
 - f. The project is consistent with Section 20.145.130.D regarding the protection of the critical viewshed and other scenic resources; and,

- g. The project is consistent with Section 20.145.130.D regarding private road development standards. (Ref. Pol. 3.5.2.6, 3.5.3.2, and 3.5.3.4)
- 9. Those portions of a parcel which become subject to a commercial timber harvest, including grading for landings and areas accessed by logging roads, shall be added to the "RC (CZ)" zoning district. Such rezoning shall be initiated by the County either when the Timber Harvest Plan is approved by the California Department of Forestry or when timber harvest operations commence, whichever is first. The rezoning shall not require a LUP or Implementation Plan amendment. (Ref. Policy 3.5.3.10)

20.145.070 Agricultural Development Standards

Intent of Section: The intent of this Section is to provide development standards which will allow for the preservation of agricultural use in the Big Sur Coast area. Agriculture, especially grazing, is a preferred use of coastal lands. In locations where grazing has been a traditional use, it should be retained and encouraged on lands both under private and public ownership. Williamson Act contracts, scenic easements, tax incentives, large lot zoning, and other techniques will be encouraged by the County to promote and assist agriculture. (Ref. Policy 3.6.1)

A. Overall Development and Management Plan Requirement

- 1. An Overall Development and Management Plan shall be required for parcels which are 320 acres or more in size, when the following development is proposed:
 - a. Minor or standard subdivision. The plan is to be required as a condition of project approval and must be submitted and receive County approval prior to recordation of the parcel or final map.
 - b. Any type of development for uses other than agricultural structures or the first single family residence on a vacant parcel. The plan is to be required, submitted, and receive County approval prior to the application being considered complete. (Ref. Policy 3.6.2.5 & 5.4.3.M.1)
- 2. The plan shall be submitted to the Director of Planning, who will further transmit the plan to the County Agricultural Commissioner. The plan

must be determined adequate by both the Director of Planning and the Agricultural Commissioner in order to meet County approval. An inadequate plan shall be revised as necessary in order to meet County acceptance. Once deemed adequate, the plan shall become a binding agreement between the County and the property owner. (Ref. Policy 3.6.2.5)

3. The plan shall be prepared, at the applicant's expense, by a qualified professional such as a consultant on the County's Agricultural Viability Consultant list. The applicant may select the consultant; however, if an agricultural viability consultant has not been selected to prepare the plan, the applicant shall engage the assistance of such a consultant, as selected from the County's list, in order to evaluate the plan's consistency with continued or future agricultural or grazing use on the property. The agricultural viability consultant's written assessment shall then be submitted to the Planning Department along with the plan.
4. The plan shall include, as a minimum, the following information:
 - a. Description of long-range uses contemplated on the property;
 - b. Map delineating areas proposed for each type of development, areas to be retained for grazing/open space/agriculture/habitat protection/public access, and existing and proposed roads/rights of way/easement/fences'
 - c. Recommendations for maintaining and increasing the agricultural viability and recreational uses on the property; and,
 - d. A description of how development will be phased over time. (Ref. Policy 5.4.3.M.1)
5. The plan must conform to all applicable development standards of this ordinance and to the policies of the Big Sur Coast Land Use Plan.

B. Agricultural Viability Report Requirement

1. An Agricultural Viability Report shall be required for subdivision of parcels which are 320 acres or more in size, and for subdivision of any size parcel under Williamson Act contract. It may also be required, at the discretion of the Director of Planning, for subdivisions of a lesser

size and for other development proposals where agricultural viability is in question and could be a factor in the decision-making process.

2. The report shall be required, submitted, and be determined adequate by both the Director of Planning and the County Agricultural Commissioner prior to the application being considered complete.
3. The report shall be prepared by an agricultural viability consultant, according to the approved procedures for agricultural viability reports pursuant to Section 20.142.140. The County will oversee the consultant's work, and be responsible for paying the consultant out of funds deposited by the applicant.

C. Development Standards

1. Residential, recreational and other land use development shall not be sited on land suitable for grazing unless an equivalent acreage of new grazing land is provided. Where there is a disagreement or question as to the suitability of land for grazing, an assessment by a consultant selected from the County's list of agricultural viability consultants shall be prepared at the applicant's expense and submitted to the County by the applicant. (Ref. Policy 3.6.2.3)
2. Residences, utility buildings and barns associated with agricultural uses shall be located to conserve grazing land. Modifications in location, design, and/or siting shall be required so as to minimize or avoid development on grazing lands. (Ref. Policy 3.6.2.4)
3. Parcels created through subdivision or lot line adjustments shall be configured so as to assure the continued viability of existing or potential agricultural and/or grazing activities on the parcel(s). Where continued agricultural viability may be adversely impacted by the proposed development, an agricultural viability report may be required to assess the impacts and to make recommendations for mitigation measures. (Ref. Policy 3.6.2.5)
4. Where subdivision of a parcel is proposed, residential uses shall be clustered at locations on the parcel which minimize disruption of and conflicts with existing or potential agricultural and/or grazing uses. The

balance of the property shall be retained in an undivided interest between the new owners. (Ref. Policy 5.4.3.M.3)

5. Public accessways shall be designed so as to not interfere with or otherwise impede agricultural or grazing use of a property. Where no alternatives exist and a public trail must cross actively grazed areas, a range of measures shall be required as conditions of project approval in order to reduce conflicts between grazing and public uses. Such measures shall include signs, fences, berms, vegetation screens, and prescribed burning to eliminate hazardous accumulation of brush, as appropriate for the particular project. (Ref. Policy 3.6.2.6)
6. Where an Overall Development and Management Plan has been prepared for a parcel and accepted as adequate by the Planning Department, that plan shall become a binding agreement between the County and the property owner. As such, all future development shall be consistent with the plan. Where the Overall Development and Management Plan has been required as a condition of subdivision approval, a further condition of approval shall be that a note be recorded and placed on the final map stating that such a plan is on file the Planning Department and that all future development must be in accordance with the plan. (Ref. Policy 3.6.2.5)

20.145.080 Hazardous Area Development Standards

Intent of Section: The intent of this Section is to provide development standards which regulate land use and development, using the best available planning practices, in order to minimize risk to life and property and damage to the natural environment. (Ref. Policy 3.7.1)

A. Geologic Hazards

1. Geologic Report Requirement

- a. Regardless of a parcel's seismic hazard zone, a geologic report shall be required for, but no limited to, the following projects:
 - 1) New power plants;
 - 2) Large dams;
 - 3) Explosive manufacturing plants;

- 4) Standard subdivisions;
 - 5) New hospitals; and,
 - 6) Schools, detention centers, civic buildings, and other public facilities.
 - 7) Emergency communication facilities;
 - 8) Flood control project;
 - 9) Diking, dredging, filling, and construction of new structures within shoreline, estuary, and wetland areas; and
 - 10) Bridges, overpasses; and
 - 11) Oil wells.
- b. Regardless of a parcel's seismic hazard zone, a geologic report shall also be required for any development project located in the following areas:
- 1) Landslide areas, or areas showing evidence of ground movement within historic times;
 - 2) Within 50 feet of the face of a cliff or bluff or within the area of a 20 degree angle above horizontal from the face of a cliff, whichever is greater;
 - 3) Within 1/8 mile of an active or potentially active fault; and,
 - 4) In any area of known or suspected geologic hazards. (Ref. Policy 3.7.2.3, 3.7.3.A.2, 3.7.3.A.9, and 3.7.3.A.11)
- c. If a parcel is located in Seismic Hazard Zones IV, V, or VI, or in Recent Alluvium or Unstable Uplands areas (as shown on County Seismic Hazard Maps), a geologic report shall be required for, but not limited to, the following projects:
- 1) churches;
 - 2) theaters;
 - 3) hotels, motels;
 - 4) Utility centers;

- 5) Large commercial or industrial buildings or centers which are not exempt from environmental review under CEQA;
 - 6) Minor subdivisions; and,
 - 7) Apartment buildings. (Ref. Countywide Geology Policy Guidelines)
- d. If a parcel is located in Seismic Hazard Zone VI, and Unstable Uplands area, or in an area of a known hazard, a geologic report shall be required for, but not limited to, the following projects:
- 1) Single family dwellings;
 - 2) Small commercial or industrial buildings which are exempt from environmental review under CEQA; and,
 - 3) Grading when a Coastal Development Permit is required. (Ref. Countywide Geology Policy Guideline)
- e. Projects which require on report, unless a hazard is otherwise known, include but are not limited to:
- 1) Uninhabited structures;
 - 2) Pole barns;
 - 3) Storage shed;
 - 4) Greenhouses;
 - 5) Uses in existing structures;
 - 6) Structural additions which are exempt from environmental review under CEQA;
 - 7) Additions to water systems;
 - 8) Outdoor public gatherings. (Ref. County-wide Geology Policy Guidelines)
- f. The report shall be prepared, at the applicant's expense, by a soils engineer, registered geologist, or registered engineering geologist, as deemed appropriate by the County given the project type and probable hazards. (Ref. Policy 3.7.3.A.11)

- g. The report shall be required, submitted, and approved by the County prior to the application being considered complete. A minimum of two copies shall be submitted.
- h. Third party review by a registered geologist or registered engineering geologist may be required according to the standards and procedures pursuant to Section 20.140.080.L.
- i. The report shall be consistent with “Guidelines for Geologic/Seismic reports” of the California Division of Mines and Geology (CDMG Notes No.37) and shall consider, at a minimum, the following, as applicable to the site:
 - 1) Historic, current, and foreseeable cliff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs where available, and possible changes in shore configuration and transport;
 - 2) Cliff geometry and site topography, extending the surveying work beyond the site as needed to depict unusual geomorphic conditions that might affect the site and the proposed development;
 - 3) Geologic conditions, including soil, sediment, and rock types and characteristics in addition to structural features such as bedding, joints and faults;
 - 4) Evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development on landslide activity both on-site and off-site;
 - 5) Wave and tidal action, including effects of marine erosion on seacliffs;
 - 6) Ground and surface water conditions and variations, including hydrologic changes caused by the development (e.g., introduction of sewage effluent and irrigation water to the groundwater system, and alterations in surface drainage);

- 7) Potential effects of seismic forces resulting from a maximum credible earthquake;
- 8) Effect of the proposed development including siting and design of structures, septic system, landscaping, drainage, and grading, and impacts of construction activity on the stability of the site and the adjacent area;
- 9) Any other factors that might affect slope stability;
- 10) Potential erodibility of site and mitigating measures to be used to ensure minimized erosion problems during and after construction (i.e., landscaping and drainage design); and,
- 11) Any other recommended mitigation measures. (Ref. Policy 3.7.3.A.11); and
- 12) For development of shoreline structures, the following elements shall be included:
 - a) Design wave height
 - b) Maximum expected wave height
 - c) frequency of overtopping
 - d) Normal and maximum tidal ranges
 - e) Erosion rate with/without protection device
 - f) Effect of structure on adjoining property
 - g) Potential/effect of scouring at base
 - h) Design life of structure/maintenance provisions
 - i) Alternatives to the chosen design including "no project"
 - j) Maintenance provisions including methods and materials.

2. Development Standards

- a. If a geologic report has been prepared for a proposed development, the report recommendations shall be incorporated into project design, as follows:
 - 1) If the proposed development requires a Coastal Development Permit or other discretionary permit, the recommendations contained in the report shall be made conditions of project approval. Further, a condition of project approval shall be that a deed restriction be recorded, and, for subdivisions, a note be placed on the final or parcel map which states that a report was prepared for the parcel and that specific mitigation measures apply to development on the parcel.
 - 2) If the proposed development requires only a ministerial permit, the Building Inspection Department shall be responsible for ensuring that recommendations contained in the geologic report are incorporated into project design. As such, the Building Inspection Department shall be given a copy of the geologic report by the Planning Department, after Planning Department review of the project has been completed. (Ref. Policy 3.7.2.4)
- b. All structures shall be sited a minimum of 50 feet from an identified active fault or potentially active fault. Greater setbacks may be required where it is warranted by local geologic conditions, as recommended in the geologic report prepared for the project. (Ref. Policy 3.7.3.A.3)
- c. Critical facilities, such as major transportation links, communications and utility lines, and emergency shelter facilities, shall be located, designed, and operated in a manner which maximizes their ability to remain functional after a major earthquake, as provided for in the recommendations contained in the geologic report prepared for the project. (Ref. Policy 3.7.3.A.4)
- d. New roads, bridges, and utility lines (either public or private) that cross active or potentially active fault zones shall be designed and

constructed so as to withstand hazards resulting from fault movement, as provided for in the recommendations contained in the geologic report prepared for the project. (Ref. Policy 3.7.3.A.6)

- e. Structures and roads in areas subject to landsliding as determined in the geologic report prepared for the project, shall be prohibited unless sufficient mitigation measures exist to minimize risk to life and property, as provided for in the report recommendations. Mitigation measures shall not include massive grading or excavation, or the construction of protective devices that would substantially alter natural landforms. (Ref. Policy 3.7.3.A.8)
- f. Development projects which require geologic reports in accordance with Section 20.145.080.A.1 above, will not be considered as categorically exempt under the California Environmental Quality Act (CEQA). (Ref. Policy 3.7.2.1)
- g. All development shall be sited and designed to conform to site topography, to minimize grading and disturbances resulting from site preparation, and to minimize the hazards of geologic instability. Projects requiring excessive or non-essential site grading shall not be approved. Likewise projects which would create a geologic hazard or diminish the stability of the areas shall not be approved. Areas which are determined by the geologic report or otherwise as being unstable, or subject to geologic hazards which can not be reasonably mitigated, shall generally be considered as unsuitable for development. Exceptions may be made for public development. Exceptions may be made for public facilities which can not be reasonably located elsewhere, and for developments which pose no significant risk or liability to occupants, the public, public property, the property of others, or natural resources. (Ref. Policies 3.7.2.3, 3.7.3.A(1), and 3.7.3.A(9))”.
- h. New development on bluffs subject to erosion, shall be set back sufficiently to avoid the need for seawalls during the development’s economic lifespan. Such blufftop setbacks shall be

based on the predicted erosion rates identified in the required geologic report. (Ref. Policy 3.9.1.1)

B. Flood Hazards

1. Development Standards

- a. Development, including filling, grading, construction, and flood control projects to protect new development, shall be prohibited within the 100 year floodway and 100 year floodplain. The following activities may be allowed within the 100 year floodplain, as needed: outdoor recreation, wildlife habitat, agriculture, similar low intensity open space uses, bridges, water resource developments requiring a streamside location, restoration activities pursuant to the Protected Waterways Plans, and flood control projects where no other method for protecting existing structures in the floodplain is feasible and such protection is necessary for public safety or to protect existing structures. (Ref. Policy 3.7.3.B.1 & 2)
- b. Proposed projects which are located within the 100 year floodplain or 100 year floodway, as indicated on FEMA resource maps, shall incorporate County Flood Control District recommendations into project design, as follows:
 - 1) If the proposed development requires a Coastal Development Permit or other discretionary permit, the project shall be referred to the Flood Control District for review and recommendations prior to submittal of the application to the Planning Department, as per the procedures contained in Section 20.140.080.D.1. Subsequent Flood Control recommendations shall be made conditions of project approval, including that:
 - a) A deed restriction be recorded pursuant to Section 20.142.130 which states that flood hazards exist on the parcel and that development may be subject to certain restrictions;

- b) A note be placed on the parcel or final map, in the case of a subdivision, which indicates the development restrictions as recommended by Flood Control; and,
 - c) The areas on the parcel subject to inundation be delineated on the parcel or final map, in the case of a subdivision.
- 2) If the proposed development requires only a ministerial permit, the project shall be referred to Flood Control by the Building Inspection Department prior to the building or grading permit being issued. The Building Inspection Department, as the referral agency, shall then be responsible for assuring that Flood Control recommendations are incorporated into project design, such as through conditioning of the building or grading permit. (Ref. Policy 3.7.2.3 & 3.7.2.4)

C. Fire Hazards

1. Development Standards

- a. Proposed projects which are located within areas of high or very high fire hazard, as indicated on current California Department of Forestry Fire Hazard Maps, shall incorporate recommendations of the County Fire Warden and/or local fire district into project design, as follows:

- 1) If the proposed project requires a Coastal Development Permit or other discretionary permit, the project shall be referred to the County Fire Warden or local district prior to submittal of the application to the Planning Department as per the procedures contained in Section 20.140.080.D.1. The Recommendations shall then be made conditions of project approval, including that:

- a) A deed restriction be recorded which states that the fire hazards exist on the parcel and that

development may be subject to certain restrictions, required as per Section 20.142.130;

- b) A note be placed on the parcel or final map, in the case of a subdivision, which indicates the development restrictions as recommended by the County Fire Warden;
 - c) Any road proposed to serve access to residential development be of specified width, surface, and grade, or other measures as necessary for adequate fire protection service; and
 - d) Fire-resistant materials be used in the construction of exterior walls and fire-retardant materials, such as tile, asphalt, treated fire-retardant shingles, be used in the construction of roofs.
- 2) If the proposed project requires only a ministerial permit, as exempted from Coastal Development Permit requirements pursuant to Section 20.140.070, the applicant shall be required to contact the County Fire Warden or local fire district for review and recommendations directly to the Planning Department prior to the application being considered complete. The Planning Department shall then forward the recommendations from the County Fire Warden or fire district to the Building Inspection Department, who shall then be responsible for assuring that the recommendations are incorporated into project design such as through conditioning the building or grading permit. (Ref. Policy 3.7.2.3)
- 3) Where not Superseded by specific fire hazard policies of the land use plan or development standards of this ordinance, development shall be required as a condition of project approval to conform to the following policies of the Monterey County General Plan: 17.3.1 through 17.3.15, Table 2, 17.4.1 through 17.4.12, and 17.5.1 through 17.5.2.

- 4) New residential and commercial buildings which can not meet the minimum standards of the applicable fire suppression authority with respect to access for fire-fighting equipment, water supply, hydrant specifications, and other essential fire prevention and control features shall not be approved. The publication Fire Safe Guide for Residential Development in California shall provide the development standard in event of dispute. Exceptions shall be allowed where it is demonstrated that the design of the project will result in an equivalent degree of fire safety with less damage to the natural environment. (Ref. Policies 3.7.3.C(2), 3.7.3.C(3), & 3.7.4.3)

20.145.090 Mineral Resources Development Standards

Intent of Section: The intent of this Section is to provide development standards which allow for careful planning and management of mineral resource development in order to ensure protection of the area's important scenic, recreational, and habitat values. Evaluation of mineral extraction proposals shall be based upon a thorough balancing of Big Sur social, technological, environmental, and recreational values with the economic values of any mineral deposit. Development of any offshore or onshore oil and gas reserves that could adversely affect the scenic and/or habitat values of the Big Sur Coast shall be opposed by the County. (Ref. Policy 3.8.1)

A. Environmental Impact Report Requirement

1. All permit applications proposing to conduct mineral exploration or extraction operations shall be required to prepare an environmental impact report, according to adopted Monterey County CEQA Guidelines. (Ref. Policy 3.8.3.2)

B. Quarry Management Plan and Reclamation Plan Requirement

1. All permit applications proposing to conduct mineral exploration or extraction operations shall be required to prepare a quarry management plan and a reclamation plan, which may be combined into one overall management and reclamation plan. (Ref. Policy 3.8.3.2)

2. Each plan shall be prepared, at the applicant's expense, by a qualified firm or individual with the necessary expertise to prepare an adequate plan.
3. Each plan shall be required as a condition of project approval, to be submitted and approved by the County prior to the issuance of any building or grading permits. Seven copies of each plan shall be submitted.
4. Prior to the plans receiving County approval, each plan shall be referred by the County to the State Department of Fish and Game, Regional Water Quality Control Board, and the California Division of Mines and Geology, as well as to the appropriate County departments, for each department's review and comment. (Ref. Policy 3.8.3.2)
5. The County shall require third party review where deemed necessary and according to procedures pursuant to Section 20.140.080.L. (Ref. Policy 3.8.3.2)
6. Each plan must meet the requirements set forth in Surface Mining and Reclamation Act of 1975, the California Surface Mining and Reclamation Policies and Procedures (Calif. Div. of Mines and Geology Special Publication 51; April, 1983, or latest publication providing standards for geological reports, and Monterey County Code Chapter 16.04, and must address as a minimum the following elements:
 - a. Cross-section maps or plans of the land to be affected including the actual area to be mined, prepared by or under the direction of and certified by a registered professional engineer, or professional geologist with assistance from experts in related field such as land surveying and landscape architecture, showing pertinent elevation and location of test borings or core samplings and depicting the following information:
 - 1) Nature and depth of the various strata of overburden;
 - 2) Location of subsurface water, if encountered, and quality of that subsurface water;
 - 3) Nature of stratum immediately beneath the mineral deposit to be mined;

- 4) Existing and previous mining limits;
 - 5) Location and extent of known workings of any underground mines, including mine openings to the surface;
 - 6) Location of aquifers;
 - 7) Estimated elevation of the water table;
 - 8) Location of spoil, waste, or refuse areas, suitable top soil stockpiling areas and, if necessary, stockpiling areas for other suitable strata;
 - 9) Location of all impoundments for waste or erosion control;
 - 10) Any settling or water treatment facility;
 - 11) Constructed or natural drain ways and the location of any discharges to any surface body of water on the area of land to be affected or adjacent thereto; and,
 - 12) Profiles at appropriate cross-sections of the anticipated final surface configuration that will be achieved pursuant to the applicant's proposed reclamation plan.
- b. Procedures to retain soil or eroded material on the site, to prevent the discharge of any water or runoff which would increase the natural level of turbidity in receiving waters, and to control the circulation of particulate matter in the atmosphere. Water quality sampling of suspended sediment and turbidity shall be required for any mining operations prior to the beginning of the operation and during subsequent winters. Costs of monitoring shall be at the applicant's expense.
 - c. Measures to stabilize slopes and mine tailings such as hydro mulching, seeding, and other appropriate measures to prevent erosional and drainage impacts.
 - d. Measures to prevent any increase in normal run-off, especially during peak periods, from the site such as requiring dispersal or storage so that scouring and erosion do not occur.

