

**Before the Zoning Administrator  
in and for the County of Monterey, State of California**

In the matter of the application of:

**WIND & SEA PROPERTY (PLN200097)**

**RESOLUTION NO. 24-025**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Finding the project Categorically Exempt pursuant to CEQA Guidelines sections 15301 and 15333, and no exceptions apply pursuant to section 15300.1;
- 2) Approving a Restoration Permit to allow approximately 11,750 square feet of Northern coastal bluff scrub habitat and removal of "Deck 2"; and
- 3) Approving an After-the-fact Combined Development Permit to partially clear Code Enforcement violation (16CE00201) consisting of a:
  - a. Coastal Administrative Permit and Design Approval to allow the partial conversion of a detached garage into a 336 square foot guesthouse;
  - b. Coastal Administrative Permit and Design Approval to allow construction of an outdoor sauna, hot tubs, an outdoor patio, and "Deck 1";
  - c. Coastal Development Permit to allow development within 50 feet of a Coastal bluff; and
  - d. Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat area.

[PLN200097, WIND & SEA PROPERTY LLC,  
54722 HIGHWAY 1, BIG SUR, BIG SUR LAND  
USE PLAN (APN: 421-011-010-000)]

**The WIND & SEA PROPERTY LLC application (PLN200097) came on for a public hearing before the Monterey County Zoning Administrator on June 13, 2024 and July 11, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Zoning Administrator finds and decides as follows:**

**FINDINGS**

- 1. FINDING: CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
    - the 1982 Monterey County General Plan;
    - Big Sur Coast Land Use Plan (LUP);
    - Monterey County Coastal Implementation Plan, Part 3, Regulations for Development in the Big Sur Coast Land Use Plan Area (CIP); and
    - Monterey County Zoning Ordinance (Title 20).

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The subject property is currently developed with a single-family dwelling and detached garage, as approved under HCD-Planning File No. PLN965463. As proposed the project seeks to legalize existing accessory structures that were constructed without the benefit of a discretionary permit (see Finding No. 4 and supporting evidence). The unpermitted work included the conversion of a portion of a garage into a 336-square-foot guesthouse, the construction a 576-square-foot deck ("Deck 1"), a 580-square-foot deck ("Deck 2"), and an outdoor grass patio with benched seating, and installation of two 15 square foot outdoor hot tubs and a 38 square foot sauna. Condition No. 6 requires the Applicant/Owner to obtain a construction permit to remove "Deck 2" down to its concrete foundation piers. Granting of this after-the-fact Combined Development would legalize all other site improvements. However, construction permits would be required to fully clear the open code enforcement violation (16CE00201). The proposed project was developed within 50 feet of a Coastal bluff and 100 feet of Environmentally Sensitive Habitat Area. As proposed, the Project includes approximately 11,750 square feet of restoration.
- c) Allowed Use. The property is located at 54722 Big Sur, Big Sur Coast Land Use Plan (Assessor's Parcel Number [APN]: 421-011-010-000). The parcel is zoned Rural Density Residential, 40 acres per unit, Design Control Overlay, (Coastal Zone) or "RDR/40-D(CZ)", which allows for the construction of accessory structures, subject to the granting of a Coastal Administrative Permit and Design Approval. Construction of the as-built structures occurred within 50 feet of a Coastal bluff and 100 feet of Environmentally Sensitive Habitat and therefore requires the granting of Coastal Development Permits, in each case. Accordingly, the project is an allowed land use for this site.
- d) Lot Legality. The subject property, 5.8 acres in size, is identified in its current configuration as Lot 3 of the 1965 Staude Subdivision, recorded as Volume 9, Cities and Towns Map, Page 23. Therefore, the County recognizes this parcel as a legal lot of record.
- e) Design/Neighborhood. Pursuant to Title 20, Chapter 20.44, the project site and surrounding area are designated as a Design Control Zoning District ("D" zoning overlay), which is intended to regulate the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. The existing residence and garage have a brown horizontal wood exterior. The as-built decks and sauna were constructed with

natural wood, while the benches and seats of the outdoor grass patio are stone and the hot tubs are cooper. The natural colors and materials are consistent with the surrounding environment. As detailed below, the project does not impact the Critical Viewshed and as-built, the project assures the protection of the public viewshed and is compatible with the neighborhood.

- f) Critical Viewshed. The Big Sur Coast LUP defines the Critical Viewshed as “everything within sight of Highway 1 and major public viewing areas”. The subject property is situated immediately west of Highway 1 and thus within the Critical Viewshed. However, due to the steep decrease in elevation, as well as mature vegetation along Highway 1, a majority of the subject property is not visible from Highway 1. However, limited portions of the existing residence and the roof of the garage are visible from Highway 1. Big Sur Coast LUP Key Policy 3.2.1 prohibits all development from being visible from Highway 1 or a major public viewing area. The as-built site improvements did not alter the existing visible structures and were not constructed in a portion of the property visible from Highway 1. Additionally, no exterior lighting is proposed. Therefore, no impact to the Critical Viewshed occurred.
- g) Development Standards. The development standards for the RDR zoning district are established in Title 20 section 20.16.060. Setbacks for accessory structures are 50 feet (front), 6 feet and 1 foot (sides; front-half and rear-half, respectively), and 1 foot (rear). The required height for accessory structures is 15 feet. All site improvements comply with these requirements. As a 5.8-acre lot, the allowable site coverage would be 63,162 square feet (25 percent). Although “Deck 2” would contribute to site coverage, as conditioned, this deck is slated for removal (Condition No. 6). All other site improvements do not contribute to the property’s site coverage, which is limited to the existing single-family dwelling and garage. As built, the project complies with the applicable site development standards.
- h) Guesthouse. The project involves after-the-fact approval of the conversion of a 336-square-foot portion of a garage into a guesthouse. As built, the guesthouse complies with the applicable requirements of Title 20 section 20.64.020. See Finding No. 5 and supporting evidence.
- i) Development within 50 feet of a Coastal Bluff. The project involves development within 50 feet of a Coastal bluff. The criteria to grant the required Coastal Development Permit have been met. As demonstrated in Finding No. 6 and supporting evidence, the development would not create a geologic hazard or diminish the stability of the area.
- j) Development within 100 feet of Environmentally Sensitive Habitat Area. The Big Sur Coast LUP defines Environmentally Sensitive Habitat Areas (ESHA) as those “in which plant or animal life or their habitats are rare or particularly valuable because of their special nature or role in an ecosystem.” The subject property contains Northern coastal scrub habitat and Sea cliff buckwheat, the host plant for the federally listed Smith’s blue butterfly. Accordingly, development occurred within 100 feet of ESHA. The criteria to grant the required Coastal Development Permit have been met. As demonstrated in Finding No. 7

and supporting evidence, application of Condition No. 4 would ensure that the property's sensitive habitat is restored and protected.

- k) Development on Slopes Greater than 30%. A majority of the subject property contains slopes in excess of 30%. The outdoor patio, hot tubs, sauna, and "Deck 1" were not constructed on slopes in excess of 30%. However, "Deck 2" and its access path were constructed on the steeper slopes of an informal drainage channel that conveys runoff from Highway 1 and the subject property to the Pacific Ocean. This work would have required the granting of a Coastal Development Permit. Pursuant to Big Sur Coastal Implementation Plan section 20.145.140.A(4), the required findings to allow development on slopes are limited to 1) no alternative would allow development to occur on slopes less than 30% and/or 2) the development better achieves the resource protection policies of the Big Sur Coast LUP. All other unpermitted site improvements were constructed or installed on less steep slopes. This indicates that there are feasible alternatives for accessory structures, such as a deck, to be constructed on slopes less than 30%. Further, locating a non-essential structure and path within an environmentally sensitive habitat does not better achieve the resource protection policies of the Big Sur Coast LUP as the Project Biologist estimates that Sea cliff buckwheat plants and Northern coastal scrub habitat were removed. Accordingly, the criteria to grant a Coastal Development Permit to allow development on slopes in excess of 30% have not been met in this case. Therefore, the project includes restoration of the area for "Deck 2" and its access path.
- l) Cultural Resources. According to Monterey County Geographic Information System (GIS) records, the subject parcel has a high archaeological sensitivity but is not within 750 feet of a known archaeological resource. The archaeological report prepared for the construction of the single-family dwelling (HCD-Planning File No. PC965463; Monterey County Library No. LIB080663) found that there was no surface evidence of archaeological resources or their indicators. Therefore, the potential for inadvertent impacts to cultural resources is limited and will be controlled by use of the County's standard condition (Condition No. 3), which requires the contractor to stop work if previously unidentified resources are discovered during construction.
- m) Land Use Advisory Committee (LUAC) Review. Based on the LUAC Procedure Guidelines adopted by the Monterey County Board of Supervisors, this application did warrant referral to the LUAC because it involves a Design Approval subject to consideration at a public hearing. However, due to the 2023 and 2024 Highway 1 slip-outs and closures, access to the South Coast LUAC meeting location was significantly impaired. Accordingly, staff did not refer the application to the South Coast LUAC.
- n) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200097.

**2. FINDING: SITE SUITABILITY** – The site is physically suitable for the proposed development and/or use.



- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and CalFire. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
  - b) Staff identified potential impacts to geological hazards and biological resources. The following reports have been prepared:
    - “Geotechnical Engineering & Engineering Geology Report” (LIB230347) prepared by Sassan Geosciences, Inc., Pasadena, California, August 18, 2023.
    - “Biological Survey Report” (LIB230346) prepared by Ed Mercurio, Salinas, CA, December 1, 2023.County staff independently reviewed these reports and generally concurred with their conclusions. County staff disagrees with the consultant's statements that heavy machinery would be required to remove “Deck 2”. There are no physical or environmental constraints that would indicate that the site is not suitable for the use. Therefore, staff recommends removal of “Deck 2” and all other development shall be in accordance with these reports.
  - c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200097.

3. **FINDING:** **HEALTH AND SAFETY** – The establishment, maintenance, or operation of the 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:**
- a) The project was reviewed by HCD-Planning, HCD- Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and CalFire. The respective 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.
  - b) Necessary public facilities are provided. The existing single-family dwelling and as-built guesthouse with an attached garage are served potable water by an on-site well. The property is also served by an existing onsite wastewater treatment system.
  - c) Due to the constrained nature of the property, Condition No. 7 has been applied to require that the Owner records a deed restriction indicating that any future replacement or expansion of the existing onsite wastewater treatment system may require the installation and ongoing use of an alternative onsite wastewater treatment system.
  - d) The project involves development within a geological hazard area (50 feet of a Coastal bluff). As demonstrated in Finding No. 6 and

supporting evidence, the development would not create a geologic hazard or diminish the stability of the area.

- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200097.

**4. FINDING:**

**VIOLATIONS** – The subject property is not in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. Violations exist on the property.

**EVIDENCE:**

- a) In 2016 and 2018, HCD-Code Enforcement received numerous complaints alleging construction and grading without appropriate permits. Additionally, since 2016 and as recently as April 5, 2024, the County has received complaints that the subject property has been used as a short-term rental, a wedding venue, and for the assemblage of people. After investigation, HCD-Code Enforcement issued an Administrative Citation (16CE00201) on November 4, 2022, confirming that the violations included use of the property as a short-term rental, holding of private events (e.g. weddings), and construction without property permits. The property owner was directed to cease all these unpermitted activities by January 27, 2023, but the activities have continued.
- b) To partially abate this violation, the granting of this permit would allow the removal of “Deck 2”, after-the-fact approval of all site improvements, including conversion of a portion of the garage into a guesthouse, and restoration of approximately 11,750 square feet of Northern coastal scrub habitat. Construction permits from HCD-Building Services shall be obtained to legalize the as-built improvements. Condition No. 6 has been applied to require the Applicant/Owner to obtain a construction permit that allows the removal of “Deck 2” down to its foundation. Due to unknown potential impacts to the coastal bluff stability and the surrounding environmentally sensitive habitat, the foundation piers/footings for the deck shall remain and restoration in and around this area shall occur pursuant to Condition No. 4. The granting of the proposed Restoration Permit and after-the-fact Combined Development Permit would not fully abate Code Enforcement Case No. 16CE00201 as the property still operates as a short-term rental and/or private event space. The Applicant/Owner shall cease use until such time that necessary permits for these activities are obtained.
- c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200097.

**5. FINDING:**

**GUESTHOUSE** - The project meets the established regulations and standards as identified in Title 20, Section 20.64.020.

**EVIDENCE:**

- a) Title 20, Section 20.64.020 establishes regulations and standards for which a guesthouse, accessory to the main residence on a lot, may be permitted. The project includes the construction of a 375-square-foot guesthouse with no cooking facilities.

- b) The proposed guesthouse is the only guesthouse on the subject property and will not be separately rented. Staff has applied the standard coastal guesthouse deed restriction as Condition No. 8.
- c) The guesthouse is sited in proximity, approximately 40 feet east, of the main dwelling, and 50 feet from the front property line.
- d) As defined in Title 20, Section 20.58.040, the guesthouse requires one parking space. Consistent with this requirement, the guesthouse will have one covered parking space located next to the garage. Adequate space around the garage provides parking for the existing residence.
- e) The guesthouse meets the required site development standards and design criteria as defined in Title 20 Section 20.16.060 and Chapter 20.44 (See Finding 1, Evidence “e” and “g”). The guesthouse maintains the same architectural style as the main residence and is therefore visually consistent and compatible.
- f) The application was reviewed by the Environmental Health Bureau (EHB) to ensure adequate sewage disposal and water supply facilities exist and are readily available to serve the guesthouse. The guesthouse will share the same utilities as the main residence.
- g) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in HCD-Planning File No. PLN200097.

**6. FINDING: DEVELOPMENT WITHIN 50 FEET OF A COASTAL BLUFF -**

The project is consistent with the Big Sur Coast Land Use Plan (BSC LUP) policies addressing hazardous areas and development in proximity to coastal bluffs, and their implementing regulations in the Monterey County Coastal Implementation Plan Part 3, Regulations for Development in the Big Sur Coast Land Use Plan (CIP).

- EVIDENCE:**
- a) Geotechnical & Geological Report. BSC LUP Policy 3.7.3.A.9 and 3.7.3.A.11 require the preparation of geological and geotechnical reports for development in proximity to a coastal bluff, and in areas of known or suspected geologic hazards, to assess geologic hazards and provide recommendations to address them. In this case, a geotechnical and geological report (LIB230347) was prepared and found that there are no significant geotechnical or geologic hazards at the site which would prohibit the proposed development.
  - b) Tsunami. Tsunami hazards at the property are low, based on the Monterey County Tsunami inundation Map dated March 2021 prepared by the California Geological Survey.
  - c) Storm wave runup. Improvements on the site are 185 feet above sea level in an area above the reach of wave runup.
  - d) Fault. Monterey County GIS portrays a fault line in close proximity to the project. This fault, identified as the Sur-Nacimiento/Hisgri Fault, is not historically active; however some geologists consider it to be potentially active. The geological report recommended all work be constructed consistent with 2022 California Building Code, or the California Building Code in effect at that time.
  - e) Bluff Recession. The outdoor patio and decks were constructed within 50 feet of this coastal bluff, while the existing residence is approximately 70 feet from this bluff top. The geological report

(LIB230347) addresses coastal bluff-related concerns. Based on available aerial imagery spanning 15 years, the project geologist determined that the bluff edge had retreated approximately 3 feet or 2.5 inches per year. Based on an estimated rate of bluff retreat of 2.5 inches per year, the subject bluff is predicted to retreat approximately 20 feet within the next 100 years. Using a more conservative estimated rate of bluff retreat of 6 inches per year, the bluff could retreat approximately 50 feet within the next 100 years. Utilizing either rate, the geological report concluded that the existing residence is situated appropriately from the bluff and would be safe from natural bluff erosion. However, because the outdoor patio and decks are located within the projected bluff retreat and could be subject to failure, these structures should be considered sacrificial improvements. Retention of these non-habitable accessory structures is not necessary for the safety of the existing residence.

- f) Coastal Hazards Deed Restriction. BSC LUP Policy 3.7.2.4 requires that in locations determined to have significant hazards, development permits include a special condition requiring the owner to record a deed restriction describing the nature of the hazard and long-term maintenance requirements, and BSC LUP Policy 3.9.1.1 requires that bluff-top setbacks be adequate to avoid the need for sea walls during developments lifetime. The existing residence and garage with an attached guesthouse are adequately setback from bluff-related erosion. However, in this case the areas seaward of the bluff setback are subject to known bluff erosion and slope stability hazards. Therefore, Condition No. 5 has been applied to require the applicant to record a deed restriction describing the nature of the coastal hazards and stating: "The parcel is located within a geological hazard area and development may be subject to certain restrictions required as per Section 20.145.080.A.2.a.1 of Part 3 of the Monterey County Coastal Implementation Plan and per the standards for development of residential property." This deed restriction would specifically identify that the site is subject to coastal hazards, assume the risks of such development, waive liability, indemnify the Coastal Commission and County of Monterey for any damages due to coastal hazards, prohibit future coastal armoring, require geotechnical analysis evaluating whether development is safe should landslides, storm surge events, or bluff erosion threaten it, and re-location/removal should the development become unsafe without the installation of new sea walls or shoreline protective structures.
- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200097.

