

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

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HEARING IMPAIRED: (415) 904-5200

W14a



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Commission Action:

STAFF REPORT REGULAR

APPLICATION NUMBER: 3-97-023

APPLICANT: BILL WESNOUSKY

PROJECT LOCATION: On the C.T. Ranch approximately 3,000 feet northeast of the end of Bridge Street, north of the community of Cambria, San Luis Obispo County, APN: 013-081-010

PROJECT DESCRIPTION: Proposal to construct and operate a temporary (three year) demonstration camping facility consisting of five "tent cabin" structures and associated water tank and hiking/biking trails.

LOCAL APPROVALS RECEIVED: Permit D950157P for project (at different site)

SUBSTANTIVE FILE DOCUMENTS: San Luis Obispo County Certified Local Coastal Program; Administrative record for permit D950157P; C.T. Ranch draft environmental impact report; Dept. of Fish and Game, Calif. Natural Diversity Database Map, Cambria Quadrangle

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after public hearing, approve, as conditioned, a permit for the proposal for the reasons presented in this report.

The original proposal as approved by the County was for "tent cabin" camping in structures that resembled tents in their shape, but were much larger than typical camping tents and larger than typical tent-cabins. The tent cabins ranged in size from 350 square feet to 600 square feet with a maximum height of 35 feet, and a common dining tent cabin. None of the tent cabins would be permanent structures. They would be designed to be portable and be supported on piers. They would have no perimeter foundations and could be removed with relative ease. The County limited the proposal to an initial three year period. On May 14,

1997, the Commission opened and continued a hearing on the appeal of the County-approved project. On July 9, 1997, the Commission found that substantial issue existed with respect to the grounds on which the project was appealed.

The project that was appealed was on a parcel designated Agriculture. The substance of the appeal was that the approved tent-cabin camping was not "camping incidental to agriculture" but was an "organizational camp," a type of camping not allowed in the Agriculture land use category. The applicant now proposes to relocate development about 3,000 feet west of the Agriculture parcel to a nearby parcel designated Rural Lands. Both parcels are part of a single large holding totaling about 1500 acres, the C.T. Ranch. Relocating the development to a parcel designated as Rural Lands will resolve the appeal issues because the proposed tent cabin camping is allowed in the Rural Lands category. However, the appellant, or any other interested party may, of course, raise any objection to the Commission that they may have to the proposal on the new site and any reasons why it may not be consistent with the Local Coastal Program.

Exhibits

- A. Standard Conditions
 - 1. County Conditions of Approval
 - 2. Portion of Coastal Table "O"
 - 3. Definition of Rural Recreation and Camping
 - 4. Coastal Zone Land Use Ordinance Section 23.07.170
 - 5. Coastal Zone Land Use Ordinance Section 23.07.176
 - 6. Coastal Zone Land Use Ordinance Section 23.08.072
 - 7. Location Map
 - 8. Vicinity Map
 - 9. Site Map
 - 10. Elevations and Floorplans
 - 11. Letter from County regarding location change
 - 12. Vegetation /Wildlife habitats
-

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I. STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

APPROVAL WITH CONDITIONS

The Commission hereby approves, subject to the conditions below, a permit for the proposed development, on the grounds that the development, as conditioned, will be consistent with the certified San Luis Obispo County Local Coastal Program, will be consistent with the public access and recreation policies of Chapter 3 of the Coastal Act, and will not have any adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. STANDARD CONDITIONS (See Exhibit A)**III. SPECIAL CONDITIONS****Authorized Development**

1. This permit authorizes the development of a temporary, three year camp as described in the staff report and as shown on the site plan and as limited by other Special Conditions. The camp may operate year-round. Creation of the camp is authorized until September 30, 2001. At such time, all development approved by this permit shall be removed and the site restored to its pre-project condition.

San Luis Obispo County Conditions of Approval

2. The following eight conditions of approval of San Luis Obispo County Permit D950157P are incorporated into this Coastal Development Permit without change: 1, 2, 3, 4, 12, 16, 17, and 18. (see Exhibit 1)
3. The following conditions of approval of San Luis Obispo County Permit D950157P are not incorporated as part of the Coastal Development Permit because they are not applicable at the revised site or are superseded by the conditions contained in this permit: 5, 6, 7, 8, 9, 10, 11, 13, 14, and 15. (see Exhibit 1)

Grading, Sedimentation, and Erosion

4. Prior to any grading, the permittee shall submit grading, sedimentation, and erosion control plans for review and approval to the Executive Director of the Coastal Commission, the Department of Planning and Building, and the County Engineering Department. Total grading shall not exceed 100 cubic yards. The plans shall include temporary erosion control and sedimentation measures for disturbance of any areas of greater than 20 percent slopes, shall include revegetation plans for all disturbed areas,

and shall show all areas where grading is proposed and the amount of earth to be moved at each discrete area of grading. Construction permits shall not be issued until the grading, sedimentation, and erosion control plans are approved by all three agencies.

5. At the conclusion of each rainy season (approximately April 15), the access roads, driveways, and all hiking trails shall be inspected by the permittee for damage from run-off and erosion. The permittee shall submit to the Executive Director for review and approval a letter report describing the status of the roads, driveways, and hiking trails, and any repairs and stabilization measures proposed, along with a timetable for the installation of such measures. The Executive Director will identify which measures, if any, will require an amendment to this permit.

