

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> April 25, 2012 Time: 9:00 a.m.	<b>Agenda Item No.:</b> 1
<b>Project Description:</b> Zoning Reclassification to rezone an approximately 90 acre parcel from the "WSC/40-D (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and "VSC-D (CZ)" [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the "WSC/40-D-HR (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and "VSC-D-HR (CZ)" [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications.	
<b>Project Location:</b> 47900 Highway 1, Big Sur	<b>APN:</b> 419-311-042-000
<b>Planning File Number:</b> PLN120136	<b>Owner:</b> Post Ranch LP
<b>Planning Area:</b> Big Sur Coast Land Use Plan	<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> : "WSC/40-D (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and "VSC-D (CZ)" [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone]	
<b>CEQA Action:</b> Categorically Exempt per Section 15308	
<b>Department:</b> RMA - Planning Department	

Staff recommends that the Planning Commission adopt a resolution (**Exhibit A**) recommending that the Board of Supervisors adopt an ordinance to amend Section 20.08.060 of Title 20 (Monterey County Coastal Implementation Plan) of the Monterey County Code to reclassify an approximately 90 acre parcel from the "WSC/40-D (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and "VSC-D (CZ)" [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the "WSC/40-D-HR (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and "VSC-D-HR (CZ)" [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications.

### PROJECT OVERVIEW:

On June 8, 1988, the Planning Commission considered a Negative Declaration and Coastal Development Permit application for the original Post Ranch development. At that hearing, the Planning Commission determined that an EIR was required for the project (Resolution No. 88-177). On May 31, 1989, the Monterey County Planning Commission (Resolution No. 89-176) approved a Coastal Development Permit to allow the development of the Post Ranch Inn and certified the EIR. Condition No. 28 in Resolution No. 89-176 required the applicant to request a rezoning of the parcel to add the "HR" [Historic Resources Overlay Zoning District] zoning designation to the existing zoning of the parcel in order to protect the archaeological resources found on the project site.

According to the file, the request was made by the applicant's agent on June 28, 1988, after the first public hearing before the Planning Commission, effectively clearing the condition. However, the Planning Department has not completed the rezoning on the parcels. This rezoning is required by Monterey County Code Section 20.145.120.D.2.b which requires development on parcels with an archaeological site to be subject to a condition of approval requiring the applicant to "request a rezoning of the parcel to add an 'HR' (Historical or Archaeological Resources) zoning district to the existing zoning of the parcel." That section provides that the rezoning shall not necessitate an amendment to the Land Use Plan or to Chapter

20.145 (Coastal Implementation Plan Part 3: Regulations for Development in the Big Sur Coast Land Use Plan).

**CEQA:**

The proposed rezoning is exempt per CEQA Guidelines Section 15308 which exempts actions by regulatory agencies for the protection of the environment where the regulatory process involves procedures for protection of the environment.



Laura Lawrence, R.E.H.S., Planning Services Manager  
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March 28, 2012

cc: Front Counter Copy; Planning Commission; Ca Department of Forestry-Coastal; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Laura Lawrence, Project Planner; Carol Allen, Senior Secretary; Post Ranch LP, Property Owner; Open Monterey Project; LandWatch; Planning File PLN120136

Attachments: Exhibit A      Draft Planning Commission Resolution  
   Attachment "A" – Draft Ordinance with Exhibit 1 (Zoning Map)  
   Exhibit B      Vicinity Map  
   Exhibit C      Planning Commission Resolution No. 89-176

*MN*

This report was reviewed by Mike Novo, Director of Planning

## EXHIBIT A

### DRAFT RESOLUTION TO RECOMMEND AMENDMENT OF LOCAL COASTAL PROGRAM (ZONING RECLASSIFICATION) PLN120136 / POST RANCH LP

#### RESOLUTION NO. ----

Resolution of the Monterey County Planning Commission recommending that the Board of Supervisors adopt an ordinance to amend Section 20.08.060 of Title 20 (zoning) of the Monterey County Code to reclassify an approximately 90 acre parcel from the “WSC/40-D (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and “VSC-D (CZ)” [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the “WSC/40-D-HR (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and “VSC-D-HR (CZ)” [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications.

[PLN120136, Post Ranch LP, 47900 Highway 1, Big Sur, Big Sur Coast Land Use Plan, Coastal Zone (APN: 419-311-042-000)]

**The amendment to Section 20-47 of the Monterey County Sectional District Maps (Coastal Implementation Plan) to add the HR zoning overlay district to a parcel came on for public hearing before the Monterey County Planning Commission on April 25, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission recommends that the Monterey County Board of Supervisors approve the following amendment with reference to the following facts:**

#### RECITALS

1. On May 31, 1989, a Coastal Development Permit to allow the development of the Post Ranch Inn was approved by the Monterey County Planning Commission (Resolution No. 89-176). Condition No. 28 in Resolution No. 89-176 required the applicant to request a rezoning of the parcel to add the “HR” [Historic Resources Overlay Zoning District] zoning designation to the existing zoning of the parcel in order to protect the archaeological resources found on the project site.
2. The proposed zoning ordinance would reclassify the subject approximately 90 acre parcel from the “WSC/40-D (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and “VSC-D (CZ)” [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the

“WSC/40-D-HR (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and “VSC-D-HR (CZ)” [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications.