- 7. **FINDING:** **DEVELOPMENT WITHIN 100 FEET OF ESHA** - The subject project minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and policies of the applicable area plan and zoning codes.
  - a) In accordance with Big Sur CIP section 20.145.040.A, a biological report (LIB230346) was prepared by Ed Mercurio to determine whether the as-

built site improvements impacted environmentally sensitive habitat areas. The report stated that on-site habitat primarily consisted of invasive, non-native plant species and fragmented Northern coastal scrub habitat. In addition to the Northern coastal bluff scrub habitat, the Project Biologist observed Hooker's manzanita plant and Sea cliff buckwheat, the host plant for the federally endangered Smith's blue butterfly. Other sensitive plant species that could exist, but were not observed, include Hutchinson's larkspur, Jolon clarkia, Arroyo Seco bush mallow, San Luis Obispo sedge, Cone peak bedstraw, Santa Lucia bedstraw, Santa Lucia fir, and Teardrop moss. No sensitive wildlife species were identified. However, based on the biologist's literary review, the project site and the adjacent area have had two known observations of Smith's blue butterflies. Further, it is assumed that Smith's blue butterflies inhabit the area when sea cliff buckwheat is present.

- b) Big Sur CIP section 20.145.020 defines environmentally sensitive habitat areas as that which plant or animal life or their habitats are particularly valuable because of their special nature or role in an ecosystem. Examples of environmentally sensitive habitat include habitat for rare and endangered species. Accordingly, the above-mentioned plant species qualify as environmentally sensitive habitat.
- c) Partial conversion of the garage into a guesthouse and installation of the sauna did not disrupt sensitive habitat. However, all other as-built improvements are expected to have impacted sensitive habitat. Based on the Project Biologist's observations and the conclusions of a previous biologist report prepared in 1998, the Project Biologist estimated that 30 sea cliff buckwheat plants and approximately 5,875 square feet of Northern coastal scrub habitat were permanently impacted by the site improvements. To mitigate this habitat loss and its cumulative impacts, the Project Biologist recommends that sea cliff buckwheat be replanted on a 3:1 ratio and Northern coastal scrub habitat be restored on at least a 2:1 ratio. The project Biologist recommends approximately 11,750 square feet of restoration, which includes the replanting of 90 Sea cliff buckwheat plants.
- d) Condition No. 4 requires approximately 600 square feet of Northern coastal scrub restoration immediately south of the as-built hot tubs, approximately 3,600 square feet of Northern coastal scrub restoration and the planting of 25 Sea cliff buckwheat plants immediately west of the as-built outdoor patio, approximately 5,000 square feet of Northern coastal scrub restoration and the planting of 65 Sea cliff buckwheat plants immediately south of as-built "Deck 1", and approximately 2,550 square feet of Northern coastal scrub restoration where "Deck 2" and its access path are located. In accordance with Policies 3.3.2.1 and 3.3.2.4 of the Big Sur Coast Land Use Plan, Condition No. 4 has been applied to ensure that impacts to the subject property's sensitive species and habitats are less than significant and invasive vegetation is removed.
- e) Big Sur Coast LUP Policy 3.3.2.3 requires permanent conservation of environmentally sensitive habitats when new development is proposed on parcels containing such habitats. Therefore, Condition No. 10 has been applied to require that the environmentally sensitive habitat areas

on the site, including the areas of restoration, be placed in a conservation and scenic easement.

- f) Implementation of Condition No. 6 requires the removal of “Deck 2” down to its foundation. This would allow the foundation footings, which primarily have at-grade elevations, to remain. Restoration would occur in and around this area (Condition No. 4). Removal of these footings would serve no biological benefit as removal would likely increase the potential for impacts to the bluff slope and the adjacent marine life below. Removal of these footings would likely require a jackhammer or larger excavation equipment, which could degrade and destabilize the rock and soil below it. The project biologist and geologist encourage that heavy machinery is not used due to their potential environmental impacts.
- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200097.

**8. FINDING:** **CEQA (Exempt)** – The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines section 15301 categorically exempts existing private structures. CEQA Guidelines section 15333 categorically exempts less than 5 acres of restoration, provided the following criteria are not met: the restoration does not have a significant adverse impact on threatened, rare, or endangered species or their habitats, does not involve the removal of hazardous materials, and will not result in a significant cumulative impact.
  - b) As proposed, the project involves the after-the-fact approval of existing private structures (outdoor patio, deck, sauna, and hot tub), the removal of an existing deck, and the restoration of approximately 11,750 square feet of Northern coastal scrub habitat. As demonstrated in subsequent Evidence “e” and “g”, and Finding No. 7 and supporting evidence, the project does not meet the excluding criteria of Class 33. Therefore, the project qualifies for this exemption.
  - c) Class 1 categorical exemptions apply regardless of their location. The project is also not located in an area where an environmental resource of hazardous or critical concern has been designated by a local, state, or federal agency and precisely mapped.
  - d) The project is adjacent to Highway 1, a designated state Scenic Highway. However, as detailed in Finding No. 1, Evidence “g”, the project would not adversely affect scenic resources in view of the scenic highway.
  - e) The project is not located on a hazardous waste site included on any list compiled by Section 65962.5 of the Government Code.
  - f) An historical resource is defined as any structure, over 50 years of age which is listed—or could be listed—either on the National Register of Historic Places or Local Register of Historical Resources. The existing residence and garage are not 50 years of age and the project involves no

alterations to their exteriors. Therefore, no impact would occur to a historical resource.

- g) There are no unusual circumstances associated with the undertaking of the project that would create the reasonable possibility for a potentially significant environmental effect.
- h) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200097.

- 9. FINDING: PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Sections 20.70.050.B.4 or 20.145.150 of the Monterey County Coastal Implementation Plan can be demonstrated.
  - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - c) The subject property is not described as an area where the Local Coastal Program requires visual or physical public access (Figure 2, Local Coastal Program Shoreline Access Plan Central Section, and Figure 3, Local Coastal Program Trails Plan Central Section).
  - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200097.
- 10. FINDING: APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:**
- a) Board of Supervisors. Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20) allows an appeal to be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
  - b) California Coastal Commission. This project is appealable to the California Coastal Commission pursuant to Title 20 sections 20.86.080.A.1 and 20.86.080.A.3, as it includes development between the sea and the first public road paralleling the sea (in this case Highway 1) and development that is permitted in the underlying zone as a conditional use.

### **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Monterey County Zoning Administrator does hereby:

- 1) Find the project Categorically Exempt pursuant to CEQA Guidelines sections 15301 and 15333, and no exceptions apply pursuant to section 15300.1;
- 2) Approve a Restoration Permit to allow approximately 11,750 square feet of Northern coastal bluff scrub habitat and removal of "Deck 2"; and

- 3) Approve an After-the-fact Combined Development Permit to partially clear Code Enforcement violation (16CE00201) consisting of a:
- Coastal Administrative Permit and Design Approval to allow the partial conversion of a detached garage into a 336 square foot guesthouse;
  - Coastal Administrative Permit and Design Approval to allow construction of an outdoor sauna, hot tubs, an outdoor patio, and “Deck 1”;
  - Coastal Development Permit to allow development within 50 feet of a Coastal bluff; and
  - Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat area.

All of which are in general conformance with the approved sketch and subject to the conditions of approval, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 11<sup>th</sup> day of July, 2024.

DocuSigned by:

Mike Novo

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Mike Novo, AICP  
Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON JULY 12, 2024.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JULY 22, 2024.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

#### 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 Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

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

Form Rev. 1-27-2021

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# County of Monterey HCD Planning

## Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN200097

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning

**Condition/Mitigation  
Monitoring Measure:**

This Restoration Permit allows approximately 11,750 square feet of Northern coastal bluff scrub habitat and removal of "Deck 2", and an After-the-fact Combined Development Permit to partially clear Code Enforcement violation (16CE00201) consisting of: 1) Coastal Administrative Permit and Design Approval to allow the partial conversion of a detached garage into a 336 square foot guesthouse; 2) Coastal Administrative Permit and Design Approval to allow construction of an outdoor sauna, hot tubs, an outdoor patio, and "Deck 1"; 3) Coastal Development Permit to allow development within 50 feet of a Coastal bluff; and 4) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat area. The property is located at 54722 Highway 1, Big Sur (Assessor's Parcel Number 421-011-010-000), Big Sur Coast Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 HCD - Planning. 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

**Compliance or  
Monitoring  
Action to be  
Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning

**Condition/Mitigation** The applicant shall record a Permit Approval Notice. This notice shall state:

**Monitoring Measure:** "A Restoration Permit and after-the-fact Combined Development Permit (Resolution Number 24-025) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 421-011-010-000 on July 11, 2024. The permit was granted subject to 10 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD- Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

**Compliance or Monitoring** Prior to the issuance of grading and building permits, certificates of compliance, or  
**Action to be** commencement of use, whichever occurs first and as applicable, the Owner/Applicant  
**Performed:** shall provide proof of recordation of this notice to the HCD - Planning.

## 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** Planning

**Condition/Mitigation** If, during the course of construction, cultural, archaeological, historical or  
**Monitoring Measure:** paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.  
(HCD - Planning)

**Compliance or Monitoring** The Owner/Applicant shall adhere to this condition on an on-going basis.

**Action to be** Prior to the issuance of grading or building permits and/or prior to the recordation of the  
**Performed:** final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

#### 4. PDSP003 - NORTHERN COASTAL SCRUB RESTORATION & MONITORING PLAN

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Approximately 11,750 square feet of Northern coastal scrub shall be restored on APN: 421-011-010-000. All restoration work shall be undertaken and executed in a manner consistent with the restoration work detailed in PLN200097 and the restoration plan prepared for the project, LIB230346, dated December 1, 2023. Prior to issuance of a construction permit, the Applicant/Owner shall submit a revised restoration planting map illustrating restoring in and around the area where Deck 2 and its access path will be removed. All other restoration areas detailed in LIB230346 are appropriate and adequate.

The specific objectives of the Restoration Plan are as follows:

- Remove the majority of currently present non-native invasive species
- Use local plant sources for seed and revegetation material.
- Maintain significantly less weed cover on the project site than the current baseline condition.
- Establish a monitoring program to track success of non-native vegetation control and establishment of native species.
- Establish an ongoing maintenance program for non-native plant control and other actions noted during monitoring.

Monitoring shall occur for three years following completion of exotic species removal, replanting and revegetation activities. Annual monitoring and reporting of the restoration area shall occur. A final report shall be prepared and submitted to HCD-Planning at the end of the third year monitoring period detailing compliance with the restoration plan's success criteria and the need for additional remedial efforts if success criteria are not met. Monitoring shall be on-going until such a time as the restoration is deemed complete and all success criteria are met.

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of construction or grading permits from Building Services, the Owner/Applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified biologist indicating that the restoration work and monitoring program detailed in LIB230346 will be implemented. This contract shall include a revised replanting map illustrating restoration in and around Deck 2 and its access path. The contract shall also require preparation of reports following completion of successful exotic species removal and revegetation, and yearly monitoring.

Prior to final inspection of the demolition permit for the removal of Deck 2, the Project Biologist shall prepare and submit to HCD-Planning for review and approval, a report confirming that exotic species have been removed, and all replanting and re-vegetation activities as detailed in LIB230346, as amended in the revised planting map, have successfully occurred.

On an on-going basis for the duration of the required monitoring period, annual reports shall be submitted to HCD-Planning for review and approval detailing compliance with LIB230346.

## 5. PDSP002 - COASTAL HAZARDS DEED RESTRICTION

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** "In accordance with Big Sur Coast Land Use Plan Hazards Policy 3.7.2.4, the owner shall record a deed restriction on the property describing the nature of the properties hazards (Coastal Hazards, including but not limited to waves, storms, flooding, landslide, bluff erosion, and earth movement, many of which will worsen with future sea level rise) and long-term maintenance requirements. The deed restriction shall say the following:

"a. General Provisions. This deed restriction is being recorded to satisfy Condition No. 5 of the Restoration Permit and After-the-Fact Combined Development Permit Approval (PLN200097), approved by County of Monterey Zoning Administrator Resolution No. 24-XXX. By accepting this permit, the property owner has accepted the following conditions and restrictions, which shall run with the land:

b. Coastal Hazards. That the site is subject to coastal hazards, including but not limited to waves, storms, flooding, landslide, bluff erosion, and earth movement, many of which will worsen with future sea level rise.

c. Assume Risks. To assume all risks to the Permittee and the properties that are the subject of this permit of injury and damage from such hazards in connection with this permitted development.

d. Liability Waiver. To unconditionally waive any claim of damage or liability against the California Coastal Commission & the County of Monterey, and their officers, agents, and employees for injury or damage from such hazards.

e. Indemnification. To indemnify and hold harmless the California Coastal Commission & the County of Monterey, and their officers, agents, and employees with respect to the County's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards. This indemnification obligation is in addition to, and cumulative of, the indemnification obligation imposed by the County of Monterey Zoning Administrator in its Resolution No. 24-XXX, Condition No. 9. Property owner understands and agrees that both indemnification obligations shall be memorialized in the indemnification agreement.

f. Permittee Responsible. That any adverse effects to property caused by the permitted project shall be fully the responsibility of the Permittee.

g. Shoreline Armoring Prohibited. That no shoreline armoring shall ever be constructed to protect the development approved pursuant to this CDP, including in the event that the development is threatened with damage or destruction from coastal hazards in the future.

h. Waiver of Rights to Construct Armoring. The Permittee hereby waives, on behalf of itself and all successors and assigns, any rights to construct such armoring that may exist under applicable law."

(HCD-Planning)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permits, owner/applicant shall record the deed restriction, and provide HCD-Planning with evidence that it has been recorded. Such evidence shall be in the form of a copy of the recorded document with the recorders seal.

#### 6. PDSP001 - DEMOLITION PERMIT (DECK 2)

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Within 90 days of project approval, the Applicant/Owner shall apply for and obtain a demolition permit from HCD-Building Services. The demolition permit shall allow Deck 2 to be removed down to its foundation. The concrete foundation piers shall remain.

**Compliance or Monitoring Action to be Performed:** Within 90 days of project approval, the Applicant/Owner shall apply for and obtain a demolition permit from HCD-Building Services. The demolition permit shall allow Deck 2 to be removed down to its foundation. The concrete foundation piers shall remain.

Within 1 year of the granting of this Permit, the Applicant/Owner shall receive a final inspection by HCD-Building Services confirming removal of Deck 2.

#### 7. EHSP01 – DEED RESTRICTION: FUTURE ONSITE WASTEWATER TREATMENT SYSTEM REQUIREMENTS (NON-STANDARD)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Owner shall record a deed restriction indicating that any future replacement or expansion of the existing onsite wastewater treatment system on the property may require the installation and ongoing use of an alternative onsite wastewater treatment system. The Property shall be subject to any and all applicable federal, state and/or local laws, regulations and ordinances in effect at the time of permit issuance regarding the permitting, operation and maintenance or monitoring of onsite wastewater treatment systems. The single exception to this term is that an alternative onsite wastewater treatment system will be subject to an annual operating permit from the Monterey County Health Department, Environmental Health Bureau upon adoption of any State or regional regulations and/or any local ordinance authorizing such a permit. Owner agrees to disclose the contents of the Deed Restriction to any potential purchaser of the subject Property and to any person or entity to whom the Property herein described shall be conveyed. Owner is responsible to reimburse EHB for costs associated with preparation of the Deed Restriction. (Environmental Health)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permits, the applicant shall provide a legal description for the parcel and a copy of the Grant Deed to the Environmental Health Bureau ("EHB"). The EHB will prepare the deed restriction form.

Prior to final inspection of construction permits, the property owner shall sign and notarize the deed restriction form obtained from the EHB. Record the notarized deed restriction with the Monterey County Recorder. Proof of recordation shall be provided to the EHB.

## 8. PD019(B) - DEED RESTRICTION-GUESTHOUSE (COASTAL)

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse (Coastal) as follows:

- Only 1 guesthouse shall be allowed per lot.
- Detached guesthouses shall be located in close proximity to the principal residence.
  - Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements.
- The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens.
- The guesthouse shall have a maximum of 6 linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of 8 square feet of cabinet space, excluding clothes closets.
- The guesthouse shall not exceed 425 square feet of livable floor area.
- The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect.
- Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited.
- The guesthouse shall be designed in such a manner as to be visually consistent and compatible with the main residence on site and other residences in the area.
- The guesthouse height shall not exceed 12 feet nor be more than one story.

(HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading or building permits, the Owner/Applicant shall submit a signed and notarized document to the Director of HCD-Planning for review and signature by the County.

Prior to occupancy or commencement of use, the Owner/Applicant shall submit proof of recordation of the document to the Director of the HCD-Planning.