Fire Safety/Access

6. Any vegetation clearance required by the California Department of Forestry/County Fire shall be the absolute minimum necessary. Road widths shall not exceed 18 feet. Road surface shall be all-weather but roads shall not be paved or surfaced with any non-permeable material.

Vegetation Removal and Revegetation

7. Removal of natural vegetation shall be minimized to the greatest extent possible. Prior to any vegetation removal, permittee shall submit to the Executive Director for review and approval a vegetation removal and revegetation plan. The plan shall also show all other proposed planting, including any proposed for screening the tent cabins from one another. All new planting and revegetation shall be with native plants. Removal of mature native trees shall be limited to those which display symptoms of Pine pitch canker disease, or are dead or dying of other causes and are not likely to survive beyond the effective period of this permit. If any Monterey pines or oaks are required to be removed, they shall be replaced at the typical County ratio of 2:1 for pines and 4:1 for oaks. Replacement pines shall be from native Cambria pine forest stock. Replacement trees shall be maintained until successfully established using standard County procedures. Permittee shall submit a letter to the Executive Director from a qualified professional (e.g., landscape contractor, arborist) verifying that the replacement trees have been planted and that measures typically required by the County to ensure successful growth have been implemented.

Wastewater

8. PRIOR TO TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit to the Executive Director evidence of approval of the wastewater disposal system from County Environmental Health. Since the project is temporary and because of the poor percolation characteristics of the soils on the site, no in-ground septic systems shall be allowed. Wastewater shall either be transported to a County Environmental Health approved treatment and/or disposal site or be treated on-site by the use of composting toilets or other County Environmental Health approved treatment method, and disposed of at a County Environmental Health approved disposal site.

Potable Water

9. **PRIOR TO TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT**, permittee shall submit to the Executive Director evidence of approval of the potable water supply and distribution system from County Environmental Health. Water shall be obtained from an off-site source, but not from the Cambria Community Services District, San Simeon Community Services District, nor from any other supplier taking water from an overdrafted source, including Pico, San Simeon, or Santa Rosa Creeks, or their tributaries. If the source is located within the coastal zone, it shall be subject to review and approval by the Executive Director; and, if necessary, an amendment to this permit or a separate coastal development permit shall be obtained.

Trails

10. **At least two weeks prior to commencement of camp operations**, permittee shall submit to the Executive Director for review and approval an access management plan (including a map of hiking trails and a report by a qualified biologist or botanist discussing the impact of the trails on the Monterey pine forest habitat, and recommended mitigation measures). Trails shall follow contours to minimize site disturbance. Trail construction shall minimize ground disturbance to the greatest extent possible. Cuts and fill shall be allowed only when there is no other trail construction method or location available; they shall not exceed 12 inches in depth. Trails shall not exceed three feet in width. Following the initial month of experience, the access management plan may be modified from time to time, subject to prior review and approval by the Executive Director, as needed to mitigate resource impacts, improve recreational opportunities, or minimize conflicts with neighboring uses.

Off-site Parking Plan

11. On-site parking for private guest vehicles is not authorized by this permit. **PRIOR TO TRANSMITTAL OF THE COASTAL DEVELOPMENT PERMIT**, permittee shall submit to the Executive Director for review and approval, an off-site parking plan showing location of parking, number of spaces, and evidence of authority to use the area designated for parking. Such off-site parking facility shall access via an existing all-weather road or street, and shall not be located on any part of the C.T. Ranch.

Plant Survey

12. **WITHIN 90 DAYS OF THE DATE OF COMMISSION ACTION ON THIS PERMIT AND PRIOR TO ANY GROUND DISTURBANCE**, the permittee shall submit to the Executive Director for review and approval a report from a qualified professional biologist or botanist relating the results of a springtime survey of the site to determine if the rare Gairdner's yampah (*Perideridia gairdneri subsp. gairdneri*) is present. If the plant is found on the site, a map shall be created showing the location(s) of the plant relative to the proposed development. If any Gairdner's yampa would be adversely impacted by the proposed development, the location of the development shall be adjusted so that it does not impact

the plant. An adjustment of the development location shall be subject to review and approval by the Executive Director; and, if necessary, an amendment to this permit shall be obtained. However, if such siting adjustment is not feasible, the impacted plants shall be relocated in accordance with Department of Fish and Game procedures for endangered plants; or, if translocation is not a viable option, the impacted plants shall be replaced in the number and manner recommended by the biologist/botanist.

IV. RECOMMENDED FINDINGS AND DECLARATIONS

A. Proposal Description and Location

This proposal is to construct and operate a tent-cabin camping demonstration project. The project that was appealed was on a parcel designated Agriculture. The substance of the appeal was that the approved tent-cabin camping was not "camping incidental to agriculture" but was an "organizational camp," a type of camping not allowed in the Agriculture land use category. The applicant now proposes to relocate development about 3,000 feet west of the Agriculture parcel to a nearby parcel designated Rural Lands. Both parcels are part of a single large holding totaling about 1500 acres, the C.T. Ranch. Relocating the development to a parcel designated as Rural Lands will resolve the appeal issues because the proposed tent cabin camping is allowed in the Rural Lands category.

