

FINDING NO. 7

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 Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

EVIDENCE:

- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 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 Big Sur Coast Local Coastal Program requires public access. Shoreline and trail access are available to the public via the Julia Pfeiffer Burns State Park, north of the project parcel. Safety hazards (slopes), potential natural resource conflicts, and limited potential parking areas make the project area suitable only for visual access.
- d) Figure 2 (Shoreline Access Plan - Central Section), in the Big Sur Coast Land Use Plan, identifies that the subject property is within an area unsuitable for access.
- e) Figure 3 (Trails Plan - Central Section), in the Big Sur Coast Land Use Plan, identifies that the subject property is not described as an area where the Local Coastal Program requires public trail access.
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA - Planning for the proposed development found in Project File PLN150354.

10/27/14

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PD022(C) – EASEMENT – CONSERVATION AND SCENIC (COASTAL)

A conservation and scenic easement shall be conveyed to the County over those portions of the property where the property is visible within the Big Sur Critical Viewshed in accordance with the procedures in Monterey County Code § 20.64.280.A. A Subordination Agreement shall be required, where necessary. The easement shall be developed in consultation with certified professional. An easement deed shall be submitted to, reviewed and approved by the Chief of RMA - Planning and the Executive Director of the California Coastal Commission, and accepted by the Board of Supervisors prior to the issuance of grading and building permits. (RMA - Planning)

Prior to 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 RMA - Planning for review and approval.

Prior to issuance of grading and building permits, the Owner/Applicant shall submit a signed and notarized Subordination Agreement, if required, to RMA - Planning for review and approval.

Prior to or concurrent with issuance of grading and building permits, the Owner/Applicant shall record the deed and map showing the approved conservation and scenic easement, and submit a copy of the recorded deed and map to RMA – Planning.