## 9. CC01 INDEMNIFICATION AGREEMENT

**Responsible Department:** County Counsel-Risk Management

**Condition/Mitigation Monitoring Measure:** The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel-Risk Management)

**Compliance or Monitoring Action to be Performed:** Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

## 10. PD022(A) - EASEMENT-CONSERVATION & SCENIC

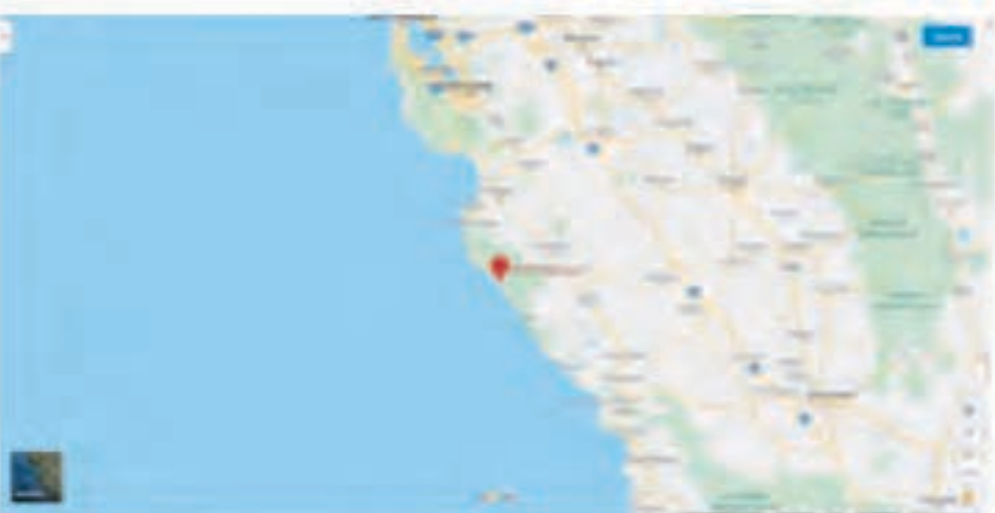
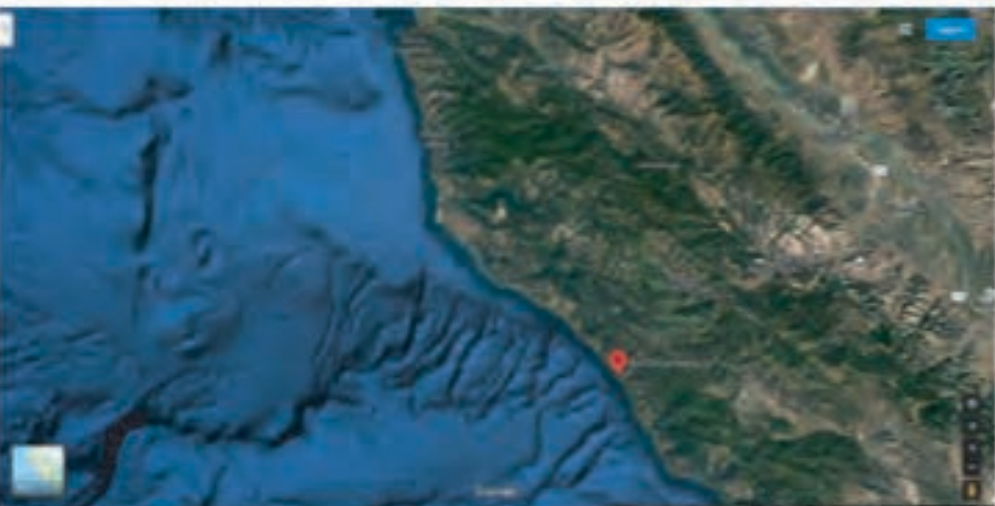
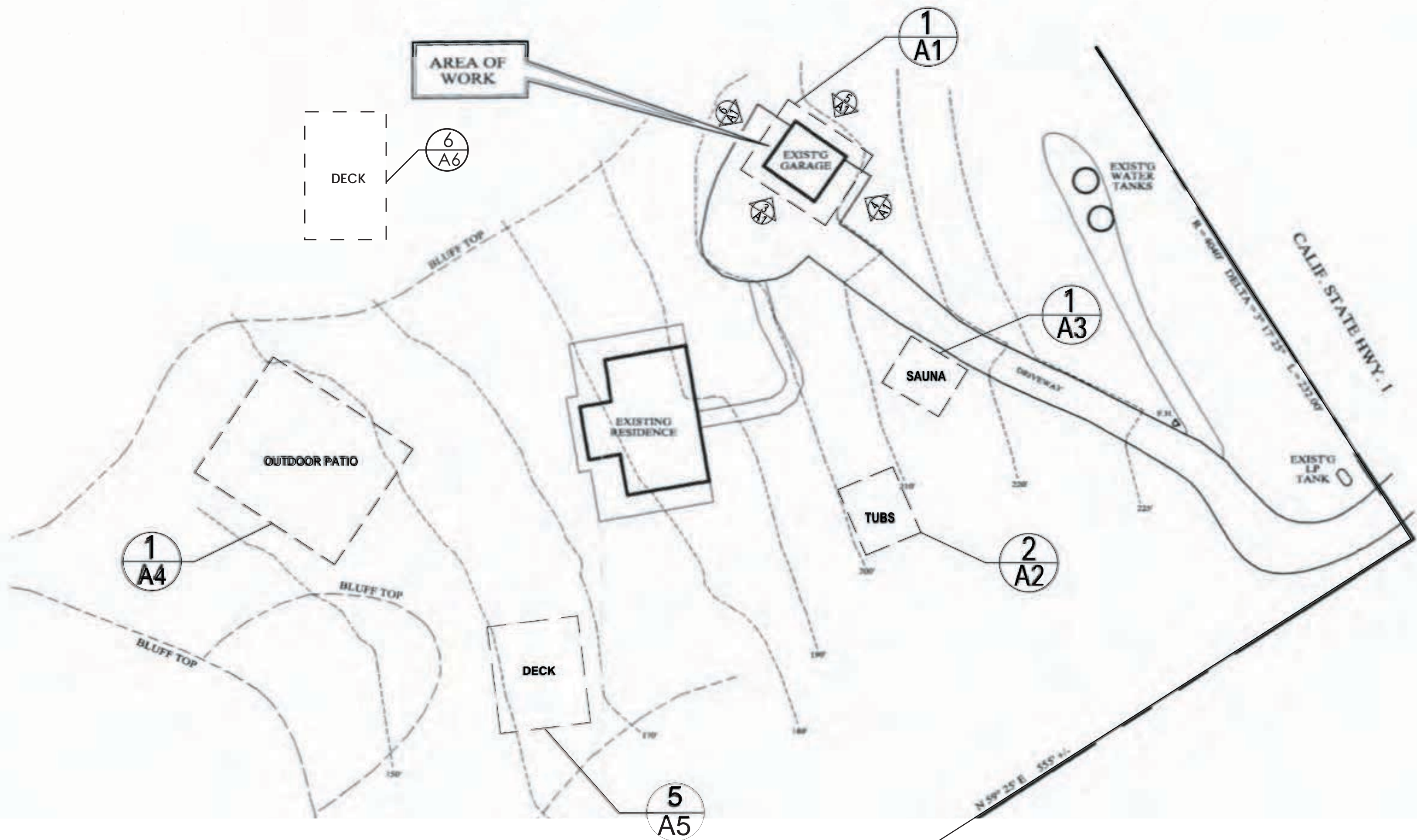
**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** A conservation and scenic easement shall be conveyed to the County over those portions of the property where environmentally sensitive habitat exist, including those areas to be restored with Northern coastal scrub habitat and Sea cliff buckwheat (Condition No. 4). The easement shall be developed in consultation with certified professionals. An easement deed shall be submitted to, reviewed and approved by, the Director of HCD - Planning and accepted by the Board of Supervisors prior to recording the parcel/final map or prior to the issuance of grading and building permits. However, the demolition permit required by Condition No. 6 may be issued prior to recordation of the easement deed. (HCD - Planning)(HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to HCD - Planning for review and approval.

Prior to the issuance of grading and building permits, the Owner/Applicant shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to HCD - Planning. The issuance of the demolition permit related to Condition No. 6 may be issued prior to recordation of the conservation and scenic easement.

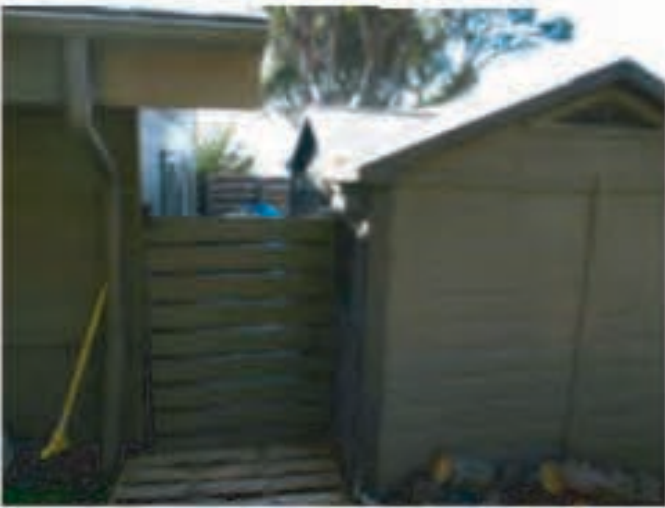




VICINITY MAPS  
NOT TO SCALE

1 SITE PLAN  
SCALE: 1"=30'-0"

SITE PLAN  
SCALE: 1"=30'-0"



SITE PHOTOS OF EXISTING GARAGE

PROJECT SCOPE OF WORK

DRAWINGS TO REPLICATE PREVIOUSLY  
EXISTING STRUCTURE

PROJECT DATA

OWNER: WIND & SEA  
PROPERTY ADDRESS: 54722 HIGHWAY 1  
BIG SUR, CA 93920  
APN: 421-011-010  
ZONING: -  
TYPE OF CONSTRUCTION: -  
TOTAL LOT AREA: 5.8 ACRES  
BLDG LIVING AREA: 1,740 sq.ft.  
PROPOSED ADDITIONAL SQ.FT: 0 sq.ft.

DRAWING INDEX

| SHEET | SHEET TITLE  |
|-------|--|
| A0    | COVER SHEET - SITE PLAN, PROJECT DATA, VICINITY MAPS AND SITE PHOTOS EXISTING GARAGE |
| A1    | GARAGE AS-BUILT PLANS AND ELEVATIONS   |
| A2    | OUTDOOR TUBS AS-BUILT PLANS AND ELEVATIONS   |
| A3    | SAUNA AS-BUILT PLANS AND ELEVATIONS  |
| A4    | OUTDOOR PATIO AS-BUILT PLANS AND ELEVATIONS  |
| A5    | DECK AS-BUILT PLANS AND ELEVATIONS   |

SYMBOLS LEGEND

|                         |                               |
|-------------------------|-------------------------------|
| ELEVATION REFERENCE     | DETAIL NUMBER<br>SHEET NUMBER |
| ENLARGED PLAN REFERENCE | DETAIL NUMBER<br>SHEET NUMBER |

ABBREVIATIONS

|        |                                  |
|--------|----------------------------------|
| AFF    | ABOVE FINISH FLOOR               |
| (E)    | EXISTING                         |
| ELECT. | ELECTRICAL                       |
| EQ.    | EQUAL                            |
| EXT.   | EXTERIOR                         |
| GFCI   | GROUND FAULT CIRCUIT INTERRUPTER |
| GYP.   | GYPSUM                           |
| INT.   | INTERIOR                         |
| MECH.  | MECHANICAL                       |
| (N)    | NEW                              |
| NAT.   | NATURAL                          |
| O.C.   | ON CENTER                        |
| RM     | ROOM                             |
| SK     | SKYLIGHT                         |
| SQ.FT. | SQUARE FEET                      |
| TBD    | TO BE DETERMINED                 |
| TYP.   | TYPICAL                          |
| WH     | WATER HEATER                     |
| WV     | WATER VALVE                      |

JESSICA A. SWAN

EMAIL: swannie2121@gmail.com  
PHONE: 630.664.7498

POB 151  
BIG SUR, CA 93920

WIND & SEA  
54722 HIGHWAY 1  
BIG SUR, CA 93920

AS-BUILT PLAN

| REVISIONS | DATE |
|-----------|------|
|           |      |
|           |      |
|           |      |
|           |      |
|           |      |

DRAWN BY: J.SWAN

SCALE: AS NOTED

JOB: 54722 HWY 1

A0

2.22.20

SITE PLAN, PROJECT  
NOTES, VICINITY MAPS




## Horizontal Datum: Assumed.

Vertical Datum: NAVD88

Contour Interval: Contours as shown hereon are interpolated using computer digital terrain modeling software and spot elevations. Ground may be more irregular than contours indicate.

54630 Highway No. 1  
APN: 421-011-011  
Lot 4 (R1)

Note: The abbreviation and symbol lists below are comprehensive and not all abbreviations or symbols will appear on the map.

 Subject Parcel Boundary  
 Right of Way  
 Right of Way Center Line

PACIFIC  
OCEAN

PACIFIC OCEAN

Wind & Sea, LLC  
54722 Highway No. 1  
APN: 421-011-010  
Lot 3 (R1)

DRAWING REVISIONS:  
January 2020 - Original Survey

Plotted On: 1/16/2020 3:34 PM

Surveyor's Notes:

This map portrays the site at the time of the survey and does not show soils or geology information, underground conditions, easements, zoning or regulatory information or any other items not specifically requested by the property owner. There may be easements or other rights, recorded or unrecorded, affecting the subject property which are not shown hereon.

Underground utilities, if any, were not located. Information regarding underground utility locations should be obtained from the appropriate utility companies or public agencies.

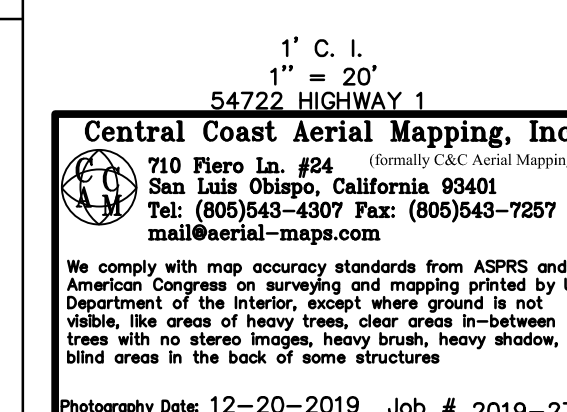
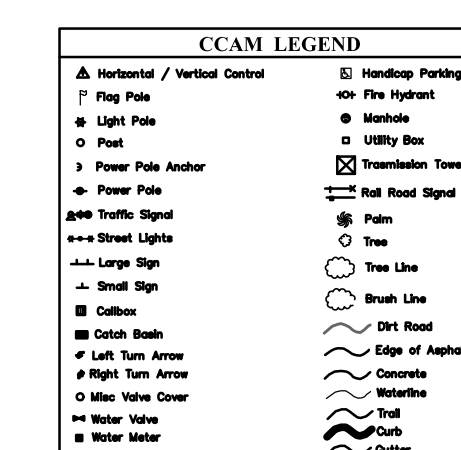
Elevations are based on NAVD88 datum. Ground may be more irregular than contours indicate.

Distances are expressed in feet and decimals thereof.

Sufficient boundary ties were made to graphically show existing features however a complete boundary survey was not performed.

## Record Map References:

R1: Map of Tract No. 549 Staude Subdivision filed in Volume 9 of Cities & Towns at Page 23, in the Monterey County Recorder's Office, State of California.



## Aerial Topographic Survey

54722 Highway No. 1 , APN: 421-011-010  
Located in Big Sur , Monterey County, State of California

Prepared For &amp; Requested By: Wind &amp; Sea, LLC

January 2020

**Rasmussen Land Surveying, Inc.**  
2150 Garden Road, Suite A-3, Monterey, California 93942  
P: 831.375.7240 F: 831.375.2545

RLS W.O. # 2019-153

Sheet 1 of 1



Map Legend:

Horizontal Datum: Assumed.

Vertical Datum: NAVD88

Contour Interval: Contours as shown hereon were created by Central Coast Aerial Mapping via aerial photogrammetric survey methods.