The project would be composed of fabric tents and fabric-roofed tent cabin structures on four elevated decks, a fabric-roofed pavilion on a fifth elevated deck, and an outdoor amphitheater/observation deck with a fabric roof. The tent cabin decks are proposed to each be 2470 square feet in size. Each tent cabin deck would have one fabric sleeping tent about 350 square feet in size and one fabric-roofed tent cabin about 400 square feet in size, containing a shower, toilet, and computer space. The pavilion would be approximately 2000 square feet in size and would be on a 4660 square foot deck; the pavilion would be used for registration and meetings. The outdoor amphitheater/observation deck would be about 2700 square feet in size and would have seating (e.g., benches) and a fabric cover or roof with supports, but no walls. It would be used for classes, viewing, and meditating. No new roads would be constructed. An existing dirt ranch road would be upgraded by minimal grading and the addition of an all-weather, but not paved, surface (such as decomposed granite) to provide access to the site. Parking for five vehicles for camp staff would be provided. As with the original submittal approved by the County on the first site, guests would be shuttled in from Cambria, water would be trucked in to a 2500+ gallon tank (approx. 8 ft. high x 8 ft. diameter) and would flow by gravity to the tent-cabins and pavilion. As submitted, sewage disposal is proposed to be by individual septic system. The original submittal approved by the County on the first site did not specify a wastewater disposal method, but required simply that the method must be "consistent with the definition of incidental camping and subject to the approval of the Environmental Health Agency." Proposed total site disturbance is 15,760 square feet (0.88 percent of the 41 acres).

Three of the tent-cabins would be for campers/guests while the fourth would be for a caretaker. The pavilion tent-cabin would be used as a fitness workout area, classroom, and common dining area. The tent cabins are proposed to be portable and temporary; they would not have permanent or perimeter foundations but would be on platforms or decks built on

piers so that the only ground disturbance from the tent cabins themselves would be for placement of the piers. The applicant also proposes to build hiking and/or biking trails.

A maximum of 20 people, including the camp staff, would be on-site at any one time. Guests could be accommodated for up to three days and two nights. Unlike the permit granted by the County which limited use to 120 days per year, the current proposal at a revised location allows the tent-cabin campsites to be occupied year-round.

The site of the proposal is about one-half mile due north of the Cambria Cemetery and about one mile due north of the community of Cambria. The development would be sited within an existing two to three acre clearing near the northeast corner of a 41 acre parcel which is one of several parcels making up a 1500 acre ranch, the C.T. Ranch. The parcel is designated Rural Lands by the County's Local Coastal Program (LCP). There are no prime agricultural soils on this parcel. The parcels to the north and west are designated Rural Lands and are not part of the C.T. Ranch. The parcel to the south is designated Rural Lands and is part of the C.T. Ranch. The parcel to the east is designated Agriculture and is also a part of the C.T. Ranch. The entire site, as was the original site, is within a mapped Sensitive Resource Area and Terrestrial Habitat, both of which are meant to recognize the presence of the Monterey pine forest on most of this parcel and in the area in general. The current project site, as with the original site, is on grassland at the fringe of the Monterey pine forest; no trees are proposed for removal. Slopes at the project site are similar to those at the original site and range from less than ten percent to between 20 and 30 percent. The County has reviewed the proposed new site and believes it to be a better site than the original one (see Exhibit 11).

B. Standard of Review and Analysis

The standard of review for this proposal at this site is the County's certified Local Coastal Program.

1. Organizational Camp

Most of the regulations applicable to organizational camps are found in the Coastal Zone Land Use Ordinance (CZLUO) section 23.08.072 (Please see Exhibit 6 for the full text of the section). The first subsection of that section limits organizational camps to Rural Lands, Recreation, and Public Facilities land use categories. The proposed camp would be located on a parcel designated Rural Lands. The other subsections to which an organizational camp is subject are listed below with a discussion following each one.

- ◆ **Minimum site area.** Reference is made to section 23.04.020 (Parcel Size). However that section is for determining minimum parcel sizes in new subdivisions. Section 23.04.040 et seq. determines the minimum size of an existing parcel that is required in order to establish a use. Section 23.04.044 states that there is no minimum site area required for recreation uses, excepting off-road vehicle courses and public assembly and entertainment, neither of which apply to this proposal. Therefore there is no minimum size required for this proposal.
- ◆ **Density.** A maximum density of one camping unit per acre is allowed. The parcel size is 41 acres. Therefore the maximum density is 41 camping units. Because each tent would accommodate only five people (20 people max. ÷ 4 tent cabins = 5 people/tent cabin), the

occupancy of each "camping unit" would be within the range of normal (State Parks allows up to eight people per campsite).