3. The subject parcel is located at 47900 Highway 1, Big Sur (APN: 419-311-042-000), in the unincorporated area of Monterey County.
4. Monterey County Code Section 20.145.120.D.2.b which requires development on parcels with an archaeological site to be subject to a condition of approval requiring the applicant to “request a rezoning of the parcel to add an ‘HR’ (Historical or Archaeological Resources) zoning district to the existing zoning of the parcel.” That section provides that the rezoning shall not necessitate an amendment to the Land Use Plan or to Chapter 20.145 (Coastal Implementation Plan Part 3: Regulations for Development in the Big Sur Coast Land Use Plan).
5. The proposed rezoning is exempt per CEQA Guidelines Section 15308 which exempts actions by regulatory agencies for the protection of the environment where the regulatory process involves procedures for protection of the environment.
6. Section 20.08.060 of the Monterey County Coastal Implementation Plan-Part 1 (CIP) references sectional district maps that show the Zoning Plan. Section 20-47 of the Sectional District Maps of the Monterey County Zoning Plan provides a graphic representation of the zoning designations in this portion of the planning area.
7. Pursuant to Public Resources Code sections 30000 et seq., the County may amend the adopted Local Coastal Program provided the County follows certain procedures, including that the County Planning Commission hold a noticed public hearing and make a written recommendation to the Board of Supervisors on the proposed amendment of the CIP portion of the Local Coastal Program (LCP). The proposed change to amend the CIP, reclassify the subject parcel, and apply the “WSC/40-D-HR (CZ)” and “VSC-D-HR (CZ)” zoning designations over the parcel is consistent with the adopted Land Use Plan (LUP).
8. On April 25, 2012, the Monterey County Planning Commission held a duly noticed public hearing to consider and make recommendations to the Board of Supervisors regarding the proposed zoning ordinance. At least 10 days before the first public hearing date, notices of the hearing before the Planning Commission were published in the *Monterey County Herald* and were also posted on and near the property and mailed to the property owners within 300 feet of the subject property.
9. The proposed Zoning Ordinance is attached to this Resolution as **Attachment “A”** and is incorporated herein by reference. The ordinance would amend Section 20-47 of the Sectional District Maps of Section 20.08.060 of Title 20 of the Monterey County Code to apply the “WSC/40-D-HR (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and “VSC-D-HR (CZ)” [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications to the subject parcel.

10. Monterey County Coastal Implementation Plan-Part 1 Section 20.94.042 states that zoning designation reclassifications constituting an amendment to this Title and initiated for the purpose of preserving or enhancing the coastal resources including adding any "B", "A", "HR", or "Z" overlay zoning designations shall not require certification by the California Coastal Commission.

**DECISION**

**NOW, THEREFORE**, the Planning Commission of the County of Monterey, State of California, hereby recommends that the Board of Supervisors adopt an ordinance to amend Section 20.08.060 of Title 20 (Monterey County Coastal Implementation Plan) of the Monterey County Code, to reclassify an approximately 90 acre parcel from the "WSC/40-D (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and "VSC-D (CZ)" [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the "WSC/40-D-HR (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and "VSC-D-HR (CZ)" [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications as shown on **Exhibit 1 to Attachment "A"**. The parcel is located at 47900 Highway 1, Big Sur (APN: 419-311-042-000).

**PASSED AND ADOPTED** this 25th day of April, 2012 upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and passed by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Mike Novo, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

# ATTACHMENT A

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SECTION 20.08.060 OF TITLE 20 (MONTEREY COUNTY COASTAL IMPLEMENTATION PLAN) OF THE MONTEREY COUNTY CODE TO AMEND THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE COUNTY OF MONTEREY.

## County Counsel Summary

*This ordinance amends Section 20-47 of the zoning maps of the Monterey County Coastal Implementation Plan (Title 20 of the Monterey County Code) to rezone an approximately 90 acre parcel located at 47900 Highway 1, Big Sur (Assessor's Parcel Number 419-311-042-000) from the "WSC/40-D (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and "VSC-D (CZ)" [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the "WSC/40-D-HR (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and "VSC-D-HR (CZ)" [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications.*

The Board of Supervisors of the County of Monterey ordains as follows:

**SECTION 1. ZONING DISTRICT MAP.** Section 20-47 of the Sectional District Maps of Section 20.08.060 of the Monterey County Code is hereby amended to change the zoning of an approximately 90 acre parcel located at 47900 Highway 1, Big Sur (Assessor's Parcel Number 419-311-042-000) from the "WSC/40-D (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and "VSC-D (CZ)" [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the "WSC/40-D-HR (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and "VSC-D-HR (CZ)" [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications, as shown on the map attached hereto as Exhibit 1 and incorporated herein by reference.

**SECTION 2. FINDINGS.** On May 31, 1989, a Coastal Development Permit to allow the development of the Post Ranch Inn was approved by the Monterey County Planning Commission (Resolution No. 89-176). In accordance with Section 20.145.120.D.2.b of the Monterey County Code, Condition No. 28 in Resolution No. 89-176 required the applicant to request a rezoning of the parcel to add the "HR" [Historic Resources Overlay Zoning District] zoning designation to the existing zoning of the parcel in order to protect the archaeological resources found on the project site.

**SECTION 3. COASTAL COMMISSION CERTIFICATION.** Certification by the California Coastal Commission of the rezoning is not required. Section 20.94.042 of the Monterey County Coastal Implementation Plan-Part 1 states that zoning designation

reclassifications constituting an amendment to this Title and initiated for the purpose of preserving or enhancing the coastal resources including adding any "B", "A", "HR", or "Z" overlay zoning designations shall not require certification by the California Coastal Commission.

**SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective on the 31<sup>st</sup> day following its adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2012, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Chair, Monterey County Board of Supervisors

A T T E S T:  
GAIL T. BORKOWSKI,  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM
WENDY STRIMLING Senior Deputy County Counsel

EXHIBIT 1

To be Rezoned from  
"VSC-D (CZ)" to  
"VSC-D-HR (CZ)"

To be Rezoned from  
"WSC/40-D" (CZ)" to  
"WSC/40-D-HR (CZ)"

To be Rezoned from  
"WSC/40-D" (CZ)" to  
"WSC/40-D-HR (CZ)"

COAST RIDGERD

Pacific  
Ocean

PROPOSED REZONING OF SECTION 20-47

APN: 419-311-042-000

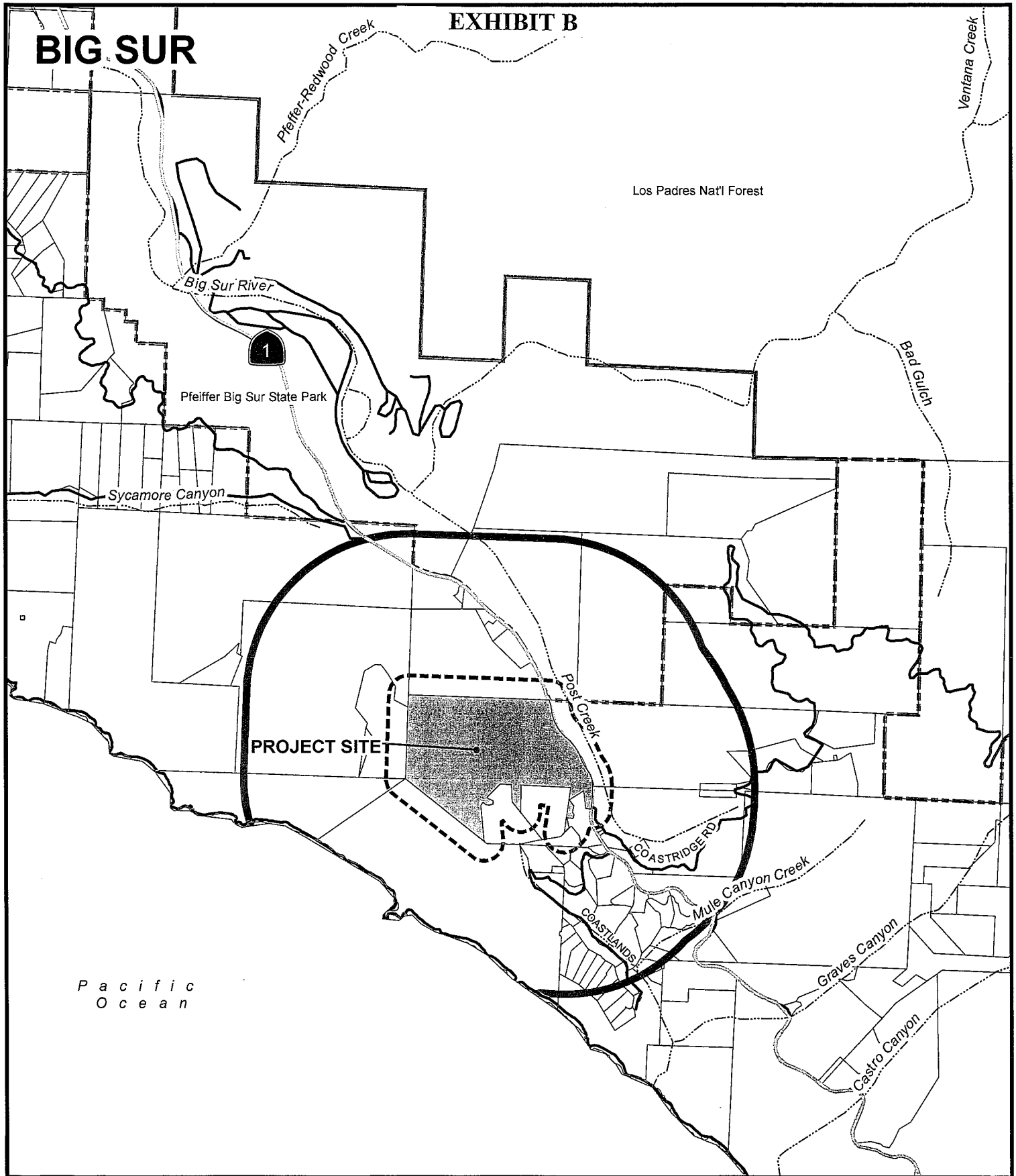
FILE # PLN120136, POST RANCH LP





# BIG SUR

## EXHIBIT B

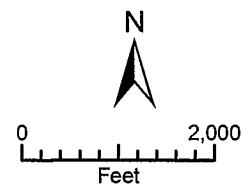


APPLICANT: POST RANCH LP

APN:419-311-042-000

FILE # PLN120136

Water 2500' Limit 300' Limit City Limits



PLANNER: LAWRENCE

# EXHIBIT C

PC-6336

PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 89-176  
(CDP DECISION)

A.P. # 420-011-03M

## FINDINGS AND DECISION

In the matter of the application of Post Ranch (PC-6336) for a Coastal Development Permit in accordance with Title 20.1 (Monterey County Coastal Implementation Plan Ordinances) Chapter 20.140 (Coastal Development Permits) of the Monterey County Code, to allow a 30 unit inn, well, employee housing, grading, storage supply building, septic tank, tree removal and fire brigade, located on portion of Section 32, Township 19 South, Range 2 East and portion of Section 5, Township 20 South, Range 2 East, Big Sur Area, fronting on and westerly of Highway 1, Coastal Zone, came on regularly for hearing before the Planning Commission on May 31, 1989.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