----- Subject Parcel Boundary  
----- Right of Way  
----- Right of Way Center Line

| CCAM LEGEND                     |                      |
|---------------------------------|----------------------|
| ▲ Horizontal / Vertical Control | ⊠ Handicap Parking   |
| ⚑ Flag Pole                     | ⊙ Manhole            |
| ● Light Pole                    | ⊙ Utility Pole       |
| ⊙ Pole                          | ⊠ Transmission Tower |
| ⊠ Power Pole Anchor             | ⊠ Rail Road Signal   |
| ⊠ Power Pole                    | ⊠ Pole               |
| ⊠ Traffic Signal                | ⊠ Tree               |
| ⊠ Street Light                  | ⊠ Tree Line          |
| ⊠ Large Sign                    | ⊠ Break Line         |
| ⊠ Small Sign                    | ⊠ Det Road           |
| ⊠ Culvert                       | ⊠ Edge of Asphalt    |
| ⊠ Catch Basin                   | ⊠ Concrete           |
| ⊠ Left Turn Arrow               | ⊠ Retaining          |
| ⊠ Right Turn Arrow              | ⊠ Foul               |
| ⊠ Side Walk Cover               | ⊠ Gate               |
| ⊠ Water Valve                   | ⊠ Outlet             |
| ⊠ Water Meter                   |                      |

Central Coast Aerial Mapping, Inc.  
710 Pico Ln. #24 (Formerly CAC Aerial Mapping)  
San Luis Obispo, California 93401  
Tel: (805)543-4307 Fax: (805)543-7257  
mail@aerial-maps.com

We comply with map accuracy standards from ASPRS and American Congress on surveying and mapping printed by U.S. Department of the Interior, except where ground is not visible, like areas of heavy trees, clear areas in-between trees with no stereo images, heavy brush, heavy shadow, or blind areas in the back of some structures

Photography Date: 12-20-2019 Job # 2019-272

1" = 20'  
54722 HIGHWAY 1

1" = 30'

0' 30' 60' 90'

DRAWING REVISIONS:  
January 2020 - Original Survey  
March 2020 - Revised  
July 2023 - Revised to include topographic data for entire parcel

Surveyor's Notes:

This map portrays the site at the time of the survey and does not show soils or geology information, underground conditions, easements, zoning or regulatory information or any other items not specifically requested by the property owner. There may be easements or other rights, recorded or unrecorded, affecting the subject property which are not shown hereon.

Underground utilities, if any, were not located. Information regarding underground utility locations should be obtained from the appropriate utility companies or public agencies.

Elevations are based on NAVD88 datum. Ground may be more irregular than contours indicate.

Distances are expressed in feet and decimals thereof.

Surveyor's boundary ties were made to graphically show existing features however a complete boundary survey was not performed.

Record Map References:

R1: Map of Tract No. 549 Staude Subdivision • led in Volume 9 of Cities & Towns at Page 23, in the Monterey County Recorder's Office, State of California.

Aerial Topographic Survey

54722 Highway No. 1, APN: 421-011-010  
Located in Big Sur, Monterey County, State of California

Prepared For & Requested By: Wind & Sea, LLC

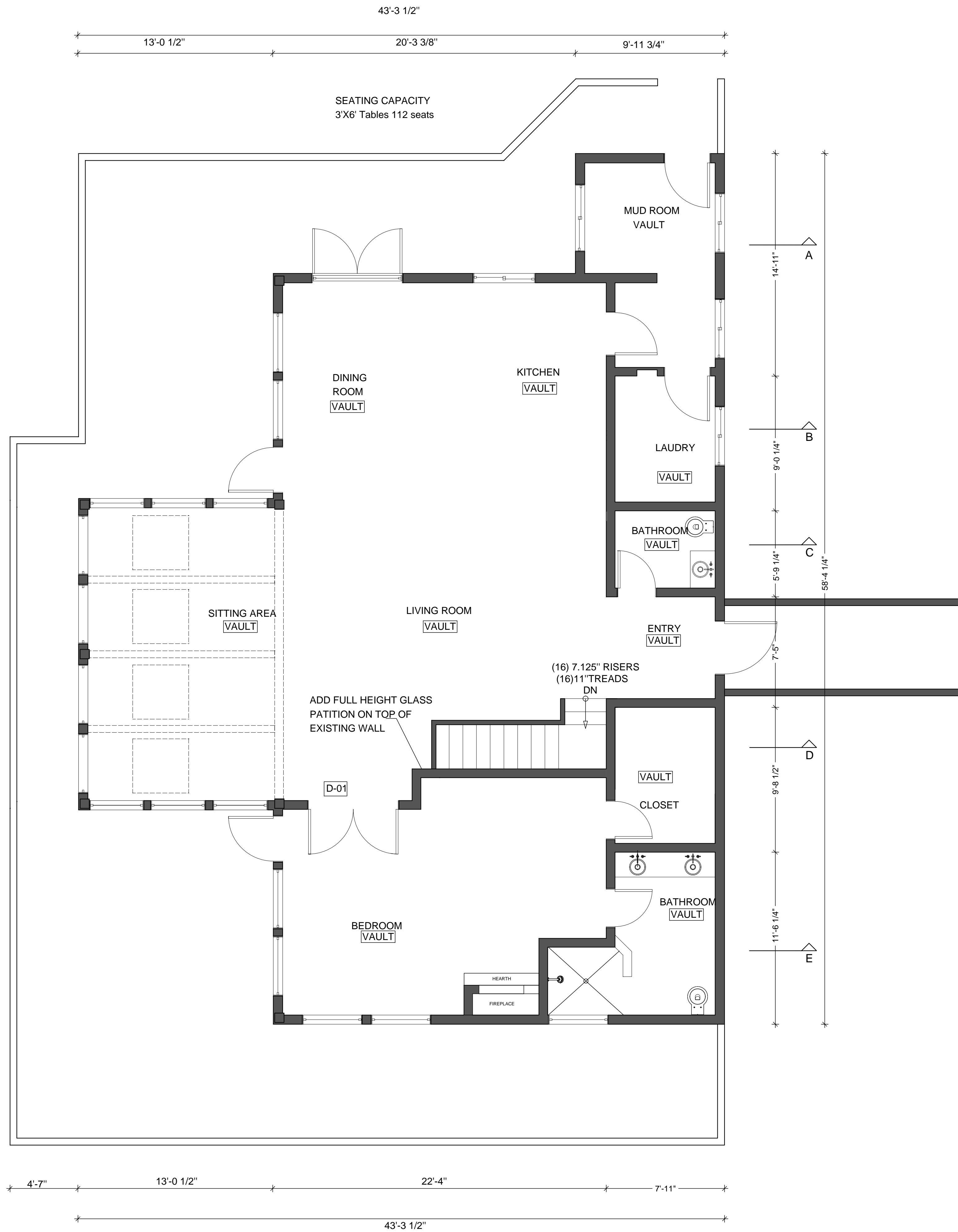
Original Survey: January 2020  
Revised: July 2023

Rasmussen Land Surveying, Inc.  
2150 Garden Road, Suite A-3, Monterey, California 93942  
P: 831.375.7240 F: 831.375.2545

RLS W.O. # 2023-047

Sheet 1 of 1





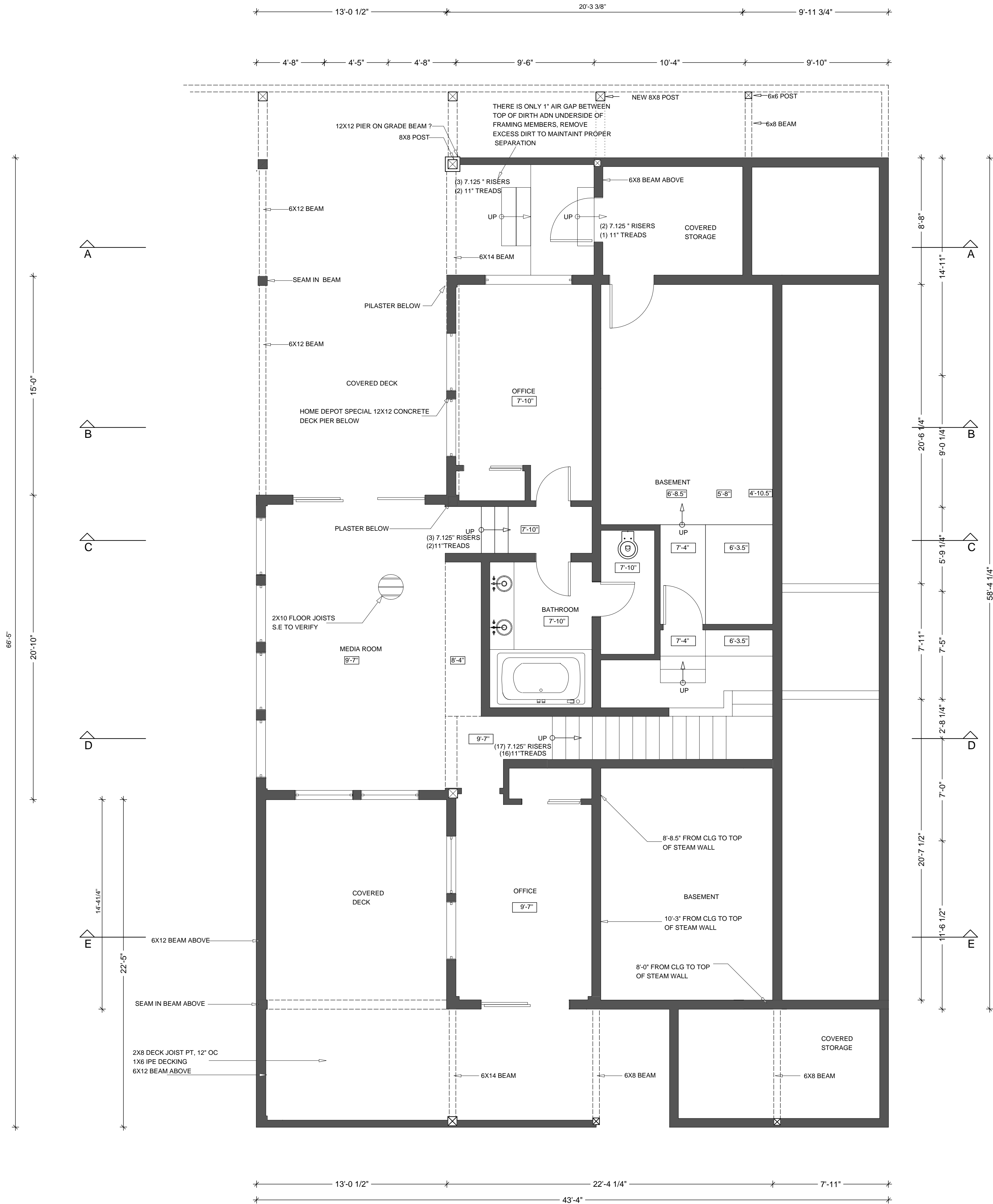
UPPER FLOOR - EXISTING  
Scale 1/4"=1'-0"

MC

ARCHITECTURE AND DESIGN

MATTEO CALMI  
Via Rutlia, 10/8 - 20141 Milan (Italy)  
cell. +39 391 4530904  
matteocalmi@gmail.com  
www.matteocalmi.com

|  |                        |
|--|------------------------|
| Client   | ALEX HAKAKIAN          |
| Project  | WIND & SEA RESORT      |
| Drawing  | UPPER FLOOR - EXISTING |
| File   | DWG                    |
| Date   | 05/14/2019             |
| Upd  |                        |
| Scale  | 1/4"=1'-0"             |
| Drafter  | MA                     |
| Sheet#   | 02                     |
| This drawing is property of MC and is protected under copyright. Reproduction is prohibited. |                        |



LOWER FLOOR - EXISTING  
Scale 1/4"=1'-0"

MC

ARCHITECTURE AND DESIGN

MATTEO CAIMI  
Via Rutlia, 10/8 - 20141 Milan (Italy)  
cell. +39 391 4530904  
matteocaimi@gmail.com  
www.matteocaimi.com

Client

ALEX HAKAKIAN

Project

WIND & SEA RESORT  
BIG SUR, CALIFORNIA

Drawing

LOWER FLOOR - EXISTING

File

DWG01

Date

05/14/2019

Scale

1/4"=1'-0"

Upd

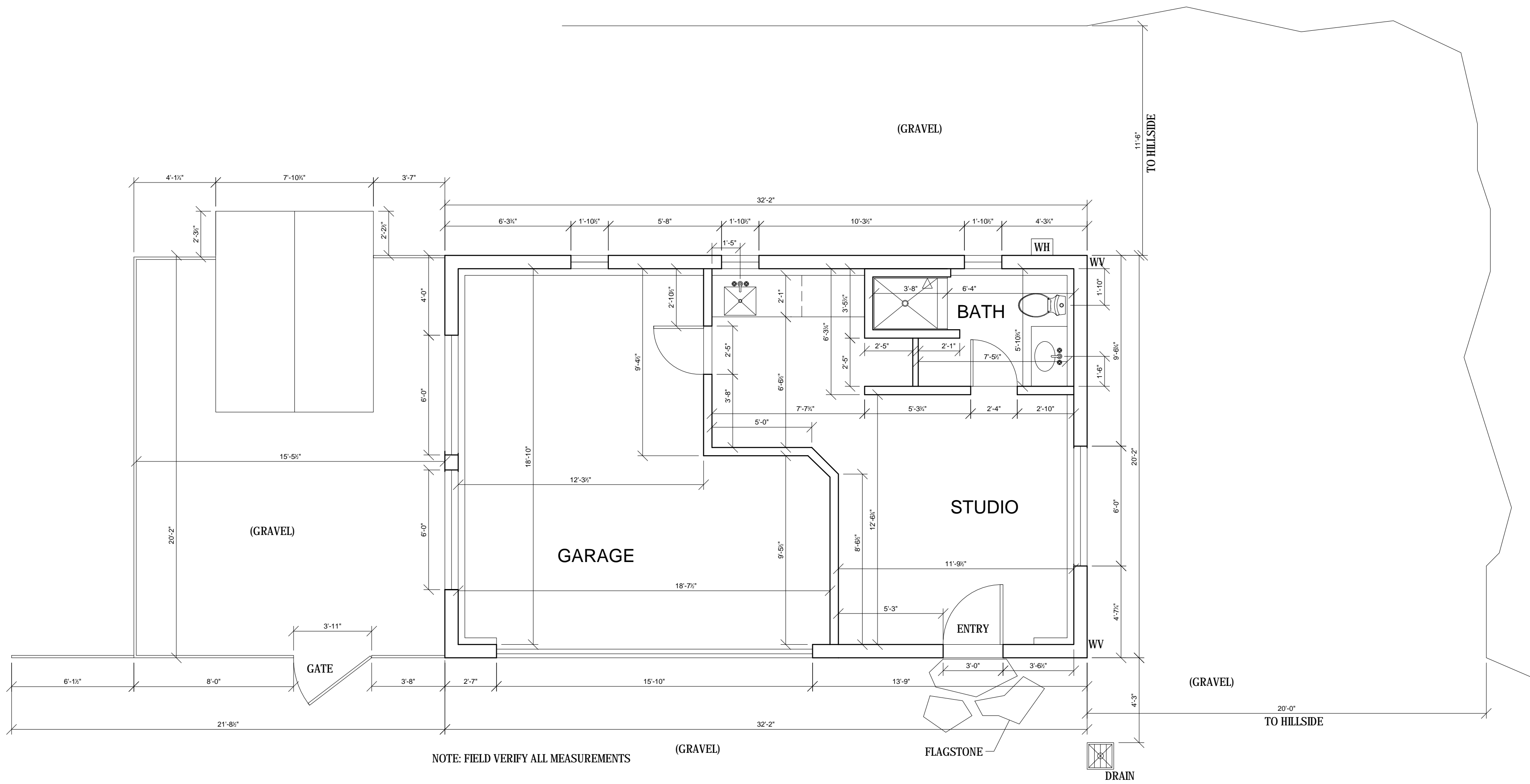
Drafter

MA

Sheet#

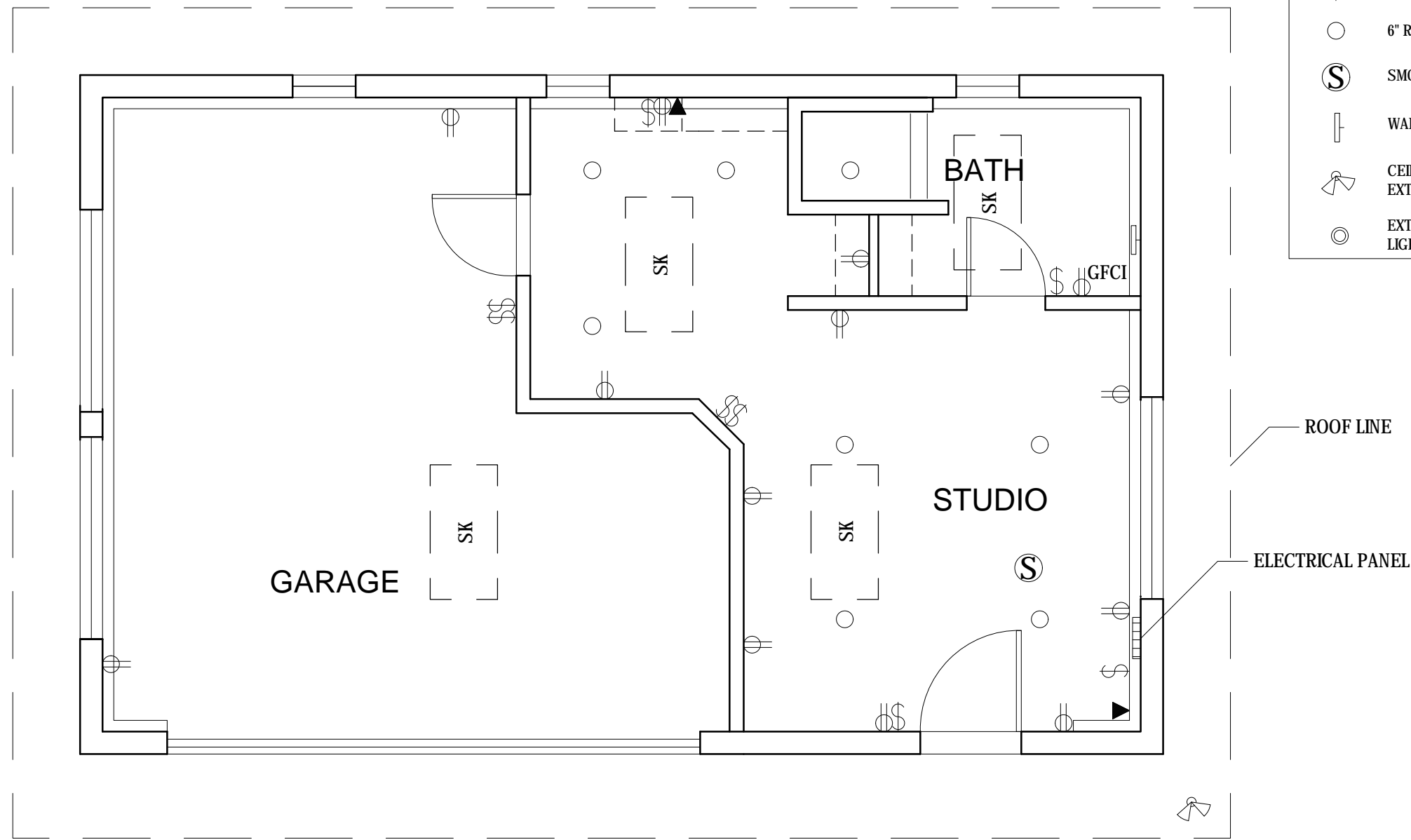
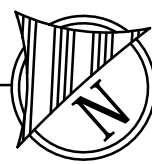
01