- ◆ **Setbacks.** All camping facilities and activities are to be no closer than 1000 feet from any property line or public road. The parcel is approximately one-quarter mile (1320 feet) from the nearest public road. As proposed, the facilities and activities would be as close as approximately 200 feet from a property line of another owner. For purposes of this application, the east and south property lines are not considered because property to the east and south is owned by the owner of the subject parcel. Therefore, the 1000 foot setback standard is measured only from the north and west property lines. CZLUO section 23.08.012b allows waiver of special use standards when the specific conditions of the site make the standard unnecessary. One thousand feet from the north and west property lines describes a rectangle of about 2.5 acres in the extreme southeast corner of the parcel. That area, as most of the parcel except where the development is proposed, is thick Monterey pine forest. The applicant's proposed site, while about 200 feet from the north property line and about 400 feet from the west property line would be on the fringe of the pine forest. A development in the southeast corner of the parcel which would meet County setbacks would cause major impacts to the pine forest there. In contrast, development at the applicant's proposed site will have minimal impacts on the pine forest. Further, the abutting property to the north and west consists of three currently vacant residential parcels of 18, 36, and 73 acres respectively and the tent-cabin area would be about 1600 feet from the building envelopes on those parcels. Any camping-related activity or facility, even if right on the property boundary, would be approximately 800 to 1000 feet away from the building envelopes. The development at the proposed site will have minimal impacts to the pine forest and still provide approximately 800 to 1000 feet of separation between camping activities and residential use on parcels to the north and west.

The County ordinance provides for a waiver from special use standards where the necessity for modification or waiver of the standards identifies specific conditions of the site and/or vicinity which make the standard unnecessary; identifies the specific standards being waived or modified; and when the project, including any proposed modifications, will meet the findings required by section 23.02.034c(4), the County's standard Development Plan findings. The six applicable findings from that section require the proposed project to be consistent with the LCP; require that the proposal satisfy all applicable provisions of the Coastal Zone Land Use Ordinance; require that the establishment and operation of the project will not be detrimental to health, safety, or welfare of the general public or persons living or working in the vicinity of the use; require that the project will not be inconsistent with the character of the immediate neighborhood; require that the project will not generate traffic beyond the capacity of roads providing access; and require any additional findings required by planning area standards, combining designations, or special uses. As discussed above and throughout this report, the proposed project, as conditioned, is consistent with the LCP, including any special findings required therein. Therefore, the requirement that camping activities or facilities must be 1000 feet from the property lines of the parcel can be modified, consistent with Section 23.08.012b.

- ◆ **Parking.** Parking requirements are to be determined by Development Plan approval, i.e., by the Planning Commission; there is no set number of parking spaces. The proposal would provide five parking spaces on-site. These spaces are for staff and camp vehicles. According to the applicant, guests would be shuttled in, probably in a van. Therefore, it will

be necessary for the applicant to provide the Executive Director with a parking plan showing location of such off-site parking, proof of ownership or other right to use the parking area, and number of spaces. That plan will be subject to review and approval by the Executive Director.

- ♦ **Access.** All-weather access is to be provided to the site. The applicant has stated that the access will be all-weather, and this permit is conditioned to require an all-weather permeable surface other than paving.
- ♦ **Allowed facilities.** In addition to tent camping areas, organizational camps may have cabins, meeting hall, etc. The proposal will have tent-cabins, and a pavilion for meeting, exercise, and dining.
- ♦ **Sanitation.** Restrooms are to be provided as required by the Health Department. This permit is conditioned to require Health Department approval of the wastewater disposal system. No in-ground systems are allowed since the use is temporary and percolation through the soil at the site is very slow. The soil is San Simeon sandy loam and the USDA Soil Conservation Service Soil Survey of San Luis Obispo County (Coastal Part) indicates that because of the slow percolation and the relatively shallow depth to rock, San Simeon sandy loam presents severe problems for septic tank absorption fields.

Conclusion: As conditioned, the proposed use is consistent with the Coastal Zone Land Use Ordinance requirements for an organizational camp.

2. Environmentally Sensitive Habitat

The County found that the applicant's proposal at the original site would "not create significant adverse impacts on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation. . . ." The Sensitive Resource Area, which is designated on both the original site and the new site is meant to recognize the Monterey pine forest as an environmentally sensitive habitat. Environmentally sensitive habitats are protected by the Policies document of the LCP, as well as the Coastal Zone Land Use Ordinance (CZLUO) which implements the policies.

The CZLUO requires a biological report for applications for projects in or adjacent to an environmentally sensitive habitat. Because a previous EIR addressed biological issues for a larger project on the entirety of the CT Ranch, of which both the original site and the new site are a part, the County did not require a new biological report. The County did prepare a negative declaration for the original site which identified the rare Gairdner's yampah as being in the area but concluded that no impact on the plant was expected. In response to the relocation of the project to the new site, the County stated:

. . . the new location will result in less overall site disturbance and fewer impacts than the original proposal. Both locations are similar in regard to terrain and vegetation and all the environmental related Conditions of Approval would still apply. There is one new issue raised by the revised location. The revised project location is near an area identified as containing the rare Gairdner's yampah (*Perideridia gairdneri subsp. gairdneri*). Though the proposed site is located outside of the area of occurrence

mapped as part of the CT Ranch Draft EIR, a springtime survey prior to construction, with required replanting if the plant is encountered, would not be inappropriate as an extra measure of protection.

As stated previously, the Monterey pine forest habitat is the reason for the sensitive resource area and environmentally sensitive habitat designations. The area is further designated a terrestrial habitat, to distinguish it from other sensitive habitat areas which might include wetland sites, for example. Similar to the proposal on the original site, the proposal on this site would be at the forest fringe. No trees are presently proposed for removal (although it may become necessary to remove dead, diseased or hazardous trees during the life of the permit) and, no other potential adverse impacts or significant disruptions to the forest and its habitat are anticipated.