- e. A soil survey of all the plant growth material within the permit area.
- f. Measures to provide for the restoration of native plant species normally occurring in the mined areas.
- g. Measures to stockpile soil and spoils and provide for recontouring quarry sites to a natural appearance.
- h. Measures to regulate disposal of undesirable pollutants found in conjunction with mined materials (such as heavy metals and mercury in gold mines).
- i. A phasing plan or other measures adequate to minimize the area of disruption during active mining in order to alleviate such impacts as soil erosion, dust propagation, and viewshed intrusion in non-critical viewshed areas. This phasing plan shall include a detailed estimated timetable for the accomplishment of each major step in the reclamation plan.
- j. A transportation element which discusses alternative methods of transporting quarried material. Haul routes and destinations must be specified.
- k. Measures to maintain existing or historic recreational access over the property.
- l. Measures to prevent impacts which would significantly degrade adjacent environmentally sensitive habitats and parks and recreation areas.
- m. Provision of a hydrologic report, as prepared by a registered civil engineer or other qualified individual. The report is to assess the probable hydrologic consequences of the mining and reclamation operations, both on and off the mine site, with respect to the hydrologic regime, quantity and quality of water in surface and ground water systems (including the dissolved and suspended solids under seasonal flow conditions), and the collection of sufficient data for the mine site and surrounding areas so that an assessment can be made by the Board of Supervisors or its designee of the probable cumulative impacts

of all anticipated mining in the area upon the hydrology of the area and particularly upon water availability of the area and particularly upon water availability and quality. The report shall be prepared at the applicant's expense. The hydrologic report shall be required by, submitted to, and approved by the Director of Environmental Health, with 2 copies of the report provided to the Planning Department.

- n. Use which is proposed to be made of the land following reclamation, including a discussion of the utility and capacity of the reclaimed land to support a variety of alternative uses and the relationship of such use(s) to existing land use policies and plans, the surface owner's preferred use, and the comments of state and local government or their agencies who would have to initiate, implement, approve, and/or authorize the proposed use of the land following reclamation.
- o. A detailed description of how the proposed post-mining land use is to be achieved, including full reclamation, and the necessary support activities which may be needed to achieve the proposed land use. (Ref. Policy 3.8.3.3)

C. Conditions of Project Approval Requirement

- 1. As a condition of project approval, the operator shall file each year, on the anniversary date of the permit, a notice of intent to continue mining operations and a map which indicates:
 - a. The land affected during the preceding year;
 - b. The land to be affected during the coming year; and,
 - c. Any land reclaimed during the preceding year. (Ref. Policy 3.8.3.4)
- 2. The following standards shall be applied to all surface mining and reclamation operation as conditions of project approval:
 - a. Mining trucks shall not be permitted on Highway 1 during peak recreational use periods, which is 7:00 a.m. to 10:00 p.m.).
 - b. Fill activities or improvements related to mining operations shall not be permitted in active floodplains or stream channels.

- c. Existing or historical recreational access to the shoreline, the Ventana wilderness area or State parks shall not be prevented by mining operations.
- d. Unless the County finds that no significant adverse affects on the following specified habitat and recreational features will result, no mining which involves surface blasting, operation of loud equipment or similar disruptions of natural peacefulness and solitude shall be allowed within close enough proximity to disturb the following areas:
 - 1) Any State Highway 1 pullout;
 - 2) The Ventana Wilderness;
 - 3) Public recreation sites such as State parks, trails, campsites, and designated scenic viewpoints;
 - 4) Known Bald Eagle, Golden Eagle, and Peregrine Falcon nesting sites; and,
 - 5) Any California condor roosting site.
- e. Water quality sampling of suspended sediment and turbidity shall be required for any mining operations prior to the issuance of building or grading permits for the operation and during subsequent winters. Monitoring costs are to be at the applicant's expense. Four copies of the sampling information shall be submitted to the Planning Department, who will transmit a copy to the Health Department and Flood Control District.
- f. Construction of or improvements to private roads required by mining operations shall meet standards described in the appropriate sections of this Ordinance.
- g. All surface areas, including spoil piles affected by the surface mining and reclamation operation, shall be stabilized and protected to prevent or effectively control erosion and attendant air and water pollution. The construction, maintenance, and postmining conditions of haul roads and access roads into and across the site of operations will effectively control or prevent

erosion and siltation, pollution of water, damage to fish or wildlife or their habitat.

- h. Explosives shall only be used in accordance with existing State law. In addition, the operator shall:
 - 1) Provide adequate advance written notice to local governments, adjacent landowners, and residents who might be affected by the use of such explosives. Written notice shall include the publication of the planned blasting schedule in a newspaper of general circulation in the area, mailing a copy of the proposed blasting schedule to every resident living within one-half mile of the proposed blasting site, and by providing daily notice to the aforementioned residents prior to any blasting.
 - 2) Maintain for a period of at least three years, and make available for public inspection upon request, a log detailing the location of the blasts, the pattern and depth of the drill holes, the amount of explosives used per hole, and the order and length of delay in the blasts.
 - 3) Limit the type of explosives and detonating equipment, and the size, timing and frequency of blasts based upon the physical conditions of the site so as to prevent:
 - a) Injury to persons;
 - b) Damage to and the impairment of the use and enjoyment of public and private property outside the permit area including, but not limited to, the California State parks, Ventana Wilderness area, and public access to both locations; and,
 - c) Change in the course, channel, or availability of ground or surface water outside of the permit area.
- i. To minimize visual scarring, disturbed surface areas shall be restored through use of indigenous vegetation so that no boundary is discernible between mined and unmined areas.

- j. Disturbed land shall be restored to a condition capable of supporting the uses which it was capable of supporting prior to any mining, or which are higher or better uses as approved by the decision-making body. Such uses may include agriculture, residential, recreation, and fish and wildlife habitat.
- k. Lands affected by surface mining operations which have been designated for postmining agricultural or grazing uses or wildlife habitat shall be restored to a level of productivity which is equal to or greater than that of non-mined agricultural lands or wildlife habitat of similar soil types in the surrounding area, given equivalent management practices. Where productivity levels are unknown or in question, the Planning Department shall require an assessment and recommendation to be prepared by an appropriate consultant, at the applicant's expense. On those lands which are to be rehabilitated to indigenous grasslands, a diverse, effective and permanent vegetative cover shall be established. The cover shall be of the same seasonal variety indigenous to the area to be affected, capable of self-regeneration and plant succession, and at least of equal cover and productivity as the indigenous vegetation of the area. A botanist's verification of the adequacy of cover and productivity, to be prepared at the applicant's expense, shall be required by the Planning Department.
- l. Reclamation activities, particularly those relating to control of erosion and prevention of visual scarring, shall be conducted simultaneously, to the fullest extent possible. If not conducted simultaneously, reclamation shall be initiated promptly after completion or abandonment of mining on those portions of the mine complex that will not be subject to further disturbance by the mining operation. Phasing and timing of the reclamation activities shall be outlined in the reclamation plan, as stipulated in Section 20.145.090.B.6.i of this Ordinance. As included in the reclamation plan, reclamation activities shall be completed within two years after completion or abandonment of mining on that portion of the mine complex, unless the Board of Supervisors or

its designee has approved a longer time period for reclamation completion. (Ref. Policy 3.8.3.5)

3. As a condition of approval, a cash deposit, bond or equivalent surety shall be required in order to ensure compliance with the Surface Mining and Reclamation Act and regulations and policies of this Ordinance and the Big Sur Coast Land Use Plan. The amount shall be set by action of the Board of Supervisors, as accompanied by findings and evidence and shall be made payable to the County. Should the mine operator fail to correct any violation or water quality problem due to the mining operation within 15 days following receipt of modification to do so, the County shall correct the problem and charge all reasonable costs against the mine operator's surety. (Ref. Policy 3.8.3.5)
4. State Department of Fish and Game recommendations regarding sand and gravel extraction proposals shall be made conditions of approval where deemed appropriate by the decision-making body. The application shall be referred to the State Department of Fish and Game for review and recommendations as part of the County's project referral process prior to public hearing on the project, pursuant to Section 20.140.080. (Ref. Policy 3.8.3.7)
5. Recommendations from other County and State departments and agencies, where obtained in the course of project review, shall be made conditions of approval. In addition, the mitigation measures contained in the environmental impact report prepared for the project shall be used as a basis for requiring conditions of approval.

D. General Development Standards

1. Mining shall be prohibited in environmentally sensitive habitats, such as riparian corridors, rare and endangered plant and animal habitat locations, and wetlands, as determined through a biological report required for the project pursuant to Section 20.145.040.A. (Ref. Policy 3.8.2.1)
2. Mining activities and related facilities such as roads, loading or conveyance facilities, shall be prohibited within the critical viewshed and shall be sited and designed to protect views to and along the ocean and designated scenic coastal zone area. (Ref. Policy 3.8.2.1)

3. Mining shall be prohibited within live stream channels, in locations where water quality or wildlife could be adversely affected, and in sand dunes. In other areas, limited extraction of sand and gravel for local construction purposes may be permitted under careful controls designed to:
 - a. Regulate instream and near-stream extraction in order to maximize mitigation of adverse environmental effects;
 - b. Limit future instream extraction to “safe yield” or annual replenishment levels;
 - c. Preserve soil resources and agricultural lands adjacent to the instream channels;
 - d. Maintain and enhance streambank stability while encouraging deposition rather than erosion of fluvial materials
 - e. Preserve and enhance the growth of riparian vegetation;
 - f. Maintain groundwater supplies and quality; and,
 - g. Maintain surface water quality.

Assessment of impacts and appropriate controls and mitigation measures shall be included in the environmental impact report prepared for the project. Such measures shall be made conditions of project approval. (Ref. Policy 3.8.3.7)

4. Surface mining shall be prohibited in the following circumstances:
 - a. Where alternative methods or techniques of mineral extraction which minimize environmental impact are available, as explored through the environmental impact report process;
 - b. Instreams supporting anadromous fish runs, unless it has been demonstrated through the environmental impact report process that no adverse impacts will result from the proposed project;
 - c. In areas susceptible to landslide, erosion and other hazards such as proximity to earthquake faults, as designated on the current Big Sur Coast hazard map, in the “Seismic and Slope Stability Hazards” map in the Protected Waterways Management Plans for

the Little Sur and Big Sur rivers, or in other available resource information; or,

- d. Within Forestry Special Treatment Areas or other potential commercial timberlands, except for subsurface working which would not result in a conversion of timberlands to other uses. (Ref. Policy 3.8.2.3 and 3.8.2.5)
5. Large scale mineral development shall be prohibited. The total amount of exposed, unreclaimed surface area from any mineral extraction operation or aggregate of adjacent operations (including quarry sites, tailings, overburden disposal sites, drilling pads, processing sites, roads and similar barren areas) shall be the minimum necessary to support the permitted operation. To be considered less than large-scale mining, the total amount of such barren area, not including external access roads, can not exceed 5 acres at any one time. (Ref. Policy 3.8.3.1)
 6. Developments involving the extraction, exploration for, or handling of petroleum or related products shall be prohibited where an accidental spill could enter any of the following areas, directly or indirectly:
 - a. The California Sea Otter State Fish and Game Refuge;
 - b. The Big Sur River and Little Sur River State Protected Waterways, or any of the other anadromous fish streams identified in the Big Sur Coast Land Use Plan; or,
 - c. Any watershed emptying into the Ventana Wilderness, into any Area of Special Biological Significance as designated by the State Water Resources Control Board, or onto a public beach or other public shoreline recreation area. (Ref. Policy 3.8.3.8)
 7. In the event an oil spill occurs on the Big Sur coast the responsible entities shall secure a permit form the Board of Supervisors to determine appropriate measures to restore the damaged area to its condition prior to the spill. Any such permit shall be applied for within 3 calendar days of the spill's impact on the Monterey County Coast. Any actions taken immediately following the spill to limit or clean up the spill shall be evaluated as to their appropriateness and may be modified as conditions of the subsequent permit. (Ref. Policy 3.8.3.9)

8. To assure protection of habitat and recreational values on adjacent lands, the County shall consult with the affected public land management agency prior to approval of any mining activity on any parcel adjacent to National Forest, State Park, or University of California Land and Water Reserve lands, access roads or trails.
9. In the upper watershed of the Little Sur River (i.e., above the confluence of the North Fork and the South Fork, the following additional development standards shall apply:
 - a. No new road may be developed nor may any existing road be expanded except to serve agricultural, passive recreational, and rural residential use;
 - b. No new road or expansion of existing road shall be allowed where siltation of the riparian corridor or waters of either fork could result;
 - c. All proposed mineral development, including the use of explosives, must be specifically demonstrated as being consistent with the Protected Waterways Management Plan (PWMP), Particularly Objectives 1 and 10;
 - d. All proposed mineral development must specifically demonstrate that the following resources will not be adversely affected:
 - 1) Nesting and foraging habitat for eagles and falcons;
 - 2) Mountain lion habitat;
 - 3) Riparian Vegetation; and,
 - 4) Water quality and Steelhead trout habitat. (Ref. Policies 3.8.4.2 through 3.8.4.5)''

20.145.100 Dredging, Filling and Shoreline Structures Development Standards.

Intent of Section: The intent of this Section is to provide development standards for dredging, filling, and shoreline structures, in the limited circumstances where such may be allowed, which will minimize interference with Big Sur Coast natural shoreline processes.

- A. Biological Survey Requirement

1. A biological survey shall be required for all projects involving diking, dredging, filling and construction of new structures within the shoreline, estuary and wetland areas, as determined through review of current Big Sur Coast Environmentally Sensitive habitat maps, other resource information, or on-site investigation.
2. The biological survey requirement may be waived by the Director of Planning for diking, dredging, and filling activities related to the maintenance and repair of existing structures in shoreline, estuary, and wetland areas. In order for a waiver to be considered by the Director of Planning, a biological survey must have been previously prepared and approved according to the standards of this section and the survey must have adequately addressed expected impacts of the proposed activities. Where such impacts are unknown or in question, the survey may not be waived.
3. The survey shall be required, submitted and meet approval of the Planning Department prior to the project application being determined complete. Three copies of the report shall be submitted.
4. Prior to receiving County approval, a copy of the report (with the project application form and project map) shall be transmitted by the County to the California Department of Fish and Game for review and comment.
5. The survey shall be prepared by a qualified biologist, as selected from the County's list of Consulting Biologists. Report preparation shall be at the applicant's expense
6. The biological survey shall contain the following elements:
 - a. Identify the property and area surveyed, with accompanying location map and site plan showing topography, all existing and proposed structures and roads, and the proposed project sites(s);
 - b. describe the method of survey;
 - c. identify the type(s) of plant and animal habitats found on the site and in the area to be affected by the proposed development, with an accompanying map delineating habitat location(s);

- d. Identify the plant and animal species, including rare, threatened, and endangered species, found on the site and in the area to be affected by the proposed development, with a map showing their locations;
- e. Describe and assess potential impacts of the proposed development, including those from alteration of natural shoreline processes, dredging, and spoils disposal, on habitats found on the site and in the area to be affected; and
- f. Describe and discuss measures to enhance the biological productivity of the area, including plans for wetland creation or restoration and for site restoration, and to mitigate adverse impacts to the wetlands, shoreline, and/or estuarine habitat. Include alternatives and modifications to the proposed development which will result in less environmental damage and habitat disruption.

B. Geologic Report Requirement

1. A geologic report shall be required for all projects involving diking, dredging, filling, and construction of new structures within the shoreline, estuary, and wetland areas, as determined through review of current Big Sur Coast Environmentally Sensitive Resource maps, other resource investigation, or on-site investigation.
2. The geological survey requirement may be waived by the Director of Planning for diking, dredging, and filling activities related to the maintenance and repair of existing structures in shoreline, estuary, and wetland areas. In order for a waiver to be considered by the Director of Planning, a geological survey must have adequately addressed expected impacts of the proposed activities. Where such impacts are unknown or in question, the survey may not be waived.
3. The geologic survey must be prepared in accordance with the requirements of Section 20.145.080.A.1.

C. Development Standards

1. Blufftop setbacks shall be adequate to avoid the need for seawalls during the proposed development's economic lifespan. A geologic

report, prepared by a registered geologist at the applicant's expense pursuant to Section 20.145.080.A.1, shall be required in order to verify adequacy of the proposed setbacks. The geologist's report shall assess the setback required in order to avoid the need for a seawall, due to cliff retreat, within the economic life of the proposed development. The report shall be required by, submitted to, and approved by the County prior to the application being considered complete. As a condition of project approval to be completed prior to the issuance of building or grading permits, the recommendations of the geologist shall be incorporated into the project design. (Ref. Policy 3.9.1.1)

2. Onshore structures for boating facilities shall be prohibited. If a harbor of refuge is required, it shall be designed so as not to require onshore structures. (Ref. Policy 3.9.1.2)
3. Where dredging or temporary dikes are required for essential work or maintenance of Highway 1, they shall avoid disruption of marine and wildlife habitats. The site shall be restored to its original condition as early as practical, and a plan for such restoration shall be submitted and receive County approval prior to the issuance of building or grading permits, as a condition of project approval. Where disruption of marine and wildlife habitats is possible or in question, an assessment with recommended mitigation measures shall be prepared by a biologist from the County's list of consulting biologists or by the California Department of Fish and Game. The assessment, prepared at the applicant's expense, shall be required by, submitted to, and approved by the County prior to the application being considered complete. (Ref. Policy 3.9.1.3)

20.145.110 Historical Resources Development Standards.

Intent of Section: The intent of this Section is to provide development standards which will allow for the protection, maintenance, enhancement, and restoration of Big Sur Coast cultural resources. (Ref Policy 3.10.1.1)

A. Coastal Development Permit Requirement

1. Development proposed on parcels with an historical site, as identified on the County's site survey or through a required site survey, shall be required to obtain a Coastal Development Permit.