### FINDINGS OF FACT

1. FINDING: The Post Ranch project (PC-6336), requiring a Coastal Development Permit consists of the following: 30 inn units, a lodge, reception lodge, conference room, well, water storage, septic systems, storage/supply building, Highway 1 road improvements, 3083 cubic yards of grading, employee housing, fire brigade and tree removal. The Post Ranch project is located on a 98-acre parcel fronting on and west of Highway 1, south of Sycamore Canyon Road in Big Sur. (APN 419-311-23, 24 and 420-011-03). The project is appealable to the Board of Supervisors and to the California Coastal Commission.  
EVIDENCE: The project is described in the application and the accompanying maps and elevations contained in file no. PC-6336.
2. FINDING: The Post Ranch project will not have a significant visual impact.  
EVIDENCE: It does not appear that the Post Ranch project will be visible from Highway 1, according to staff's field review of the site, applicant's staking of the proposed project and Post Ranch Final EIR. Additionally, projects within "Visitor-Serving Commercial" areas are exempt from policies and standards prohibiting development within the critical viewshed, pursuant to Implementation Plan Section 20.145.030.B.1. Projects outside of the critical viewshed must provide landscape screening where needed to mitigate impacts on private views. Because Post Ranch will be visible from adjoining properties, this has been included as a condition of approval. Pursuant to Section 20.145.030.A.2.g all areas of the property within the critical viewshed must be placed in scenic easement as a condition of approval. Post Ranch Final EIR
3. FINDING: The Post Ranch project will not pose a significant adverse impact to environmentally sensitive habitat.  
EVIDENCE: A biological report was prepared for the project by Jud Vandevere (February, 1988). The biologist found no rare or endangered species on the site, concluding that the native plants and animals will be minimally impacted. He further determined that the redwoods will be minimally impacted due to the design of the development. The

biologist recommendations have been incorporated into the conditions of approval. Post Ranch Final EIR.

4. FINDING: The Post Ranch project will not pose significant adverse impacts to water resources.

EVIDENCE: The Post Ranch property is within the area of the Big Sur River and Post Creek watersheds. According to the Big Sur Coast Land Use Plan, the Big Sur River watershed, and the associated Post Creek subwatershed, are "Water Resource Study Areas" due to potential water supply problems and riparian impacts.

Geohydrologic reports was prepared for the project by Geoconsultants (October, 1986, November, 1988). The reports determined that one of the existing wells on the parcel is outside of the Post Creek Watershed due to being located west of the ridge. The other existing well and the proposed well are both east of the ridge and thus are within the Post Creek watershed boundary. However, the geologist found that, due to the subsurface geologic conditions, the areas west and east of Highway 1 are hydrologically separate on a sub-surface level. The geologist, thus concludes that groundwater from the well areas is not being contributed to Post Creek. Proposed use of the wells is consequently not expected to impact the groundwater level or Post Creek.

As proposed by the applicant, water use for the project, including employee housing and Fire Brigade water usage, will be a total of 12,724 gallons per day as figured by Geoconsultants (October, 1988). This is a reduction in 6000 gallons per day and reflects the deletion of 30 hot tubs and car washing facilities from the original proposed project.

Coastal Implementation Plan Section 20.145.050.D provides conditions of approval for development located in Water Resource Study Areas, which have been included in the conditions. Post Ranch Final EIR.

5. FINDING: Adequate water and septic capacity exists to service the proposed project.

EVIDENCE: Water supply information provided by Whitson Engineers and Geoconsultants (1988) indicates the yield from the wells on the property can adequately meet proposed water use requirements. The project's water system will be subject to Health Department regulations and conditions. The project has been revised to reflect the project alternative described in the Post Ranch Final EIR to include water storage facilities and additional fire hydrants, as recommended by the Department of Forestry and Fire Protection.

The Health Department has indicated that a septic system may be developed adequately to service the project. The septic system will be subject to Health Department regulations and conditions.

6. FINDING: The project will not pose and/or experience significant adverse impacts from geologic and seismic hazards.

EVIDENCE: The project is located within a "Relatively Unstable Uplands" seismic hazard zone according to County resource maps. Geologic reports by

Geoconsultants (September, 1986 and November, 1988) did not identify any significant seismic or geologic hazards affecting the site. The geologist indicated that the site could be developed without compromising slope stability. Recommended mitigation measures regarding structural and foundation design analysis and erosion control and drainage plans have been incorporated into the conditions of approval. A deed restriction has been included as a condition of approval pursuant to Coastal Implementation Plan Section 20.145.080.A.2. Post Ranch Final EIR.