Besides the Monterey pine forest, another sensitive feature exists on the new site: Leffingwell Creek. The stream and its bed are not proposed to be altered. The project plans show the camp development to be at least 100 feet away from riparian vegetation and more from the creek itself. The LCP requires a setback of at least 100 feet from the upland extent of riparian vegetation in rural areas. Therefore, the proposed development meets the environmentally sensitive habitat requirements of the LCP.

D. California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. The Commission finds that the proposed project, as conditioned, will not have any significant adverse impacts on the environment and that feasible mitigation measures have been identified and will be implemented with the proposed development.

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CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200

**EXHIBIT A**
STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

Exhibit B
D950157P - Conditions of Conditions

Approved Development

1. This approval authorizes approximately three acres of site disturbance for the construction of five "tent-cabin" structures and related improvements as a temporary (3-year) demonstration project.

Maximum height of structures - 35' from average natural grade. Roof vent may extend an additional 3' above maximum height.

The decks shall be constructed on piers.

2. Site development shall be consistent with the approved site/grading and elevation plans.
3. Prior to construction, the applicant shall obtain an approved grading permit.

APCD

4. During construction, the applicant shall comply with the requirements in the November 15, 1996 APCD letter.

Temporary Use

5. Prior to issuance of construction permits, the applicant shall submit a bond, to be approved by the planning director, for the cost of removal of the proposed project and restoration of the project site. Within three years of the issuance of construction permits, the proposed project shall be discontinued as a guest operation, disassembled, removed and the site shall be restored. If the applicant has submitted an application, and is actively pursuing processing of a general plan amendment and land use permit for the long term use, the buildings may be left in place, but may not be used until these permits have been resolved.

Sedimentation & Erosion

6. At the time of application for construction permits, the applicant shall submit "Sedimentation & Erosion Control Plans" to the Environmental Division of the Department of Planning and Building and the County Engineering Department. The plans shall include temporary measures for disturbance of any areas of >20% slopes, and shall include revegetation plans for all disturbed areas.
7. At the conclusion of each rainy season, the access roads, driveways, and all hiking/biking trails shall be inspected by the applicant for damage from run-off and erosion. Repairs and stabilization measures shall be implemented as necessary.

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Traffic

8. No private guest vehicles are allowed at the proposed project site. Guests shall be van- or car-pooled from a location in town, to be reviewed and approved by the planning director, to the project site.

Fire Safety/Access

9. At the time of application for construction permits, the applicant shall submit road and driveway plans indicating widths and grades of the subject roads for incidental camping per the requirements of CDF/County Fire. If grading or other improvement activities are required to comply with CDF/County Fire standards for incidental camping, grading and improvement plans shall be submitted with the road plans. All areas of disturbance shall be clearly indicated.

Wastewater Disposal

10. At the time of application for construction permits, the applicant shall indicate the location and method of wastewater disposal on construction plans consistent with the definition of incidental camping and subject to the approval of the Environmental Health Agency.

Water

11. Prior to issuance of construction permits, the containment/distribution/disposal system for the water supply shall be approved by the Development Review Division of the Department of Planning and Building and the Division of Environmental Health. Water hauled onto the site must be potable and the hauler must be certified by the State Department of Food and Drug Administration.

Archaeology

12. In the event that archaeological resources are unearthed or discovered during any construction activities, the provisions of 23.05.140 shall be implemented and construction activities shall cease. The Environmental Coordinator and Planning Department shall be notified and the extent, location and importance of the discovered materials shall be determined by a qualified archaeologist. The applicant shall implement any recommendations of the archaeologist as required by the Environmental Coordinator.

Agricultural Resources

13. Prior to issuance of construction permits, the applicant shall submit a "Hiking/Biking Trail Map" for review and approval of the Planning & Building Department. The map shall include the trails proposed to be used by guests, and shall include a warning for guests not to trespass on adjacent properties. The hiking/biking trail map shall only be distributed to on-site employees and camping guests. In addition, prior to issuance of construction permits, the applicant shall post "No Trespassing" signs at

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the property lines in all areas that proposed trails are within 100 feet of a property boundary.

Incidental Camping

14. Incidental camping shall be limited to 120 days per year.

Agricultural Easement

15. Prior to issuance of construction permits, the applicant shall record an easement to the county over the remainder of the agricultural land within the 480 acre ranch. This easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land covered by the easement to agriculture, non-residential use customarily accessory to agriculture, farm labor housing, and a single-family dwelling accessory to the agricultural use.

Utility Lines

16. Power for the project shall be provided by batteries and/or photovoltaic panels with generator allowed for emergency use only. No utility lines shall be brought to the project.
17. No telephone service lines shall be installed. Any telephone service shall be cellular or other portable type service.

Noise

18. Prior to issuance of construction permits, the applicant shall provide for review and approval of the Department of Planning and Building a noise reduction program which indicates incidental camping policies on "quiet hours" from 10:00 p.m. to 6:00 a.m. for all campers and camp personnel. In the event of substantive noise complaints, the permit holder may be required to amend their noise reduction program and/or hire a qualified individual to monitor and reduce noise levels in compliance with CZLUO section 23.06.040, Noise Standards.