B. Historical Site Survey Requirement

1. An historical site survey shall be required for all development proposals on parcels with an identified historical site, as included on the current County historical site survey list or corresponding survey map. A survey may also be required for development on parcels of suspected historical sites, where it appears that the site may meet National Register criteria or be a site of State or Local Significance. To make such a determination, the project planner shall confer with the County Historical Coordinator.
2. The survey shall be prepared, at the applicant's expense, by an historical consultant from the County's list of historical consultants.
3. The Survey shall be required by, submitted to, and approved by the County prior to the application being considered complete. Three copies of the survey shall be submitted.
4. The survey shall, at a minimum, include the following:
 - a. Plot plan showing the historical site, existing roads and structures, and proposed structures and improvements;
 - b. Description of the site's historical significance and primary features;
 - c. Assessment of the proposed project's impacts to and compatibility with the historical site; and,
 - d. Recommended measures to preserve the site, assure project compatibility, and mitigate development impacts, including alternatives to the proposed development's design, location, and structural and architectural features. (Ref. Policy 3.10.2.2)

C. Development Standards

1. Where development is proposed on parcels with an identified historical site, such development shall be compatible with the site through incorporation of appropriate design, structural and architectural features, siting, location, and other techniques as recommended in the historical survey prepared for the project. (Ref. Policy 3.10.1.1 and 3.10.1.2)

2. Development approved on parcels with an identified historical site shall, as conditions of project approval, incorporate recommendations of the historical consultant contained in the site survey. (Ref. Policy 3.10.1.1 and 3.10.1.2)
3. Where development is proposed on parcels with an identified historical site, the project shall be subject to review and comment by the County Historical Resources Review Board. A copy of the project application, map, and site survey shall be referred to the Review Board as part of the County's project referral process.
4. Where development is approved on parcels with an identified historical site, the parcel shall be rezoned, as a condition of approval to be completed prior to issuance of building or grading permits to a district combining the HR(CZ) district with the parcel's existing zoning. (Ref. Policy 3.10.1.4)

20.145.120 Archaeological Resources Development Standards.

Intent of Section: The intent of this Section is to provide development standards which assure the maintenance and protection of Big Sur's archaeological resources. New land uses and development, both public and private, shall be considered compatible with this intent only where they incorporate all site planning and design features necessary to avoid or mitigate impacts to archaeological resources. (Ref. Policy 3.11.1)

A. Coastal Development Permit Requirement

1. Development proposed within 750 feet of a known archaeological resource, as identified through the survey report, or as shown on current County resource maps or other available information, shall be required to obtain a Coastal Development Permit.

B. Archaeological Survey Report Requirement

1. An archaeological survey report shall be required for any development located within:
 - a. A "High Archaeological Sensitivity Zone" as mapped on current County resource maps;

- b. "Low and Moderate Archaeological Sensitivity Zone," as mapped on current County resource maps, which requires environmental assessment according to Monterey County CEQA Guidelines; and
 - c. Within 750 feet of a known archaeological resource; or,
 - d. An area with a probability of containing archaeological resources, as determined through the planner's on-site investigation or other available information.
 2. The survey report shall be required by, submitted to, and approved by the County prior to the application being considered complete. Two copies of the report shall be submitted.
 3. The survey report shall be prepared, at the applicant's expense, by a qualified archaeologist, as included on the County's list of archaeological consultants or as a member of the Society of Professional Archaeologists.
 4. The reports shall be prepared according to the report standards of the Society of Professional Archaeologists and must include, at a minimum, a field survey by the archaeologist, survey of available State resource information Center of the California Archaeological Inventory, description of development on the site, and recommended mitigation measures. The report may be required to circumstances of the particular site.
 5. An archaeological survey report may be waived by the Director of Planning under the following circumstances:
 - a. A previous report was prepared for the site by a qualified archaeologist, as included on the County's list of archaeological consultants or as a member of the Society of Professional Archaeologists; and,
 - b. The report clearly and adequately included the currently-proposed development site within the scope of its survey; or
 - c. The proposed development does not involve land clearing or land disturbance.

C. Environmental Assessment Requirement

1. All development proposed on parcels with known archaeological resources, as identified through the survey report, shall be subject to environmental assessment under the "Monterey County CEQA Guidelines." (Ref. Policy 3.11.2.3)

D. Development Standards

1. Development proposed on parcels with an identified archaeological site shall be designed and located so as to avoid development on or impacts to the site. Alternative siting or location, reduction of project size, and other techniques shall be utilized where resulting in reduced impact to or avoidance of the archaeological site. (Ref. Policy 3.11.2.2)
2. Development on parcels with an archaeological site, as identified through an archaeological report prepared for the site, shall be subject to the following conditions of approval to be completed prior to the issuance of building or grading permits:
 - a. The recommended mitigation measures contained in the archaeological survey report prepared for the site, shall be subject to the following conditions of approval to be completed prior to the issuance of building or grading permits:
 - b. The applicant shall request a rezoning of the parcel to add an "HR" (Historical or Archaeological Resources) zoning district to the existing zoning of the parcel. The rezoning shall not necessitate an amendment to the Land Use Plan or this ordinance.
 - c. The archaeological site shall be placed in an archaeological easement. The easement shall be required pursuant to Section 20.142.130. Prior to being accepted by the County, the proposed easement area shall be reviewed and verified as adequate to protect the resource by an archaeologist who has been selected from the County's list or archaeological consultants or who is a member of the Society of Professional Archaeologists. (Ref. Policy 3.11.2.1)
3. Where construction on or construction impacts to an identified archaeological or paleontological site cannot be avoided, as verified in the archaeological report prepared for the project, a mitigation plan

shall be required for the project, a mitigation plan shall be required for the project. Prior to the application being considered complete, the plan shall be required by, submitted to, and approved by the County. The plan shall be prepared at the applicant's expense by a qualified archaeologist, either on the County's list of archaeological consultants or a member of the Society of Professional Archaeologists. Included in the plan shall be recommended preservation measures in accordance with the guideline of the State Office of Historic Preservation and the State of California Native American Heritage Commission. The consulting archaeologist shall file the report with the State Office of Historic Preservation. (Ref. Policy 3.11.2.5)

4. Where a mitigation plan has been prepared for a proposed development, a condition of project approval shall be that:
 - a. The preservation measures be undertaken and completed prior to the issuance of building or grading permits; or
 - b. Where appropriate according to the recommendations contained in the mitigation plan, the preservation measures shall be undertaken concurrent with grading or other soil-disturbing activities and shall be undertaken in accordance with the mitigation plan, as a condition of the grading or building permit; and
 - c. The results of the preservation activities shall be compiled into a final report prepared by the archaeologist and submitted to the County prior to the issuance of building or grading permits. Two copies of the report shall be submitted. (Ref. Policy 3.11.1.5)

20.145.130 Transportation Development Standards.

Intent of Section: The intent of this Section is to provide development standards which maintain and enhance the aesthetic beauty of Highway 1, as well as protect the highway's primary function as a recreational route, and which regulate construction of and improvements to County and private roads. Highway 1 shall remain a two-lane road and shall include walking and bicycle trails wherever feasible. In order to protect and enhance public recreational enjoyment of Big Sur's unique natural and scenic resources, recreational traffic should be regulated during congested peak use periods. (Ref. Policy 4.1.1)

A. Traffic Study Requirement

1. A traffic study shall be required for the following types of development proposals:
 - a. New or expanded recreation facilities, whether public or private;
 - b. New or expanded visitor-serving facilities, whether public or private;
 - c. Commercial mining; and,
 - d. Commercial logging. (Ref. Policy 4.1.3.C.2 & 4.1.3.C.3)
2. The traffic study shall be prepared, at the applicant's expense, by a professional traffic consultant.
3. The traffic study shall be required by, submitted to, and accepted by the County Planning Department prior to the application being considered complete. Three copies of the study shall be submitted.
4. Prior to the study receiving Planning Department approval, a copy of the study, the project application, and project map shall be transmitted to the Public Works Department for review and comment. The consultant shall revise the study as necessary according to comments of the Public Works Department.
5. The traffic study shall include, at a minimum, the following topics:
 - a. locational map;
 - b. Project description;
 - c. To-scale site plan showing the entire parcel, and the proposed and existing structures, roads, parking areas, and project ingress and egress;
 - d. Amount of employees required by the project;
 - e. Amounts and types of traffic to be generated by the proposed development, and modal splits, directional splits, distribution, and trip assignment, as appropriate;

- f. For commercial mining or logging proposals, potential conflicts between trucks and recreational and residential uses and traffic, and times of peak truck traffic;
- g. Existing amounts and types of traffic and service levels on Highway 1, and/or other highways or roads serving the proposed development;
- h. Potential traffic conflicts and safety hazards, as related to access points, turning movements, acceleration, deceleration, types of traffic, times of peak traffic, etc.;
- i. Impacts to highway 1 or other road service capacity and traffic safety as a result of the proposed development;
- j. Any topics recommended for inclusion by the Public Works Department and/or the State of California Department of Transportation prior to the traffic study being required; and,
- k. Recommended measures to mitigate impacts of the proposed development. (Ref. Policy 4.1.3.C.2 & 4.1.3.C.3)

B. Highway 1 Development Standards

- 1. Where improvements to Highway 1 are proposed , the highway section being improved shall be widened to a standard of 12 foot wide lanes with 2 foot 4 foot wide shoulder, where such is physically practical and consistent with other development standards of this ordinance and the policies of the Big Sur Coast Land Use Plan. Required improvements shall also include paved turn-offs, left-turn lanes, and other measures to improve traffic capacity and/or safety. Such improvements shall be incorporated into project design, as a condition of project approval to be completed prior to the issuance of coastal development permit. (Ref. Policy 4.1.3.A.1 & 4.1.3.A.2)
- 2. Improvements to and maintenance of, Highway 1, and development withing the Highway 1 right-of-way shall be guided by an overall design concept for the Highway 1 right-of-way to be developed by Caltrans in cooperation with the State Department of Parks and Recreation, the U.S. Forest Service and local citizens. The Design concept shall make reference to roadway widths, surfaces, the preservation of trees and

flora, roadway signs, fences and railings, access area improvements, and bridges, within the right-of-way. Such design concept shall minimize adverse significant or cumulative impacts on the environment.

The objective shall be to ensure that all improvements to the extent feasible are inconspicuous and are in harmony with the rustic natural setting to the Big Sur Coast. The special report by local citizens entitled, "Design Standards for the Big Sur Highway" on file in the Monterey County Planning Department Library as No. 01.02.17 shall serve as a guide and point of departure for Caltrans and other public agencies in developing a design plan for Highway 1 and in making improvements within the State right-of-way.

The overall design concept shall guide project design. The design concept shall be prepared by Caltrans prior to April 1, 1988. The design concept shall be submitted for review and recommendation of the Planning Commission and Department of Public Works. (Ref. Policy 4.1.3.B.4)

3. Where improvements to Highway 1 include construction of a paved turn-off, the turn-off shall be signed at appropriate distances in order to sufficiently notify approaching vehicles. Signing shall be made a condition of project approval, with the design of the sign subject to the approval of the Director of Planning prior to the issuance of coastal development permit. (Ref. Policy 4.1.3.A.2)
4. Proposals for new or expanded visitor-serving, recreational, and commercial facilities, whether publicly or privately owned, shall include adequate and safe off-shoulder parking. Where such proposals are approved at the Garrapata Beach/Soberanes Points area, Molera State Park, or River Inn, conditions of project approval shall be the removal of on-shoulder parking associated with these facilities and the re-establishment of unobtrusive native vegetation on bare areas. Removal techniques should include the placement of boulders or other such techniques to effectively remove these areas from use. (Ref. Policy 4.1.3.A.3 & 4.1.3.B.1)

5. On-shoulder parking shall be prohibited where safe shoulder width or sight distances cannot be achieved, or where important seaward vistas will be impaired. (Ref. Policy 4.1.3.A.3)
6. New development shall utilize private and public roads with existing entrances to Highway 1. Driveway ingress and egress shall meet traffic safety requirements as provided by the Public Works department. Where proposed development includes construction of a new entrance to Highway 1, the applicant shall demonstrate an inability to obtain easements for use of existing public roads to access Highway 1. Such demonstration shall include appropriate maps and written verification from owners of property potentially providing access, and shall be required and submitted prior to the application being considered complete. (Ref. Policy 4.1.3.A.4)
7. Development of new or expanded recreation areas and visitor-serving facilities shall include the development of transit facilities, such as bus stops, shelters, access trails, and pick-up service. The type and location of proposed facilities shall be included as part of the development application. As part of the County project referral process, the project shall be referred to Caltrans and to Monterey-Salinas Transit for review and comment. (Ref. Policy 4.1.3.D.2)
8. Development of commercial mining or logging activities shall be prohibited if they require the use of heavy trucks on Highway 1 during peak recreation use period, defined as 7 a.m. to 10 p.m. (Ref. Policy 3.8.3.5.a & 4.1.3.C.3)

C. County Road Development Standards

1. Improvements to the width or alignment of Sycamore Canyon Road and Palo Colorado Road shall be prohibited where resulting in negative visual or environmental impacts or in adverse impacts to adjacent residents. Specific studies shall be required, either prior to the application being considered complete or as a condition of project approval, as needed to assess and mitigate potential environmental impacts. Conditions of project approval shall include any measures necessary to mitigate adverse impacts and provision of pedestrian access where road width permits. (Ref. Policy 4.1.3.A.5)

D. Private Road Development Standards

1. New roads shall not intrude upon the critical viewshed, as per Section 20.145.030.A.2.e.
2. Outside of the critical viewshed, new private roads may be developed only if the proposed road:
 - a. Is appropriate for the establishment, continuation, or expansion of Coastal Act priority uses, i.e. agriculture, visitor-serving, and recreation;
 - b. Is essential for basic residential access, and no reasonable alternative exists; or,
 - c. Provides a superior alternative to an existing road in carrying out the policies of the Big Sur Coast Land Use plan and standards of this Ordinance. (Ref. Policy 5.4.3.K.1)
3. If the new private road is proposed for residential use, the applicant shall demonstrate an inability to obtain easements for use of existing private roads or inability to use existing public roads for access to the property. Such demonstration shall include appropriate maps and written verification from owners of property potentially providing access, and shall be required and submitted prior to the application being considered complete. (Ref. Policy 5.4.3.K.1.a)
4. New private roads shall meet, in addition to applicable development standards, the following criteria:
 - a. Such road shall be able to accommodate emergency vehicles, particularly fire equipment, while permitting residents to evacuate the area. As such, recommended conditions from the Fire District will be made conditions of project approval where deemed appropriate by the decision-making body, as per Section 20.145.080.C.1.
 - b. The project includes appropriate planting of exposed slopes and proper erosion and drainage control measures. As a condition of project approval, detailed drainage and erosion control plans shall be required and submitted for approval of the Director of

Building Inspection prior to issuance of building or grading permits.

- c. Such roads do not negatively impact the long-term maintenance of environmentally sensitive habitats, as certified by a qualified biologist. Where an environmentally sensitive habitat is located on or adjacent to the site, a biologic report shall be required, submitted, and approved as per Section 20.145.040.A.
- d. Potential erosion impacts from road construction shall be adequately mitigated (i.e., the proposed road construction will not induce landsliding or significant soil creep, nor increase existing erosion rates), as verified by a soils engineer. As a condition of project approval, a soils report shall be required and submitted for approval of the Director of Building Inspection prior to the issuance of building or grading permits. The report, prepared by a soils engineer, shall provide necessary mitigation measures and verify the adequacy of the erosion control measures.
- e. Such roads do not cross slopes of 30 percent or greater, unless exempted by the Director of Planning because:
 - 1) No feasible alternative exists; or,
 - 2) The proposed design of the road on balance better achieves the resource protection objectives of the Big Sur Coast Land Use Plan and the standards of this ordinance. (Ref. Policy 5.4.3.K.2)
- f. Road construction shall not include side casting of uncompacted fill material. (Ref. Policy 3.2.4.B.7)
- g. Where feasible, such roads shall be located within or along the margins of forested areas, and shall follow the existing natural contour of the land, in order to minimize visual impacts. (Ref. Policy 3.2.4.B.7)
- h. Such roads shall be aligned to minimize removal of native trees.

5. New roads developed to serve new residential development, including subdivisions and single family residences, shall be required to be a width of 12 feet. Narrower road widths shall be allowed only where adequate turnouts are provided at frequent intervals to the satisfaction of the Department of Forestry and the U.S. Forest Service, where applicable, as per procedures listed in Section 20.145.080.C.1. Greater road widths may be allowed where necessary to accommodate clustering of residential units or where non-residential use is permitted, providing that all criteria of the above development standards are met. (Ref. Policy 5.4.K.3)
6. New roads serving new subdivisions shall meet road standards of the Monterey County Subdivision Ordinance. (Ref. Policy 5.4.3.K.3)

20.145.140 Land Use And Development Standards.

Intent of Section: The intent of this Section is to provide standards for land use and development which will allow for the maintenance of the Big Sur Coast as a scenic natural area. As such, future land use development on the Big Sur Coast should be extremely limited. In all cases, new land uses must remain subordinate to the character and grandeur of the Big Sur country. All proposed uses, whether public or private, must meet the same exacting environmental standards and must contribute to the preservation of Big Sur's scenery. (Ref. Policy 5.4.1)

A. General Development Standards

1. All development and land use, whether public or private, shall conform to and be consistent with the policies of the Big Sur Coast Land Use Plan and with the development standards of this ordinance. (Ref. Policy 5.4.2.1)
2. All development and land use shall conform to and be consistent with the goals, objectives, and policies of the Big Sur River and Little Sur River Protected Waterways Management Plans, where applicable. (Ref. Policy 5.4.2.1)
3. Land use or development will not be permitted if found to be inconsistent in character, scale, or activity level with the goal of preserving the coast's natural, undeveloped beauty and tranquility. Such land uses include, but are not limited to:

- a. Intensive recreational activities, such as tennis, golf, cinemas, mechanized recreation, and boating facilities;
 - b. Industrial development;
 - c. Manufacturing, other than for cottage industry or art production;
 - d. Large-scale mineral extraction or mining;
 - e. Oil extraction
 - f. Commercial timber harvesting;
 - g. Non-coastal dependent industry; and,
 - h. Off-road vehicle recreation. (Ref. Policy 5.4.2.6)
4. Development shall not be located on slopes of 30% or greater. The Director of Planning may grant a waiver to the standard upon applicant request and explanation of the request justification if:
- a. There is no alternative which would allow development to occur on slopes of less than 30%; or,
 - b. The proposed development better achieves the resource protection objectives and policies of the Big Sur Coast Land Use Plan and development standards of this ordinance. (Ref. Policy
5. Development of a parcel shall be limited to density, land use, and site development standards specific to that parcel's land use designation, as shown in Attachment 3.
6. East of Highway 1, residential development in "RDR" (Rural Density Residential) and "WSC" (Watershed and Scenic Conservation) zoning districts shall be allowed at maximum densities established according to the following steps:
- a. The maximum density is established by the zoning district in which the parcel lies, e.g., "Watershed and Scenic Conservation/40 (CZ)" provides a 40 acre minimum building site.
 - b. The maximum density is established according to the slope density analysis required for the project according to Section 20.145.140.A.7

- c. The development standards of this ordinance and the policies of the Big Sur Coast Land Use Plan are applied to the parcel. Any policy or standard resulting in a decrease in density are than tabulated and subtracted from the maximum density allowed under the slope density formula.
 - d. Whichever of the two resulting densities, from the slope formula and from zoning, the lesser is then established as the maximum allowable density for the parcel. (Ref. Policy 5.4.2.8)
7. A slope density analysis shall be required for applications for residential development beyond the first residential unit on parcels which are east of Highway 1 and in a "WSC" (Watershed and Scenic Conservation) or "RDR" (Rural Density Residential) zoning districts. The analysis shall be required and submitted to the County prior to the application being considered complete. The slope density analysis shall include the following elements:
- a. Topographic map of the entire parcel at an appropriate scale and contour interval of 40 feet or less;
 - b. Table showing the calculation of average cross slope as per Sec. 19.08.030 and 20.145.020.W;
 - c. The resulting maximum allowable number of dwelling units using the following slope density formula:
- | <u>Existing Slope</u> | <u>Maximum Allowable Density</u> |
|-----------------------|----------------------------------|
| Under 15% | 1 unit/40 acres |
| 15% - 30% | 1 unit/80 acres |
| Over 30% | 1 unit/320 acres |
- (Ref. Policy 5.4.2.8)
- 8. West of Highway 1, residential development in "RDR" (Rural Density Residential) and "WSC" (Watershed and Scenic Conservation) zoning districts shall be allowed at a density of 1 unit per 40 acres. (Ref. Policy 5.4.2.8)
 - 9. Off-site advertising signs shall be prohibited. (Ref. Policy 5.4.2.12)

10. On-site advertising signs shall be allowed only in connection with commercial or visitor-serving uses. Maximum size shall be 35 square feet. The size, design, materials, and location of all signs shall conform to the local character, appropriate for the intended use, and shall be subject to approval of the Director of Planning as a condition of approval. Materials shall be limited to those which are natural, including unpainted wood (except for lettering) and stone, whenever feasible. No exterior or interior neon, plastic, moving or flashing signs will be allowed. (Ref. Policy 5.4.2.12)
11. Private signs or advertising structures shall be prohibited within the Highway 1 right-of-way. (Ref. Policy 5.4.2.12)
12. Tree removal shall be in accordance with provisions and standards of Section 20.145.060. (Ref. Policy 5.4.2.13)
13. On-site septic or other waste disposal systems shall not be permitted on slopes exceeding 30%. One acre shall be considered to be the minimum area for development of a septic system.
14. A total of 100 new residential lots may be created by new subdivisions from the date of certification of the Big Sur Coast Land Use Plan. (Ref. LUP Table 1)
15. Existing parcels of record are considered to be buildable parcels suitable for development of uses consistent with the provisions of the ordinance and land use plan, provided that: a) all resource protection policies of the land use plan and standards of the ordinance can be met; b) there is adequate building area on less than 30% slopes; and, c) that all other provisions of the Coastal Implementation Plan can be fully met. (Ref. LUP Policy 5.4.2.5)
16. New development shall not be permitted to include subsurface disposal of hazardous or toxic chemicals. As such, development must comply with Titles 22 and 23 of the Public Resources Code and with applicable sections of the Monterey County Code pertaining to toxics and hazardous substances, as administered by the County Health Department.

