

MONTEREY COUNTY PLANNING COMMISSION

Meeting: June 30, 2004 @	Agenda Item:
<p>Project Description: Combined Development Permit (Owings [“WildBird”]; PLN010266) consisting of (1) a Coastal Development Permit for demolition of a workshop (124 square feet), a Caretaker's Unit (279 square feet), and a garage (503 square feet); (2) a Coastal Administrative Permit for a new lower level (renovating existing 655 square feet area), an addition to the main residence (229 square feet), an addition of an upper level (483 square feet), a workshop (443 square feet), a Caretaker's Unit (549 square feet), and a Garage (517 square feet); (4) a Coastal Development Permit for development adjacent to an Environmentally Sensitive Habitat; and (5) a Coastal Development Permit for Development on 30% slopes (septic pump line) and within a Critical Viewshed area. The Coastal Development Permits include renovation and repairs to an existing driveway, terrace, water system, septic system, the replacement of one Monterey Cypress planted at the site (8 inches in diameter at breast height) with three 5 gallon Monterey Cypress, and Design Approval for the net addition of 1,315 square feet to the existing 3,404 square feet.</p>	
<p>Project Location: Between Highway One and the Pacific Ocean at Grimes Point (Assessor's Parcel Number 420-201-012-000), near Mile Post #40, Big Sur, Coastal Zone</p>	
<p>Plan Area: Big Sur Coast Land Use Plan and Coastal Implementation Plan, Part 3.</p>	<p>Flagged and staked: Yes</p>
<p>Zoning Designation: WSC/40 (CZ)</p>	<p>CEQA Action: Mitigated Negative Dec.</p>
<p>Department: Planning and Building Inspection</p>	

RECOMMENDATION:

1. Adopt a Mitigated Negative Declaration;
2. Approve the Owings Combined Development Permit based on Findings and Evidence (**Exhibit B**) and subject to proposed conditions and the Adoption of the Mitigation Monitoring and/or Reporting Program (**Exhibit C**).

OVERVIEW OF PROPOSED ACTION

Description of site: The building area is atop a steep, narrow bluff that extends about 500 feet from Highway 1 westward to the Pacific Ocean, called Grimes Point, within the Santa Lucia mountain range of the Big Sur coastline. The bluff rises to over 640 feet above the Ocean at Highway 1, consisting of rock outcrop, shallow soils, and steep, eroded slopes. The general impression of the development is that of an isolated residence perched on the downward, seaward side of the Santa Lucia mountain range that meets the rugged coastline of the Pacific Ocean. A 300-foot driveway terminates in a 40-foot by 50-foot paved parking area, garage/caretaker’s residence, with a pathway leading westward or seaward toward the main residence and workshop/studio overlooking the Pacific Ocean coastline, shrouded by a redwood/mixed evergreen forest.

Key issues: See Exhibit A for a general description of the key development issues for the project.

OTHER AGENCY INVOLVEMENT:

- ✓ Water Resources Agency
- ✓ Environmental Health Division
- ✓ Public Works Department
- ✓ Parks Department
- ✓ CDF-Big Sur Fire Protection District
- ✓ California Coastal Commission

All of the above have reviewed this project. Conditions are recommended by the California Department of Forestry Fire Protection District.

LUAC RECOMMENDATION:

The Big Sur Coast Land Use Advisory Committee recommend approval of the project by a vote of 5 to 0 with 1 member absent, with the condition that removal of the workshop/studio be approved by the County Historical Resources Review Board.

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June 7, 2004

Report reviewed by Lynne Mounday,
Planning & Building Services Manager

cc. Planning Commissioners; County Counsel; Health Department; Public Works; Water Resources Agency; CDF-Big Sur; Scott Hennessy, Alana Knaster, Jeff Main, Lynne Mounday, and David Lutes of the P&BI Dept.; Steven Herman c/o Wild Bird LLC; Dan Fletcher c/o Fletcher & Hardoin Architects; John Bridges of Fenton & Keller; File

Attachments: Exhibit A: Project data sheet
Exhibit B: General Discussion of the Key Development Issues for the Project.
Exhibit C: Findings and Evidence
Exhibit D: Conditions of Approval and Mitigation Monitoring and Reporting Program
Exhibit E: Initial Study with Mitigated Negative Declaration and Consultant Reports (see copy for review as Office of the Clerk-to-the Board)
Exhibit F: Vicinity Map, Site plans, Elevations, Simulation Photos
Exhibit G: Big Sur Coast LUAC Comments

Exhibit B

General Description of the Key Development Issues for the Project

Historical Resource: The proposed project involves (1) rehabilitation of deteriorated portions of the A-frame residence, (2) a new second story addition to the main residence separate from the A-frame structure, (3) demolition of the existing Caretakers Unit and Workshop, and (4) construction of a new Caretakers Unit and Guesthouse (in the place of the existing Workshop).

The modern A-frame residence was completed in 1957, followed by construction of the other, accessory structures at the site. Less than 50 years old, the buildings were not found to be listed on any local, state, or national register of historic buildings. Nonetheless, the local community considers WildBird to be a local historic resource because of its association with well-known environmental activist, Margaret Owings, for her local and national contribution to the wildlife conservation effort. In fact, the Big Sur Coast Land Use Advisory Committee wanted recommendation of approval by the County's Historic Resources Review Board ("HRRB") before demolition of the accessory workshop/studio structure.

The lack of listing on any local historic resource survey exempts the project from HRRB review, but does not categorically exempt the project from CEQA review as a *potential* historic resource because of its association "...with the lives of persons important in our past." [Section 15064.5 (a) (3) (B) of CEQA] Therefore, a historic/cultural evaluation report by architectural historian Sheila McElroy was prepared based on the proposed partial demolition of a potentially significant local historic resource associated with Margaret Owings. (Sheila McElroy of Circa: Historic Property Development, Cultural Resource Report for Wild Bird, Big Sur, California, APN 420-201-012, July 31, 2002, *with a final addendum dated August 29, 2003*).

Ms. McElroy does not consider WildBird an architecturally historic resource under state criteria at this time, but possibly in the future if further deterioration of the A-frame is halted and its integrity retained. She recognizes the local importance placed on the residence as associated with Margaret Owings, and as more information is available on the life of Margaret Owings, the residence might qualify as a national historic resource based on her contribution to the environmental movement.

Ms. McElroy concludes that the proposed demolition/rehabilitation of the residence will not have an adverse impact because it will retain the integrity of the most prominent or premiere character defining element in the public view—the A-frame. This is because it is the owner's intent to complete the rehabilitation of the A-frame following the *Secretary of the Interior's Standards for Rehabilitation for Historic Resources* apart from whether the property currently meets the criteria for eligibility on the California Register.