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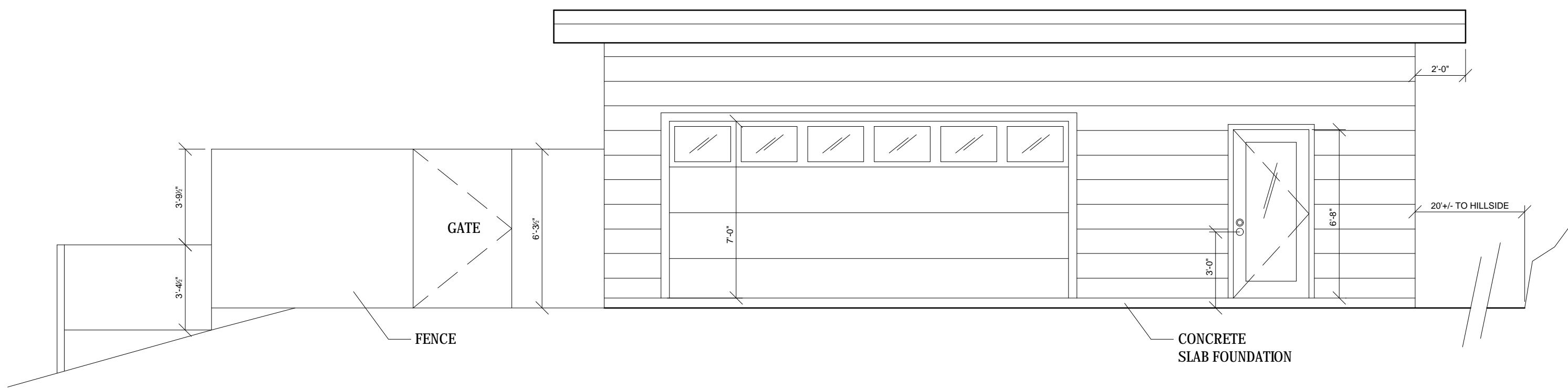
1 GARAGE - EXISTING FLOOR PLAN

SCALE: 1'-0" = 1/4"



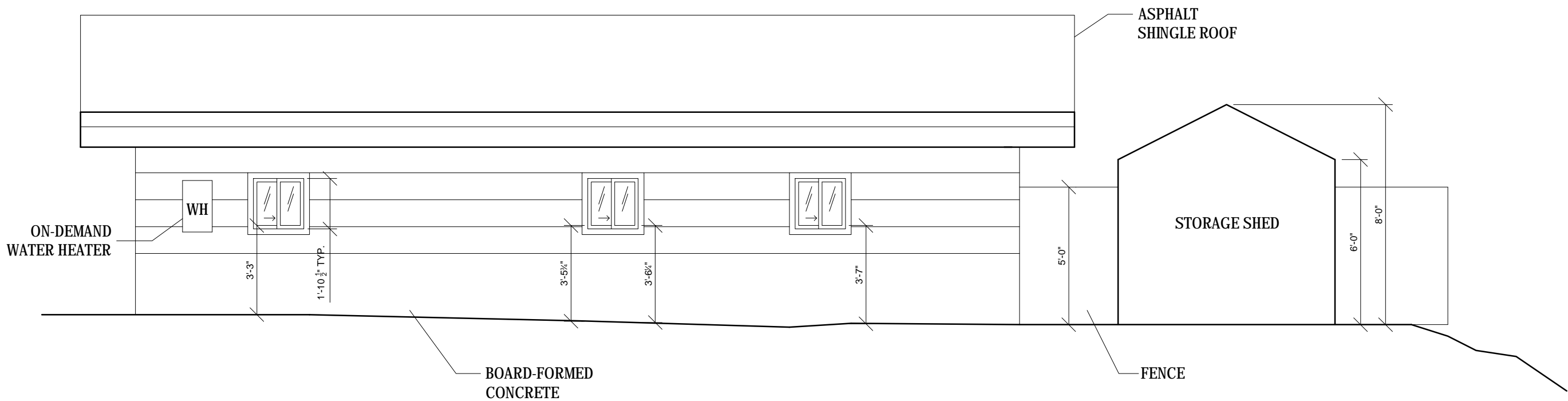
2 GARAGE - EXISTING LIGHTING AND ELECTRICAL PLAN

SCALE: 1'-0" = 1/4"



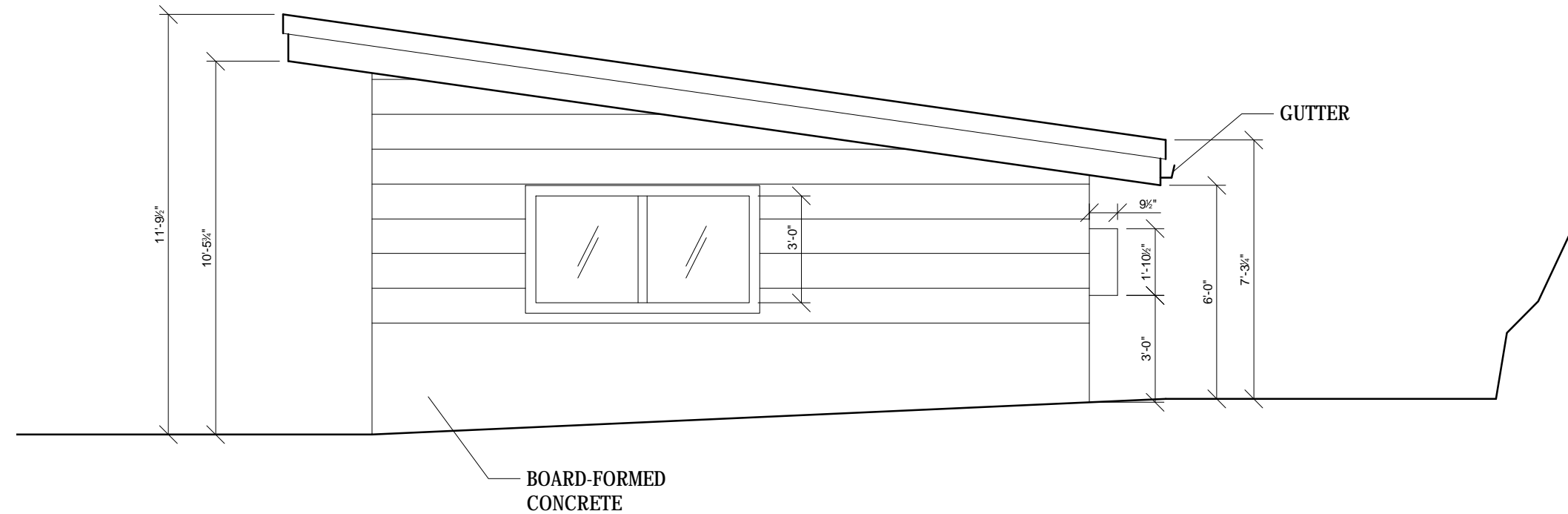
3 GARAGE - S/W FACING EXTERIOR ELEVATION

SCALE: 1'-0" = 1/4"



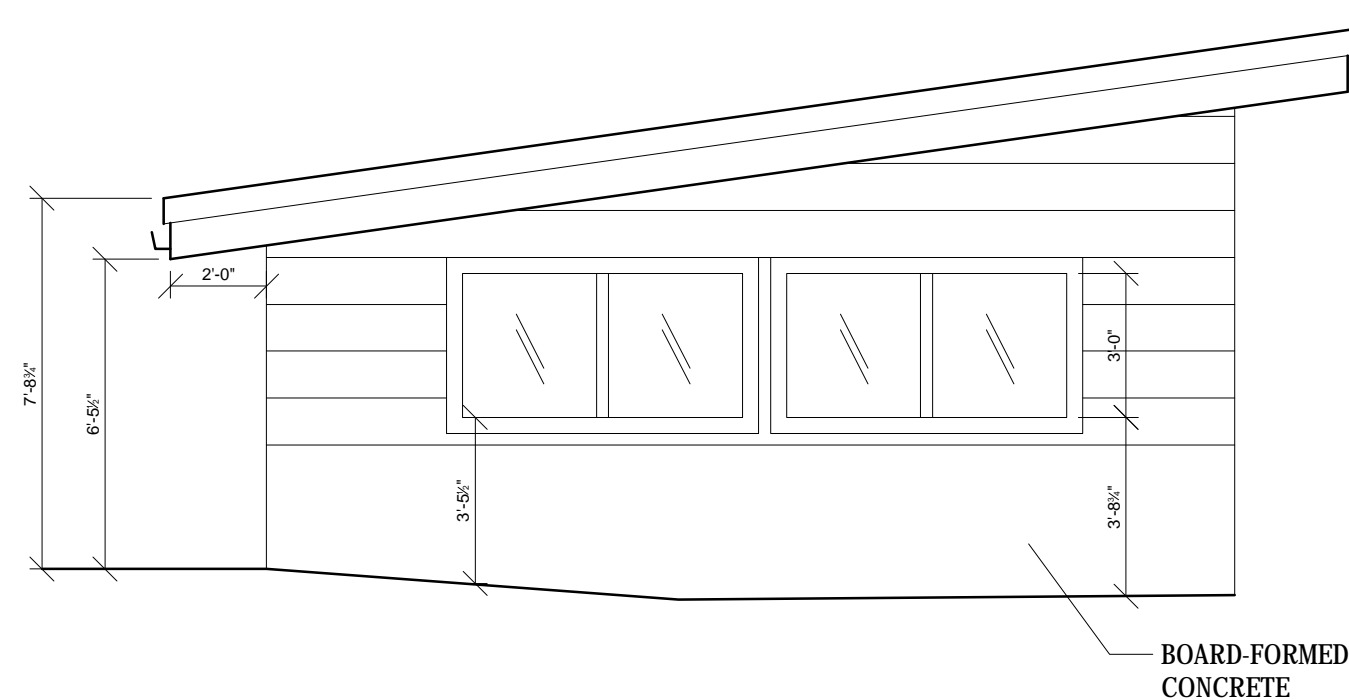
5 GARAGE - N/E FACING EXTERIOR ELEVATION

SCALE: 1'-0" = 1/4"



4 GARAGE - S/E FACING EXTERIOR ELEVATION

SCALE: 1'-0" = 1/4"



6 GARAGE - N/W FACING EXTERIOR ELEVATION

SCALE: 1'-0" = 1/4"



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POB 151  
BIG SUR, CA 93920

WIND & SEA  
54722 HIGHWAY 1  
BIG SUR, CA 93920

AS-BUILT PLAN

| REVISIONS | DATE |
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|           |      |
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|           |      |

DRAWN BY: J.SWAN

SCALE: AS NOTED

JOB: 54722 HWY 1

A1

2.22.20

GARAGE

AS-BUILT





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AS-BUILT PLAN

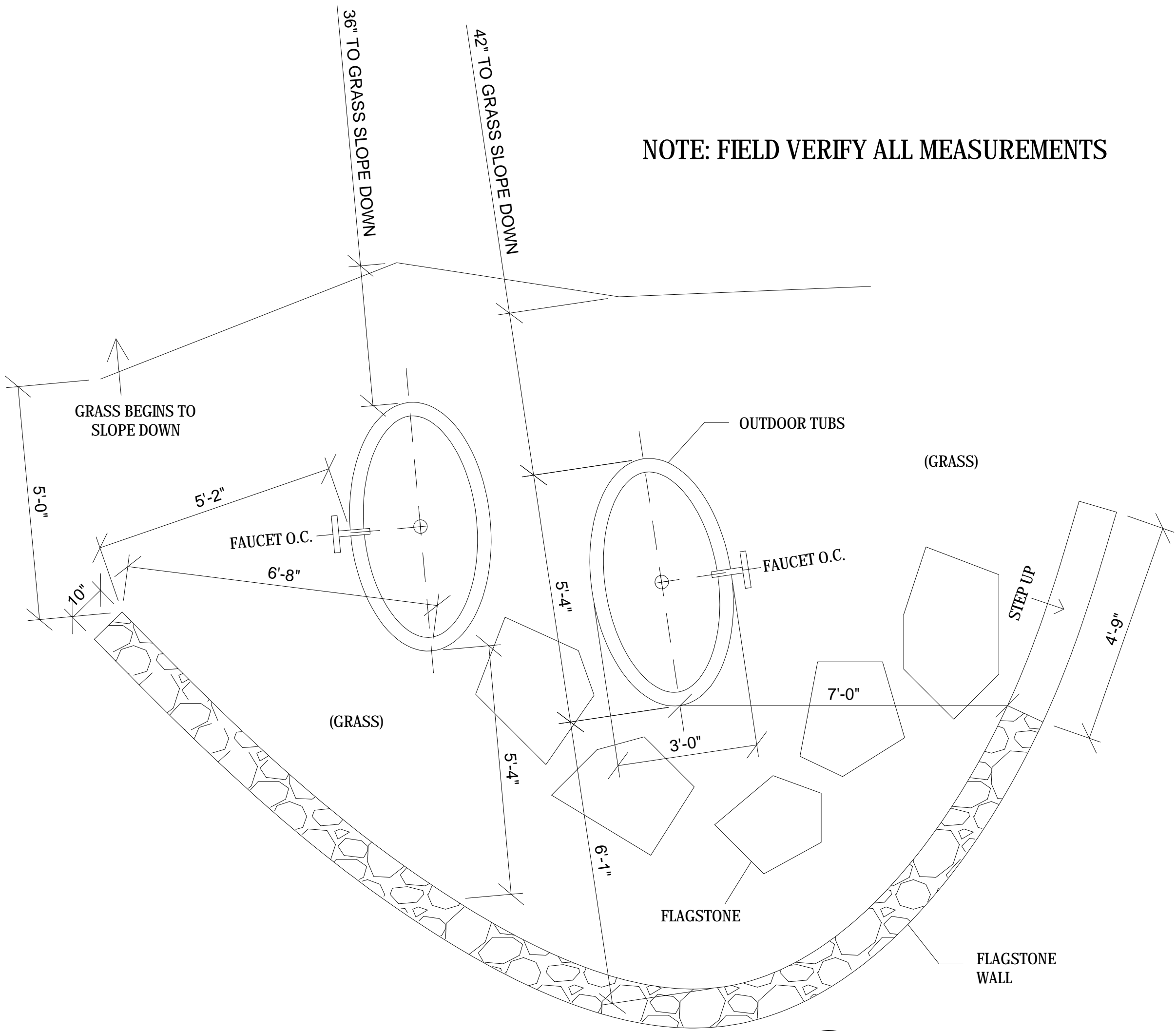
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DRAWN BY: J.SWAN  
SCALE: AS NOTED  
JOB: 54722 HWY 1