Appropriate studies shall be required and conditions of approval applied by the Health Department as needed to assure compliance.

17. Where resubdivision is proposed for non-contiguous parcels, the parcel receiving the increased density shall contain at least one acre per unit of residential density. The non-contiguous donor parcel shall be permanently restricted from residential development through dedication of scenic easements in accordance with Section 20.142.130. (Ref. Policy 5.4.3.H.5)

B. Specific Development Standards

1. New or Expanded Recreation and Visitor-Serving, Facilities
 - a. Intensive recreation uses and facilities, including restaurant and over-night facilities, shall be compatible in scale and nature with the rustic, small-scale, outdoor recreation character of Big Sur. As such, development shall be modified as necessary in order to meet the following standards:
 - 1) Building materials shall be natural, including wood (and stone wherever possible) and shall also utilize earth-stone colors.
 - 2) Tree removal and grading shall be minimized to that which is necessary for accommodation of the main and accessory structures. Where there are alternatives to development which minimize tree removal and/or grading, the development proposal shall be modified as necessary, such as in location, siting, size, design, and bulk, in order to incorporate the alternative.
 - 3) The design, size, scale and bulk of the proposed structure shall be comparable to existing structures in the area and clearly subordinate to the surrounding landforms.
 - 4) Maximum building height may be two stories, subject to site constraints. The two-story height may be required to be decreased or allowed to be increased upon action of the decision-making body, where the height alteration is needed to and/or able to meet the resource protection

standards of the ordinance and policies of the land use plan. Height increases shall not exceed 10 feet. (Ref. Policy 5.4.3.C.2)

- c. Development of visitor-serving inn or lodge units shall be allowed according to the following standards:
- 1) A maximum of 30 visitor-serving inn or lodge units may be allowed on any one site on a parcel.
 - 2) Where there is more than one site (i.e., grouping of lodge or inn units) on a parcel, each site shall be separated by a minimum of 400 feet.
 - 3) On parcels in a "VSC" zoning district, the maximum allowable inn or lodge unit density shall be one unit per net undeveloped acre, with a minimum parcel size of 10 acres. The "undeveloped" acres shall not include those areas which are undevelopable due to slopes of 30% or greater, hazards, or other development standards or LUP policies. Existing residential development shall be considered to be developed acreage at a ration of 1 acre per dwelling unit.
 - 4) On parcels in a "WSC" (Watershed and Scenic Conservation) zoning district, the maximum allowable inn unit density shall be 2 units for each potential residential unit allowable on the parcel. A maximum of 8 units per parcel may be allowed. Where on or more parcels are in common ownership, the total units allowable on the parcels may be aggregated on a parcel, not to exceed 30 units per site. In order to determine the amount of potential residential units which may be converted to inn units, applications for inn or lodge units shall be subject to the standards and procedures outlined in Section 20.145.140.A.6 and A.7. The maximum allowable density thereby established shall be used as the amount of potential residential units allowable on the parcel. (Ref. Policy 5.4.2.9)

- 5) A maximum total of 300 inn/r.v. campground units may be approved after certification of the Big Sur Land Use Plan. (Ref. LUP table 1)
 - 6) A maximum total of 50 hostel units may be approved after certification of the Big Sur Coast Land Use Plan. (Ref. LUP Table 1)
- d. Development of new or expanded inn or lodge units shall meet the following standards
- 1) The development shall be consistent with the policies of the Big Sur Coast Land Use Plan and with the standards of this ordinance.
 - 2) The development shall meet density and site requirements listed in Attachment 3.
 - 3) Adequate water and sewer shall be available, as per Health Department requirements and the standards of this ordinance.
 - 4) Sufficient and adequate employee housing shall be included as part of the development proposal
 - 5) Parking shall include at least one parking space per inn unit, plus adequate and separate employee parking. Adequate employee parking shall be considered to be one parking space for each employee expected to drive to the work site, during the largest work shift, as described in the employee information required in Section 20.145.140.B.1.m.
 - 6) Access to the inn or lodge must be direct either from a public road, excluding Palo Colorado Road or Sycamore Canyon Road, or form a common driveway with permission of the owner(s).
 - 7) As a condition of project approval, a deed restriction shall be recorded which states that the inn units will not be

rented or subdivided as separate residential dwelling units. (Ref. Policy 5.4.3.C.7)

- e. No portion of acreage necessary for one type of visitor-serving or recreational facility shall be credited to a different facility. In other words, inn units, campsite units, and other allowable uses may all be located on the same parcel, but the acreage used to calculate the allowable number of units for one use shall not also be counted towards another use. (Ref. 5.4.3.C.7)
- f. On the Westmere parcel, a maximum of 24 inn or lodge units may be developed. As well, a limited number of additional units may be proposed as part of the development, if not adversely impacting the overall development's ability to meet the development standards of this ordinance and the policies of the Big Sur Coast Land Use Plan. Restaurant development on the parcel shall be subject to the requirements of Section 20.145.140.B.1.J and k.2. The development shall incorporate design, scale, siting, location, and features appropriate to the historic character of the site. Modifications shall be required for number of units, and design, materials, color, bulk, scale, size, and location, where such modifications will provide better consistency with the site's historical character. Where deemed necessary by the County, an historical consultant shall prepare, at the applicant's expense, an analysis of the proposed development and recommendations regarding appropriate modifications to the proposal in order to assure such consistency. As well, the development shall be located outside of the critical viewshed. A restoration of the parcel and the provision of public access to the beach at Rocky Creek. (Ref. Policy 5.4.3.E.2)
- g. Visitor-serving projects with more than 5 inn or lodge units shall be required, as a condition of approval, to enhance existing and/or provide new public coastal recreational opportunities. The amount and nature of the facilities or improvements to be provided shall be appropriate to the type and extent of visitor-serving project being proposed. However. Such opportunities shall be oriented to providing public access, such as trail

dedications and pedestrian access to recreation land, and low-cost, low-to-moderate income facilities, such as day use facilities, e.g. fire rings and picnic tables. Payment of in-lieu funds to the County, to be used for physical improvements, shall be an acceptable alternative to actual provision of the physical improvements by the project developer. (Ref. Policy 5.4.3.C.2)

- h. Applications for new or expanded restaurant development shall be required to submit, prior to the application being considered complete, the amount of proposed and existing seating. "Seating" shall be considered to be any chair, sofa, stool, or bench that is either temporary or permanent or in an open or enclosed area, at which a customer can sit and order food, including full meals a la carte items and appetizers, regardless of the presence of a table. (Each 2 feet of bench or sofa shall be counted as one seat.) As well, the application shall include a plot plan which shows the layout of the restaurant and surrounding area, including kitchen, work stations, tables, bars, patios, and outside areas. Seats shall be delineated by type (i.e. chair, stool, etc.) and by temporary/permanent status.
- i. Development of new restaurants on parcels in "VSC" (Visitor-Serving Commercial) zoning districts shall be limited to a maximum of 120 seats and structural size, including open and enclosed areas, necessary to accommodate only the amount of seating proposed in the application. The proposal shall be modified as necessary to eliminate both enclosed and open area which could potentially be used for seating in excess of that proposed in the application. (Ref. Policy 5.4.3.C.7)
- j. Development of new restaurants on parcels in "WSC" (Watershed and Scenic Conservation_ zoning districts, shall only be allowed if the parcel has been previously been developed with inn, lodge, or campsite units, or if an application for such units is on file and pending with the Planning Department. The restaurant development shall be limited to a maximum of 2 seats per existing inn/lodging/campsite or 1 seat per hostel bed unit, and a structural size, including open and enclosed area, necessary to

accommodate the proposed seating. The proposal shall be modified as necessary to eliminate both enclosed and open area which could potentially be used for seating in excess of that proposed in the application. (Ref. Policy 5.4.3.C.7)

- k. Expansion of existing restaurants shall be allowed according to the following criteria:
 - 1) On parcels in a "VSC" (Visitor-Serving Commercial District) zoning district, expansion shall not exceed either 10% of the existing seating or a total of 120 seats (including existing and proposed seating) whichever is greater.
 - 2) On parcels designated "WSC" (Watershed and Scenic Conservation), restaurant expansion shall only be allowed to accommodate existing and proposed inn/lodging/campsite units, at a rate of 2 seats per existing and proposed unit.
 - 3) The maximum size of the expanded restaurant shall be limited to that necessary to accommodate the proposed seating. The proposal shall be modified as necessary to eliminate both enclosed and open area which could potentially be used for seating in excess of that proposed by the application.
 - 4) The proposed structure shall be required to meet the design standards of Section 20.145.140.B.1.b, and shall be modified as necessary, including reduced amount of seating, in order to be able to meet these standards. (Ref. Policy 5.4.3.C.7)
- l. Development of new or expanded restaurant facilities on parcels which do not also have inn, lodging, or campsite facilities shall be required to provide parking at a rate of 1 parking space per 4 seats or per 100 square feet of enclosed and open dining area, whichever is greater. As well, adequate and separate employee parking shall be provided. Adequate employee parking shall be one parking space for each employee expected to drive to the

work site during the largest work shift, as described in the employee information required in Section 20.145.140.B.1.m.

m. Applications for commercial development, including new or expanded recreation, restaurant and other visitor-serving facilities shall include an "employee housing plan", to be required and submitted prior to the application being considered complete. The plan shall include the following:

- 1) Number of total employees, shown on a month-by-month basis if seasonal fluctuations are expected;
- 2) Breakdown of the number of employees according to seasonal/permanent status, job category, and wages, shown on a month-by-month basis if seasonal fluctuations are expected;
- 3) Number of employees per shift, including the largest shift during the peak season;
- 4) Number of employees to be housed on the parcel to be developed, elsewhere in the Big Sur area, and outside of the Big Sur area;
- 5) Number of employees to live in both off-site and on-site housing as provided by the employer;
- 6) Description of on-site and off-site employee housing to be provided by the employer, including location of the housing, type of accommodations, number of rooms or units, and cost to the employee; and,
- 7) Number of employees, as a total and on the largest shift during the peak season, who will be commuting by car to the place of employment. (Ref. Policy 5.4.3.C.9)

2. Commercial Facilities

a. Development of new highway frontage commercial uses, including gasoline service stations, general stores and other similar highway-oriented commercial structures serving community and visitor needs shall be limited to the following

Rural Community Center areas as mapped in the Big Sur Coast Land Use Plan, Big Sur Valley (except the Sohm/Rodakowski, State Parks; and Chappellet sites); Lucia; Pacific Valley; and Gorda. Such highway-oriented commercial development is restricted to areas in "VSC" (Visitor Serving Commercial zoning districts).

- b. Development of new or expansion of existing commercial facilities shall be compatible with the rustic, small-scale character of Big Sur. As such, development shall be modified as necessary to meet the following standards:
 - 1) Building materials shall be natural, including wood and, wherever possible, stone, and shall also utilize earth-tone colors.
 - 2) Tree removal and grading shall be minimized to that which is necessary for accommodation of the main and accessory structures. Where there are alternatives to development which minimize tree removal and/or grading, the development proposal shall be modified as necessary, such as in location, siting, size, design and/or bulk, in order to incorporate the alternative.
 - 3) The maximum building height shall be two stories.
 - 4) Building scale, bulk and size shall be comparable to existing structures in the area and clearly subordinate to surrounding land forms. (Ref. Policy 5.4.3.E.3 and E.4)
- c. Cottage shop industry shall be permitted in areas where residential use is allowable, and shall not be restricted to commercially-oriented zoning districts. "Cottage shop industry" is small-scale manufacturing of artistic or craft items as conducted out of the home or from a workshop accessory to and existing principal residence. (Ref. Policy 5.4.3.E.7)
- d. Existing commercial facilities, located outside "CGC" zoning districts, may be permitted to expand existing secondary uses on the parcel provided that such expansion is small in scale and

clearly subordinate and incidental to the parcel's primary use. (Ref. Policy 5.4.3.E.7)

- e. Development of new or expanded commercial uses shall not be permitted to adversely impact traffic safety or capacity of Highway 1. Further, proposals shall be modified as necessary to avoid such adverse impacts. Proposals for development of new or expanded commercial uses, including inns and restaurants, shall thus require the preparation of a traffic study, according to the requirements of Section 20.145.130.A. The study shall assess potential impacts and recommend mitigation measures. (Ref. Policy 5.4.3.E.9)

The Director of Planning may waive the traffic study for minor expansions of existing commercial uses which will not have adverse traffic impacts, as verified by the Public Works Department.

- f. Development of new or expanded commercial facilities shall include provision of adequate parking which is screened by landscaping or other appropriate methods from public views from Highway 1. Proper screening, such as landscaping, shall be required as a condition of approval. (Ref. Policy 5.4.3.E.6 and E.9)
- g. Development of new or expanded commercial or renewal of permits for existing commercial uses shall not adversely impact surrounding land use, such as through additional light or glare. As such, proposal for commercial development shall be evaluated for the nature and extent of land use conflicts, and modifications shall be required as necessary to reduce potential adverse impacts. (Ref. policy 5.4.3.E.8)
- h. Development of new or expanded commercial facilities shall be required, as a condition of project approval, to enhance existing or to provide new physical improvements for public recreational opportunities or access. The amount and nature of the improvements to be required shall be appropriate to the type and required shall be appropriate to the type and extent of the proposed commercial facility. However, the types of projects may

include trail links and interpretive facilities, and provision of public access to shoreline and recreation lands. Payment of in-lieu funds to the County, to be used for the physical improvements, shall be an acceptable alternative to actual provision of the physical improvements by the project developer. (Ref. Policy 5.4.3.E.10)

- i. Conversion of existing low-cost overnight accommodations to other commercial or non-commercial uses shall be prohibited, unless the accommodations will be replaced with facilities comparable in cost and size. (Ref. Policy 5.4.3.E.11)

3. Public and Quasi-Public Facilities

- a. Public and quasi-public facilities shall be subject to all applicable development standards of this ordinance and to the policies of the Big Sur Coast Land Use Plan. (Ref. Policy 5.4.3.F.4)

4. Housing

a. Visitor Accommodations Employee Housing

- 1) The employee housing provided by the employer shall be available at a cost affordable to the development's low-to-moderate income employees, as detailed in the Employee Housing Plan as per Section 20.145.140.B.1.m.
- 2) The employee housing must be constructed prior to or concurrent with the proposed development, and shall be included as part of the development application.
- 3) The housing shall be constructed on the site or in the immediate vicinity of the development, such that an employee may walk to the job site.
- 4) Where new employee housing is proposed for construction, except for dormitories, the maximum size of an employee housing unit shall be 850 square feet. The maximum number of such new housing units shall be 1 unit per inn unit or per six restaurant seats. (Ref. Policy 5.4.3.I.2.b)

b. Caretaker's Quarters

- 1) The caretaker's quarters shall be a permanent residence, secondary and accessory to an existing main residence, to be inhabited by a person employed exclusively on the parcel.
- 2) The caretaker shall be employed exclusively on the parcel for purposes of security or to provide continuous care for persons, plants, animals, equipment, or other conditions specific to the site. As such, prior to the application being considered complete, the applicant shall provide evidence which demonstrates necessity for such unit by demonstrating that: a) there is a security problem, or b) some type of continuous care is required, and c) the owner is unable to personally perform the needed function, or requires additional assistance to a sufficient degree to warrant a caretaker. Acceptable evidence shall include such items as a letter from a doctor stating medical needs, a letter from a police department describing the area's security problems, or employee job descriptions.
- 3) One caretaker unit shall be allowed per parcel or per existing main residence.
- 4) The minimum parcel size for establishment of a caretaker unit shall be 2 acres.
- 5) During project review, pursuant to Section 20.140.080, site characteristics shall be reviewed in order to determine that the site is both capable of sustaining the additional development and that the proposal is consistent with the policies of the Big Sur Coast Land Use Plan and the standards of this ordinance.
- 6) Caretaker units attached to the main residence are encouraged; however, the maximum building size for an attached or a detached caretaker unit shall be 850 square feet.

- 7) The caretaker unit shall not be rented, leased or otherwise let.
 - 8) Subsequent subdivisions which would divide a main residence from a caretaker's residence shall not be permitted.
 - 9) As a condition of project approval, the applicant shall record a deed restriction pursuant to Section 20.142.130.B, prior to issuance of building permits, that the caretaker's unit may not be rented, leased, or let nor subsequently divided from the main residence. (Ref. Policy 5.4.3.1.2.c)
 - 10) A maximum of 50 caretaker units may be approved in the Big Sur Coast Land Use Plan, after the certification of the LUP. (Ref. LUP Table 1)
- c. Agricultural Employee Housing
- 1) One dormitory or bunkhouse may be allowed per ranch or per 640 acres.
 - 2) The agricultural employee housing shall be excluded from density requirements; however, the proposed development must be able to meet the policies of the Big Sur Coast Land Use Plan and the standards of this ordinance. (Ref. Policy 5.4.3.1.2.d)
- d. Guesthouses
- 1) The guesthouse shall be a permanent attached or detached structure containing a living area without cooking or kitchen facilities, which is secondary and accessory to an existing main residence.
 - 2) One guesthouse shall be allowed per parcel or per existing main residence.
 - 3) Guesthouses shall be excluded from density requirements. However, during the permit review process, site characteristics shall be reviewed in order to determine that the site is both capable of sustaining the additional

development and that the proposal is consistent with the policies of the Big Sur Coast Land Use Plan and the standards of this ordinance.

- 4) Detached guesthouses shall be located in close proximity to the principal residence.
- 5) Guesthouses shall be required to share the same utilities with the main residence, except where prohibited by public health requirements.
- 6) The guesthouse shall contain no kitchen or cooking facilities, including microwave ovens and hot plates.
- 7) All facilities such as “wetbars” must be proportionate to the size and scope of the guesthouse. There may be a maximum of 6 feet of counter space, excluding counter space required for a bathroom and its attendant fixtures. There may be a maximum of 8 square feet of cabinet space, excluding clothes closets.
- 8) Guesthouses shall not exceed 425 square feet of interior area in size.
- 9) Guesthouses may not be separately rented, let or leased from the main residence.
- 10) Prior to the issuance of permits for guesthouse construction or for use of an existing building as a guesthouse, the applicant shall record a deed restriction, pursuant to Section 20.142.130.B, stating the regulations applicable to the guesthouse, including that the guesthouse shall not be separately rented, let or leased from the main residence and may not have cooking or kitchen facilities, nor may it be subsequently divided from the main dwelling.
- 11) Subsequent subdivisions which would divide a main residence from a guesthouse shall not be permitted.