Big Sur Critical Viewshed:

Main Residence (A-frame)- The A-frame is within the Big Sur Critical Viewshed as seen from Highway 1 vantage points both northerly and southerly of the site. The A-frame also constitutes "ridgeline development" as silhouetted against the sky viewed from Highway 1. The proposed second floor addition to the existing ground floor level shared by the A-frame, while viewed as partially overlapping the A-frame as seen from a Highway 1 southern vantage point, is not seen *visually* as an expansion because it is not increasing the silhouette of the existing A-frame structure already in the viewshed. Viewed from north of the site, this second floor addition will be completely screened by trees. Only at a greater southerly

distance does the proposed second floor addition begin to be seen slightly separate from the A-frame, but then at a distance too far to have an adverse visual impact.

Caretaker's Quarters-The site's second most visible structure as viewed from Highway 1 is the existing Caretaker's Quarters above the garage. It is both Ridgeline Development and within the Big Sur Critical Viewshed. The existing, second-story Caretaker's Quarters is proposed for removal, to be replaced with a new Caretaker's Quarter at ground level, attached to and southerly of the garage. This proposal removes the Caretaker's Quarters from the Critical Viewshed except as only slightly seen from a southern Highway 1 vantage point during construction when cliff-growing vegetation must be temporarily clipped back or removed. It is anticipated that said vegetation will grow back to screen the Caretaker's Quarters, but a condition has been placed on the project that the native vegetation be replaced after construction, to be monitored by the consulting biologist.

Workshop/Studio-The existing workshop/studio at the most seaward end of the bluff is entirely screened by the redwood/mixed evergreen forest and not within the Big Sur Critical Viewshed. Architectural historian consultant Sheila McElroy considers both the Caretaker's Quarters and the Workshop/Studio as *not* integral to the historic value placed on the more prominent A-frame structure.

VIEW from NORTHERN VANTAGE POINT



Caretaker's Quarters above garage (to be replaced by a unit attached to existing garage at ground level)

VIEW FROM SOUTHERN VANTAGE POINT



SIMULATED VIEW of PROPOSED CARETAKER'S UNIT
(Condition requires revegetation of cliff slope to screen unit as shown in picture above)



Exhibit C

Findings & Evidence

1. **FINDING:** The project proposed in this application is a Combined Development Permit (PLN010266) for additions to a single family home and demolition and replacement of accessory structures and a septic system located between Highway One and the Pacific Ocean at Grimes Point (Assessor's Parcel Number 420-201-012-000), near Mile Post #40, BIG SUR AREA, COASTAL ZONE. The permit includes renovation and repairs to an existing driveway, terrace, water system, septic system, and a 3:1 replacement of one, previously planted, Monterey Cypress. A detailed description of the project is found in condition #1 of Exhibit "D," and as conditioned, conforms to the plans, policies, requirements and standards of the following documents:
- a) the certified Big Sur Coast Land Use Plan;
 - b) the certified Monterey County Coastal Implementation Plan, Part 1, regulations for the "WSC/40" Coastal Zone District, and
 - c) the Monterey County Coastal Implementation Plan, Regulations for Development in the Big Sur Coast Land Use Plan. (Chapter 20, Section 20.17.060)

- EVIDENCE:** The project is a conditional use with Coastal Development Permits based on Chapter 20.17 of the Coastal Implementation Plan, development in Watershed and Scenic Conservation Residential Zoning Districts. The use is conditional because of the following:
- the proposed excavation of slopes exceeding 30% based on Section 20.64.230 E. 2 of Title 20, is justified in order to accommodate a new septic system with increased capacity.
 - development within the Critical Viewshed as defined by Section 20.145.020. V of the Big Sur Coastal Implementation Plan.
 - ridgeline development pursuant to Section 20.66.010 of the Big Sur Coastal Implementation Plan.
 - development within 100 feet of an environmentally sensitive habitat based on Section 20.145.040 of the Big Sur Coastal Implementation Plan.

- EVIDENCE:** Planning and Building Inspection Department staff have reviewed the project as contained in the application and accompanying materials and have determined that the project is consistent with the above listed plans and is appropriate for residential development in an area designated for Watershed and Scenic Conservation Residential Districts ("WSC/40"), and is in conformity with the following development standards:

Development standards for projects within the Big Sur Critical Viewshed:

- Big Sur Coast Land Use Plan: Chapter 3.2, Scenic Resources (with special attention on policies for development of land within the critical viewshed, Section 3.2.3 A. 7.)
- Big Sur Coastal Implementation Plan, Part 3: Section 20.145.030, with special attention to Section 20.145.030. A. 1. b. and A. 2. f.

Development standards for development adjacent to environmentally sensitive habitats:

- Monterey County General Plan: Chapter I, Goals 7 and 9 with attending Objectives and Policies.

- Big Sur Coast Land Use Plan: Chapter 3.3, Environmentally Sensitive Habitats with special attention to Sections 3.3.2., Policies 1 through 7 and 9; Section 3.3.3., A., Specific Policy for Terrestrial Plants, and Section 3.3 3, B., Policies 1 and 4, Specific Policies for Marine Habitats.
- Big Sur Coastal Implementation Plan, Part 3: Section 20.145.040, A., “Biological Survey Requirement;” Section 120.145.040 B., items 1 through 4, and 9, “General Development Standards;” Section 120.145.040 C. 2, items a through d and g, “Marine Habitats.”
- Coastal Implementation Plan, Part 6, Appendix 2b, Big Sur Resource Maps.

Development standards for development 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:

- Big Sur Coast Land Use Plan: Chapter 3.7, Key Policy 3.7.1 and General Policies 3.7.2, with special attention to Specific Policy 3.7.3 A., “Geologic Hazards,” and 3.7.3 C. “Fire Hazard.”
- Big Sur Coastal Implementation Plan, Part 3: Section 20.145.080 A b 2 and A i, “Geologic Report Requirement.”

Development standards for development in an area with high archaeological resources:

- Big Sur Coastal Implementation Plan, Part 6, Appendix 2b, “Big Sur Resource Maps.”
- Big Sur Coast Land Use Plan: Chapter 3.11, with special attention to General Policies 3.11.2, items 1 through 6.
- Big Sur Coastal Implementation Plan, Part 3: Section 20.145.120, “Archaeological Resources Development Standards,” with special attention to Section 20.145.120 B., “Archaeological Survey Report Requirement,” and Section 20.145.120 D., “Development Standards.”

EVIDENCE: Necessary public facilities are available to the project site.