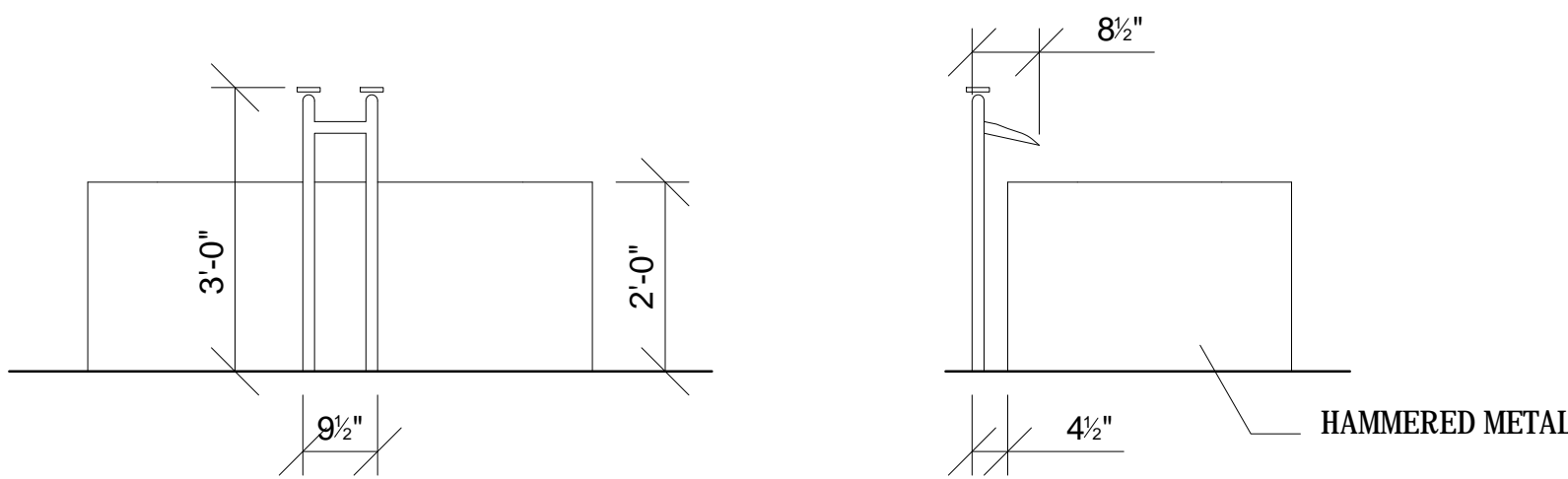
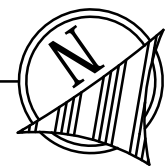
A2

3.2.20  
OUTDOOR TUBS  
AS-BUILT

NOTE: FIELD VERIFY ALL MEASUREMENTS



1 OUTDOOR TUBS - EXISTING PLAN  
SCALE: 1'-0" = 1/2"



2 TUB ELEVATIONS - TYP.  
SCALE: 1'-0" = 1/2"



SITE PHOTOS OF EXISTING OUTDOOR TUBS





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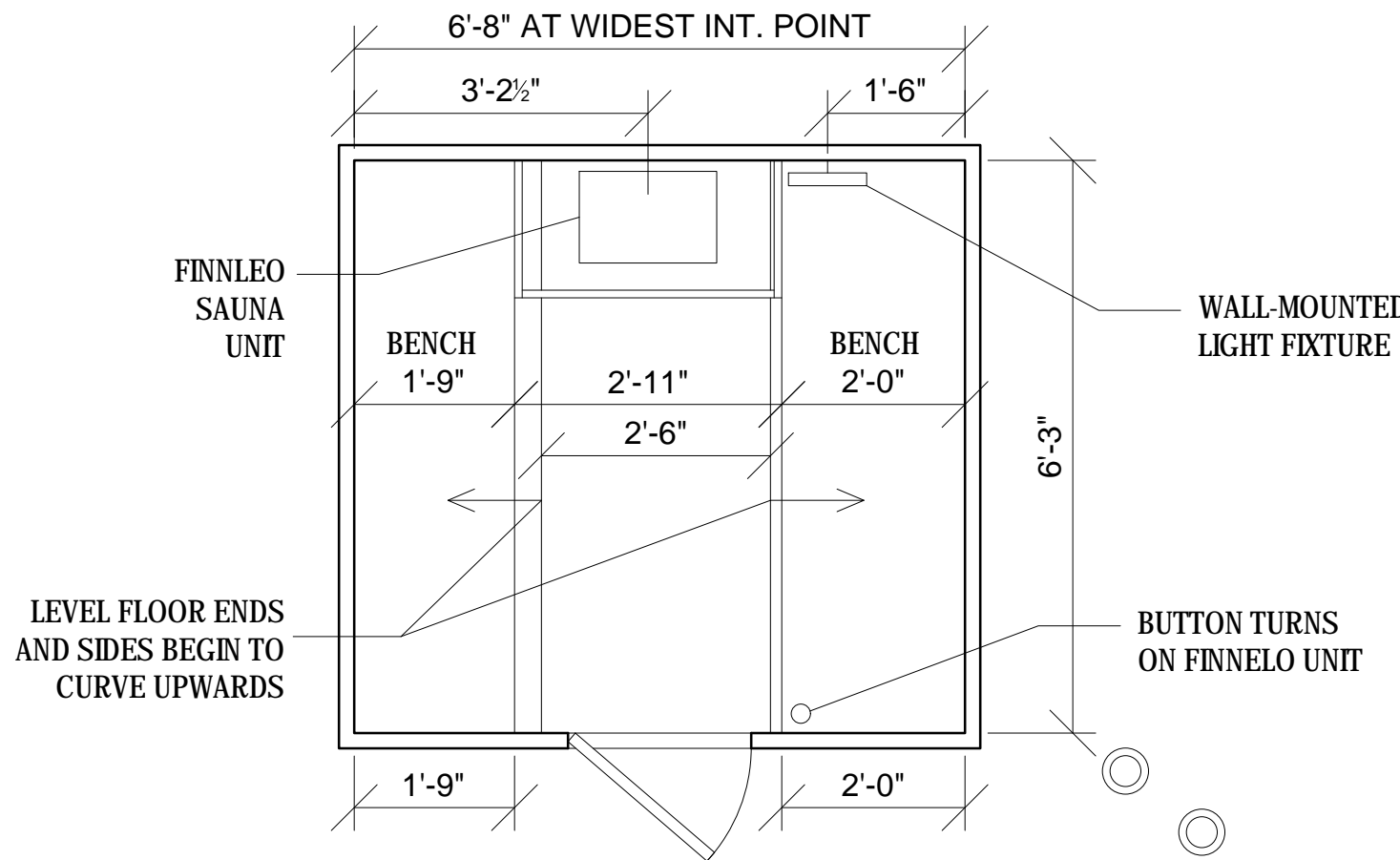
AS-BUILT PLAN

| REVISIONS | DATE |
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DRAWN BY: J.SWAN  
SCALE: AS NOTED  
JOB: 54722 HWY 1

A3

3.2.20  
SAUNA  
AS-BUILT



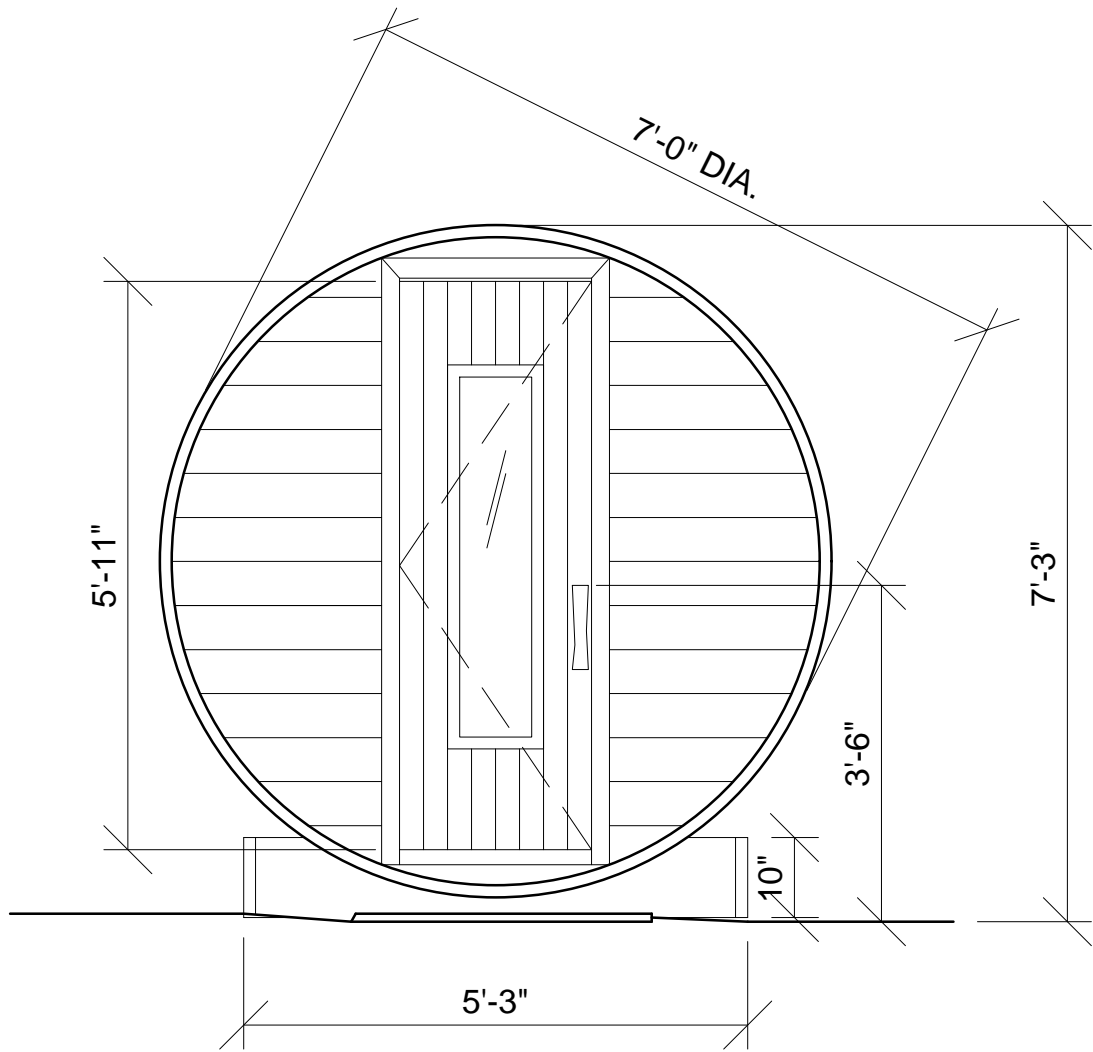
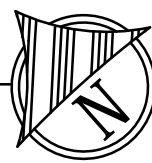
| ELECTRICAL LEGEND |                  |
|-------------------|------------------|
|                   | DUPLEX OUTLET    |
|                   | TELEPHONE        |
|                   | ELECTRICAL PANEL |

| LIGHTING LEGEND |   |
|-----------------|---|
|                 | WALL MOUNTED LIGHT SWITCH               |
|                 | 6" RECESSED CAN LIGHT                   |
|                 | SMOKE DETECTOR                          |
|                 | WALL SCONCE                             |
|                 | CEILING-MOUNTED EXTERIOR SECURITY LIGHT |
|                 | EXTERIOR GROUND LIGHT                   |

NOTE: FIELD VERIFY ALL MEASUREMENTS

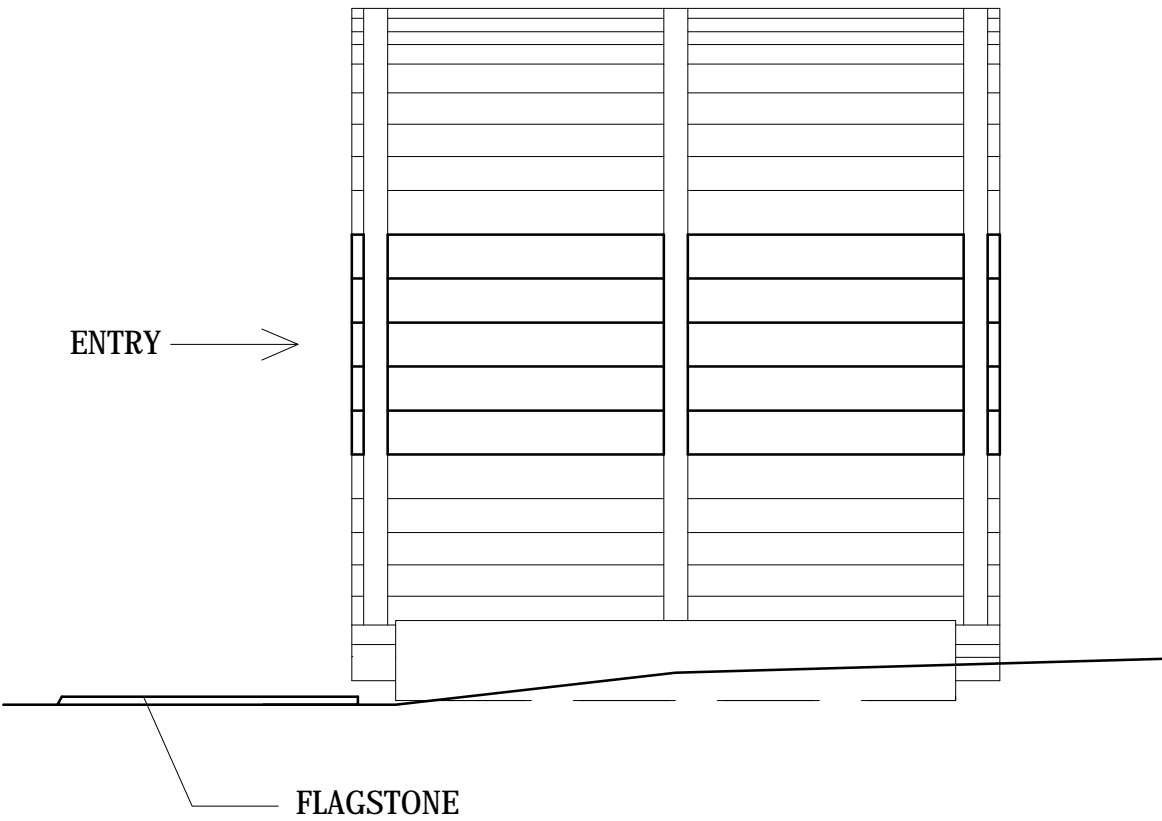
## 1 SAUNA - EXISTING FLOOR PLAN

SCALE: 1'-0" = 1/2"



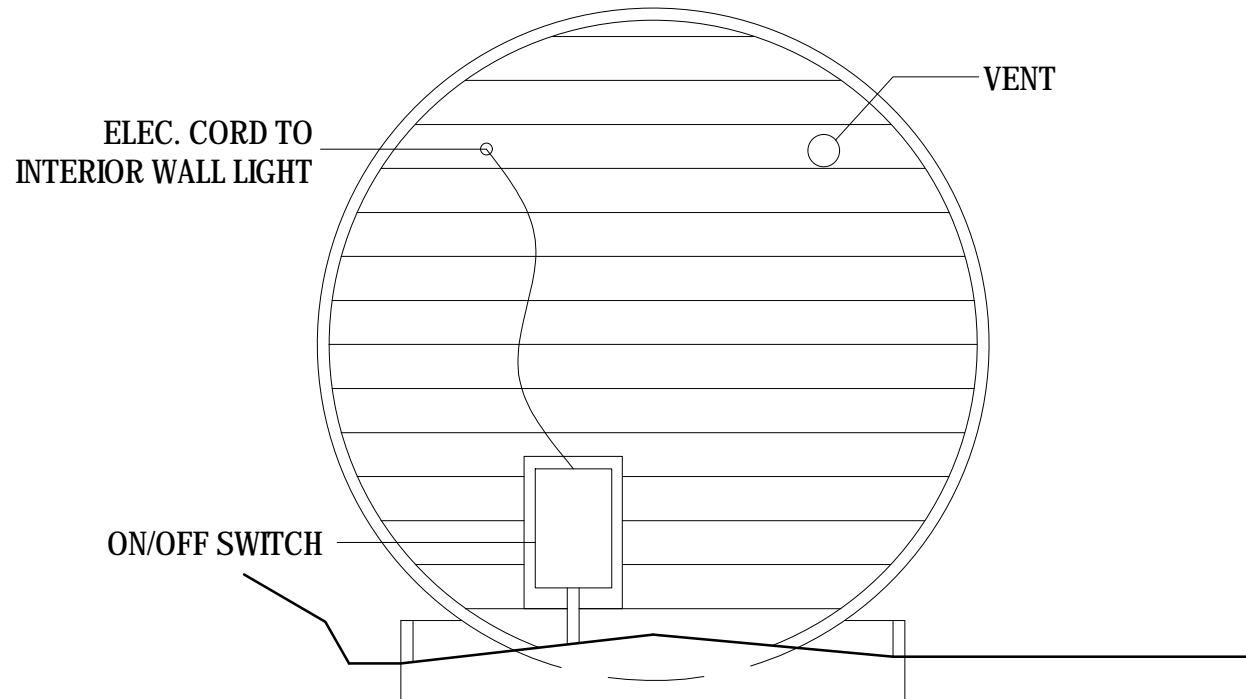
## 2 SAUNA - S/W FACING EXT. ELEVATION

SCALE: 1'-0" = 1/2"