- 12) The guesthouse must be architecturally consistent and compatible with the main residence.
 - 13) The guesthouse height shall not exceed 12 feet nor be more than one story. Additions to height and placement of guesthouses over a one-story structure, such as a garage, may be considered when intended to provide for architectural consistency and compatibility with the main residence or to meet resource protection standards of this ordinance or policies of the Big Sur Coast Land Use Plan. (Ref. Policy 5.4.3.J.1)
 - 14) In the Otter Cove area, all guesthouses shall be attached to the main dwelling; in the rocky Point area, guest houses shall be attached to the main dwelling except where they can be sited to better implement the policies of the certified Big Sur Coast Land Use Plan.
- e. Low and Moderate Income housing
- 1) Proposed demolition of low and moderate income housing shall not be exempted from the requirement to obtain a Coastal Development Permit. Low and moderate income housing is considered to be that housing which is affordable to households earning up to 80% to 120% of the County Median household income. (Ref. Policy 5.4.3.I.1.a)
 - 2) As a condition of project approval, the applicant for demolition of low and moderate income housing shall be required to replace each of the affordable housing units. As such, the applicant shall obtain the necessary permits, including building permits, for the replacement units prior to issuance of the demolition permit. (Ref. Policy 5.4.3.I.1.a)
 - 3) As a condition of project approval, the applicant shall record a deed restriction stating that the replacement unit(s) shall be sold, let or leased only to those households which qualify as low to moderate income housing, i.e. households earning up to 120% of the County's current median household income. Conversion, re-sale, or sub-

letting of the units shall not alter this restriction. (Ref. Policy 5.4.3.I.1.d)

5. Accessory Structures

- a. Small non-residential and non-commercial accessory structures, such as tool sheds, workshops, studios, and barns, may be permitted on any size parcel provided that the proposed development can meet the policies of the Big Sur Coast Land Use Plan and the standards of this ordinance. (Ref. Policy 5.4.3.J.2)
- b. The accessory structure may not be inhabited or otherwise contain cooking or kitchen facilities.
- c. Where the design of the accessory structure does not preclude use of the structure as a dwelling unit or living space, a condition of project approval shall be that the applicant record a deed restriction, prior to issuance of building permits, stating the applicable regulations, including that the structure may not be inhabited nor contain cooking or kitchen facilities. (Ref. Policy 5.4.3.J.2)

6. Antiquated Subdivisions.

- a. In order to resolve the problems created by antiquated subdivisions and notwithstanding Section 20.98.080, the Board of Supervisors or other appropriate authority may require merger of adjacent parcels in common ownership where past land divisions have resulted in parcels being unusable under current standards or where cumulative impacts on coastal resources require limitations on further development.
- b. Such mergers shall be subject to the following standards:
 - 1) The minimum buildable parcel shall be one acre;
 - 2) Each parcel must contain a suitable septic and drain field location on slopes less than 30%, and must be able to meet Regional Water Quality and County stream setback and septic system requirements; and

- 3) Each parcel must conform to all other applicable requirements for residential development on existing parcels.
- c. These merger provisions shall immediately apply to the Garrapatos Redwoods Subdivision. (Ref. Policy 5.4.3G-3 & G.4).

20.145.150 Public Access Development Standards

Intent of Section: The intent of this Section is to provide development standards which will protect, encourage, and enhance the rights of access to the shoreline, public lands, and along the coast, and the opportunities for recreational hiking access.

Because preservation of the natural environment is the highest priority, all future access must be consistent with this objective. Care must be taken that while providing public access, the beauty of the coast, its tranquility and the health of its environment are not marred by public overuse or carelessness. The protection of visual access should be emphasized throughout Big Sur as an appropriate response to the needs of recreationists. Visual access shall be maintained by directing all future development out of the viewshed. The protection of private property rights must always be of concern. (Ref. Policy 6.1.3)

The intent of the following section is to use the existing access as much as possible, and to improve existing but deteriorated trails, where needed, to provide more evenly distributed access. This approach minimizes both the visual and environmental impacts associated with construction and use new trails and the conflicts involved in providing a new trail access through a multitude of private ownerships. Cooperation between the County, public management agencies, local landowners, and the community are essential when applying the following standards. (Ref. Policy 6.1 & 6.1.3)

Public access shall be required except where determined by the decision-making body to be inconsistent with public safety, military security needs, protection of fragile coastal resources or protection of agricultural resources, except where exempt under Section 20.145.150.D.1.

A. Access Management Plan Requirement

1. An access management plan shall be required when any opening of or improvements to a public accessway are proposed or required, and a

Coastal Development Permit or other discretionary permit must be obtained for such opening or improvements. The access management plan requirements shall apply to commercial, industrial, and Visitor-serving development which is required, as a condition of project approval, or proposes to establish and open public access as part of the development proposal.

2. An access management plan will not be required for a proposed project if such a plan has been previously prepared and if that plan includes all required elements and also addresses the proposed project as well as the entire accessway. If a previous plan does not meet these conditions, then an amended plan shall be required. That amended plan shall address the appropriate elements such that, together with the original plan, it constitutes an adequate, complete plan.
3. The access management plan or amended plan shall be required by, submitted to, and approved by the Planning Department prior to the application being considered complete. It shall be prepared at the applicant's expense. Four copies shall be submitted to the Planning Department.
4. The access management plan shall be in conformance with the resource protection and accessway standards of this ordinance and with the policies of the Big Sur Coast Land Use Plan. All elements of the plan must be in conformance with the "Public Access Criteria" contained in Section 20.145.150.E.3. As well, the plan shall incorporate at a minimum the management and implementation recommendations contained in Table 2 of the Big Sur Land Use Plan. The plan shall be revised as necessary to meet each of these requirements, before the plan may receive County approval.
5. The access management plan shall be prepared for the entire accessway, and shall include, at a minimum, the following elements:
 - a. Overview
 - 1) Description of accessway location, setting, terrain, length and width, and existing land use and development in the area.

- b. Accessway Liability
 - 1) Identification of entity responsible and liable for what happens to life and property within the accessway easement area.
 - 2) Description of insurance provisions.
- c. Accessway Maintenance
 - 1) Identification of entity responsible for accessway maintenance.
 - 2) Description of types and frequency of on-going clean-up and periodic up-keep that will be undertaken by the responsible entity.
- d. Accessway Siting
 - 1) Identification of entity responsible for surveying and determining the precise accessway location and width.
 - 2) Description of the accessway location and width. The trail easement shall not be less than 10 feet in width. The trail shall not be less than 4 feet in width, unless as otherwise specified in the access management plan.
- e. Accessway Improvements
 - 1) Description of types, locations, and design of accessway improvements, including trailheads, signs, fencing, ramps, steps, railings, public facilities, etc.
 - 2) Description of landscaping, if proposed.
 - 3) Description of grading and tree removal required for the improvement projects.
 - 4) Explanation of the purpose and need for each improvement.
 - 5) Description of funding sources and amounts needed for improvement projects.
 - 6) Timetable for provision of improvements.

- f. Parking (if applicable)
 - 1) Detailing of amount of parking needed, given the expected amount of users, and the amount of parking to be provided.
 - 2) Description of parking lot location and dimensions.
 - 3) Description of parking lot design and improvements, including landscaping, barriers, signs, and space size/design.
 - 4) Analysis of the access to the parking lot from the public road, and the needed and proposed improvements to the lot entrance and the road in order to assure safety.

- g. Project Analysis
 - 1) Analyze and discuss impacts of the proposed accessway and associated improvements in relation to the following:
 - a) Amount of expected accessway users and types of use;
 - b) Maximum amount of people able to use the resource while still assuring the resource's protection and long-term maintenance;
 - c) Wildlife, wetland, and environmentally sensitive habitats;
 - d) Area vegetation;
 - e) Adjacent land uses;
 - f) Existing development, including neighborhood privacy;
 - g) Private water sources;
 - h) Visual impacts;
 - i) Noise;
 - j) Fire hazard;

- K) Public Safety; and,
 - l) Conformity to the "Public Access Criteria" contained in Section 20.144.150.E of this ordinance.
 - m) Archaeological resource
 - n) Other fragile resources
- 2) Discuss mitigation measures and improvements incorporated into the project in order to reduce the potential impacts identified above. Appropriate mitigation measures include siting and design alternatives, as well as reasonable restrictions on campfires, firearms, motorized vehicles, dogs, collecting, and hours or seasons of use.

h. Maps and Figures

- 1) General Locational Map;
- 2) Accessway Location Map;
- 3) Accessway Detailed Map, showing contours, habitat and wetlands locations, and access alignment and width(s);
- 4) Access Improvements Map, showing locations and types of proposed and future improvements; and,
- 5) Access Improvements Detail, showing elevations of the proposed improvements, with design, colors, and materials.
- 6) Maps shall be at a scale to be determined by the project planner. (Ref. Policy 6.4.B.1)

B. Access Analysis

- 1. Prior to the determination that a development application is complete, the planner shall analyze whether:
 - a. Public access is presently existing on the parcel to be developed, either as:
 - 1) A dedicated access, or an offer of dedication having been recorded on the parcel; or,

- 2) An accessway over which the public may have prescriptive rights, according to the planner's site visit, aerial photographs, and/or criteria provided in the "Prescriptive Rights Manual" by the State of California's Office of the Attorney General.
- b. Public access is needed over the parcel, according to the "Access Location and Distribution Standards" provided below as Section 20.145.150.C, for:
- 1) Lateral access, to provide continuous and unimpeded lateral access along the entire reach of a sandy beach area or other useable recreational shoreline;
 - 2) Vertical access, to provide a connection between the first public road, trail or use area nearest the sea and the publicly-owned tidelands or lateral accessway;
 - 3) Upland trail, to provide access along a shorefront bluff or along the coast inland from the shorefront bluff or along the coast inland from the shoreline as needed to establish a continuous trail system along the Big Sur Coast or to link inland recreational opportunities to the shoreline; and/or,
 - 4) Scenic overlook, to provide access to a location or area that provides a unique or unusual view of the coast.
- c. Public access is proposed over the parcel, or within one-quarter mile of the parcel, as shown on figures 2 and 3 of the Big Sur Coast Land Use Plan.

C. Access Location and Distribution Standards

1. Lateral Access

- a. The Lateral Access standard shall apply to parcels containing beachfront or useable recreational shoreline.
- b. Lateral accessways shall be located on all beach front land, as needed to provide continuous and unimpeded lateral access along the entire reach of a sandy beach area or other useable recreational shoreline, such as along bulkheads. Exceptions to

this standard may be granted by the decision-making body hearing the project for military installations where public access would compromise military security, industrial developments and operations that would be hazardous to public safety, and development where topographic features such as rock outcroppings constitute a significant hazard to public safety. The usable recreational shoreline shall be considered as including blufftops paralleling the shoreline, and seaward-facing hillsides where there is no suitable beach or blufftop location for lateral access. On dry sand and rock beaches, lateral access easements or offers to dedicate such easements shall be required over the entire beach area to the toe of the coastal bluff, or absent such bluff, to the first line of terrestrial vegetation.

2. Vertical Access

- a. The Vertical Access standard shall apply to parcels located between the first public road, trail, or public use area nearest the sea, and publicly-owned tidelands or lateral accessway.
- b. Development of a new or improvements to an existing single family residence, and development of residential subdivisions, shall be required to provide for dedication of vertical access easement(s) at suitable location(s) identified by the access analysis pursuant to Section 20.145.150.B. Improvements are defined as those which increase either height, or bulk of the residence by more than 10 percent, which block or impede public access, or which result in a seaward encroachment of the structures.
- c. Development of commercial, visitor-serving, and residential (more than one unit per parcel exclusive of caretakers or other non-principal residences) uses shall provide for dedicating and installing access through the parcel.
- d. Land divisions of beachfront parcels or shoreline parcels containing beach areas shall provide a vertical accessway to the beach area either as a separate parcel or as an easement over the parcels to be created. If a parcel to be created is greater than

20 acres in size, more than one vertical accessway shall be required if needed to provide access to more than one beach area or to provide at least one access every ¼ mile of beach front.

- e. Division of agricultural or timberland shall provide for vertical access at a location which will protect both the public user and the agricultural land's continued productivity and use.
- f. An exception to the vertical access standards may be granted by the decision-making body hearing the project provided that adequate access to the same public beach area presently exists within ¼ mile of the proposed development.

3. Upland Trail

- a. The Upland Trail standard shall apply to ocean-front parcels, parcels containing or potentially providing access to shorefront bluff and/or scenic overlook, and to parcels further inland which may provide a link between recreational areas and the shoreline.
- b. Upland trails shall be located to provide continuous pedestrian and/or equestrian access for passive recreational use along a shoreline bluff or along the coast inland from where beach access opportunities are severely limited or non-existent.
- c. Upland trails shall be located to provide a connection between the shoreline and inland units of the federal, state, or local park systems, between shoreline access easements, or between the road and a scenic overlook.

4. Scenic Overlook

- a. The Scenic Overlook standard shall apply to shoreline and inland parcels containing coastline vistas.
- b. Overlook shall be located on promontories or other areas that provide vistas of a unique or unusually beautiful portion of the coastline, where the parcel is accessible to a public road, upland trail, or vertical or lateral accessway.

D. Access Requirement

1. Development shall be required to provide public access where:
 - a. Public access has been determined to be existing and appears to be one over which the public has prescriptive rights, pursuant to Section 20.145.150.B.1.a.2;
 - b. Public access has been determined to be needed over the parcel, pursuant to Section 20.145.150.B.1.b; and/or,
 - c. Public access is proposed over the parcel, pursuant to Section 20.145.150.B.1.c.
 - d. Except where the development is as follows:
 - 1) Replacement of any structure of a single Section 20.140.070.G;
 - 2) Demolition and Reconstruction of a single family residence does not exceed either the floor area, height, or bulk of the former structure by more than 10 percent, and that the reconstructed residence is sited in the same location on the affected property as the former structure;
 - 3) Improvements to any structure which do not change the intensity of its use, which do not change the intensity of its use, which do not increase either the floor area, height or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure; or,
 - 4) Reconstruction or repair of any seawall provided, however, that the reconstructed or repaired seawall is not seaward of the repaired seawall is not seaward of the location of the former structure ; or,
 - 5) Repair or maintenance activity for which a coastal development permit shall be required pursuant to Section 20.140.070.D unless the decision-making body determines that the activity will have an adverse impact on lateral public access along the beach.

2. Where development is required to provide public access, the public access shall be required either as an easement or offer of dedication (according to the standards below) and made a condition of project approval to be completed prior to issuance of building or grading permits or prior to recordation of the parcel or final map or other authorization to proceed with the approved development, as applicable. The easement or offer shall be in accordance with the requirements of Section 20.142.130.
3. An easement shall be required when the County will assume responsibility for the improvement and management of the public accessway. To meet the condition of project approval, the easement deed must be accepted by the County Board of Supervisors, and recorded with the County Recorder, in accordance with Section 20.142.130.A.6 The Planning Department shall place one copy of the deed in the project file, and one copy in the Planning Department easement file. The easement shall also be mapped on Planning Department trails and easement maps.
4. An offer of dedication shall be required, in lieu of an easement, if the exact location of the public accessway remains to be determined and/or if the County will not be responsible for the accessway's eventual improvement and management. To meet the condition the offer of dedication to a public or non-profit agency must be approved by the Board of Supervisors as valid for a period of 21 years, and recorded with the County Recorder in accordance with Section 20.142.130.A.6. The Planning Department shall place one copy of the offer shall then be placed in the project file, and the other copy in the Planning Department easement file. The offer shall also be mapped on Planning Department trails and easement maps. The offer shall be transmitted to the California coastal Commission, who will hold the offer for the duration of the offer period.

E. Development Standards

1. Development of improvements to, or the opening or expansion of, public accessways shall be in accordance with the access management plan required for the accessway, as per Section 20.145.150.A. The access management plan shall become the standard for all

improvements to and management of the access. As condition of project approval, the improvements proposed as part of the development shall be developed and managed according to the specifications of the access management plan. Also, a note shall be recorded with the County Recorder and placed on a subdivision map, if the access management plan is approved as a part of the proposal, stating that an access management plan has been prepared for the accessway and is on file with the Monterey County Planning Department, and that all improvements to the accessway must be in accordance with the plan. The not shall be recorded in accordance with the requirements of Section 20.142.130. (Ref. Policy 6.1.6.1)

2. Developments consisting of more than one residential unit on a parcel, or major commercial structures, or an inn with more than 8 units shall provide, improve and maintain public access in the form of shoreline access and/or trail. The access and its improvements shall be required as a condition of project approval and shall be based upon the access management plan prepared for the accessway. (Ref. Policy 6.1.5.B.2)
3. All development of shoreline access and trails shall be in conformance with the following "Public Access Criteria", as detailed in the Access Management Plan prepared for the development, as per Section 20.145.150.A. Development modifications, such as for siting, design, size, bulk, locations, and materials, shall be required as a condition of project approval, where such modifications will provide for better project conformance with the criteria. As a condition of project approval, all proposed improvements shall be installed prior to the opening of the accessway to public use, where new public use is proposed. The Public Access Criteria are as follows:
 - a. Trail Location and Width
 - 1) The alignment of existing trails shall not be altered, except where the trail rerouting would reduce adverse environmental or visual impacts.
 - 2) Development of new trails shall require conformance with the policies of the Big Sur Coast Land Use Plan and with the standards of this ordinance. Proposals to develop new

trails shall be subject to and on-site inspection by the project planner and to environmental assessment according to the Monterey County CEQA Guidelines.

- 3) The trail easement shall not be less than 10 feet in width. The trail shall not be less than 4 feet in width, unless as otherwise specified in the access management plan prepared for the accessway.
- 4) Trail corridors shall generally be 50 feet to 100 wide; however, the width may vary as needed to:
 - a) Compensate for and reduce impacts to existing topography;
 - b) Protect existing vegetation;
 - c) Protect wildlife habitat, wetlands or environmentally sensitive habitats
 - e) Minimize impacts to sources of private water supplies;
 - f) Minimize impacts to existing development;
 - g) Minimize conflicts with adjacent land uses; or
 - h) Protect local residents' privacy.
 - i) Protect the public's interest in a quiet and scenic hiking experience. (Ref. Policy 6.1.6.3).

b. Public Safety

- 1) Development of shoreline accessways or accessway improvements shall incorporate public safety features, as detailed in the access management plan prepared for the project. Required as a condition of project approval, public safety features may include such features as warning signs, handrails, and closure of access during hazardous periods such as extreme fire hazard or flooding. (Ref. Policy 6.1.5.D.1)

c. Habitat and Resource Protection

- 1) A biological survey will be required for development of public accessways which are located within or adjacent to an environmentally sensitive habitat, as per Section 20.145.040.A. The survey shall be prepared in accordance with the requirements of Section 20.145.40.A.4. As well, the survey must determine the maximum acceptable level of public use and mitigation measures for assuring the long-term maintenance of the habitat. The conclusions of the survey shall be incorporated into the physical improvements for and management of the access, as set forth in the access management plan. (Ref. Policy 6.1.5.E.1)
- 2) The development of new accessways shall only be approved if sufficient mitigation measures are available to assure the habitat's long-term maintenance, as assessed through the biological survey prepared for the project. (Ref. Policy 6.1.6.3)
- 3) Development of new trails and improvements to existing trails shall minimize impacts to environmentally sensitive habitats. As such, development of public access and access improvements shall meet the requirements and standards of section 20.145.040. Mitigation measures as recommended in the biological survey shall be required, as conditions of project approval, to assure conformance with the standards. Incorporated into the offer of dedication or easements, such measures may include, but are not limited to:
 - a) Non-improvement or elimination of access to fragile coastal resources areas;
 - b) Routing or re-routing of trails to avoid environmentally sensitive habitats;
 - c) Design features to screen or separate trails and destination points from environmentally sensitive habitats;

- d) Revegetation projects, sediment basins, and other site features; and
 - e) Restriction or redistribution of the number of access points into an environmentally sensitive habitat area. (Ref. Policy 6.1.6.3 and 6.1.5.E.1)
- 4) Public access shall be located away from surface, spring and well water sources supplying private development, at a distance adequate to protect the quality of those sources. The distance shall be based on Health Department recommendations and shall be specified in the offer of dedication or easement. (Ref. Policy 6.1.5.E.3)
- 5) Development of accessways to intertidal areas shall be sited to spread the zone of public use in appropriate areas, rather than concentrate it in a small area. (Ref. Policy 6.1.6.3)
- 6) In wetland areas, new trails shall not be sited through or directly adjacent to the wetlands. If such siting is unavoidable or is desirable for provision of educational or scientific study, then trail improvements shall include wooden boardwalks, railings, signage, and/or other protective measures. Such measures shall be incorporated into the access management plan and required as a condition of project approval. (Ref. Policy 6.1.6.3)
- 7) In areas of stream corridors, trails shall be sited, designed, and improved so as to assure the long-term maintenance of riparian vegetation, wildlife, and water quality. Where needed, a biologic report shall be required in order to assess impacts and to recommend mitigation measures. Such measures may include, but are not limited to:
- a) controlling run-off and erosion;
 - b) contouring and siting trails to conform to the natural topography; and