- a) The property has a “License for Diversion and Use of Water”, Permit #10576, License #5818 from the State Water Rights Board. Water is pumped up to an approximate 600 gallon water tank located at the highest point on the property. Water is then gravity fed down to the residence. Tests were made on the water quality in August 2000. The water sample meets state health standards for nitrate, dissolved solids, and color. Traces of bacteria were found, and a water purification system is proposed. A chlorinator system will be designed and added to the water system to bring water up to acceptable standards. The existing wood tank will be replaced with a new Poly Tank.
- b) The County’s Environmental Health Division requested pertinent geotechnical studies pursuant to Monterey County Code 15.20.070 F. 13. for a small portion of an upgraded septic system to be placed on 30% slopes. A variance from the Regional Water Quality Control Board for re-routing the septic system on 30% slopes near a marine environment has been accepted and approved by the Environmental Health Division. The current septic system consists of a Septic Tank located 20’ down slope, south east of the main residence. This is connected to a leach field running parallel to the slope. This has been inspected in early 2000 and was determined to be in good condition, but cannot accommodate additional waste and access is very difficult for maintenance. The proposed design removes some fixtures and adds new fixtures with similar uses. The renovation will also upgrade toilets and showers to “low flow”. The existing Septic Tank will be converted to a Pump Vault to accept waste from the Main Residence and

Guest House. This waste will be pumped up to a new 2,500 gallon Septic Tank located in the drive turnaround area. Waste from the Caretaker House will be gravity fed into this same tank. A new Pump Vault will be adjacent and will pump the effluent up a new pump line under the driveway. New leach fields will be located on the property near Highway One to handle the effluent pumped up from below. Percolation tests have been completed and the new system designed to meet Environmental Health Division standards.

- c) PG&E service is available to the site from a Highway One utility easement. All public utilities serving the site are required to be placed underground to avoid any adverse visual impact within the Big Sur Critical Viewshed.

2. FINDING: The proposed project is consistent with policies of the Big Sur Coastal Implementation Plan dealing with development adjacent to environmentally sensitive habitats. The Biological Report prepared for the site by consulting biologist, EMC Planning Group, Inc., concludes that the proposed project will result in no adverse impacts to special-status species.

EVIDENCE: The Biological Report dated June 2002, 1999, prepared for the site by consulting biologist EMC Planning Group, Inc., Biological Resources Assessment, Wildbird (Highway 1 at Grimes Point, APN 420-201-012), pursuant to requirements of the Big Sur Coastal Implementation Plan, Part 3: Section 20.145.040, A., “Biological Survey Requirement;” Section 120.145.040 B., items 1 through 4, and 9, “General Development Standards;” Section 120.145.040 C. 2, items a through d and g, “Marine Habitats.”

EVIDENCE: The predominant habitat on the property is coastal scrub. The portion of the property on which development is proposed consists of a limited area of redwood/mixed evergreen forest, but with ornamental landscaping the primary vegetative feature within the existing development envelope. The redwood/mixed evergreen forest habitat provides many wildlife resources. Because of these potential habitats in areas outside of the building envelope and on the steep slopes surrounding the developed area, the consulting biologist recommends certain mitigations that are listed in Exhibit D as part of the Condition Compliance and Mitigation Monitoring Reporting Program: namely, the preparation of erosion control and landscaping plans that are not intrusive or invasive of the native plant community.

EVIDENCE: The geotechnical investigation report by Soils Surveys, Inc. [Richard E. Dante, P.E. of Soil Surveys, Inc. Geotechnical Investigation for WildBird, LLC; WildBird Property at Grimes Point, Highway One, Big Sur Area, California, June 20, 2002] addresses specifications for surface drainage at the site. Both Geologist and Geotechnical consultants will be retained to review the building and site grading plans and make site inspections to assure adequate stormwater drainage and erosion control measures that are consistent also with protection of the native plant community.

EVIDENCE: Project mitigations include a Scenic and Conservation Easement over the entire property surrounding the building area on the bluff pursuant to Section 20.145.040 B. 2 of the Monterey County Coastal Implementation Plan, Part 3.

EVIDENCE: A mitigation to protect the marine environment is the pumping of septic waste to a new 2,500 gallon Septic Tank located in the drive turnaround area rather than flowing seaward toward the marine habitat. Waste from the Caretaker House will be gravity fed into this same tank. A new Pump Vault will be adjacent and will pump the effluent up a new pump line under the driveway. New leach fields will be located on the property near Highway One to handle the effluent pumped up from below 40 feet up-slope that will receive effluent pumped up from septic holding tanks at the project site.

EVIDENCE: Coastal Implementation Plan, Part 6, Appendix 2b.

3. FINDING: The project, as conditioned, is consistent with applicable plans and policies for development within 50 feet of the face of a cliff or bluff and within the area of a 20 degree angle above horizontal from the face of a cliff as found in the Big Sur Coast Land Use Plan; the Big Sur Coastal Implementation Plan, Part 3 and Part 6, and Title 20, Part 1, Zoning Ordinance.

EVIDENCE: Technical reports have been provided by the following soils, geology and geotechnical consultants to address the potential geologic hazards at the site:

- CapRock Geology, Inc., Geological Report for Wildbird Residence, Grimes Point, Big Sur, Monterey County, California, APN #420-201-012, June 12, 2002, Ref No.: 4241-01. The Geologic Report identifies seismic shaking and slope instability as potential hazards, requiring engineered foundations, the presence of a geologist during additional subsurface investigation, and a well-designed drainage system that channels runoff downhill to only bedrock or beach sand.
- Richard E. Dante, P.E. of Soil Surveys, Inc. Geotechnical Investigation for WildBird, LLC; WildBird Property at Grimes Point, Highway One, Big Sur Area, California, June 20, 2002. The Geotechnical Report provides site specific mitigations to reduce the potential hazards related to erosion.

These reports are found in project file (PLN010266) and as attachments to the Initial Environmental Study prepared for the project and have been circulated through the State Clearinghouse for interagency review.

EVIDENCE: The above reports are consistent with policies of the Big Sur Area Land Use Plan dealing with development in hazardous areas. The geologic report prepared for the site by CapRock Geology, Inc. conforms also with "Guidelines for Geologic/Seismic Reports" of the California Divisions of Mines and Geology. The report concludes that the proposed project can proceed with conditions. Both the Geologist and Geotechnical consultants will be retained to review the building and site grading plans and make site inspections to assure adequate stormwater drainage and erosion control measures.

EVIDENCE: Coastal Implementation Plan, Part 6, Appendix 2b.

4. FINDING: The request for proposed development on 30 percent slopes is consistent with Section 20.64.230 E. 1 of Part 1 of the Coastal Implementation Plan since no other alternative exists which would allow development to occur on slopes of less than 30 percent.

EVIDENCE: The placement of a small portion of the septic system pump pipes on 30 percent slope at the western, seaward edge is necessary in order to maintain an adequate distance between the structures at the site.