7. FINDING: Impacts due to a high fire hazard area have been mitigated to the fullest extent possible.  
EVIDENCE: The site is located in a high fire hazard area, according to California Department of Forestry (CDF) resource maps. CDF recommendations to mitigate fire hazards are incorporated into the conditions of approval. The project has been revised to reflect the project alternative described in the Post Ranch Final EIR to include water storage facilities and additional fire hydrants, as recommended by the Department of Forestry and Fire Protection. A deed restriction is also included pursuant to Implementation Plan Section 20.145.080.C.1.
8. FINDING: The Post Ranch project will not pose significant adverse impacts to archaeological resources.  
EVIDENCE: Archaeological reports prepared by Archaeological Consulting (December, 1985 and August, 1988) identified several areas of archaeological resources on the Post property. An intensive reconnaissance study has been completed and a new archaeological site (AC-797-1) has been identified. The archaeological sites will be placed in easement and a rezoning will be required as a condition of approval pursuant to Section 20.145.120.D.2. Additional conditions as recommended in the Post Ranch EIR have been applied to assure long-term protection of the resource.
9. FINDING: The Post Ranch project will not have significant adverse impacts on traffic safety or the service level of Highway 1. Rossi King Enterprises (December, 1987 and September).  
EVIDENCE: A traffic study prepared by Jim Jeffery (February, 1988) reviewed potential impacts of the Post Ranch development, including the inn and employee traffic. The Post Ranch Final EIR indicates that the project will generate a "25 inbound and 25 outbound peak hour trip generation". The report indicates that this is within the capacity of Highway 1 and will have an insignificant impact on highway service level. The reports' recommendation of a southbound right turning lane and southbound acceleration lane for traffic exiting the project and other Department of Transportation recommendations are included as conditions of approval in order to mitigate potential safety hazards.
10. FINDING: The Post Ranch project conforms to the policies and development standards regarding visitor-serving facilities, pursuant to Coastal Implementation Plan Section 20.145.140.B.  
EVIDENCE: The project, as redesigned, will not require tree removal and will minimize grading to that which is necessary for the development. The maximum height will be two stories and the design will be small in scale and utilize natural building

materials. A maximum of 30 inn units will be allowed on the site, meeting the density permitted by Section 20.145.B.1.c.3. Employee housing, in conformance to the employee housing plan prepared for the project (March, 1988), will also be provided. Further, a deed restriction prohibiting rental or subdivision of the inn units as separate residential dwelling units is included as a condition of approval pursuant to Section 20.145.140.B.1.d.7. A condition is included to assure that food services will be restricted to the overnight guests of Post Ranch, as this is the stated intent of Post Ranch and has been the assumption of the reports conducted to analyze project impacts.

11. FINDING: The Post Ranch project will meet the requirements of providing low-cost, low-to-moderate income facilities for the public pursuant to Coastal Implementation Plan Section 20.145.140.B.1.g.  
EVIDENCE: A condition of approval has been included that such facilities be provided by the applicant or that an in-lieu fee be paid to the County, as is permitted by the referenced section.
13. FINDING: The Post Ranch project is consistent with the Big Sur Coast Land Use Plan, Coastal Implementation Plan, and California Coastal Act.  
EVIDENCE: The project is consistent with all applicable policies of the Big Sur Coast Land Use Plan, and development regulations of the Coastal Implementation Plan. Further, the project conforms to the "Rural Community Center" land use designation and "VSC(CZ)" (Visitor-Serving Commercial) zoning classification.
14. FINDING: The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.  
EVIDENCE: This is evidenced by the above findings and supporting evidence.
15. FINDING: The Post Ranch project is appealable to the Board of Supervisors and California Coastal Commission.  
EVIDENCE: Section 20.140.080J of the Monterey County Coastal Implementation Plan.
16. FINDING: The substantive conditions established in this permit are in compliance with the monitoring provisions of A.B. 3180.  
EVIDENCE: The monitoring for condition compliance is the final review and approval by appropriate County Departments prior to occupancy and use of the project approved by this Coastal Development Permit.

#### Decision

THEREFORE, it is the decision of said Planning Commission that said application for a Coastal Development Permit be granted as shown on the attached sketch, subject to the following conditions:

1. That a "critical viewshed" map which delineates those portions of the property located within the critical viewshed, be submitted for approval of the Department of Planning and Building Inspection and that a scenic easement be granted to the County of Monterey over the areas shown

on the map to be located within the critical viewshed. The form and content of the easement must be approved and the easement recorded pursuant to Section 20.142.130 and utilize Appendix 10 of the Monterey County Coastal Implementation Plan. The easement shall provide an exemption for existing structures and any road improvements and landscaping approved as part of this permit. The easement shall be recorded prior to issuance of building or grading permits.

2. The applicant shall prepare and submit a Highway One improvements plan to the Director of Planning and Building Inspection for review and approval. The purpose of the improvement plan is to ensure that the proposed improvements are compatible and consistent with the existing rural characteristics of Highway One.
3. That all proposed utility lines be placed underground.
4. That the applicant record a notice which states:  

"A biological report entitled 'Post Ranch Biological Report' has been prepared for this parcel by VanDeVere, in fulfillment of requirements for Permit No. PC-6336. The report is on file in the Monterey County Planning and Building Inspection Department Library as Library No. 30.02.11. Similarly, a traffic report is on file as Library No. 05.08.32. An employee housing plan is on file as Library No. 17.10.01. An archaeological report is on file as Library No. 04.01.32." The notice shall be recorded prior to issuance of building or grading permits, pursuant to Section 20.142.130.
5. That all new construction be equipped with ultra-low flush toilets with a maximum tank size or flush capacity of 1.5 gallons, and with shower heads with a maximum flow capacity of 2.5 gallons per minute.
6. That the applicant record a deed restriction which states that the applicant agrees to make a one-time financial contribution to the County of Monterey at a rate of one dollar per gallon for each gallon of water expected to be used in one day, as averaged over a year's time, with the contribution to be paid upon the County's request at such time that the County Water Resource Monitoring Program is implemented. The deed restriction shall utilize Appendix 12 of the Coastal Implementation Plan and be recorded pursuant to Implementation Plan Section 20.142.130.
7. The project proponent shall retain a certified water treatment plant operator. Evidence in the form of a contract with the certified water treatment plant operator shall be submitted to the Director of Planning and Building Inspection prior to occupancy.
8. That the applicant accomplish the following:
  - 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 annually to the Health Department. 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. Verification of the water use meter installation must be provided prior to the building permit receiving a final building inspection.
9. That the site be landscaped, including land sculpturing and fencing, where appropriate, by the applicant and that a

plan for such improvements be approved by the Director of Planning and Building Inspection prior to issuance of building or grading permits. Landscape materials must consist of drought-resistant native plant species similar and landscaping approved as part of this permit. The easement shall be recorded prior to issuance of building or grading permits. Landscape materials must consist of drought-resistant naive plant species similar to and compatible with those of the surrounding area, as selected from Attachment 4 of Implementation Plan Section 20.145. The plan must include landscaping to mitigate views of the project from neighboring parcels.