KEY TO COASTAL TABLE O

USE STATUS

DEFINITION

- A** Allowed use, unless otherwise limited by a specific planning area standard. Coastal Zone Land Use Ordinance Chapter 23.03 ("Required Level of Processing") determines the permit necessary to establish an "A" use, and Chapters 23.04 through 23.06 determine the site design, site development, and operational standards that affect the use. See also the "Planning Area Standards" sections of the Land Use Element Area Plans and the LCP Policy Document to find any standards that may apply to a project in a particular community or area.
- S** Special use, allowable subject to special standards and/or processing requirements, unless otherwise limited by a specific planning area standard. The following list shows where in the Coastal Zone Land Use Ordinance to find the special standards that apply to particular uses.
- P** Principally permitted use, a use to be encouraged and that has priority over non-principally permitted uses, but not over agriculture or coastal dependent uses.

"S" NUMBER

APPLICABLE COASTAL ZONE LAND USE ORDINANCE SECTION AND/OR LAND USE ELEMENT REQUIREMENT

- | | | |
|----|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | 23.08.120 b | MISCELLANEOUS USES |
| 2 | 23.08.120 a | MISCELLANEOUS USES |
| 3 | 23.08.040 | AGRICULTURAL USES |
| 4 | 23.08.060 | CULTURAL, EDUCATIONAL & RECREATIONAL USES |
| 5 | 23.08.080 | INDUSTRIAL USES are allowable subject to the special standards found in Section 23.08.080. For new or expanded uses within the Petroleum Refining and Related Industries and Marine Terminals and Piers use groups, a specific plan is required prior to acceptance of land use permit(s) subject to the standards as set forth in Section 23.08.094. |
| 6 | 23.08.100 | MEDICAL & SOCIAL CARE FACILITIES |
| 7 | 23.08.140 | OUTDOOR COMMERCIAL USES |
| 8 | 23.08.160 | RESIDENTIAL USES |
| 9 | 23.08.170 | RESOURCE EXTRACTION |
| 10 | 23.08.200 | RETAIL TRADE |
| 11 | 23.08.220 | SERVICES |
| 12 | 23.08.260 | TRANSIENT LODGINGS |
| 13 | 23.08.280 | TRANSPORTATION, UTILITIES & COMMUNICATION |

WESNOLSKY

1999

Open Space	
Public Facilities	
Industrial	
Commercial Center	
Quasi-Industrial	
Office & Professional	
Residential Medium Density	
Residential Single Family	
Residential Suburban	
Residential Rural	
Agriculture	
Forest Land	
Agriculture - Non Prime Soils	
Agriculture - Prime Soils	

C) CULTURAL, EDUCATION & RECREATION	
Cemeteries & Columbariums	1
Churches	2
Coastal Accessways	3
Drive-In Theatres	4
Indoor Amusements & Recreation	5
Libraries & Museums	6
Marinas	7
Membership Organization Facilities	
Off-Road Vehicle Courses	9
Outdoor Sports & Recreation	10
Passive Recreation	11
Public Assembly & Entertainment	12
Rural Recreation & Camping	13
Schools - Specialized Education & Training	14
Schools - College & University	15
Schools - Pre to Secondary	16
Social Service Organizations	17
Sports Assembly	18
Temporary Events	19

6-42				S-4	S-4							S-4	
6-42		S-4		S-4	S-4	S-4	S-4	P	P	P			
6-42	P	P	P	P	P	P	P	P	P	P	P	P	P
6-44										S-4	S-4		
6-48			S-4-P					S-4	S-4-P	S-4		S-4-P	
6-49			S-2-P	S-2				P	P			P	
6-50			S-1-P							S-1		S-1-P	
6-50			S-2				S-1	A	A	A	A	A	
6-52		S-1	S-1										
6-53			S-4-P	S-4	S-4	S-4	S-4		S-4	S-4		S-4-P	
6-53	A	P	P	P	P	P	P	P	P	P	P	P	P
6-55			A					P	P	P		P	
6-56	S-4	S-4	S-4-P	S-4	S-4							S-4	S-14
6-57		S-4	S-4	S-4	S-4			P	P	P	S-4-P	S-4	
6-57								P				P	
6-57		S-4	S-4	S-4	S-4-P	S-4-P	S-4-P	S-4-P				S-4-P	
6-58								P	A	A	S-2	S-2-P	
6-58			S-1							S-1	S-1	S-1	
6-59	S-17	S-17	S-17	S-17				S-17	S-17	S-17	S-17	S-17	

**CZ FRAMEWORK FOR PLANNING
REVISED AUGUST 6, 1996**

serve RV park patrons only. Does not include incidental camping areas, which are included under "Rural Recreation and Camping."

Recycling Collection Stations [D19]

Facilities for temporary accumulation and storage of recyclable discarded materials, which are subsequently transported to recycling centers or solid waste disposal sites for further processing. Includes sites for implementing the California Beverage Container Recycling Act (AB 2020). (Does not include automobile wrecking yards or any recycling processing facilities, which are listed under Recycling and Scrap; does not include temporary storage of toxic or radio-active waste materials).