EVIDENCE: The County's Environmental Health Division requested and approved geotechnical studies pursuant to Monterey County Code 15.20.070 F. 13. for a small portion of an upgraded septic system to be placed on 30% slopes. A variance from the Regional Water Quality Control Board for re-routing the septic system on 30% slopes near a marine environment has been accepted and approved by the Health Division.

5. FINDING: The project as proposed is consistent with policies of the Big Sur Area Land Use Plan dealing with visual resources and will have no significant impact on the public viewshed as conditioned.

EVIDENCE: The visual impact of the project was reviewed based on Section 3.2.3 A.7. of the Big Sur Coast Land Use Plan and Section 20.145.030. A.2.f of the Big Sur Coastal Implementation Plan, Part 3:

“...Replacement or enlargement of existing structures...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 the critical viewshed.”

The proposed second story addition is placed atop an existing ground level residence shared by the A-frame and partially overlaps the view of the A-frame from Highway turnouts south of the site. Therefore, the *visibility* of the structural enlargement does not increase the volume or mass of the existing A-frame because it does not increase the existing silhouette of the A-frame already in the viewshed. The enlargement is no more visible than the existing A-frame.

Further, the existing Caretaker's Unit atop the garage will be demolished, removing the structure from the critical viewshed. The Caretaker's Unit will be replaced by a structure at ground level, attached to the garage outside of the critical viewshed. The Caretaker's Unit replacement will be screened by native vegetation at the south elevation.

The existing workshop/studio to be demolished and replaced by a Guesthouse at the same location is outside of the critical viewshed, screened by the redwood/mixed evergreen forest. The Guesthouse at the same studio location seaward or westerly of the main residence, does not intrude into the critical viewshed as seen from north or south vantage points on Highway One .

EVIDENCE: During review of an originally proposed Caretaker Unit location, the cantilevered south elevation was largely removed and setback from the Critical Viewshed as seen from a Highway One turnout south of the site pursuant to Section 20.145.030 A. 2. c. and f. of the Big Sur Coastal Implementation Plan, Part 3. Nonetheless, a condition requiring native re-vegetation of the cliff side will be required at this southern elevation to assure visual

screening of the Caretaker Unit should any of the natural vegetation now screening the site be removed during construction.

EVIDENCE: A Scenic and Conservation Easement shall be placed over portions of the property in the Critical Viewshed surrounding the approved building envelopes and driveway access pursuant to Section 20.145.030 A. 2. G of the Big Sur Coastal Implementation Plan, Part 3.

EVIDENCE: The Big Sur Land Use Advisory Committee (“LUAC”) voted on October 8,th 2002, to approve the project by a vote of 5 - 0 and 1 abstention, and with the recommendation that removal of the Workshop/Studio be approved by the County’s Historical Resources Review Board (“HRRB”). Because the applicant objected to HRRB review based on the absence of the structures on any local, state or national historic register listing, the project was not presented to the HRRB for review. The structures were submitted to historic assessment by a professional architectural historian, Shiela McElroy, who found the Workshop/Studio without architectural merit and nearly uninhabitable because of toxic building materials. This was confirmed by reputed statements from Margaret Owings, the former builder and owner of the studio, who came to dislike the structure.

EVIDENCE: Project planner conducted an on-site inspection on three occasions pursuant to Section 20.145.030, A. 1. a. of the Monterey County Coastal Implementation Plan to verify that the project on the subject parcel conforms to the Big Sur Land Use Plan, Section 3.2.3, development in the Big Sur Critical Viewshed. Based on Section 20.145.030, A. 1.b., exterior light sources, both artificial and reflective, shall be prohibited from additions to the existing residences that could be directly visible from Highway One. The use of natural wood and stone materials are proposed for the rehabilitation and additions to the existing structures.

6. FINDING: Project as sited and proposed does not interfere with any form of historic public use or trust rights as found in Section 20.70.050 B 4 of the Coastal Implementation Plan, Part I, and there is no access required to accommodate the proposed use as evidenced in proposed plans.

EVIDENCE: The subject property is not described as an area where the Local Coastal Program requires access given the dedicated access sites north of Grimes Point (Priority 3 of the Shoreline Access Plan shown in Figure 2 of the Big Sur Coast Land Use Plan). From Grimes Point to Partington Point, access destination is limited to the development of scenic overlooks and improving selected pullouts for use as overlooks. The steepness of the terrain at the subject parcel requires constraints to public access and the elimination of informal trails as listed in Table 2 of the Big Sur Coast Land Use Plan.

7. FINDING: The subject property is in compliance with all rules and regulations pertaining to the use of the property; no violations exist on the property and all zoning abatement costs, if any have been paid.

EVIDENCE: Staff reviewed Monterey County Planning and Building Inspection Department records and verified that no violations exist on subject property.

8. FINDING: The site is suitable for the use proposed.

EVIDENCE: Staff conducted three on-site visits and finds the site suitable for this use as long as mitigations are placed on the project and the development is monitored over a three year period to ensure that development does not have a significant impact on the sensitive environmental habitats found at the site.

EVIDENCE: The project has been reviewed for suitability by the Planning & Building Inspection Department, Environmental Health Division, Public Works Department, Water Resources Agency, the Big Sur Land Use Advisory Committee, and the California Coastal Commission. Conditions placed on the project by these agencies have been incorporated into the conditions found in Exhibit "D"

EVIDENCE: Site-specific conditions are placed on the project by the California Department of Forestry Big Sur Fire District ("CDF") to mitigate the development in a very high fire hazard area. The CDF has required 14 standard conditions of approval for the project that detail requirements for emergency access; signing and building numbering; emergency water standards; fuel modification standards; and on-site fire protection equipment. Compliance with these conditions is monitored through the standard building inspection process prior to issuance of the final building permit.

EVIDENCE: The following consultant reports were conducted for the project upon which to evaluate the project to assure that the proposal would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County by investigating soil conditions, geologic hazards, biologic and archaeological/ cultural findings at the subject site:

- CapRock Geology, Inc., Geological Report for Wildbird Residence, Grimes Point, Big Sur, Monterey County, California, APN #420-201-012, June 12, 2002, Ref No.: 4241-01.
- Richard E. Dante, P.E. of Soil Surveys, Inc. Geotechnical Investigation for WildBird, LLC; WildBird Property at Grimes Point, Highway One, Big Sur Area, California, June 20, 2002.
- EMC Planning Group, Inc., Biological Resources Assessment, Wildbird (Highway 1 at Grimes Point, APN 420-201-012), June 2002.
- Fletcher + Hardoin, Architects, WILD BIRD View Analysis, July 15, 2002, Revised November 26, 2003.
- Mary Doane, B.A., and Trudy Haversat, RPA, Preliminary Archaeological Reconnaissance for the Wild Bird Project, A Portion of Assessor's Parcel 420-201-012, Grimes Point, Monterey County, California, February 5, 2002.
- Sheila McElroy of Circa: Historic Property Development, Cultural Resource Report for Wild Bird, Big Sur, California, APN 420-201-012, July 31, 2002, with the final addendum as follows:
- Sheila McElroy of Circa: Historic Property Development, Historic / Cultural Evaluation Report for Wild Bird, Big Sur, California, APN 420-201-012, August 29, 2003.