- c) Separating and screening from important riparian habitat areas. (Ref. Policy 6.1.6.3)
- 8) Development of improvement to the accessway shall be limited to those necessary to ensure public safety, or where essential for protection of agriculture, fragile natural habitats, archaeological sites, military security, or private development, as detailed in the access management plan prepared for the accessway. (Ref. Policy 6.1.6.2)
- 9) Development of new accessways or accessway improvements, including boardwalks, signs, gates, restrooms, and parking facilities, shall minimize visual impacts as follows:
 - a) Where feasible, trails shall be located out of view from public viewing areas, such as public roads, Highway 1 and vista or view points.
 - b) Trails and access improvements shall be designed and sited so as to conform to natural topography and to utilize maximum natural screening, in order to minimize its visibility from public viewing areas. An exception shall be made for trailheads, which shall be located so as to be apparent to the public and to direct to the established trail.
 - c) Access improvements shall incorporate design features and materials to blend in with the surrounding environment. As such, structures shall be low-scale and be used where vandalism is a documented problem, as addressed in the access management plan. (Ref. Policy 6.1.6.2)
- d. Visual Access
 - 1) Development of public access and access improvements, including stairs, ramps, railings, restrooms, and parking facilities, shall meet the requirements and standards of

Section 20.145.030 of this ordinance. Modifications shall be made as necessary in such areas as design, bulk, siting, location, size and materials, where such modifications will allow the project to better meet the standards. (Ref. Policy 6.1.5.F.1 and 2)

- 2) Development which includes new lighting or streetlights shall require:
 - a) The submittal of a lightning plan, prior to the application being determined complete. The plan shall include a site plan showing lamp location(s), an elevation showing lamp height and fixture design, and the lamp wattage;
 - b) Approval of the lighting plan by the decision-making body responsible for development approval.

e. Land Use Compatibility

- 1) New development shall not be located, sited, or designed so as to interfere with, encroach upon, or prevent development or use of existing or future public access routes. Modifications to the proposed development shall be made, such as for design, materials, siting, location, size, and bulk, where such modifications will provide for better protection of existing and/or planned public access. (Ref. Policy 6.1.5.G.1)
- 2) Development of public access through or adjacent to existing or new residential areas or agricultural lands shall require incorporation of measures to mitigate potential land use conflicts, such as from noise, visibility, trespass, litter, hazards, parking, and water supplies. The potential conflicts and mitigation measures shall be addressed and detailed in an access management plan prior to opening or development of the accessway. The measures shall be required as conditions of project approval, and may include the following types of techniques:

- a) Specified distances or a buffer areas, to be a 10 foot minimum width except where the access is prescriptive between the accessway and existing or proposed residential or agricultural areas;
 - b) Use of fences or berms between accessways and residential or agricultural areas;
 - c) limitations to the seasons and/or hours of the public's use of the accessway; and,
 - d) Limitation of public activities to pedestrian or passive recreation uses. (Ref. Policy 6.1.5.G.2 & G.3)
- f. Parking and Facilities
- 1) Development of new accessways or improvements to existing accessways shall incorporate adequate parking facilities. The parking facilities shall be fully addressed in the access management plan, and shall meet the following criteria:
 - a) Parking areas and turnouts shall incorporate proper erosion and drainage control measures so as not to contribute to or cause slope failure, erosion, run-off, or water quality degradation. Porous surfacing materials shall be required as condition of project approval where feasible.
 - b) The number of proposed parking spaces provided shall not exceed the capacity of the shoreline destination, as determined in the access management plan using such criteria as shoreline size, resource sensitivity, and type and intensity of the proposed use.
 - c) Parking facilities shall be screened to the fullest extent possible from view of Highway 1 and other public roads through proper siting, location, landscaping, and other screening techniques.

- d) Pedestrian access between the parking facility and the access destination point shall be sited and designed so as to be safe for public use.
 - e) Where a left-hand turn on a curve will be used to reach a parking area, appropriate warning signs shall be utilized to mitigate the potential traffic hazard. Grade separations and left-turn lanes shall also be utilized where construction and road width permits. (Ref. Policy 6.1.6.4)
- g. Signs and Maps
- 1) Accessway signs which identify access location, destination points, and hazardous conditions or areas shall be constructed out of natural materials, such as wood and stone, with paint only used for lettering. The size of the sign shall be small-scale and unobtrusive, of a minimum size necessary to convey the basic information.
 - 2) Development which includes the opening of an unimproved accessway shall be required, as a condition of project approval, to include posting of signs to warn the public regarding possible safety risks and that access is at the public's own risk.

Attachment 1

Forest Management Plan Requirements

1. Plot Plan

A plot plan shall be provided which shows the entire parcel and denotes the following:

- A. Location of propose and existing roads and buildings
- B. All trees 12" and over in diameter (at breast height) with tree size and type clearly labeled for each tree; however, on parcels over two acres in size only those trees within the area to be developed and/or affected by the development must be shown on the plot plan
- C. All trees to be removed, shown by a cross (X) through the tree
- D. Location and types of trees to be replanted
- E. Total number of trees to be removed and to be replanted
- F. Reasons for removal of each tree, such as disease, snag, or construction
- G. Proposed grading, including areas of cut and fill.

2. Forest Maintenance Plan

A Forest Maintenance Plan shall be provided according to the following format:

- A. Site Description
 - 1) Assessor parcel number
 - 2) Location
 - 3) Parcel Size
 - 4) Existing land use
 - 5) Slope
 - 6) Soils
 - 7) Vegetation
 - 8) Forest type, condition, and health

B. Project Description

- 1) Structures
- 2) Roads
- 3) Grading
- 4) Tree removal (as keyed to plot plan)
 - a) Types, amount and sizes of trees to be removed
 - b) Reason for removal of each tree
 - c) Justification for tree removal outside of the area to be developed
 - d) Method of transport of removed tree(s).
- 5) Tree replanting (as keyed to plot plan). Include justification for tree replanting which varies from the requirement that each native tree over the allowable diameter which is removed shall be replaced with one tree of the same variety.

C. Project Assessment

- 1) Description of long-term and short-term impacts of the proposed development on the forest resource
- 2) Assessment of alternatives to minimize the proposed development's impacts on the forest resource
- 3) Assessment of alternatives to minimize removal of healthy trees in a healthy forest condition, including modifications in development siting, location, design, bulk, and/or size
- 4) Analysis of the alternative transport and harvesting methods, if tractor yarding is proposed as the transport method.

(The following section is an agreement by the owner for how the parcel's forest resource will be managed. It is a standard section to be included in each Forest Maintenance Plan.)

D. Forest Management Agreement

- 1) Management Objectives
 - a) Minimize erosion, in order to prevent soil loss and siltation.
 - b) Preserve natural habitat, including native forest, understory vegetation, and associated wildlife.
 - c) Prevent forest fire.

- d) Preserve scenic forest canopy, as located within the Critical Viewshed (i.e. visible from the Highway 1 or any other public viewing area).
- e) Preserve landmark trees, as defined below.
- f) Other, as added by the owner.

2) Management Measures

- a) Tree Removal. No tree will be removed without a Coastal Development Permit, unless the removal includes the following: a) removal of non-native or planted tree that is not a landmark tree; b) removal of tree posing an immediate danger to life or structures; c) thinning of dead native tree or live tree less than the allowable diameter; d) prescribed burning, crushing, lopping, or other methods of brush clearing which do not materially disturb underlying soils; or, e) a Timber Harvest Plan has been required for commercial logging in accordance with State requirements; or, f) if the Zoning Administrator of Monterey County determines that the removal includes removal of a diseased tree which threatens to spread the disease to nearby forested areas as verified in writing by a forester selected from the County's list of qualified foresters, or is removal in accordance with a previously approved Forest Management Plan.
- b) Application Requirements. Where a Coastal Development Permit is required, trees proposed for removal will be conspicuously marked by flagging or by paint. Proposed removal of native trees will be the minimum necessary for the proposed development. Removal not necessary for the proposed development will be limited to that required for the overall health and long-term maintenance of the forest, as verified in this plan or in subsequent amendments to this plan.
- c) Landmark Trees. All landmark trees will be protected from damage if not permitted to be removed as a diseased tree which threatens to spread the disease to nearby healthy

trees or as a dangerous tree which presents an immediate danger to human life or structures. A landmark tree is a tree which is 24 inches or more in diameter when measured at breast height, or a tree which is visually significant, historically significant, exemplary of its species, or more than 1,000 years old.

- d) Dead Trees. Because of their great value for wildlife habitat (Particularly as nesting sites for insect-eating birds), large dead trees will normally be left in place. Smaller dead trees will normally be removed in order to reduce fire hazard. Because no Coastal Development Permit is needed for their removal, dead trees may be removed at the convenience of the owner, provided such removal is otherwise in conformance with the Big Sur Coast Land Use Plan and Implementing Ordinance and are designated by a qualified forester as being dead tree.
- e) Thinning. Trees less than 12 inches in diameter when measured at breast height may be thinned to promote the growth of neighboring trees, without first obtaining a Coastal Development Permit.
- f) Protection of Trees. All trees other than those approved for removal shall be retained and maintained in good condition. Trimming, where not injurious to the health of the tree(s), may be performed whenever necessary in the judgment of the owner, particularly to reduce personal safety and fire hazards.

Retained trees which are located close to the construction site shall be protected from inadvertent damage by construction equipment through wrapping of trunks with protective materials, bridging, or tunneling under major roots where exposed in foundation or utility trenches, and other measures appropriate and necessary to protect the well-being of the retained trees.

- g) Fire Prevention. In addition to any measures required by local or California Department of Forestry fire authorities, the owner will:
- 1] Maintain a spark arrester screen atop each chimney;
 - 2] Maintain spark arresters on gasoline powered equipment;
 - 3] Establish a "greenbelt" by keeping vegetation in a green, growing condition to a distance of at least 50 feet around the house; and,
 - 4] Break up and clear away any dense accumulations of dead or dry underbrush or plant litter, especially near landmark trees and around the greenbelt.
- h) Use of Fire (for clearing, etc.) Open fires will be set or allowed on the parcel only as a forest management tool under the direction of Department of Forestry authorities, pursuant to local fire ordinances and directives.
- i) Clearing Methods. Brush and other undergrowth, if removed, will be cleared through method(s) which will not materially disturb the ground surface. Hand grubbing, crushing, and mowing will normally be the methods of choice. Use of fire and herbicides will be subject to limitations listed in the Big Sur Coast Land Use Plan and Implementing Ordinance.
- Areas laid bare by clearing, other than firebreaks, will be sown with annual rye grass (if nothing else is to be planted in the area). Sowing of cleared areas will be completed prior to the onset of the winter rainy season.
- j) Irrigation. In order to avoid further depletion of groundwater resources, prevent root disease, and otherwise maintain favorable conditions for the native forest, the parcel will not be irrigated except within the developed areas. Caution will be exercised to avoid overwatering around trees.

k) Exotic Plants. Care will be taken to eradicate and to avoid introduction of, the following pest species:

- 1] Pampas grass
- 2] Genista (Scotch broom, French broom)
- 3] Eucalyptus (large types)

1) Other, as added by owner.

3) Amendments

Amendments to this Forest Management Plan will be required for proposed tree removal not shown as part of this plan, when the proposed removal requires a Coastal Development Permit. The Monterey County Director of Planning may approve amendments to this Plan, provided that such amendments are consistent with the provisions of the originally-approved or subsequent Coastal Development Permit.

4) Compliance

It is further understood that failure to comply with this Plan will be considered as failure to comply with the conditions of the Coastal Development Permit.

5) Transfer of Responsibility

This Plan is intended to create a permanent forest management program for the site. It is understood, therefore, that in the event of a change in ownership this plan shall be as binding on the new owner(s) as it is on the present owner. To this end, this Plan will be conveyed to the future owner upon sale of the property.

Forest Maintenance Plan Prepared by:

Forester's Name

Forester's Signature

Date

Owner's Agreement as to the Provisions of the Plan:

Owner's Name

Owner's Signature

Date

Forest Management Plan Approved By:

Robert Slimmon, Jr.
Director of Planning

Date

Attachment 2

Native Trees

Monterey County Coastal Zone

| | |
|---------------------------------------|----------------------|
| <i>Abies bracteata</i> | Santa Lucia Fir |
| <i>Acer macrophyllum</i> | Big leaf maple |
| <i>Aesculus californica</i> | Buckeye |
| <i>Alnus rhombifolia</i> | White Alder |
| <i>Alnus rubra</i> | Red Alder |
| <i>Arbutus menziesii</i> | Madrone |
| <i>Castanopsis chrysophylla</i> | Chinquapin |
| <i>Cupresses sargentii</i> | Sargent cypress |
| <i>Cupressus macrocarpa</i> | Monterey cypress |
| <i>Libocedrus decurrens</i> | Incense Cedar |
| <i>Lithocarpus densiflora</i> | Tanbark oak |
| <i>Pinus coulteri</i> | Coulter pine |
| <i>Pinus lambertiana</i> | Sugar Pine |
| <i>Pinus muricata</i> | Bishop pine |
| <i>Pinus ponderosa</i> | Ponderosa pine |
| <i>Pinus radiata</i> | Monterey pine |
| <i>Platanus racimosa</i> | Western sycamore |
| <i>Populus trichocarpa</i> | Black cottonwood |
| <i>Pseudotsuga menziesii</i> | Douglas fir |
| <i>Quercus agrifolia</i> | Coast live oak |
| <i>Quercus chrysolepis</i> | Canyon live oak |
| <i>Quercus kelloggii</i> | California black oak |
| <i>Quercus lobata</i> | White or valley oak |
| <i>Quercus wislizenii</i> | Interior live oak |
| <i>Salix coulteri</i> | Coulter willow |
| <i>Salix lasiolepis</i> | Arroyo willow |
| <i>Sequoia sempervirens</i> | Redwood |
| <i>Umbellularia californica</i> | California laurel |

Source: Calif. Dept. of Forestry

Attachment 3

| <u>Proposed Land Use</u> | <u>Zoning District</u> | <u>Maximum Allowable Density</u> | <u>Site Development Standard</u> |
|---|-------------------------------|---|---|
| <u>Residential</u> | | | |
| 1. Principal Residence | WSC & RDR | East of Hwy.1, 1 unit/40-230 ac. as per slope density formula West of Hwy.1, 1 unit/40 ac. | 1 acre Minimum, w/cluster. |
| | VSC | Allowed in Big Sur valley "CGC" only, 1 unit/parcel | same as above |
| 2. Additional Res. Allowable thru TDC program | n/a | Twice the allowable density shown above | same as above |
| 3. Employee Housing For: | | | |
| a. Caretaker | WSC | 1 unit/parcel | 2 acres |
| b. Commercial Employees | VSC, WSC, & OR | As specified in the required Employee Housing Plan | n/a |
| c. Ranch Hands | WSC | 1 dormitory or bunkhouse/ranch or per 640 acres | n/a |
| <u>Visitor Accommodations</u> | | | |
| 1. & Campgrounds | WSC | 2 units for each residential unit allowed under "Principal Res." Above, with those units then unable to be developed; to a maximum 8 units per parcel. (See special provisions for Westmere parcel in the Big Sur Ordinance.) | 10 ac. min parcel & maximum of 30 units per cluster |
| | VSC | 1 inn unit or 1 RV site/net Undeveloped acre | same as above |
| 2. Hostels | WSC, OR, & VSC | 1 bed/acre | 10 acre Minimum Parcel |
| <u>Campgrounds</u> | | | |
| 1. Rustic Campgrounds | WSC & OR | 1 campsite/20 acres | 5 sites per acre w/cluster. |
| | VSC | 2 Campsites/acre | 10 ac. min parcel; 10 sites per acre w/cluster. |
| 2. Hike-in & Environmental Campsites | WSC, GC, OR & RC | 1 campsite/20 acres | 5 sites per acre w/cluster. |

Note: RV Campgrounds are distinguished from Rustic Campgrounds by utility connections, paved surfaces, at each site.

Attachment 4

Suggested Native Species Landscaping List

Big Sure Coast

Trees (Mature Height over 12 Feet)

| | |
|---------------------------------------|----------------------|
| <i>Abies bracteata</i> | Santa Lucia Fir |
| <i>Acer macrophyllum</i> | Big leaf maple |
| <i>Aesculus californica</i> | Buckeye |
| <i>Alnus rhombifolia</i> | White alder |
| <i>Alnus rubra</i> | Red alder |
| <i>Arbutus menziesii</i> | Madrone |
| <i>Castanopsis chrysophylla</i> | Chinquapin |
| <i>Cupressus sargentii</i> | Sargent cypress |
| <i>Cupressus Macrocarpa</i> | Monterey cypress |
| <i>Libocedrus decurrens</i> | Incense cedar |
| <i>Lithocarpus densiflora</i> | Tanbark oak |
| <i>Pinus coulteri</i> | Coulter pine |
| <i>Pinus lambertiana</i> | Sugar pine |
| <i>Pinus ponderosa</i> | Ponderosa pine |
| <i>Pinus radiata</i> | Monterey pine |
| <i>Platanus racemosa</i> | Western sycamore |
| <i>Populus trichocarpa</i> | Black cottonwood |
| <i>Pseudotsuga menziesii</i> | Douglas Fir |
| <i>Quercus Chrysolepis</i> | Canyon live oak |
| <i>Quercus kelloggii</i> | California black oak |
| <i>Quercus lobata</i> | White or valley oak |
| <i>Quercus wislizenii</i> | Interior live oak |
| <i>Quercus lobata</i> | White or valley oak |
| <i>Quercus wislizenii</i> | Interior live oak |
| <i>Salix coulteri</i> | Coulter willow |
| <i>Salix lasiolepis</i> | Arroyo willow |
| <i>Sequoia sempervirens</i> | Redwood |
| <i>Umbellularia californica</i> | California laurel |

Tall Shrubs (to 6 feet and over)

| | |
|-----------------------------------|-----------------------|
| Arctostaphylos tomentosa..... | Shaggy bark manzanita |
| Atriplex lentiformis breweri..... | Salt bush |
| Ceanothus arboreus..... | California wild lilac |
| Ceanothus Ray Hartman..... | Felt Leaf Ceanothus |
| Ceanothus Julia Phelps..... | Ceanothus |
| Dendromecon harfordii..... | Island Bush Poppy |
| Erigonum gigantea..... | Giant Buckwheat |
| Fremontodendrom spp..... | Flannel Bush |
| Garrya elliptica..... | Coast Silktassel |
| Heteromeles arbutifolia..... | Toyon |
| Lupinus arboreus..... | Bush Lupine |

Small Shrubs (1 foot to 4 feet)