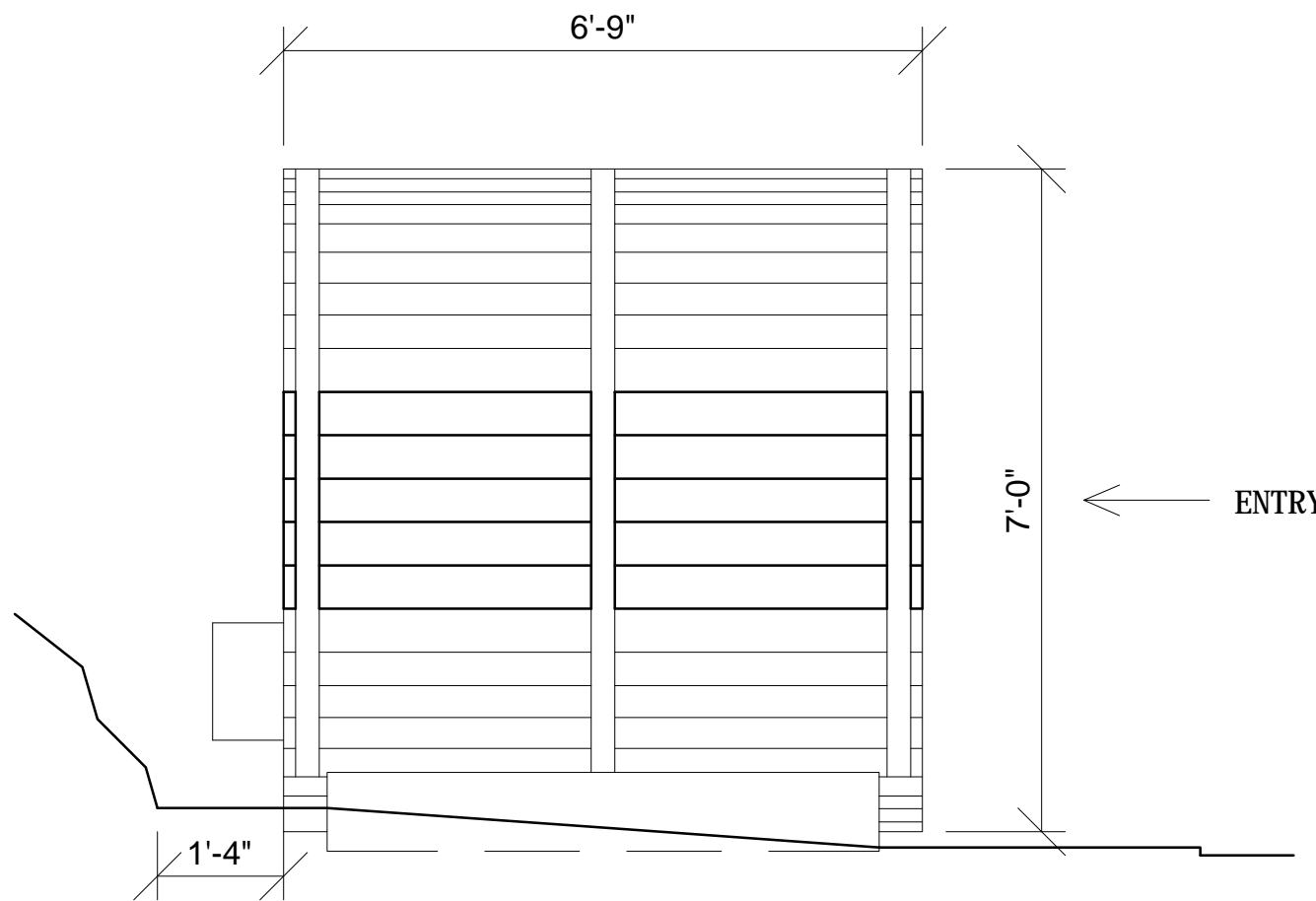
## 3 SAUNA - S/E FACING EXT. ELEVATION

SCALE: 1'-0" = 1/2"



## 4 SAUNA - N/E FACING EXT. ELEVATION

SCALE: 1'-0" = 1/2"



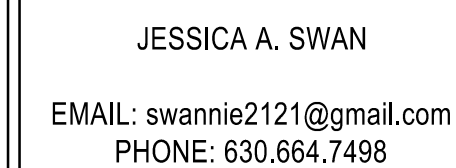
## 5 SAUNA - N/W FACING EXT. ELEVATION

SCALE: 1'-0" = 1/2"



SITE PHOTOS OF EXISTING SAUNA





POB 151  
BIG SUR, CA 93920



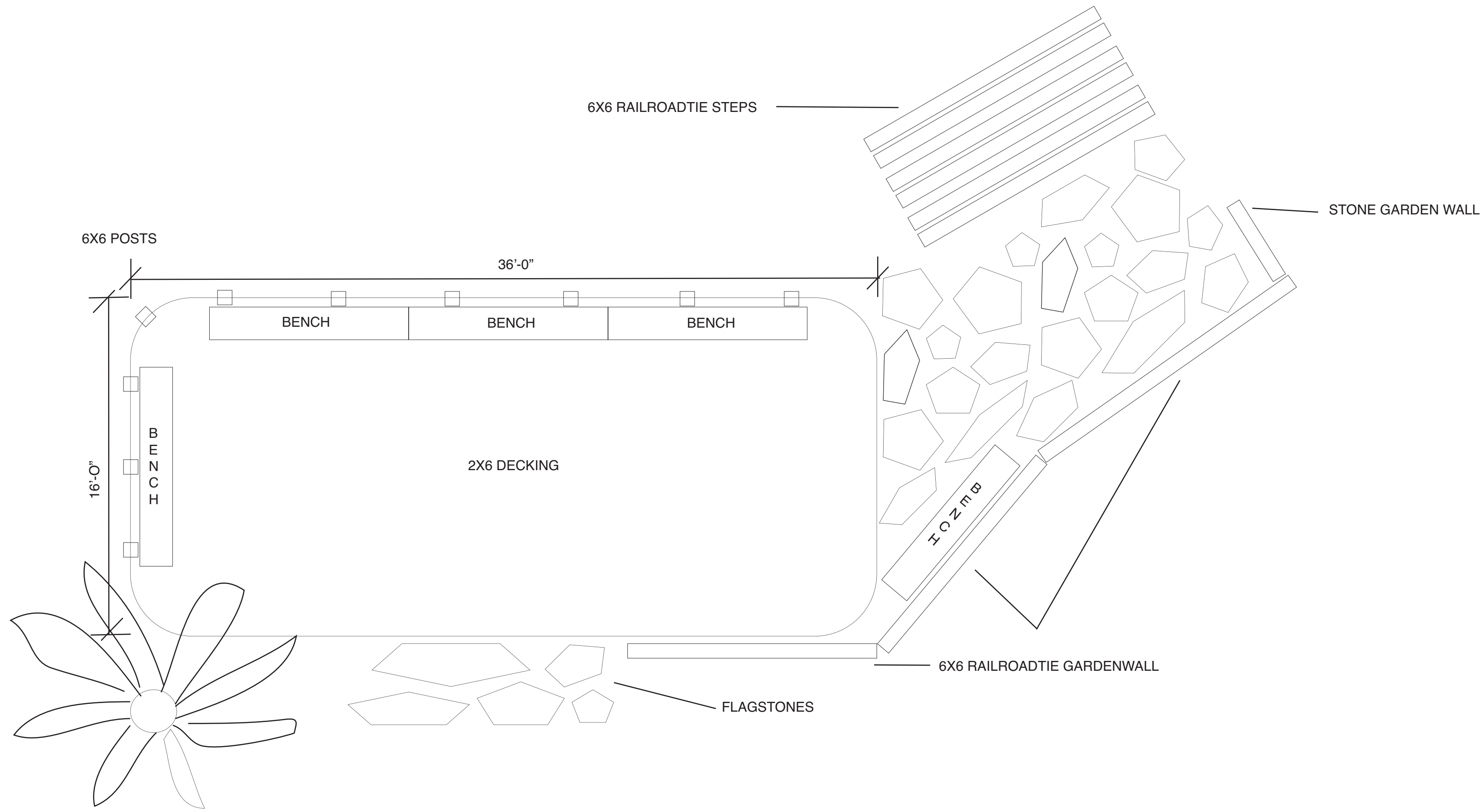
AS-BUILT PLAN

| REVISIONS | DATE |
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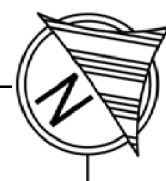
JOB: 54722 HWY 1

Outdoor Patio  
AS-BUILT





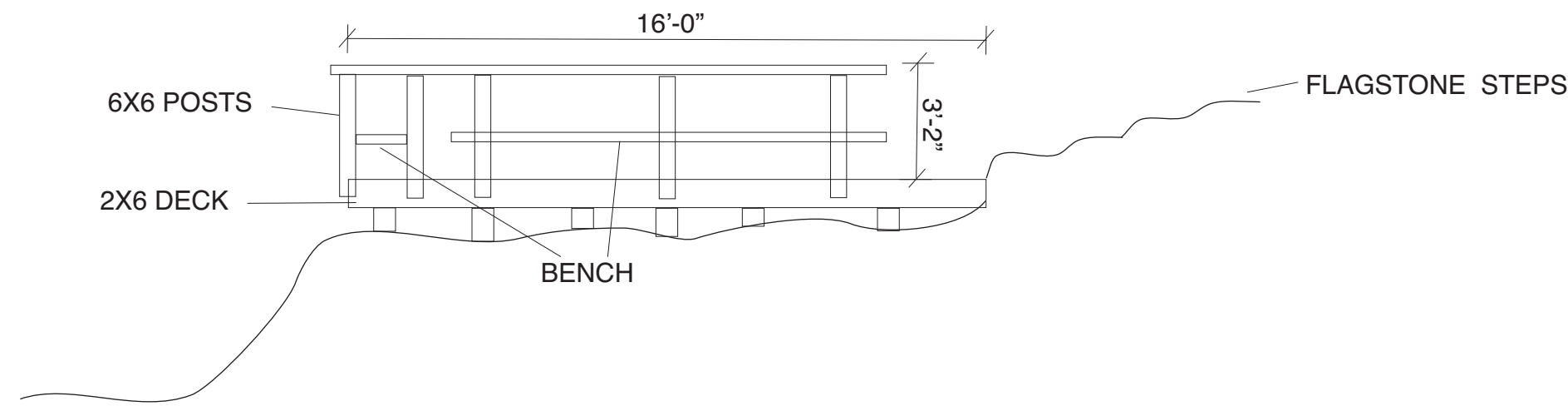
**1** OUTDOOR DECK 1 - EXISTING PLAN  
SCALE: 1'-0"=1/4"



NOTE: FIELD VERIFY ALL MEASUREMENTS



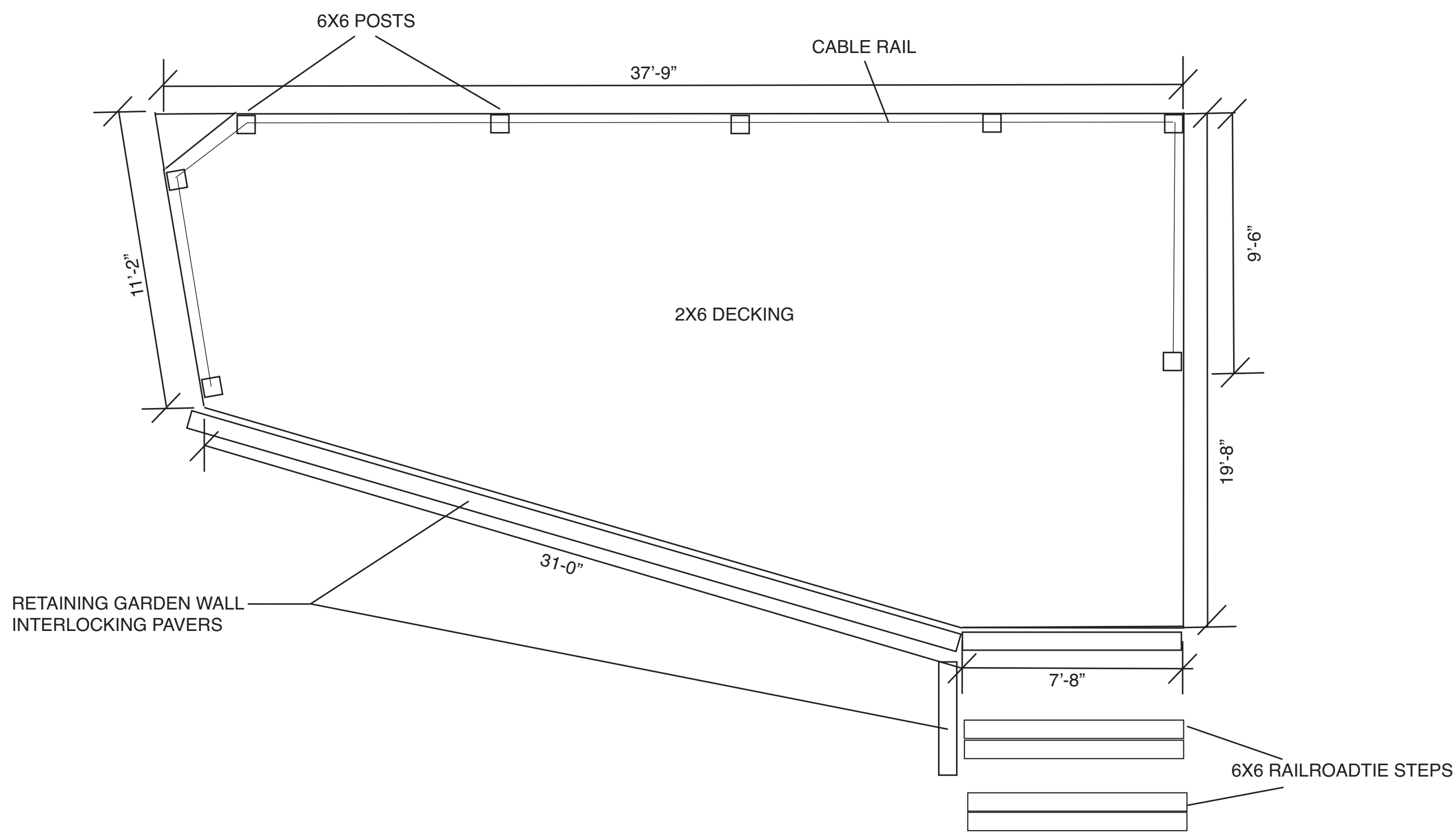
**SITE PHOTOS OF EXISTING OUTDOOR DECK 1**