The reports indicate that there are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats or similar areas that would indicate the site is not suitable for the use proposed when subject to mitigation measures. County staff concurs with the consultants that the environmental and cultural restraints—*particularly the potential historic resource of the site and its location in the Big Sur Critical Viewshed*--can be mitigated to less than significant when standard conditions, specially applied mitigations, and a reporting program are applied to the proposed project. To this end, recommended conditions and mitigations placed on the project by these consultants have been incorporated into the “Condition Compliance and/or Mitigation Monitoring Reporting Plan” found in Exhibit “D” for this project. The applicant shall enter into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Plan” prior to issuance of any grading or building permits

9. FINDING: The project is consistent with Section 20.145.050 of the Coastal Implementation Plan dealing with Water Resources. The proposed project was evaluated in terms of the intensification of use in a Watershed Conservation area. It was determined that there would be no "substantial water use intensification" as the rehabilitation and additions to existing structures would not increase the number of households (Section 20.145.050 B.) nor would the water source be transported from another watershed (Section 20.145.050 A).

EVIDENCE: The property has an existing “License for Diversion and Use of Water”, Permit #10576, License #5818 from the State Water Rights Board. The current system utilizes a collection area in the Grimes Creek along the north property line. Water is pumped up to an approximate 600 gallon water tank located at the highest point on the property. Water is then gravity fed down to the residence.

10. FINDING: The project as proposed is consistent with policies of the Big Sur Coast Area Coastal Implementation Plan dealing with development in archaeologically sensitive areas. The report states that there are not clearly identifiable archaeological resources located on site.

EVIDENCE: According to Mary Doane and Trudy Haversat of Archaeological Consulting, the project area is within the recognized ethnographic territory of the Esselen linguistic group. Field research indicates evidence of sparse, surface, potentially significant cultural resources, although the context is greatly disturbed and it is not clear that the materials originated at the site. If the cultural materials did originate on site, the deposit may have been completely disturbed by prior construction. Because of this finding, Doane and Haversat recommend the following mitigations:

A qualified archaeological monitor shall be present during construction activities that involve soil disturbance, such as grading, excavation for new foundations, etc. If human remains or intact cultural features are discovered during construction, work shall be halted until the find can be evaluated during construction, work shall be halted until the find can be evaluated by the monitor, and appropriate mitigation measures formulated and implemented. If suitable materials from intact midden are recovered during monitoring, at least one radiocarbon date shall be obtained as mitigation for incidental impacts to prehistoric resources.

EVIDENCE: Mitigation No. 10.

11. **FINDING:** According to Chapter 20.54 of the Monterey County Coastal Implementation Plan, Part 1, incentives and regulations for the protection, preservation, enhancement, and perpetuation of historic structures are provided in zoning districts which are combined with a “Historic Resources District” (“HR”) designation. Because of association of the WildBird site with Margaret Owings for her contribution to the protection of the environment, architectural historian Sheila McElroy recognizes that in a future evaluation, the site would appear to be potentially eligible on the local level for inclusion in a local register of historic resources, if not eligibility for inclusion in the California Register of Historic Resources. Therefore, it is deemed appropriate that a Historic Resource (“HR”) zoning overlay be placed on the site that will serve to flag for review as a local historic resource any future proposed demolition or alteration of the existing structures pursuant to Sections 20.54.030 D. and 20.54.080 G. of Part 1 of the Coastal Implementation Plan, Title 20.

EVIDENCE: The applicant shall request, in writing, a rezoning of the parcel to add an “HR” (Historical or Archaeological Resources) zoning designation to the existing zoning or the parcel.

EVIDENCE: Mitigation No. 9.

12. **FINDING:** The establishment , maintenance or operation of the Use/project applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: The project was reviewed by the Planning & Building Inspection Department, the California Department of Forestry Big Sur Fire District, the Environmental Health Department, the Public Works Department, the Water Resources Agency, the Big Sur Land Use Advisory Committee, the State Department of Fish and Game, and the California Coastal Commission. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood (Exhibit “D”).

EVIDENCE: The Planning & Building Inspection Department places specific standards and regulations for the use of the proposed guesthouse and caretaker unit as dwelling units accessory to the main residence on the same parcel.

EVIDENCE: The project site is found to be in a very high fire hazard area that shall require recorded noticing and compliance with the California Department of Forestry Fire Prevention (“CDF”) conditions of approval for emergency access, an emergency water supply, proper signing for property identification, setbacks from flammable vegetation, indoor sprinkler system, and fire retardant roofing. The location of a water tank and the materials used for road surfacing required by the CDF shall require joint approval of the Planning & Building

Inspection Department to be assured consistency with the Local Coastal Plan policies of development within the public viewshed.

EVIDENCE: Necessary public facilities are available and will be provided, particularly when the Fire District conditions of approval for emergency access to the site are implemented (see file no. PLN010266).

13. FINDING: There is no substantial evidence in the record as a whole before the Planning Commission that supports a fair argument that the proposed project as designed, conditioned and mitigated, will have significant adverse effects on the environment. The mitigated negative declaration reflects the independent judgment of the Monterey County Planning and Building Department.

EVIDENCE: The Monterey County Planning and Building Inspection Department prepared an Initial Study pursuant to CEQA. The Initial Study identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The mitigation measures are recommended to mitigate primarily the potential significant impacts to the aesthetic, biological, and cultural resources on the site. The project file is in the office of the Planning & Building Inspection Department (file no. PLN010266). All project mitigations required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval (Exhibit "D").

EVIDENCE: A Mitigation Monitoring and Reporting Plan (Exhibit "D") has been prepared in accordance with Monterey County regulations that are designed to ensure compliance during project implementation, and the applicant shall enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan" prior to issuance of any grading or building permits (Exhibit "D")

EVIDENCE: Technical Reports have been prepared (listed under Evidence for Finding 9 above) as part of the environmental determination and recommendations have been incorporated into the project or made conditions of approval.