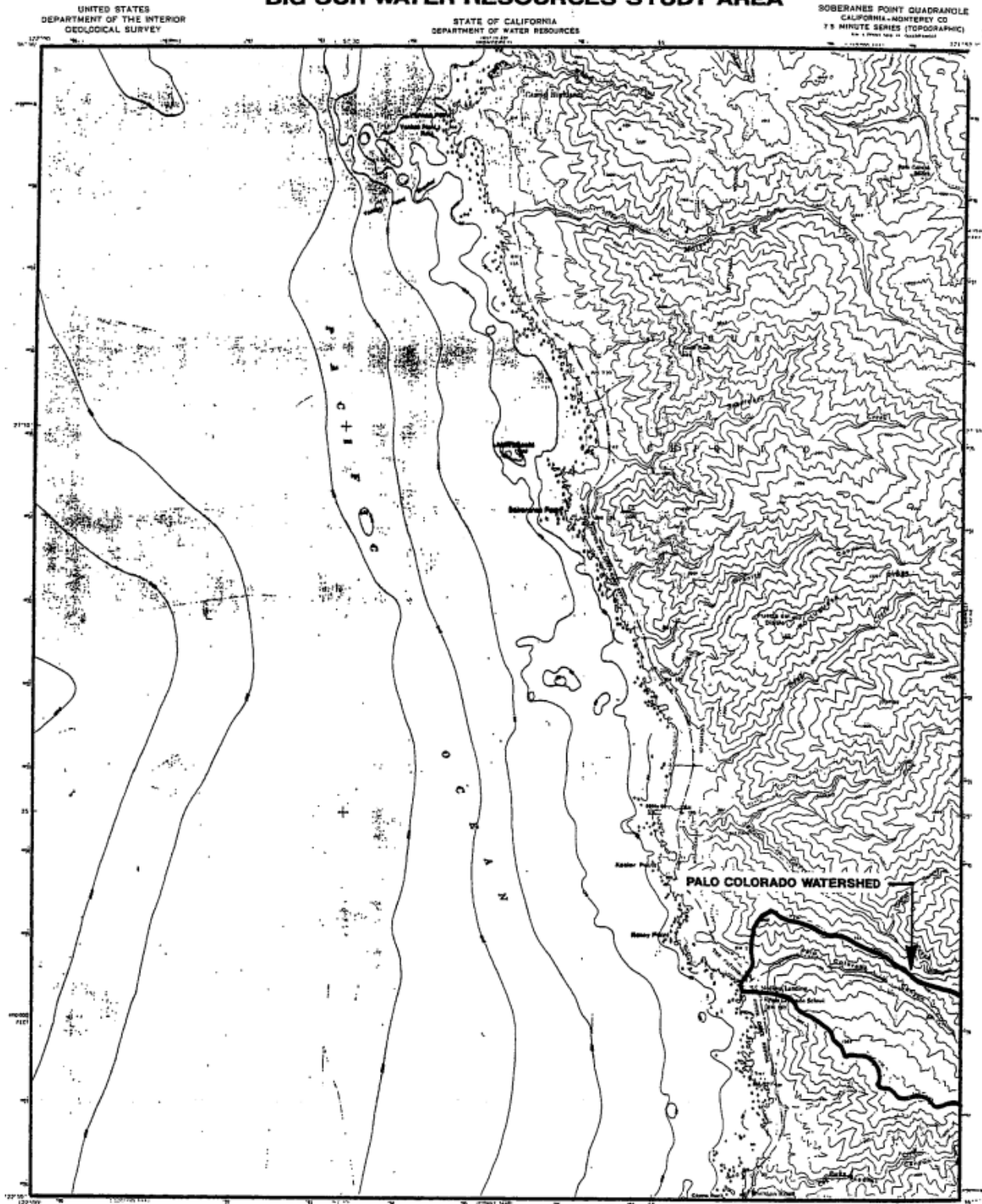
| | |
|-------------------------------------|---------------------------|
| Arctostaphylos densiflora..... | Vine Hill Manzanita |
| Arctostaphylos edmundsii..... | Little Sur Manzanita |
| Arctostaphylos hookeri..... | Monterey Carpet Manzanita |
| Arctostaphylos pumila..... | Sandmat Manzanita |
| Baccharis pilularis Twin Peaks..... | Dwarf Coyote Bush |
| Ceanothus griseus horizontalis..... | Carmel Creeper |
| Diplacus spp (aka Mimulus)..... | Bush Monkeyflower |
| Gaultheria shallon..... | Salal |
| Mahonia pinnata..... | California Grape Holly |
| Ribes viburnifolium..... | Catalina Currant |
| Ribes speciosum..... | Fuchsia Flowering |
| Salvia clevelandii..... | Cleveland Sage |

Perennial Groundcovers and Flowers

| | |
|------------------------------------|-------------------------|
| Brodiaea spp..... | Brodiaea, Wild Hyacinth |
| Clarkia spp | Farewell to spring |
| Dryopteris arguta..... | Wood Fern |
| Erigeron glaucus..... | Seaside Daisy |
| Eriogonum fasciculatum | California Buckwheat |
| Eschsholzia californica..... | California Poppy |
| Iris douglasiana and hybrids | Wild Iris |
| Sisyrinchium bellum | Blue-Eyed grass |
| Zauschneria californica | California Fuschia |

Attachment 5

BIG SUR WATER RESOURCES STUDY AREA



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES

SOBERANES POINT QUADRANGLE
CALIFORNIA-MONTEREY CO
7.5 MINUTE SERIES (TOPOGRAPHIC)
No. 1 (REV. 1961)

Map prepared and published by the Geological Survey
Copyright by USGS and WRCAS
Reproduction from original publications by USGS
Initial printing March 1965. First issue 1965
Hydrographic information from USGS and WRCAS
Publication prepared by WRCAS
USGS and WRCAS are California Statewide Agencies
Reproduction of this map is prohibited without the written permission of the
USGS and WRCAS
1965 (Revised) (Revised) (Revised) (Revised)

SCALE 1:20,000
CONTOUR INTERVAL 40 FEET
VERTICAL DATUM 1929
HORIZONTAL DATUM 1929
PROJECTION TRANSVERSE MERCATOR
Spheroid Bessel
Datum 1929
Scale 1:20,000
Graphic Scale
1" = 2000'

SOBERANES POINT, CALIF.
NW 1/4 POINT SUR 15' QUADRANGLE
N3622.5—W12152/7.5

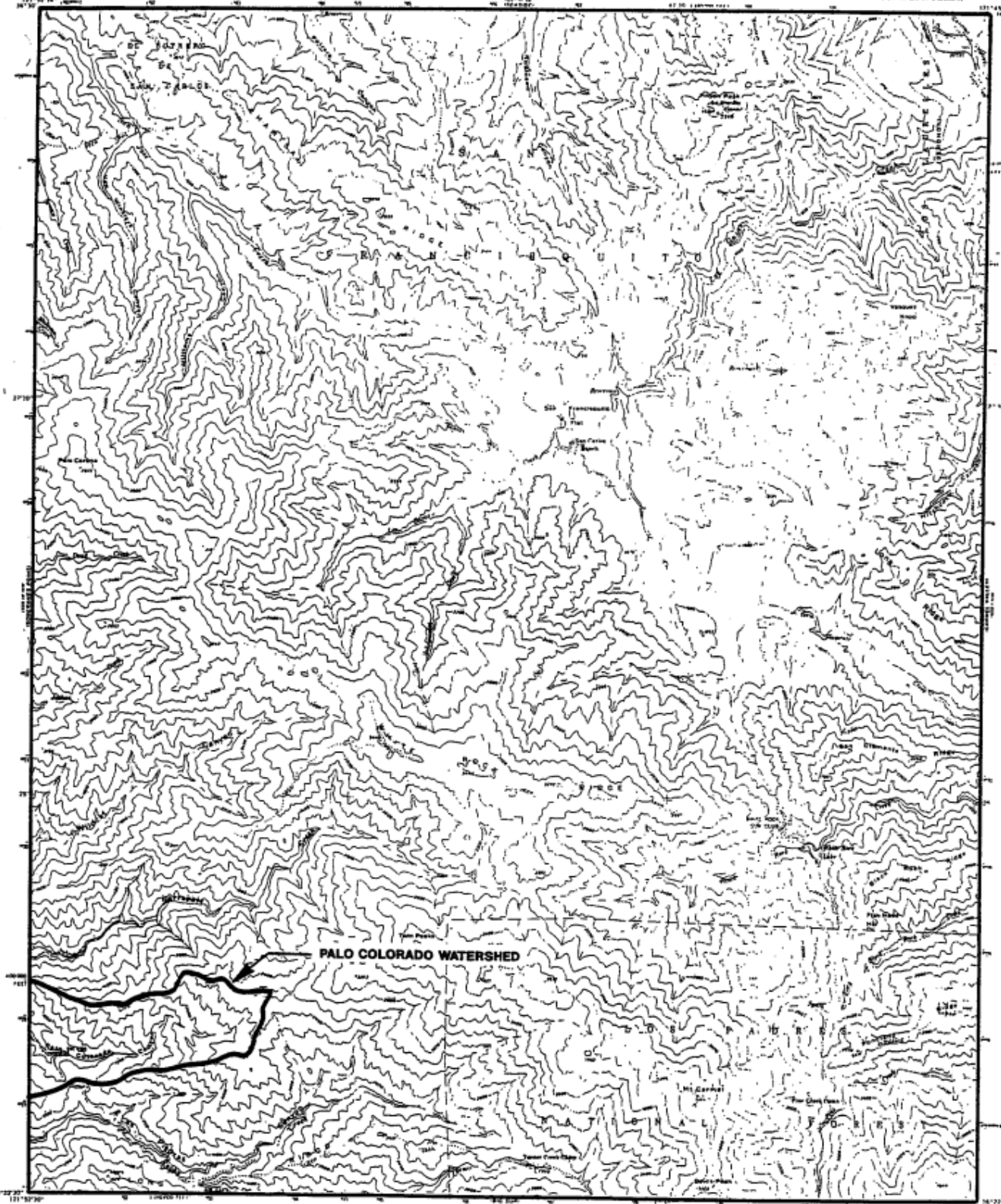
1956

AMS 1656 IV NW—SERIES V895

BIG SUR WATER RESOURCES STUDY AREA

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

MT. CARMEL QUADRANGLE
CALIFORNIA MONTEREY CO
7.5 MINUTE SERIES (TOPOGRAPHIC)
NO. 1 1956 (REV. 11 1956)



Map compiled and published by the Geological Survey
Covered by USGS and USGS
Topographic from aerial photography for military purposes
Total altitudes from 1956. First year 1956
Upper elevation, 1927 North American datum
10,000 feet and based on California coordinate system
Zone 4
1900-meter National Traction Profile and 1:25,000
zone 19 shown in blue
Derived from the original topographic base map
Topographic contours are shown in brown

SCALE 1:24,000

1:250,000
1:500,000
1:1,000,000
1:2,000,000
1:5,000,000
1:10,000,000

THIS MAP COMPLETES WITH NATIONAL MAP ACCURACY STANDARDS
FOR HALF IN U.S. GEOLOGICAL SURVEY, BUREAU OF LAND MANAGEMENT, WESTERN REGION, MONTEREY
A COLOR PHOTOGRAPHIC TOPOGRAPHIC MAP AND SYMBOLS, SYMBOLS FOR BOUNDARY

2

MT. CARMEL CALIF.
NE/4 POINT SUR 15' QUADRANGLE
N3622.5—W12145/7.5

1956

AMS 1656 IV NE—SERIES V885

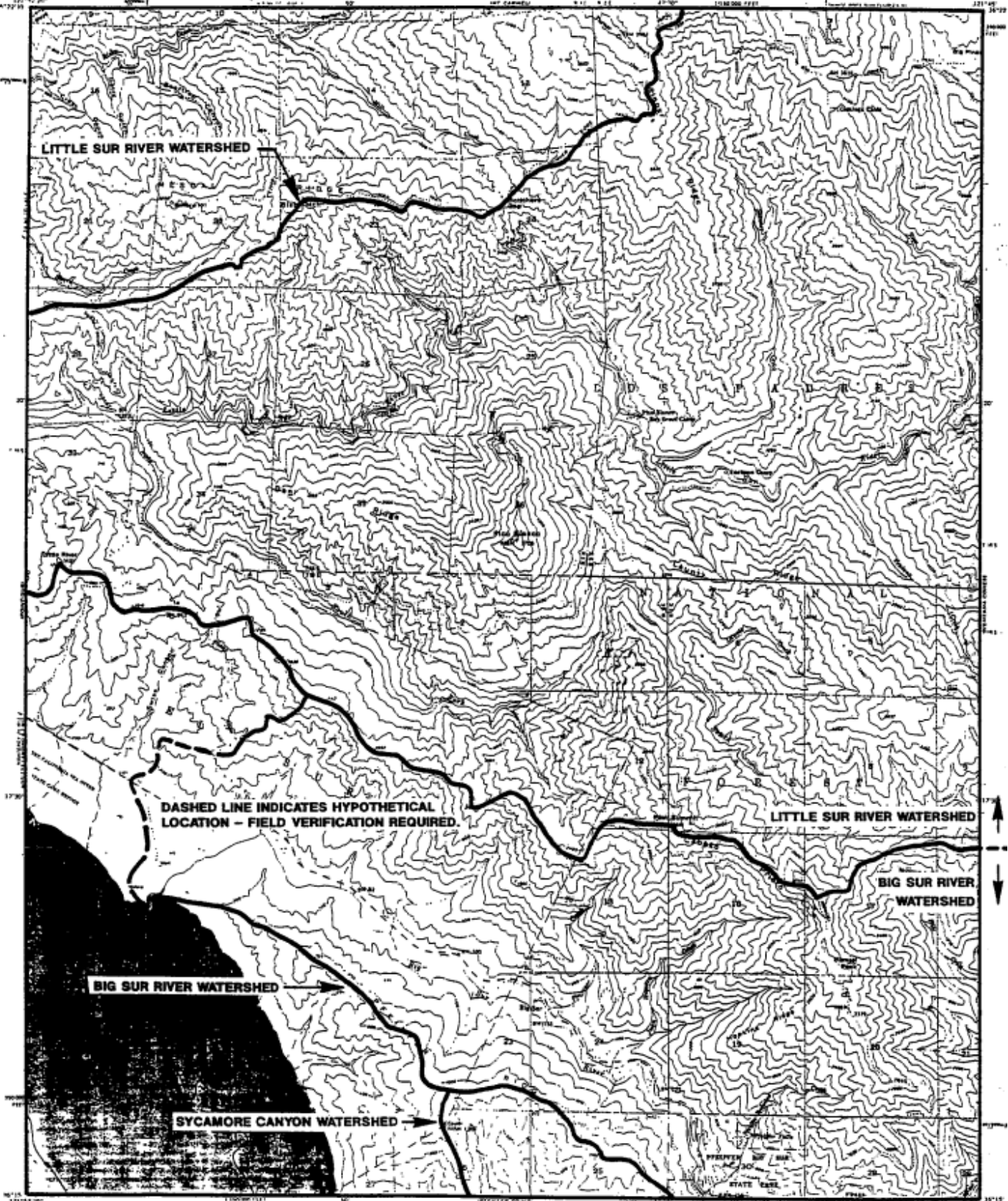
BS-152

BIG SUR WATER RESOURCES STUDY AREA

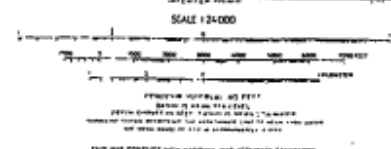
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

STATE OF CALIFORNIA
DIRECTOR OF WATER RESOURCES

BIG SUR QUADRANGLE
CALIFORNIA-MONTEREY CO
7.5 MINUTE SERIES (TOPOGRAPHIC)
1:62,500 (1:50,000)



Map was prepared and published by the Geological Survey
Contract to USGS and USGARS
Topography from aerial photographs by multiple methods
Aerial photographs taken 1954, 1 and 1955, 1956
Microphotography from USGARS only 64-10 (1:24,000)
Reference projection 1927 North American Datum
10,000 foot grid based on California coordinate system, zone 4
1:50,000 contour interval
Contour interval 100 feet
Datum used does not indicate depression equivalent
Unpublished contours not shown in black



BIG SUR, CALIF.
SEA POINT SUR 15' QUADRANGLE
N3615-W12145/7.5

1956

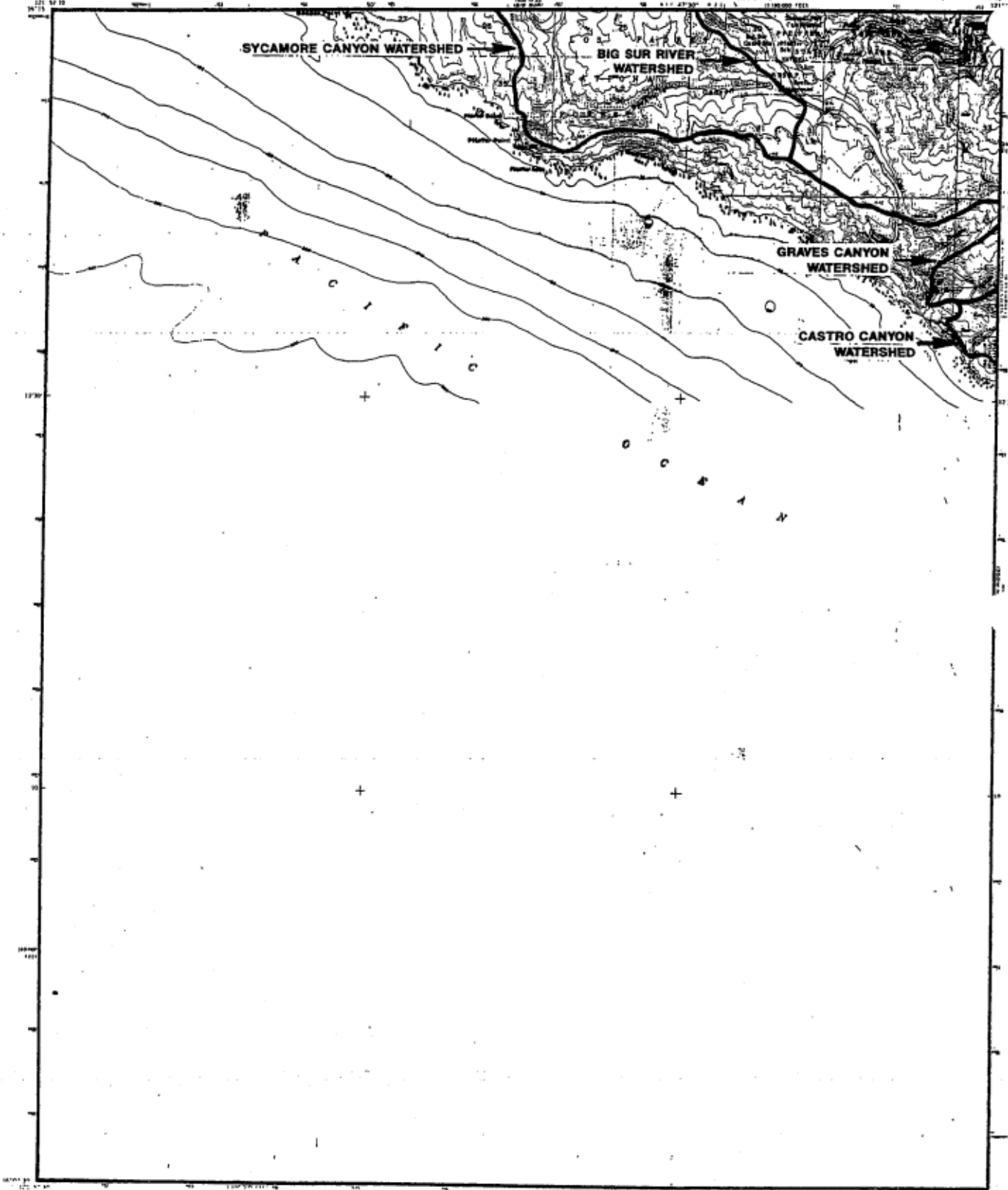
BS-154

BIG SUR WATER RESOURCES STUDY AREA

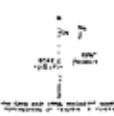
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

STATE OF CALIFORNIA
REPRESENTED BY THE
DIRECTOR OF WATER RESOURCES

PFEIFFER POINT QUADRANGLE
CALIFORNIA-MONTEREY CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



Map published and published by the Geological Survey
Copyright © 1956, U.S. GEOLOGICAL SURVEY
Topographic features shown are those shown on
the 7.5-minute topographic map of the area.
Hydrographic information from USFWS maps of the area.
Elevation of points on the map is based on
the 1929 datum. The 1929 datum is based on
the mean sea level at San Francisco, California.
The 1929 datum is based on the mean sea level
at San Francisco, California.