Recycling and Scrap [D20]

Establishments primarily engaged in assembling, breaking up, sorting, temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap. Also includes any storage of such materials in an area larger than 200 square feet or higher than six feet. Does not include terminal waste disposal sites, which are separately defined. Does not include temporary storage of toxic or radioactive waste materials.

Residential Accessory Uses [E9]

Includes any use that is customarily part of a residence and is clearly incidental and secondary to a residence and does not change the character of the residential use. Residential accessory uses include the storage of vehicles and other personal property, and accessory structures including swimming pools, workshops, studios, greenhouses, garages, and guesthouses (without cooking or kitchen facilities). Includes non-commercial TV and radio broadcasting and receiving antennas, including equipment for satellite broadcast reception.

Residential Care [E10]

Establishments primarily engaged in the provision of residential social and personal care for children, the aged, and special categories of persons with some limits on ability for self-care, but where medical care is not a major element. Includes: children's homes, halfway houses; orphanages; rehabilitation centers; self-help group homes. (SIC: Group 836)

Roadside Stands [G10]

Open structures for the retail sale of agricultural products (except hay, grain and feed sales, included under "Farm Equipment and Supplies"), located on the site or in the area of the property where the products being sold were grown. Does not include field sales or agricultural products, which is included under "Crop Production and Grazing."

Rural Recreation and Camping [C13]

Facilities for special group activities such as: outdoor archery, pistol, rifle, and skeet clubs and facilities (indoor shooting facilities are included under the definition of "Indoor Amusements and Recreation"); dude and guest ranches; health resorts including but not limited to outdoor hot spring or hot tub facilities; hunting and fishing clubs; recreational camps (including incidental

↓

→ RV camping but not RV parks); group or organized camps; incidental seasonal camping areas without facilities. Equestrian facilities including riding academies and schools, boarding stables and exhibition facilities are included under the definition of "Specialized Animal Facilities". Camping facilities may include accessory boat storage and launching facilities where approved pursuant to Section 23.08.072 of the Coastal Zone Land Use Ordinance.

Schools - Specialized Education and Training [C14]

Business, secretarial schools and vocational schools offering specialized trade and commercial courses. Includes specialized non-degree granting schools such as: music schools; dramatic schools; language schools; driver education schools; ballet and other dance studios; seminaries and other establishments exclusively engaged in training for religious ministries; and establishments furnishing educational courses by mail. Facilities, institutions and conference centers are included that offer specialized programs in personal growth and development (including fitness, environmental awareness, arts, communications, and management, as examples). (SIC: Groups 834, 829)

Schools - College and University [C15]

Junior colleges, colleges, universities and professional schools granting associate arts degrees, certificates, undergraduate and graduate degrees and requiring for admission at least a high school diploma or equivalent general academic training. (SIC: Group 822)

Schools - Preschool to Secondary [C16]

Pre-school, day-care centers, elementary and secondary schools serving grades 1 through 12, including denominational and sectarian. Kindergartens and military academies are also included. (SIC: Group 821)

Secondary Dwellings [E11] [Amended 1995, Ord. 2740]

A second permanent dwelling allowed on a site pursuant to Section 23.08.036 of the Coastal Zone Land Use Ordinance .

Service Stations [G11]

Retail trade establishments primarily engaged in the sale of gasoline, which may also provide lubrication, oil change and tune-up services and the sale of automotive products incidental to gasoline sales. May also include accessory towing, mechanical repair services and trailer rental, but does not include storage of wrecked or abandoned vehicles, paint spraying body and fender work. Does not include the retail sale of gasoline as a subordinate service to food and beverage retail sales when limited to not more than two pumps. (SIC: Group 554)

Single-Family Dwelling [E12]

A building designed for and/or occupied exclusively by one family. Also includes attached ownership units using common wall development or airspace condominium ownership, where a proposed site qualifies for planned development through designation by planning area standard or through compliance with any planned development or cluster division standards of the Coastal Zone Land Use Ordinance.

- ~~d. Where an SRA is applied because of prominent geological features visible from off site (such as rock outcrops), those features are to be protected and remain undisturbed by grading or development activities.~~
- ~~e. Where an SRA is applied because of specified species of trees, plants or other vegetation, such species shall not be disturbed by construction activities or subsequent operation of the use, except where authorized by Development Plan approval.~~

→ 23.07.170 - Environmentally Sensitive Habitats: ↙ ↘

The provisions of this section apply to development proposed within or adjacent to (within 100 feet of the boundary of) an Environmentally Sensitive Habitat as defined by Chapter 23.11 of this title, and as mapped by the Land Use Element combining designation maps.