EVIDENCE: The Combined Development Permit for the project includes placement of a Scenic and Conservation Easement over the entire, newly created parcel exclusive of the immediate building envelopes given that there is no other feasible site on the subject parcel that would be better screened visually from Highway One. The Scenic and Conservation Easement shall specify those portions of the property where sensitive habitats exist and are not to be materially altered except for the removal of invasive, exotic plant species and to provide for maintenance needs.

14. FINDING: The project is appealable to the Board of Supervisors and California Coastal Commission.

EVIDENCE: Section 20.86.080.A.3 of the Monterey County Coastal Implementation Plan, Part 1 (Title 20) and Section 19.01.050 of the Monterey County Coastal Zone Subdivision Ordinance (Title 19).

EXHIBIT D

Monterey County Planning and Building Inspection Condition Compliance and/or Mitigation Monitoring Reporting Plan	<i>Project Name:</i> OWINGS (“WILDBIRD”) <i>File No:</i> PLN 010266 <i>APN:</i> 420-201-012 <i>Approval by:</i> PLANNING COMMISSION <i>Date:</i> 06/30/2004
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
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<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<p>SPECIFIC USES ONLY This Combined Development Permit (Owings [“WildBird”]; PLN010266) allows (1) demolition of a workshop (124 square feet), a Caretaker's Unit (279 square feet), and a garage (503 square feet); (2) a new lower level (renovating existing 655 square feet area), (3) an addition to the main residence (229 square feet), (4) an addition of an upper level (483 square feet), (5) a workshop (443 square feet), (6) a Caretaker's Unit (549 square feet), (7) a Garage (517 square feet); (8) development adjacent to an Environmentally Sensitive Habitat; and (9) development on 30% slopes (septic pump line) and (10) development within a Critical Viewshed area. The Combined Development Permit includes also renovation and repairs to an existing driveway, terrace, water system, septic system, the replacement of one Monterey Cypress planted at the site (8 inches in diameter at breast height) with three 5 gallon Monterey Cypress, and Design Approval for the net addition of 1,315 square feet to the existing 3,404 square feet. The project is located between Highway One and the Pacific Ocean at Grimes Point (Assessor's Parcel Number 420-201-012), near Mile Post #40, BIG SUR AREA, COASTAL ZONE.</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	

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1. cont'd		<p>This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities.</p> <p>(Planning and Building Inspection)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2.		<p>NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: “A permit (Resolution _____) was approved by the (Planning Commission) for Assessor’s Parcel Number 420-201-012 on June 30, 2004. The permit was granted subject to 29 standard conditions of approval and 13 special mitigations which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department.” Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use.</p> <p>(Planning and Building Inspection)</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	

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MITIGATIONS AND REPORTING PLAN required by PLANNING & BUILDING INSPECTION DEPARTMENT						
	1.	No exterior lights shall be placed at the perimeters of the building and building envelope if such light source will be directly visible from Highway 1. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location (only immediate to the structures for automobile and pedestrian safety), type (no flood lights), and wattage (non-glare) of all light fixtures and include catalog sheets for each fixture.	The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection.	Owner/ Applicant	Prior to Issuance of grading and building permits.	
	2.	All exterior windows seen from Highway 1 shall be of non-reflective glass.	The applicant shall provide specifications for non-reflective glass windows along the exterior face of the proposed development subject to the approval of the Director of Planning and Building Inspection.	Owner/ Applicant	Prior to Issuance of grading and building permits.	

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	3.	The property owner shall submit a "Critical Viewshed Map" for the purposes of conveying to the County a Scenic and Conservation Easement over all portions of their land in the critical viewshed and over existing vegetated areas without which the proposed development would be located within the critical viewshed. The Scenic and Conservation Easement shall specify those portions of the property where sensitive habitats exist and are not to be materially altered except for the removal of invasive, exotic plant species. Although included in the Scenic and Conservation Easement, potential archaeological sites are not to be identified in said easement though included in the area not to be materially altered.	A Scenic and Conservation Easement shall be submitted to and approved by Director of Planning and Building Inspection.	Owner/ Applicant	Prior to Issuance of grading and building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	4.	An erosion control plan prepared by a certified engineer, incorporating appropriate Best Management Practices (BMPs) shall be prepared. BMPs should include installation of silt fences, sterilized hay bale barriers, retention of vegetated filter strips, and / or other measures as needed to minimize erosion.	The applicant shall submit to the Director of Planning & Building Inspection for approval, an erosion control plan incorporating appropriate Best Management Practices as determined by a certified geotechnical engineer and approved by the Director of Planning & Building Inspection.	Owner/ Applicant/ Certified Geotechnical Engineer/ Certified biologist	Prior to Issuance of grading and building permits.	
			All cut and/or fill slopes exposed during the course of construction should be covered, seeded with sterile rye grass (or other erosion control plantings compatible with native grasses), and/or otherwise treated to control erosion.		Upon issuance of grading or building permits	

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			Annual reports for 3 years are to be prepared by a County certified biologist and submitted to the Director of Planning & Building Inspection verifying the implementation of the erosion control measures and the success of said measures toward protection of the natural biological resources at the site. If problems arise (e.g. buckwheat death, weed encroachment, etc.), the biologist shall notify the property owners and inform them of what is required to fulfill the terms of the mitigations required to fulfill the intent of the Biological report.		Annual reports for 3 years	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	5.	<p>New landscaping installed on the property shall not include plantings of invasive non-native plant species. Native grasses and other native plant species shall be planted in order to provide additional native habitat in association with the existing natural habitats on the property.</p> <p>Also to be included in a landscaping plan is a good vegetative ground cover to substantially reduce the risk of erosion on the property. Also included in the landscape plan shall be appropriate planting to replace plants removed during construction of the Caretaker's Quarters that serve to soften the existing rock outcrop and structure as seen from Highway 1 viewing areas south of the site.</p>	<p>The applicant shall submit 3 copies of a landscaping plan to the Director of Planning and Building Inspection that has been reviewed and signed by a County-certified biological consultant as assurance that no plantings of invasive, non-native plant species are to be included in said plan.</p> <p>Annual reports for 3 years are to be prepared by a County certified biologist and submitted to the Director of Planning & Building Inspection verifying that no plantings have invaded the natural biological resources at the site. If problems arise with the invasion of non-native plants at the site, the biologist shall notify the property owners and inform them of what is required to remove said plants in order to protect the surrounding natural biological resources</p>	Owner/ Applicant/ Certified biologist	<p>Prior to Issuance of grading and building permits.</p> <p>Annual reports for 3 years</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	6.	Protected trees to be retained that are located adjacent to the construction area 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/or other measures appropriate and necessary to protect the well-being of the retained trees.	<p>A County-certified arborist shall submit a report to the Director of Planning and Building Inspection that the trunks of protected trees have been wrapped with protective materials and shall identify those trees requiring bridging or tunneling under major roots during construction, or other measures that are necessary to protect the well-being of the retained trees.</p> <p>Annual reports for 3 years are to be prepared by a County certified biologist and submitted to the Director of Planning & Building Inspection verifying that retained trees adjacent to the construction area are in a healthy and growing condition. If problems arise as to health of the trees, the biologist shall notify the property owners and inform them of what is required to preserve or replace the trees with the assistance of a County-certified arborist.</p>	Owner/ Applicant/ Certified arborist/ Certified biologist	<p>Upon issuance of grading and/or building permits</p> <p>Annual reports for 3 years</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	7.	All excavated material will be disposed of off the project site unless such material can be incorporated into the development project at the immediate construction site. No construction materials or debris shall be allowed to enter the tidal or intertidal zone below the construction site.	<p>Prior to issuance of grading or building permits, a note on the construction plans shall state the following: "All site preparation and construction will be consistent with the Biological Assessment report prepared by EMC Planning Group, Inc., <u>Biological Resources Assessment, WildBird (Highway 1 at Grimes Point, APN 420-201-012)</u>, June 2002. In addition to the required erosion control plan, all excavated materials will be disposed of off the project site unless such material can be incorporated into the development project at the immediate construction site. No construction materials or debris shall be allowed to enter the tidal or intertidal zones below the construction site."</p> <p>The note and site preparation plans will be reviewed by the Director of Planning and Building Inspection, the Chief Building Officer, and the Department's Landscape Consultant for consistency with the intent of the ²⁷Biological Assessment Report.</p>	Owner/ Applicant/ Certified biologist	Prior to issuance of grading or building permits	