SCALE 1:25000
U.S. GEOLOGICAL SURVEY
WASHINGTON, D. C. 20540
FOR SALE BY U.S. GEOLOGICAL SURVEY DISTRICT OFFICES, OR BY MAIL FROM THE NATIONAL CENTER FOR GEOLOGICAL INFORMATION, RESTON, VA 20192

5
PFEIFFER POINT, CALIF.
N3607.5—W12145/7.5

1956

AMS 1656 III NE—SERIES V895

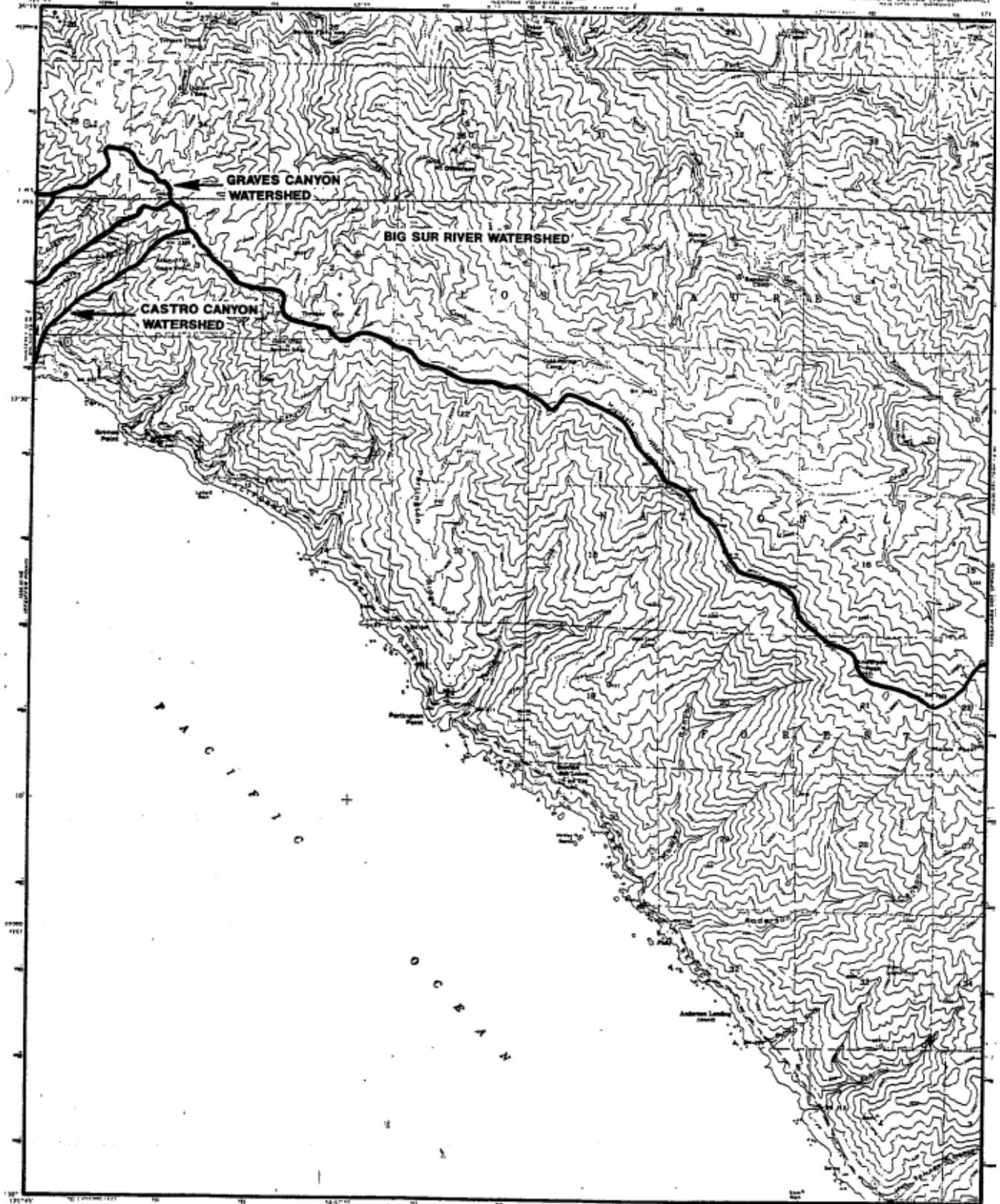
BS-155

BIG SUR WATER RESOURCES STUDY AREA

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES

PARTINGTON RIDGE QUADRANGLE
CALIFORNIA MONTEREY CO
7.5 MINUTE SERIES (TOPOGRAPHIC)



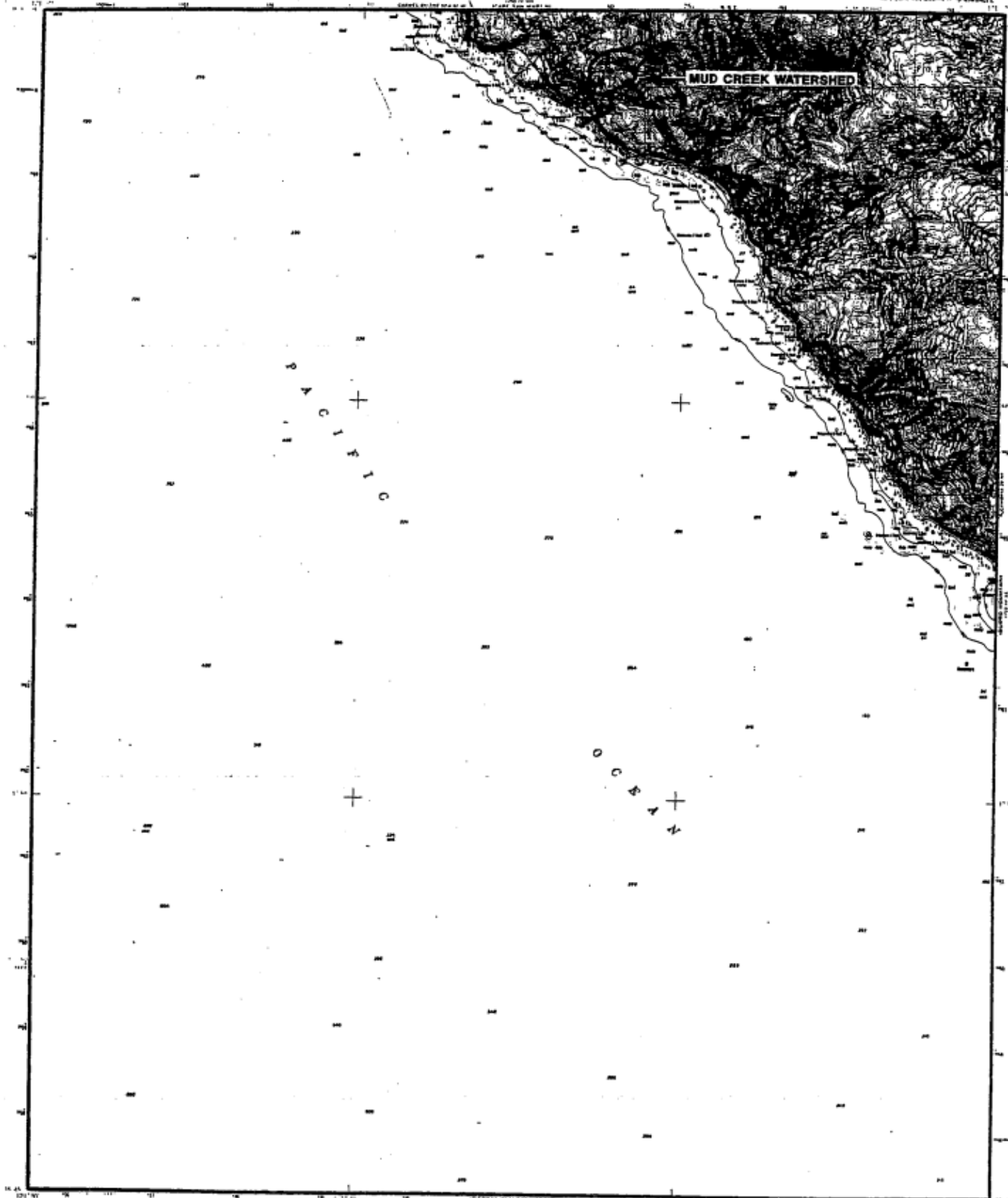
Map was prepared and published by the Geological Survey
Controlled by USGS and USACE
Topographic features are shown in black
Aerial photographs taken 1944 - 1946
Photograph processed 1947
1:250,000 scale
1:50,000 scale
1:25,000 scale
1:12,500 scale
1:6,250 scale
1:3,125 scale
1:1,562.5 scale
1:781.25 scale
1:390.625 scale
1:195.3125 scale
1:97.65625 scale
1:48.828125 scale
1:24.4140625 scale
1:12.20703125 scale
1:6.103515625 scale
1:3.0517578125 scale
1:1.52587890625 scale
1:0.762939453125 scale
1:0.3814697265625 scale
1:0.19073486328125 scale
1:0.095367431640625 scale
1:0.0476837158203125 scale
1:0.02384185791015625 scale
1:0.011920928955078125 scale
1:0.0059604644775390625 scale
1:0.00298023223876953125 scale
1:0.001490116119384765625 scale
1:0.0007450580596923828125 scale
1:0.00037252902984619140625 scale
1:0.000186264514923095703125 scale
1:0.0000931322574615478515625 scale
1:0.00004656612873077392578125 scale
1:0.000023283064365386962890625 scale
1:0.0000116415321826934814453125 scale
1:0.00000582076609134674072265625 scale
1:0.000002910383045673370361328125 scale
1:0.0000014551915228366851806640625 scale
1:0.00000072759576141834259033203125 scale
1:0.000000363797880709171270166015625 scale
1:0.0000001818989403545856350830078125 scale
1:0.00000009094947017729281754150390625 scale
1:0.000000045474735088646408770751953125 scale
1:0.0000000227373675443232043853759765625 scale
1:0.00000001136868377216160219268798828125 scale
1:0.000000005684341886080801094343994140625 scale
1:0.0000000028421709430404005471719970703125 scale
1:0.00000000142108547152020027358599853515625 scale
1:0.000000000710542735760100136792999267578125 scale
1:0.0000000003552713678800500683964996337890625 scale
1:0.00000000017763568394002503419824981689453125 scale
1:0.00000000008881784197001251709912490844765625 scale
1:0.000000000044408920985006258549562454223828125 scale
1:0.0000000000222044604925031292747812271119140625 scale
1:0.00000000001110223024625156373939061355559765625 scale
1:0.000000000005551115123125781869695306777798828125 scale
1:0.0000000000027755575615619349348476533888994140625 scale
1:0.00000000000138777878078096746742382669444970703125 scale
1:0.000000000000693889390390483733711933472224853515625 scale
1:0.000000000000346944695195241866855966736112223828125 scale
1:0.000000000000173472347597620933427983368061119140625 scale
1:0.00000000000008673617379881046671399168040559765625 scale
1:0.00000000000004336808689940523335799584020298828125 scale
1:0.000000000000021684043449702616678997920101494140625 scale
1:0.0000000000000108420217248513338394989600507470703125 scale
1:0.00000000000000542101086242566691974948002537353515625 scale
1:0.00000000000000271050543121283345987474001268677798828125 scale
1:0.000000000000001355252715606416729937370006343394140625 scale
1:0.0000000000000006776263578032083649686850031716770703125 scale
1:0.0000000000000003388131789016041824843425001588894140625 scale
1:0.0000000000000001694065894508020912421712500794470703125 scale
1:0.000000000000000084703294725401045621055625003972353515625 scale
1:0.0000000000000000423516473627005228102778125001986119140625 scale
1:0.0000000000000000211758236813502640511389062500099309765625 scale
1:0.000000000000000010587911840675132025569453125000496548828125 scale
1:0.0000000000000000052939559203375660127847265625000248274140625 scale
1:0.000000000000000002646977960168783006392363281250001241370703125 scale
1:0.00000000000000000132348898008439150319618164062500006206853515625 scale
1:0.0000000000000000006617444900421957515959008203125000031034270703125 scale
1:0.000000000000000000330872245021097875797950410156250000155171353515625 scale
1:0.00000000000000000016543612251054893789897520507812500000775856770703125 scale
1:0.0000000000000000000827180612552744689494876025390625000003879283853515625 scale
1:0.00000000000000000004135903062763723447474380126953125000001939641926770703125 scale
1:0.000000000000000000020679515313818617237371900634765625000000969820963370703125 scale
1:0.00000000000000000001033975765690930861868595031738281250000004849104816853515625 scale
1:0.0000000000000000000051698788284546543093429751586941406250000002424552408426770703125 scale
1:0.0000000000000000000025849394142273271546714875793470703125000000121227620421338894140625 scale
1:0.00000000000000000000129246970711366357835859378967353515625000000060613810210694470703125 scale
1:0.000000000000000000000646234853556831789179296894836770703125000000030306905103472353515625 scale
1:0.00000000000000000000032311742677841594595984474183888941406250000000151534525517136770703125 scale
1:0.00000000000000000000016155871338920972977972237091944470703125000000007576726275856770703125 scale
1:0.0000000000000000000000807793566946048488898611854972235351562500000000378836313792838894140625 scale
1:0.00000000000000000000004038967834730242444494059274861191406250000000018941815689644470703125 scale
1:0.00000000000000000000002019483917365121122222297137430611914062500000000094709078448222353515625 scale
1:0.00000000000000000000001009741958682560561111148568716530611914062500000000047354539224111770703125 scale
1:0.0000000000000000000000050487097934128028055557428435815306119140625000000000236772696120558853515625 scale
1:0.00000000000000000000000252435489670640140277787142179076530611914062500000000118386348060279426770703125 scale
1:0.00000000000000000000000126217744835320070138893571089537653061191406250000000005919317403013971338894140625 scale
1:0.0000000000000000000000006310887241766003506944678554476876530611914062500000000029596587015069856770703125 scale
1:0.0000000000000000000000003155443620883001753472339277238376530611914062500000000014798293507534942838894140625 scale
1:0.00000000000000000000000015777218104415008767361696386191876530611914062500000000007399146753767471421790703125 scale
1:0.0000000000000000000000000788860905220750043836834819309593765306119140625000000000036995733768837357108953765306119140625 scale
1:0.000000000000000000000000039443045261037502191841740965479687653061191406250000000000184978668844186785544768765306119140625 scale
1:0.0000000000000000000000000197215226305187510959208704827398437653061191406250000000000092489334422093392772383765306119140625 scale
1:0.000000000000000000000000009860761315259375547960435241146991876530611914062500000000000462446672110466963861918765306119140625 scale
1:0.00000000000000000000000000493038065762968777398021762073049593765306119140625000000000002312233360552334834819309593765306119140625 scale
1:0.000000000000000000000000002465190328814843886990108810365247968765306119140625000000000011561166802761672417409593765306119140625 scale
1:0.00000000000000000000000000123259516440742194349950444018262498437653061191406250000000000057805834013808362087409593765306119140625 scale
1:0.0000000000000000000000000006162975822037109717497522200913126249843765306119140625000000000002890291700690418104392968765306119140625 scale
1:0.0000000000000000000000000003081487911018554858748761100456262498437653061191406250000000000014451458503450909052087409593765306119140625 scale
1:0.000000000000000000000000000154074395550927742937438055022813126249843765306119140625000000000000722572925172545452604392968765306119140625 scale
1:0.0000000000000000000000000000770371977754638714687190275114062624984376530611914062500000000000036128646258627272630219648392968765306119140625 scale
1:0.00000000000000000000000000003851859888773193723435951375570312624984376530611914062500000000000018064323129313636315324819648392968765306119140625 scale
1:0.000000000000000000000000000019259299443865968617177279377851562624984376530611914062500000000000009032161564656818157662409648392968765306119140625 scale
1:0.00000000000000000000000000000962964972193298430858863968892578126249843765306119140625000000000000045160807823284090788312409648392968765306119140625 scale
1:0.000000000000000000000000000004814824860966492171944319844461406262498437653061191406250000000000000225804039116420450394162409648392968765306119140625 scale
1:0.0000000000000000000000000000024074124304832460859721597222307031262498437653061191406250000000000001129020195582102250197062409648392968765306119140625 scale
1:0.00000000000000000000000000000120370621524162304298607986115351562624984376530611914062500000000000005645100977910112500985312409648392968765306119140625 scale
1:0.000000000000000000000000000000601853107620811521493039930557678126249843765306119140625000000000000028225504889550562504926562409648392968765306119140625 scale
1:0.00000000000000000000000000000030092655381040576074651996527889062624984376530611914062500000000000001411275244477528125024632812409648392968765306119140625 scale
1:0.00000000000000000000000000000015046327690520288037325997763944531262498437653061191406250000000000000070563762223876250123164062409648392968765306119140625 scale
1:0.0000000000000000000000000000000752316384526014401866299888197226562624984376530611914062500000000000003528188111193812500615820312409648392968765306119140625 scale
1:0.000000000000000000000000000000037615819226300720093314994409861328126249843765306119140625000000000000176409405559690625003079101562409648392968765306119140625 scale
1:0.00000000000000000000000000000001880790961315036004665749720493066262498437653061191406250000000000000008820470277984531250015395507812409648392968765306119140625 scale
1:0.00000000000000000000000000000000940395480657518002332874860246533126249843765306119140625000000000000004410235138992162500076977539062409648392968765306119140625 scale
1:0.000000000000000000000000000000004701977403287590011664374301232665626249843765306119140625000000000000022051175694960625000384887695312409648392968765306119140625 scale
1:0.0000000000000000000000000000000023509887016437950058321871506163328126249843765306119140625000000000000110255878474803125001924438476562409648392968765306119140625 scale
1:0.0000000000000000000000000000000011754943508218975029160935753081664062624984376530611914062500000000000055127939237401562500096221923812409648392968765306119140625 scale
1:0.00000000000000000000000000000000058774717541094875145804678765308166406262498437653061191406250000000000002756396961870078125000481109619062409648392968765306119140625 scale
1:0.00000000000000000000000000000000029387358770547437572902339382653081664062624984376530611914062500000000000013781984809350390625000240554805312409648392968765306119140625 scale
1:0.0000000000000000000000000000000001469367938527371878645116969132653081664062624984376530611914062500000000000068909924046751953125001202774026562409648392968765306119140625 scale
1:0.0000000000000000000000000000000000734683969263685939322558484563081664062624984376530611914062500000000000034454962023375976562500060138701326562409648392968765306119140625 scale
1:0.0000000000000000000000000000000000367341984631842969661279242281530816640626249843765306119140625000000000000172274810116879878125000300693506626562409648392968765306119140625 scale
1:0.0000000000000000000000000000000000183670992315921484830639621144081664062624984376530611914062500000000000008613740505843993906250001503467533126562409648392968765306119140625 scale
1:0.00000000000000000000000000000000000918354961579607224153198105722081664062624984376530611914062500000000000004306870252921996953125000751733766562409648392968765306119140625 scale
1:0.000000000000000000000000000000000004591774807898036120765990536110408166406262498437653061191406250000000000000215343512646099476562500037586688328126562409648392968765306119140625 scale
1:0.0000000000000000000000000000000000022958874039490180603829952680552040816640626249843765306119140625000000000000107671756323049737812500018793344164062409648392968765306119140625 scale
1:0.00000000000000000000000000000000000114794370197450903019149763402760408166406262498437653061191406250000000000000538358781615248689062500009396672082062409648392968765306119140625 scale
1:0.0000000000000000000000000000000000005739718509872545150455988170138040816640626249843765306119140625000000000000026917939080762444445312500046983360410312409648392968765306119140625 scale
1:0.00000000000000000000000000000000000028698592549362725752279940850690408166406262498437653061191406250000000000000134589695403812222265625000234916802051562409648392968765306119140625 scale
1:0.00000000000000000000000000000000000014349296274681361287614970425034504081664062624984376530611914062500000000000006729484770190611111328125000117458401026562409648392968765306119140625 scale
1:0.0000000000000000000000000000000000000717464813734068064380748521251725040816640626249843765306119140625000000000000033647423850953055562500005872920051326562409648392968765306119140625 scale
1:0.00000000000000000000000000000000000003587324068670340

BIG SUR WATER RESOURCES STUDY AREA

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

UNITED STATES
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS

VILLA CREEK QUADRANGLE
CALIFORNIA MONTEREY CO
7 1/2 DEGREE SERIES (TOPOGRAPHIC)
AS A COAST AND GEOMORPHIC STUDY



Map made by the Army Map Service
Figuring the coast up by the Geological Survey
Control by TRANSIT 1955, and I.C.
I. contours from aerial photographs by methods common
Army photographs taken 1947 Field work 1948
Platting projection - 1973 North American datum
10,000 foot grid based on California coordinate system
2000 ft.
Horizontal ellipsoid and ellipsoid datum
Dashed lines show approximate borders
1000 meter (3000 foot) contours shown and lines
over 50' shown in blue

UNITED STATES GEOLOGICAL SURVEY
WATER RESOURCES DIVISION
SAN FRANCISCO OFFICE
1221 MARKET STREET, SAN FRANCISCO, CALIF. 94102
7 1/2 DEGREE SERIES (TOPOGRAPHIC)
AS A COAST AND GEOMORPHIC STUDY
AMS MAP PRODUCTIONS WITH NATIONAL MAP SOCIETY COOPERATION
FOR SALE BY U.S. GEOLOGICAL SURVEY STORES THROUGH BOOKS OF RECORD NUMBER 23900
A 1949 REVISION OF ORIGINAL 1947 AND 1948 EDITIONS OF THIS MAP

7
VILLA CREEK, CALIF.
SW/4 CAPE SAN MARTIN 15' QUADRANGLE
N3545-W12122 5/7 5

1949

AMS 1755 IV SW-SERIES V895