**2** OUTDOOR DECK 1 - ELEVATION - TYP  
SCALE: 1'-0"=1/4"



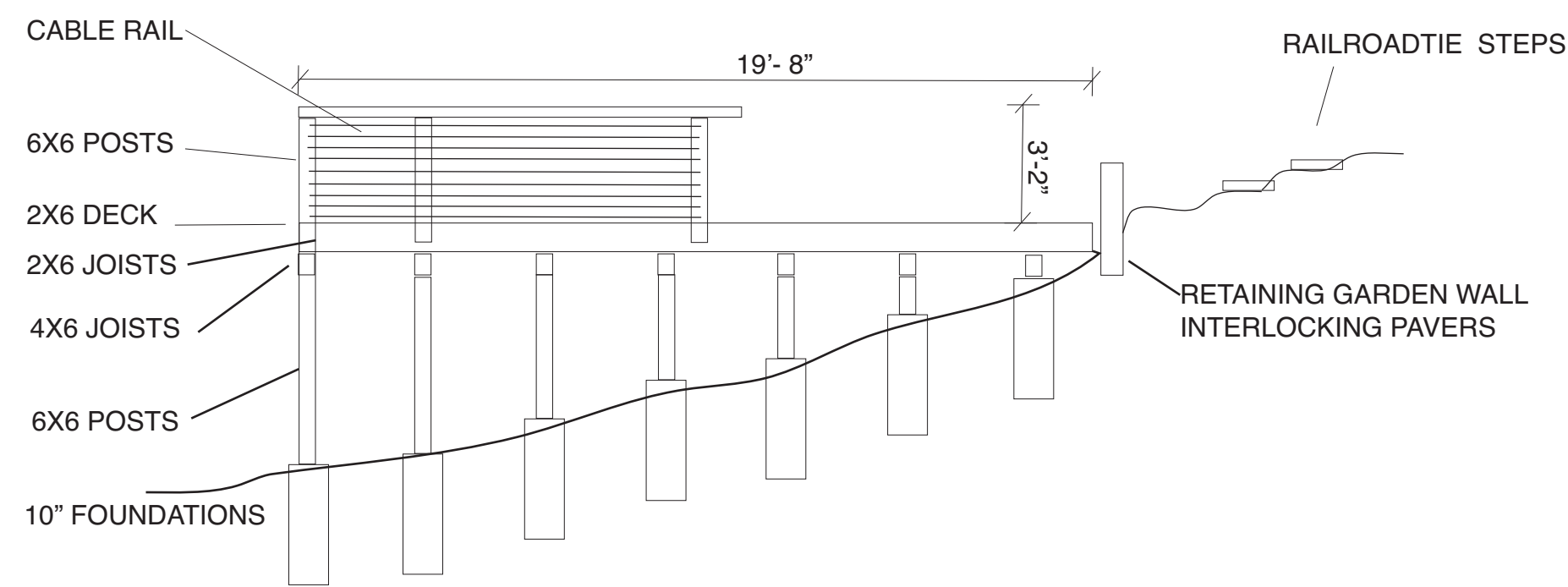




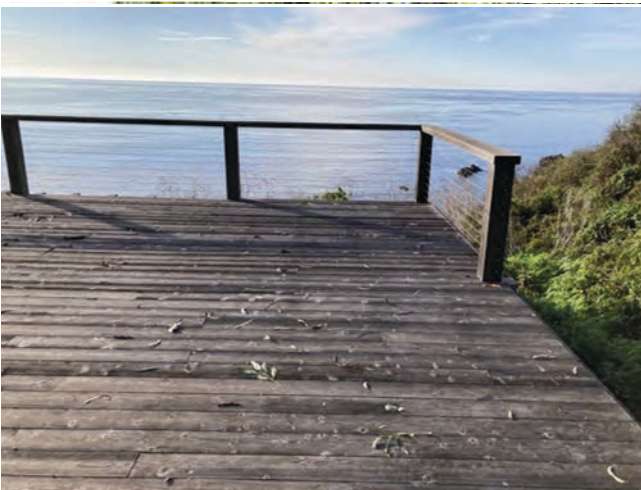
**1** OUTDOOR DECK 2 - EXISTING PLAN  
SCALE: 1'-0"=1/4"



NOTE: FIELD VERIFY ALL MEASUREMENTS



**2** OUTDOOR DECK 2 - ELEVATION - TYP  
SCALE: 1'-0"=1/4"



**SITE PHOTOS OF EXISTING OUTDOOR DECK 2**



WOLFGANG AICHHOLZ

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PHONE: 818.585.3163

256 S. Robertson Blvd. #111  
Beverly Hills, CA 90211

**WIND & SEA**  
54722 HIGHWAY 1  
BIG SUR, CA 93920

AS-BUILT PLAN

| REVISIONS | DATE    |
|-----------|---------|
|           | 1.15.23 |
|           |         |
|           |         |
|           |         |

DRAWN BY:W.AICHHOLZ

SCALE: AS NOTED

JOB: 54722 HWY 1

**A6**

1.15.23

OUTDOOR DECK 2  
AS-BUILT

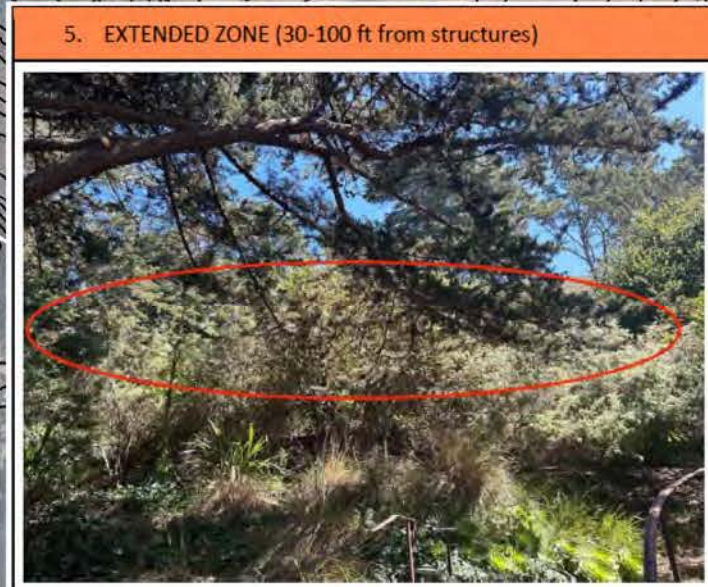
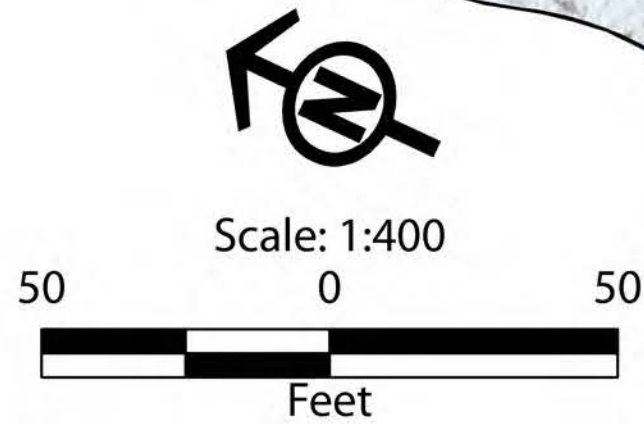




SHEET  
LOCATION



- Legend
- × Trees
  - Vegetation
  - House and Driveway Footprints
  - Home
  - Garage
  - Sauna
  - Deck
  - Driveway
  - Zones
  - Non-combustible Zone (0 - 5')
  - Driveway Zone (0 - 15')
  - Green Zone (30')
  - Management Zone (100')



Observations: Dense, dry, woody ladder fuels were observed throughout the Extended Zone. In some areas, such ladder fuels were observed directly below or in contact with low hanging tree canopies in the Extended Zone (pictured). Dense brush and accumulated leaf litter were observed around and above the saunas.

Recommendations: Remove tree branches up to 3 inches in diameter according to Cal Fire minimum vertical clearance guidelines provided here throughout the Extended Zone. If choosing to keep the sauna, maintain a minimum non-combustible (immediate) zone of 5 feet around the perimeter, remove branches to a minimum of 10 feet away from the sauna and treat according to guidelines for Structures above.



Observations: Irrigated lawns and stone retaining walls interrupt wildfire fuel continuity in the Extended Zone and increase the property's wildfire defensibility.

Recommendations: Keep grasses mowed to 4 inches in height or less throughout the year out to 100 feet from structures. Keep all flammable items such as lawn furniture and branches a minimum of 30 feet from the outdoor fireplace at all times. Maintain roads, paths and trails throughout the site free of combustible materials (wood chip mulch, grasses, leaves, needles, etc.) in order to maintain interruption of wildfire fuels throughout the property.

Client Name: Alex Hakakian, Wind and Sea LLC  
Address: 54722 Highway 1, Big Sur, CA 93920  
Assessment Date: August 30, 2023

#### 1. DRIVEWAY & ACCESS



Observations: The concrete paved driveway is approximately 275 feet long with a slope of 5-20%. The driveway is accessible to emergency vehicles with a single hammerhead turn-around at the bottom of the driveway and a wide section at the top of the driveway where vehicles can pass one another.

Recommendations: Maintain hammerhead free of parked vehicles for emergency vehicle access. Park vehicles facing out for safe emergency egress.



Observations: Dense vegetative fuels (shrubs) were observed along both sides of the driveway.

Recommendations: Cut back and selectively remove shrubs to interrupt continuity of fuels along driveway (out to a minimum of 15 feet from the edge of driveway - ex. areas circled in red above), following Cal Fire minimum horizontal clearances provided.

#### 2. STRUCTURES



Observations: The Residence has a composite asphalt shingle roof, eaves are boxed and vents are covered with non-combustible, non-corrosive 1/2 inch gauge mesh. Nearby trees contribute to leaf and needle accumulation on the roof and in gutters.

Recommendations: Maintain the roof and gutters free of leaves and needles throughout the year. Consider installing a non-combustible, non-corrosive gutter-guard screen, or removing the gutter altogether so that it does not accumulate leaves and needles.



Observations: Windows of the Residence are dual glazed, sliding windows are boxed and vents are covered with 1/2 inch gauge mesh. Wall/basement vent screens are covered with 1/2 inch gauge mesh. Firewood and combustible materials are being stored along the exterior wall, under the eave of the detached Garage.

Recommendations: Cover wall/basement vents with 1/2 inch gauge non-corrosive, non-combustible mesh. Keep the deck surfaces and areas below decks free of vegetation, leaf/needle litter and combustible materials at all times. Consider screening the areas below the decks with non-combustible, non-corrosive 1/2" mesh screens to prevent leaf/needle litter from accumulating and embers from intruding during a wildfire. Keep all combustible materials such as firewood a minimum of 30 feet away from structures at all times.

#### 3. IMMEDIATE "Noncombustible" ZONE (0-5 ft from structures)



Observations: Leaf and needle litter was observed adjacent to, and in contact with the exterior walls of the structures.

Recommendations: Remove fuels and consider installing a noncombustible ground cover such as gravel or paving stones in the first 5 feet around the base of exterior walls. At minimum, regularly remove vegetation, accumulated leaves and needles to bare mineral soil in the Immediate Zone.



Observations: Dense vegetative landscape fuels were observed along the exterior wall on the western side of the main Residence in the Immediate Zone.

Recommendations: Remove all vegetation and combustible items from the first 5 feet around the exterior walls of all structures.

#### 4. INTERMEDIATE ZONE (5-30 ft from structures)



Observations: Dense landscape shrubs were observed in the Intermediate Zone below the main residence.

Recommendations: Separate shrubs in the Intermediate Zone so that they form small clusters with spaces between them following Cal Fire minimum horizontal spacing guidelines provided here. Keep tree limbs a minimum of 10 feet away from structures. If tree removal is necessary, consult with an arborist. Note: Permitting may be required for tree removal.



Observations: Dense native and exotic vegetation was observed in the Intermediate Zone above the detached garage.

Recommendations: Selectively remove dense woody shrubs such as Coyote bush and Poison oak in a mosaic pattern, following Cal Fire minimum horizontal spacing guidelines provided here. In order to mimic a more regular wildfire regime (to which these CA native species are adapted), and allow for landscaper access to regularly remove accumulated leaf litter.

#### TREE DETAIL

Note: No tree removal or removal of limbs larger than 3" in diameter is recommended in this Plan

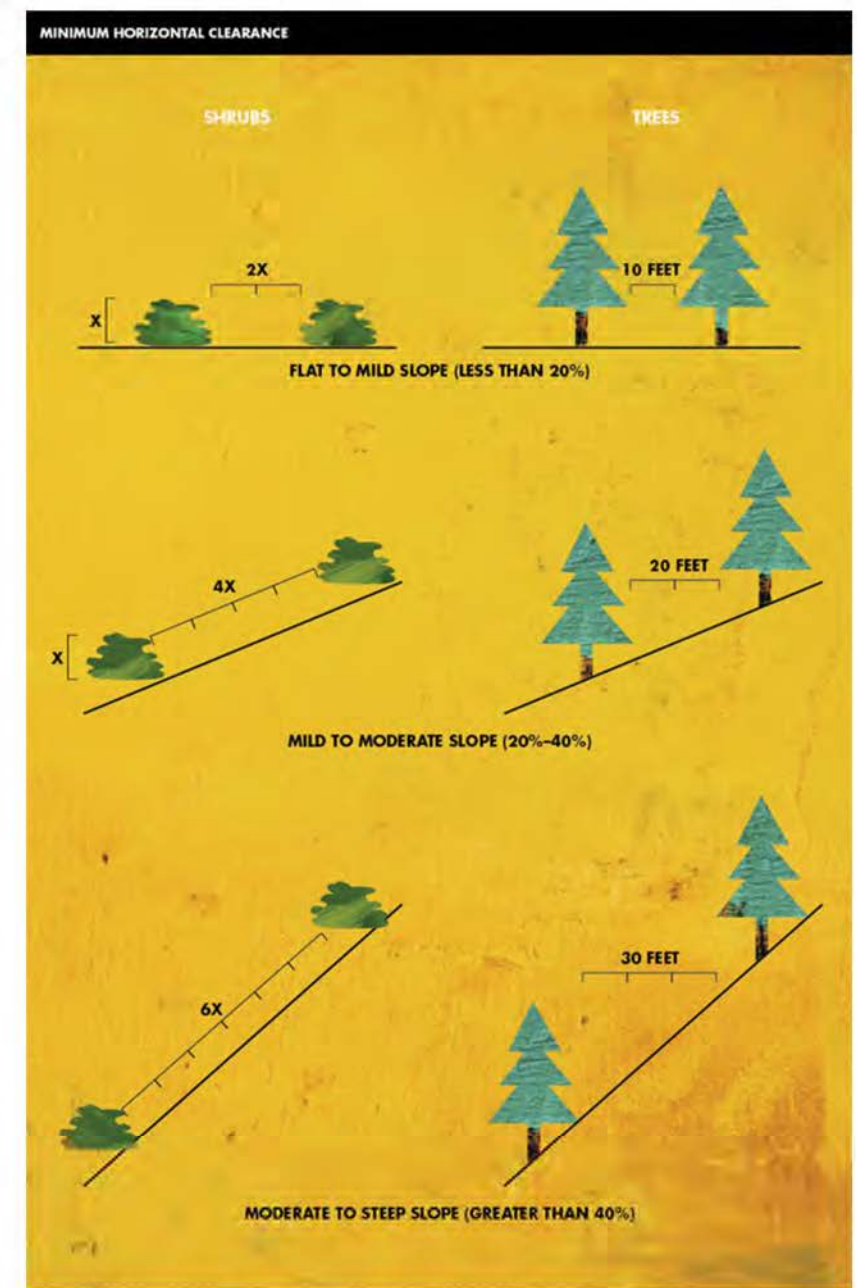
| Tree # | Species        | DBH (in) | Notes   |
|--------|----------------|----------|---|
| 1      | Cupressus sp.  | 36.7     |   |
| 2      | Pinus radiata  | 38.8     |   |
| 3      | Cupressus sp.  | 40.0     |   |
| 4      | Cupressus sp.  | 48.0     |   |
| 5      | Acacia sp.     | 14.4     |   |
| 6      | Pinus radiata  | 14.8     |   |
| 7      | Cupressus sp.  | 56.9     |   |
| 8      | Cupressus sp.  | 42.5     |   |
| 9      | Cupressus sp.  | 16.9     |   |
| 10     | Cupressus sp.  | 16.2     |   |
| 11     | Eucalyptus sp. | 23.6     |   |
| 12     | Cupressus sp.  | 9.05     | Average DBH of two branches at breast height  |
| 13     | Eucalyptus sp. | 23.2     |   |
| 14     | Eucalyptus sp. | 32.4     |   |
| 15     | Eucalyptus sp. | 45.5     |   |
| 16     | Eucalyptus sp. | 15.7     | Average DBH of two branches at breast height  |
| 17     | Eucalyptus sp. | 24.2     | Average DBH of four branches at breast height |



Maintain space between the lowest tree branches and the ground or shrubs.

- Remove all tree branches at least six feet from the ground.
- Allow extra vertical space between shrubs and trees. Lack of vertical space can allow a fire to move from the ground to the shrub to the treetops like a ladder. This leads to more intense fire closer to your home.
- Keep at least three times the height of any shrubs between the shrubs and the lowest branches of trees.

Example: A 5-foot shrub is growing near a tree. 15 feet of clearance is needed between the top of the shrub and the lowest tree branch.



How much space should you leave between trees or shrubs?  
Horizontal space depends on the slope of the land and the height of the shrubs or trees. Leave more space between vegetation on bigger slopes. Refer to the chart below to determine spacing distance.

Space between shrubs:  
Flat or mild slope (less than 20%): Two times the height of the shrub.  
Mild to moderate slope (20-40%): Four times the height of the shrub  
Moderate to steep slope (greater than 40%): Six times the height of the shrub

Space between trees:  
Flat or mild slope (less than 20%): 10 feet.  
Mild to moderate slope (20-40%): 20 feet.  
Moderate to steep slope (greater than 40%): 30 feet.

Source data:  
Imagery provided by ESRI | Parcel boundaries provided by the County of Monterey's GIS Open Data Portal (accessed 4/15/2023) | Vegetation data acquired from the USGS Existing Vegetation program (2020).

Central Coast  
Land Management  
Benjamin R. Eichhorn  
CEO, Wildfire Mitigation Specialist  
P.O. Box 222967 Carmel, CA 93922 | 831.224.4442



WIND & SEA, LLC  
54722 HIGHWAY ONE  
BIG SUR, CALIFORNIA  
MONTEREY COUNTY | APN: 421-011-010 | LOT 3 (R1)

FUEL  
MANAGEMENT  
PLAN

DATE: 11/29/2023

SCALE: 1:400

DRAWN BY:  
digitalmappingsolutions.com

SHEET NO:

V-1.0

1 OF 1 SHEETS