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			Upon issuance of grading or building permits, a County-certified geotechnical engineer shall inspect the adequacy of the erosion control Best Management Practices and provide a report to the Director of Planning and Building Inspection that measures have been taken to dispose of all unused excavated materials off the project site.		Upon issuance of grading or building permits	

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	8.	A note on the construction plans plus a notice recorded with the Monterey County Recorder shall state: "A historical assessment report has been prepared for this parcel by Sheila McElroy dated July 31, 2002, entitled <u>Cultural Resource Report for WildBird, Big Sur, California, APN 420-201-012</u> , and an addendum dated August 29, 2003 entitled <u>Historic / Cultural Evaluation Report for Wild Bird, Big Sur, California, APN 420-201-012</u> , are on record in the Monterey County Planning and Building Inspection Department Library, No. _____. All construction shall follow the guidelines advocated for the project by the report, following the Secretary of Interior's Standards for Rehabilitation in accordance with a potential historic resource, as approved by the Director of Planning and Building Inspection."	The note shall be placed on construction plans and the notice recorded, as approved by the Director of Planning and Building Inspection.		Prior to issuance of grading or building permits	

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	9.	The applicant shall request, in writing, a rezoning of the parcel to add an "HR" (Historical or Archaeological Resources) zoning designation to the existing zoning or the parcel.	Prior to Final Building Inspection/Occupancy, the applicant shall submit the letter to the Director of Planning & Building Inspection to add the HR zoning designation to the subject property. The requested zoning designation shall be heard by the Board of Supervisors, and if approved, shall serve to identify the parcel as a locally identified local historic resource pursuant to Section 20.54.030 D. and 20.54.080 G. of Part 1 of the Coastal Implementation Plan, Title 20.		Prior to Final Building Inspection/Occupancy	

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	10.	A qualified archaeological monitor shall be present during construction activities that involve soil disturbance, such as grading, excavation for new foundations, etc. If human remains or intact cultural features are discovered during construction, work shall be halted until the find can be evaluated during construction, work shall be halted until the find can be evaluated by the monitor, and appropriate mitigation measures formulated and implemented. If suitable materials from intact midden are recovered during monitoring, at least one radiocarbon date shall be obtained as mitigation for incidental impacts to prehistoric resources.	Upon issuance of grading or building permits, a County-certified archaeologist shall be present for construction activities that involve soil disturbance. If cultural features are discovered, work shall be halted, the findings evaluated by the archaeologist and appropriate mitigation measures formulated and implemented.	Owner/ Applicant/ Certified archaeologist	Upon issuance of grading or building permits	

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	11.	If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.	Upon issuance of grading or building permits, a County-certified archaeologist shall be notified to determine the significance of the find and determine appropriate mitigation measures to be formulated and implemented.	Owner/ Applicant/ Certified archaeologist	Upon issuance of grading or building permits	

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	12.	All site preparation and construction specifications for the proposed new Garage, Caretakers Unit, Guest House and Main Residence shall be consistent with the Soil Surveys, Inc. <u>Geotechnical Investigation for WildBird, LLC, WildBird Property at Grimes Point, Highway One</u> , dated June 20, 2002, and the general recommendations of CapRock, Inc., <u>Geological Report for Wildbird Residence, Grimes Point, Big Sur, Monterey County, California, APN #420-201-012</u> , dated June 12, 2002 (Ref No.: 4241-01).	<p>Prior to issuance of grading or building permits, the applicant shall place a note on the construction plans that states the following: “All site preparation and construction specifications for the proposed new Garage, Caretakers Unit, Guest House and Main Residence shall be consistent with the Soil Surveys, Inc. <u>Geotechnical Investigation for WildBird, LLC, WildBird Property at Grimes Point, Highway One</u>, dated June 20, 2002.</p> <p>Among the specifications to be addressed are (1) the seismic factors to be used for structural design purposes consistent with the CapRock Geologic Report prepared for the project; (2) grading and compaction specifications; and (3) limiting the commencement and completion of grading, excavation and installation of caissons, foundation and retaining wall construction for the caretaker’s residence to a single dry season. In addition, the consulting geotechnical engineer shall inspect and test in the field all grading, foundation footing excavations, caisson or pier excavations, foundation grade beam excavations, and retaining wall footing</p>	Owner/ Applicant/ Certified Geologist/ Certified Geotechnical Engineer	Prior to issuance of grading or building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	12. cont'd		Prior to issuance of grading or building permits, the note and site preparation plans shall be reviewed by the Director of Planning and Building Inspection, the Chief Building Officer, and the Department's Landscape Consultant for consistency with the intent of the Geological Report (CapRock Geology, Inc., 6/12/02) and Geotechnical Report (Soil Surveys, Inc., 6/20/04).	Owner/ Applicant/ Certified Geologist/ Certified Geotechnical Engineer	Prior to issuance of grading or building permits	
	12. cont'd		Upon issuance of grading or building permits, a County-certified Geotechnical Engineer shall inspect and test in the field all grading, foundation footing excavations, caisson or pier excavations, foundation grade beam excavations, and retaining wall footing excavations during construction to determine actual depth required for foundations and drainage/erosion-control requirements. Said engineer shall be assured that all excavated materials will be disposed of off the project site	Owner/ Applicant/ Certified Geologist/ Certified Geotechnical Engineer	Upon issuance of grading or building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
			unless such material can be incorporated into the development project at the immediate construction site. A report specifying the work done that meets the recommendations of the Geological Report (CapRock Geology, Inc., 6/12/02) and Geotechnical Report (Soil Surveys, Inc., 6/20/04) shall be provided to the Director of Planning and Building Inspection for review and approval during construction.			
	13.	The applicant shall enter into an agreement with the County to implement the Mitigation Monitoring and/or Reporting Plan adopted for this project.	Submit Mitigation Monitoring and /or Reporting Plan to the Director of Planning & Building Inspection for review before recordation.	Owner/ Applicant	Prior to issuance of grading or building permits	