10. Soil materials shall not be deposited in areas of sensitive vegetation. The landscape plan shall indicate the location of any proposed on-site soil deposition. The soil deposition areas shall be reviewed and approved by a qualified botanist. Evidence of the review and approval by the botanist shall be submitted with the landscape plan. The landscape plan shall be reviewed and approved by the Director of Planning and Building Inspection prior to issuance of the grading permit.
11. Trees on the project site which will be removed during the construction of the driveway shall be replaced on a 1:1 ratio with an equivalent species. The size of the replacement trees shall not be less than that specified by the Director of Planning and Building Inspection. The location of trees to be replaced, as well as the location of the replacement trees, shall be indicated on the landscape plan. The landscape plan shall be reviewed and approved by the Director of Planning and Building Inspection prior to issuance of the grading permit.
12. Trees that may be disturbed during construction shall be protected through the use of fencing around the root zone during construction. The fencing shall be installed under the supervision and to the satisfaction of a qualified botanist. The project proponent shall submit evidence of this satisfaction when the landscape plan is submitted for review and approval to the Director of Planning and Building Inspection prior to issuance of the grading permit.
13. That all landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.
14. That an irrigation plan for all landscaped and other vegetated areas proposed to be irrigated be approved by the Department of Planning and Building Inspection prior to issuance of building or grading permits. If no irrigation is proposed, this must be so stated on the landscaping plan. Irrigation shall consist of low precipitation sprinkler heads, bubbles, drip irrigation, and timing devices. The plan must delineate the amount of water expected to be used for irrigation purposes. The plan must be reviewed for comment by the California Department of Fish and Game prior to Planning and Building Inspection Department approval.
15. That all exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The location, type, and wattage must be approved by the Director of Planning and Building Inspection, prior to the issuance of building permits.
16. That the location, type and size of all antennas, towers, and similar appurtenances be approved by the Director of Planning and Building Inspection.

17. That the applicant record a deed restriction which states: "The parcel is located in an 'Unstable Uplands' area according to Monterey County Planning Department resource maps. A geological/geohydrologic report has been prepared for this parcel by Geoconsultants (September, 1986), in fulfillment of requirements for Permit No. PC-6336. The report is on file in the Monterey County Planning and Building Inspection Department Library as No. 14.09.35. Specific mitigation measured relative to geologic conditions may apply to development on this parcel. The parcel is also located in a High Fire Hazard area according to California Department of Forestry resource maps. Development may be subject to certain restrictions due to the fire hazard." The deed restriction shall utilize Appendix 12 of the Coastal Implementation Plan and be recorded pursuant to Implementation Plan Section 20.142.130.
18. That a certified engineering geologist provide a foundation and structural design analysis of the final plans, subject to approval of the Director of Planning and Building Inspection prior to issuance of building or grading permits.
19. That an erosion control plan be prepared by a soils engineer and approved by the Director of Planning and Building Inspection prior to issuance of grading or building permits.
20. That a grading plan be prepared by a soils engineer and approved by the Director of Planning and Building Inspection prior to issuance of grading or building permits. The grading plan must include, at a minimum, existing contours, proposed finished contours, total amounts of cut and fill, areas of cut and fill, and cross-sections. Only that grading and excavation necessary for the proposed structures, roads, and other related development approved as part of this permit shall be included within the grading plan.
21. That a drainage control plan be prepared by a Registered Civil Engineer and approved by the Monterey County Flood Control and Water Conservation District, prior to issuance of building or grading permits.
22. Stormwater runoff from all impervious surfaces including rooftops shall be controlled in accordance with the County Erosion Control Ordinance.
23. That all cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of Planning and Building Inspection.
24. A site-specific geotechnical investigation shall be performed by an Engineering Geologist for the proposed location of the all water storage tanks. If the proposed location is feasible, the Engineering Geologist shall include site-specific foundation design criteria in the engineering investigation. If the proposed location is not feasible, the engineer shall recommend a new location and a engineering investigation including foundation design criteria shall be submitted to the Director of Planning and Building Inspection for review and approval prior to issuance of the building permits.
25. The project proponent shall submit final working drawings to the Monterey County Planning and Building Inspection Department for review and approval prior to issuance of the building or grading permits. The final working drawings should be reviewed to ensure that the structural development will withstand ground shaking that may occur on the project site.