CALIFORNIA DEPARTMENT OF FORESTRY—BIG SUR FIRE PROTECTION DISTRICT
Requirements in accordance with Monterey County Ordinance 3600, WILDFIRE PROTECTION STANDARDS IN CONDJUNCTION WITH BUILDING, CONSTRUCTION AND DEVELOPMENT IN STATE RESPONSIBILTY AREAS.
The requirements shall be incorporated into the plans and specifically listed under “FIRE DEPARTMENT NOTES” on the final plan submittal.

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
3.		Driveways shall not be less than 12 feet wide unobstructed. Unobstructed vertical clearance shall not be less than 15 feet.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	
4.		All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400 foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25 feet taper on each end.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	
5.		The driveway surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces shall be capable of supporting the imposed load of fire apparatus.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	
6.		The grade for all driveways shall not exceed 15 %. Where road grades exceed 8%, a minimum structural roadway surface thickness of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
7.		Turnarounds shall be required on driveways in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be minimum of 60 feet in length.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	
8.		For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal in side radius of curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	

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9.		GATES: Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road. Where gates are to be locked, the installation of a key box or other acceptable means to immediate access for emergency equipment is required.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	
10.		SIGNING AND BUILDING NUMBERING: All buildings shall be issued an address in accordance with Monterey County Ordinance 1241. Each occupancy, except accessory buildings, shall have its own address.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	

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11.		SIGNING AND BUILDING NUMBERING: All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located. Size of letters, numbers and symbols for addresses shall be a minimum of 3 inch letter height, 3/8 inch stroke, contrasting with the background color of the sign.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	
12.		EMERGENCY WATER STANDARDS: A minimum fire protection water supply of 3,000 gallons shall be provided. Minimum storage requirements for single family dwelling may be reduced to 2,000 gallons if an approved automatic fire sprinkler is installed provided no other structures are on the property.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	

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13.		<p>EMERGENCY WATER STANDARDS: A hydrant or fire valve shall be installed 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet nor more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 ½” National Hose outlet supplied by a minimum 4” main and riser. Each hydrant shall be identified with a reflectorized blue marker mounted on a fire retardant post. The post shall be within 3 feet of the hydrant, with a sign no less than 3 feet nor greater than 5 feet above ground, in a horizontal position and visible from the driveway.</p>	Incorporate into the plans and specifically listed under “FIRE DEPARTMENT NOTES” on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	

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14.		FUEL MODIFICATION STANDARDS All parcels 1 acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or the center of the road. (Remove flammable vegetation from within 30 feet of structures, limb trees 6 feet up from ground, and remove limbs within 10 feet of chimneys.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	
15.		BUILDING FIRE PROTECTION: Due to distance from fire department access (Highway 1) and access from turnaround, automatic fire sprinkler systems are required in the main residence, garage/caretaker building, and guest house. Installation, approval and maintenance shall be in compliance with NFPA 13-1999.	Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection.	Owner/ Applicant	Prior to issuance of grading or building permits Upon issuance of building permits	
16.		ROOF: Roof construction shall be ICBO Class A.	Incorporate into the plans and specifically listed under "FIRE DEPARTMENT NOTES" on the final plan submittal.	Owner/ Applicant	Prior to issuance of grading or building permits	

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MONTEREY COUNTY WATER RESOURCES AGENCY STADARD CONDITIONS OF APPROVAL to comply with ORDINANCE NO. 3932 pertaining to MANDATORY WATER CONSERVATION REGULATIONS						
17.		WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	

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17. cont' d		b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPARTMENT STANDARD CONDITIONS OF APPROVAL FOR GUESTHOUSES						
18.		Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Upon issuance of building permit	
19.		The guesthouse shall contain no kitchen or cooking facilities, including but not limited to microwave ovens, hot plates, and toaster ovens.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Upon issuance of building permit	

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20.		There shall be a maximum of six linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight square feet of cabinet space, excluding clothes closets.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Upon issuance of building permit	
21.		Guesthouses shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Ongoing	
22.		The guesthouse height shall not exceed 12 feet nor be more than one story.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Upon issuance of building permit	
23.		Guesthouses shall not exceed 425 square feet of livable floor area.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Upon issuance of building permit	

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24.		Prior to the issuance of permits for guesthouse construction, or for use of an existing structure as a guesthouse, the applicant shall record a deed restriction stating the regulations applicable to the guesthouse, including that the guesthouse shall not be separately rented, let or leased from the main residence and shall not have cooking or kitchen facilities.	Required deed restriction shall be reviewed by the Director of Planning & Building Inspection Department before recordation	Owner/ Applicant	Prior to issuance of grading or building permits	
MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPARTMENT STANDARD CONDITIONS OF APPROVAL FOR CARETAKER UNITS						
25.		The caretaker shall be employed principally on the lot for purposes of care and protection of persons, plants, animals, equipment, or other facilities on-site or on contiguous lots under the same ownership.	Required deed restriction shall be reviewed by the Director of Planning & Building Inspection Department before recordation	Owner/ Applicant	Ongoing	
26.		The maximum floor area for a caretaker unit is 1,200 square feet on lots greater than ten acres.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Upon issuance of building permit	
27.		A minimum of one covered off-street parking space shall be provided for the caretaker unit.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Upon issuance of building permit	

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28.		The caretaker unit shall not be separately rented let, or leased to other than the caretaker whether compensation be direct or indirect.	Required deed restriction shall be reviewed by the Director of Planning & Building Inspection Department before recordation	Owner/ Applicant	Ongoing	
29.		The applicant shall record a deed restriction as a condition of project approval, stating that the caretaker unit shall not be rented to other than the caretaker.	Required deed restriction shall be reviewed by the Director of Planning & Building Inspection Department before recordation	Owner/ Applicant	Prior to issuance of grading or building permits	