26. The project proponent shall provide a fence with appropriate signage along the western portions of the proposed inn to prevent potential accidents from happening along the steep slopes. The location and design of the fence and signage shall be reviewed and approved by the Director of Planning and Building Inspection prior to issuance of the building permit.
27. The project proponent shall develop a public access education program to be implemented at the proposed inn, proposed employee housing, and fire brigade building. The program shall include educational materials to be posted and displayed through the proposed project and distributed to all new visitors and employees. The educational materials shall include information about the safety hazards associated with the steep slopes and about designated public access points and vistas in the vicinity of the project site that may be used by the visitors and employees. The public access education program shall be submitted to the Director of Planning and Building Inspection prior to issuance of an occupancy permit.
28. That the applicant request a rezoning of the parcel to a "WSC/40/HR (CZ)" (Watershed and Scenic Conservation; Historical or Archaeological Resources) and "VSC/HR (CZ)" (Visitor Serving Commercial; Historical or Archaeological Resources) zoning districts, prior to issuance of building or grading permits. (A Big Sur Coast Land Use Plan or Coastal Implementation Plan amendment will not be required for the reclassification).
29. That the applicant grant an archaeological easement to the County of Monterey over the archaeological sites identified pursuant to the intensive cultural resources reconnaissance study conducted as part of Condition 20 of this permit. The form and content must be approved and the easement must be recorded pursuant to Section 20.142.130 and utilize Appendix 10 of the Coastal Implementation Plan. The easement shall provide that "All development and activities proposed within the easement area shall require assessment by a qualified archaeologist, either on the County's consultant list on a member of the Society of Professional Archaeologists, and mitigations recommended by the archaeologist shall be implemented, prior to issuance of building or grading permits or commencement of proposed activities. The archaeologist's assessment and recommended mitigations shall be reviewed by the Monterey County Department of Planning and Building Inspection prior to issuance of permits or commencement of the proposed activities". The easement exemptions may provide for existing structures and any activities approved as part of this permit. The easement shall be recorded prior to issuance of building or grading permits.
30. In order or insulate the site CA-MNT-89 from any damage due to improvements to the existing driveway used to access the proposed employee housing and fire brigade building, the applicant shall cover areas of proposed improvement with a layer of culturally sterile fill under the direction of a qualified professional archaeologist. The applicant shall submit evidence from the qualified professional archaeologist that this mitigation measure has been implemented to his/her satisfaction. Said evidence shall be reviewed and approved by the Director of Planning and Building Inspection prior to issuance of an occupancy permit.
31. If cultural resources are accidentally discovered during construction, all construction activities within 150 feet of the discovery shall be halted for a period not to exceed 15 days and a qualified professional archaeologist shall be retained to evaluate the cultural resources. If the cultural resources are determined to be significant, appropriate mitigation measures shall be developed and implemented to the satisfaction of the Director of Planning and Building Inspection.

32. That the applicant provide a Highway 1 entrance improvement plan, to be approved by the Caltrans prior to issuance of building or grading permits. At a minimum, the plan must include a deceleration lane for southbound turning traffic and installation of a stop sign and stripe stop bar at the driveway exist.
33. That the applicant obtain an encroachment permit from Caltrans prior to issuance of building or grading permits.
34. That the design, color, materials, text and location of all signs be approved by the Director of Planning and Building Inspection, pursuant to Implementation Plan Section 20.145.140.A.10 and 20.145.140.A.11, prior to issuance of building or grading permits.
35. That internal circulation and parking be approved by the Director of Planning and Building Inspection Department prior to issuance of building or grading permits.
36. The Highway One entrance improvement plan shall include the lengthening of the existing leftturn pocket for northbound vehicles and provision of a southbound acceleration lane from the project entrance onto the highway. The Highway One entrance improvement plan shall be approved by Caltrans prior to issuance of building or grading permits.
37. The internal circulation and parking plan to be approved by the Director of Planning and Building Inspection prior to issuance of building or grading permits shall include the following:
  - a. The driveway between Highway One and the retention pond should be 18 feet in pavement width, with a two-foot paved shoulder on the uphill side of the driveway and a two-foot unpaved shoulder on the downhill side of the driveway. This will allow the elimination of turnouts to facilitate passing on the driveway. Alternatives to this recommended pavement width may be incorporated into the proposed project upon approval by the Director of Planning and Building Inspection.
  - b. The driveway between the retention pond and the proposed inn, employee housing, and fire brigade building should be 16 feet in pavement width, with a two-foot paved shoulder on the uphill side of the driveway and a two-foot unpaved shoulder on the downhill side of the driveway. Alternatives to this recommended pavement width may be incorporated into the proposed project upon approval by the Director of Planning and Building Inspection.
  - c. A pedestrian path should be provided between the lodge and Highway One. The driveway shoulder may be considered a pedestrian path if an all-weather surface such as decomposed granite is used.
38. That the applicant record a deed restriction which states: "The inn units approved as part of Permit No. PC-6336 shall not be rented, leased, or subdivided as separate residential dwelling units." The deed restriction shall utilize Appendix 12 of the Coastal Implementation Plan and be recorded pursuant to Implementation Plan Section 20.142.130, prior to issuance of building or grading permits.

39. That a plan for provision of public recreational opportunities be submitted for the approval of the Department of Planning and Building Inspection, prior to issuance of building or grading permits, and that the approved recreational opportunities be implemented, prior to the final building inspection. The plan must include opportunities oriented to providing public access, such as trail dedications and low-cost, low-to-moderate income facilities, such as day use facilities, e.g. fire rings and picnic tables. As an alternative to provision of such facilities, the applicant may make a payment of in-lieu funds to the County, with the amount to be determined by the Monterey County Board of Supervisors and to be used to make low-cost, low-to-moderate income facility improvements at another appropriate location within the Big Sur Coast land use planning area. Where this alternative has been selected by the applicant and an in-lieu payment fee determined by the Monterey County Board of Supervisors, such fee shall be paid to the County of Monterey prior to issuance of building or grading permits.
40. That the food services of the Post Ranch development be limited to provision of service only to overnight guests of Post Ranch.
41. That the internal roads be approved by the local fire jurisdiction.
42. Design and construct the water system to meet the standards as set forth in Title 22 of the California-Administrative Code and as contained in the Residential Subdivision Water Supply Standards. Submit plans for the water system to the Director of Environmental Health for approval before building of the system.
43. Obtain a permit for the water system from the Health Department. The applicant shall submit evidence that the water system meets all federal, state and local drinking water standards prior to obtaining a permit.
44. Submit to the Director of Environmental Health for review and approval of the design of the septic system.
45. Construction plans for the food facility must be reviewed and approved by the Health Department.
46. That the applicant meet the following Fire Suppression Standards:

Land Use Category:	Non-Sprinkled Multiple Res. Light Comm.	Sprinkled Duplex Res. & Neighborhood Comm.
Density/Height:	One & two story	Single story in height
Minimum Flow Requirements:	2,000 gpm	1,500 gpm
Duration of Flow:	2 Hours	2 Hours
Maximum Hydrant Spacing:	300 feet	500 feet
Minimum Pipe Size:	8" mains & valves 6" hydrant feeders one 4" outlets NST 2.5" Outlets (2) NST	6" mains & valves 6" risers with two 2 1/2 one 4" outlets NST 2.5" Outlets(2) NST

The mains and hydrants required for fire flow must be in place and operational prior to the construction proceeding to the framing stage on any building.

47. The site plan shall be revised to show the location of additional water storage facilities on the project site. The water storage facilities on the project site would not be less than 200,000 gallons.
48. The site plan shall be revised to show the location of additional fire hydrants for the proposed inn, employee housing, and fire brigade building. The location of all fire hydrants on the project site shall not exceed 500 feet between any two fire hydrants.
49. That the applicant install a fire alarm with a central panel in the lobby to indicate building of alarm origin and a separate panel for each building which will indicate the unit of alarm. The alarm system must be capable of indicating smoke alarm activation, water flow activation, smoke alarm trouble and fire sprinkler shut off. The system must be designed according to the appropriate NFPA Standard and subject to approval of the Fire Department.
50. That the swimming pool be plumbed for fire department access to the water. Hydrant location shall be subject to approval of the fire department.
51. That any gates installed have a minimum width when fully open of not less than 12 feet and have provision for fire department emergency access.
52. That all roofing material meet the ICBO Standards for a Class "B" Fire resistive rating.
53. That existing access roads have a minimum paved usable surface of 12 feet in width, with 12x20 foot turn-outs constructed and the distance between turn-outs not greater than 500 feet.
54. That the existing emergency access road from the staff housing area to the west end of the lodge and inn complex have a minimum 12 foot width.
55. That the all weather surface road for service cart and emergency vehicle access have a width of 12 feet and a turn-around area of all weather surface at its western end.
56. That all roads have an overhead clearance of 13 feet 6 inches along their entire length and be clear of flammable vegetation for 10 feet on both sides of the roadway, subject to the approval of the California Department of Forestry and the Director of Planning and Building Inspection.
57. That a minimum clearance of flammable vegetation of 30 feet around all structures be kept in compliance with the requirements of California Public Resources Code Section 4291. Some structures, the two and three story units primarily, will be required to have a clearance greater than 30 feet. Clearance is subject to the approval of the California Department of Forestry and the Director of Planning and Building Inspection. In general, the following shall be included in clearance activities:
  - a. Individual plants can be left if thinned and dead portions are removed and adequate spacing is provided between the remaining plants. Remove limbs up to one-third the height of the plants and remove ground cover from around the base of the plants.
  - b. Grass, weeds, and low-growing (less than 18 inches) native plants should be mowed close to the ground. This will reduce the firecarrying potential and offer soil stabilization.
  - c. Replace weeded areas with fire resistant plants such as Algerian Ivy, Sunrose, or Carmel Creeper.

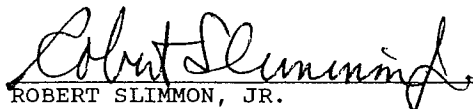
- d. Trees within the clearance area should be limbed up to at least six feet and dead limbs and foliage removed. Base vegetation should be removed to prevent a ground fire from reaching the crown of the tree.
  - e. The clearance area should exempt rare, endangered, or sensitive vegetation at the discretion of the California Department of Forestry and the Director of Planning and Building Inspection.
  - f. The clearance area should be replanted with native and fire-resistant ground cover to reduce the potential of erosion from the clearance activities. The ground cover should be limited to a maximum height of 18 inches.
  - g. The minimum clearance area shall include all areas under decks or other cantilevered structures.
58. That final floor plans be submitted for the approval of the Director of Planning and Building Inspection prior to issuance of building or grading permits.
59. That all conditions of File No. LL85035 be completed, and a record of survey filed, prior to issuance of building permits.
60. The property owner agrees as a condition of the approval of this permit to defend at his sole expense any action brought against the County because of the approval of this permit. The property owner will reimburse the County for any court costs and attorneys' fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of any such action; but such participation shall not relieve applicant of his obligations under this condition. Said agreement shall be recorded prior to the issuance of building permits or use of the property.
61. That this permit shall expire on May 31, 1991, unless construction or use as specified in this permit has begun within this time period.

PASSED AND ADOPTED this 31th day of May, 1989, by the following vote:

AYES: Calcagno, Evans, Glau, Jimenez, Moore, Orrett, Stallard

NOES: None

ABSENT: Reaves, Riddle



ROBERT SLIMMON, JR.

SECRETARY OF THE PLANNING COMMISSION

Copy of this decision mailed to applicant on JUNE 16, 1989.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JUNE 26, 1989.

NOTES

- 1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Monterey.

2. This permit expires two years after the above date of granting thereof unless construction or use is started within this period.

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