- a. **Application content.** A land use permit application for a project on a site located within or adjacent to an Environmentally Sensitive Habitat shall also include a report by a biologist approved by the Environmental Coordinator that:
 - (1) Evaluates the impact the development may have on the habitat, and whether the development will be consistent with the biological continuance of the habitat. The report shall identify the maximum feasible mitigation measures to protect the resource and a program for monitoring and evaluating the effectiveness of the mitigation measures.
 - (2) Recommends conditions of approval for the restoration of damaged habitats, where feasible.
 - (3) Evaluates development proposed adjacent to environmentally sensitive habitats to identify significant negative impacts from noise, sediment and other potential disturbances that may become evident during project review.
 - (4) Verifies that applicable setbacks from the habitat area required by Sections 23.07.170 to 23.07.178 are adequate to protect the habitat or recommends greater, more appropriate setbacks.
- b. **Required findings:** Approval of a land use permit for a project within or adjacent to an Environmentally Sensitive Habitat shall not occur unless the applicable review body first finds that:

23.07.170 - 172

- (1) There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.
- (2) The proposed use will not significantly disrupt the habitat.

c. **Land divisions:** No division of a parcel containing an Environmentally Sensitive Habitat shall be permitted unless all proposed building sites are located entirely outside of the applicable minimum setback required by Sections 23.07.172 through 23.07.178. Such building sites shall be designated on the recorded subdivision map.

d. **Development standards for environmentally sensitive habitats:**

- (1) New development within or adjacent to the habitat shall not significantly disrupt the resource.
- (2) New development within the habitat shall be limited to those uses that are dependent upon the resource.
- (3) Where feasible, damaged habitats shall be restored as a condition of development approval.
- (4) Development shall be consistent with the biological continuance of the habitat.
- (5) Grading adjacent to Environmentally Sensitive Habitats shall conform to the provisions of Section 23.05.034c (Grading Standards.)



~~23.07.172 - Wetlands.~~

~~Development proposed within or adjacent to (within 100 feet of the upland extent of) a wetland area shown on the Environmentally Sensitive Habitat Maps shall satisfy the requirements of this section to enable issuance of a land use or construction permit. These provisions are intended to maintain the natural ecological functioning and productivity of wetlands and estuaries and where feasible, to support restoration of degraded wetlands.~~

- a. **Location of development:** ~~Development shall be located as far away from the wetland as feasible, provided that other habitat values on the site are not thereby more adversely affected.~~
- b. **Principle Permitted Uses in wetlands:** ~~Hunting, fishing, wildlife management, education and research projects.~~

- (3) Where an issue of public safety exists;
- (4) Where expanding vegetation is encroaching on established agricultural uses;
- (5) Minor public works projects, including but not limited to utility lines, pipelines, driveways and roads, where the Planning Director determines no feasible alternative exists;
- (6) To increase agricultural acreage provided that such vegetation clearance will:
 - (i) Not impair the functional capacity of the habitat;
 - (ii) Not cause significant streambank erosion;
 - (iii) Not have a detrimental effect on water quality or quantity;
 - (iv) Be in accordance with applicable permits required by the Department of Fish and Game.
- (7) To locate a principally permitted use on an existing lot of record where no feasible alternative exists and the findings of Section 23.07.174b can be made.

→ 23.07.176 - Terrestrial Habitat Protection: ↙

The provisions of this section are intended to preserve and protect rare and endangered species of terrestrial plants and animals by preserving their habitats. Emphasis for protection is on the entire ecological community rather than only the identified plant or animal. ↘

a. Protection of vegetation. Vegetation that is rare or endangered, or that serves as habitat for rare or endangered species shall be protected. Development shall be sited to minimize disruption of habitat.

b. Terrestrial habitat development standards:

(1) **Revegetation.** Native plants shall be used where vegetation is removed.

- (2) **Area of disturbance.** The area to be disturbed by development shall be shown on a site plan. The area in which grading is to occur shall be defined on site by readily-identifiable barriers that will protect the surrounding native habitat areas. ←
- (3) **Trails.** Any pedestrian or equestrian trails through the habitat shall be shown on the site plan and marked on the site. The biologist's evaluation required by Section 23.07.170a shall also include a review of impacts on the habitat that may be associated with trails. ↑

~~23.07.178 - Marine Habitats:~~

~~The provisions of this section are intended to preserve and protect habitats for marine fish, mammals and birds. Development within or adjacent to marine habitats is subject to the provisions of this section.~~

- ~~a. **Protection of kelp beds, offshore rocks, reefs and intertidal areas.** Development shall be sited and designed to mitigate impacts that may have adverse effects upon the habitat, or that would be incompatible with the continuance of such habitat areas.~~
- ~~b. **Siting of shoreline structures.** Shoreline structures, including piers, groins, breakwaters, seawalls and pipelines shall be designed or sited to avoid and to minimize impacts on marine habitats.~~
- ~~c. **Coastal access.** Coastal access shall be monitored and regulated to minimize impacts on marine resources. If negative impacts are demonstrated, then the appropriate agency shall take steps to mitigate these impacts, including limitations of the use of the coastal access.~~

- (3) **Minimum site area.** None Required.

d. Recreation equipment rental.

- (1) **Limitation on use.** Recreation equipment rental shall be allowed only in the Recreation, Commercial Retail and Commercial Service categories, with motorized equipment rental allowed only in Recreation and Commercial Service categories. Recreation equipment rental is not allowed as a temporary use. A proposed site must also qualify for use as a storage yard and sales lot pursuant to Table O, Part I of the Land Use Element to enable storage or rental transactions of recreational equipment to occur outdoors.
- (2) **Permit requirement.** Development Plan approval for motorized equipment rental; as required by Section 23.03.040 (Permit Requirements) for other uses. In addition to other relevant issues, Development Plan shall consider the effects of motorized recreation equipment on proposed or likely areas of use.

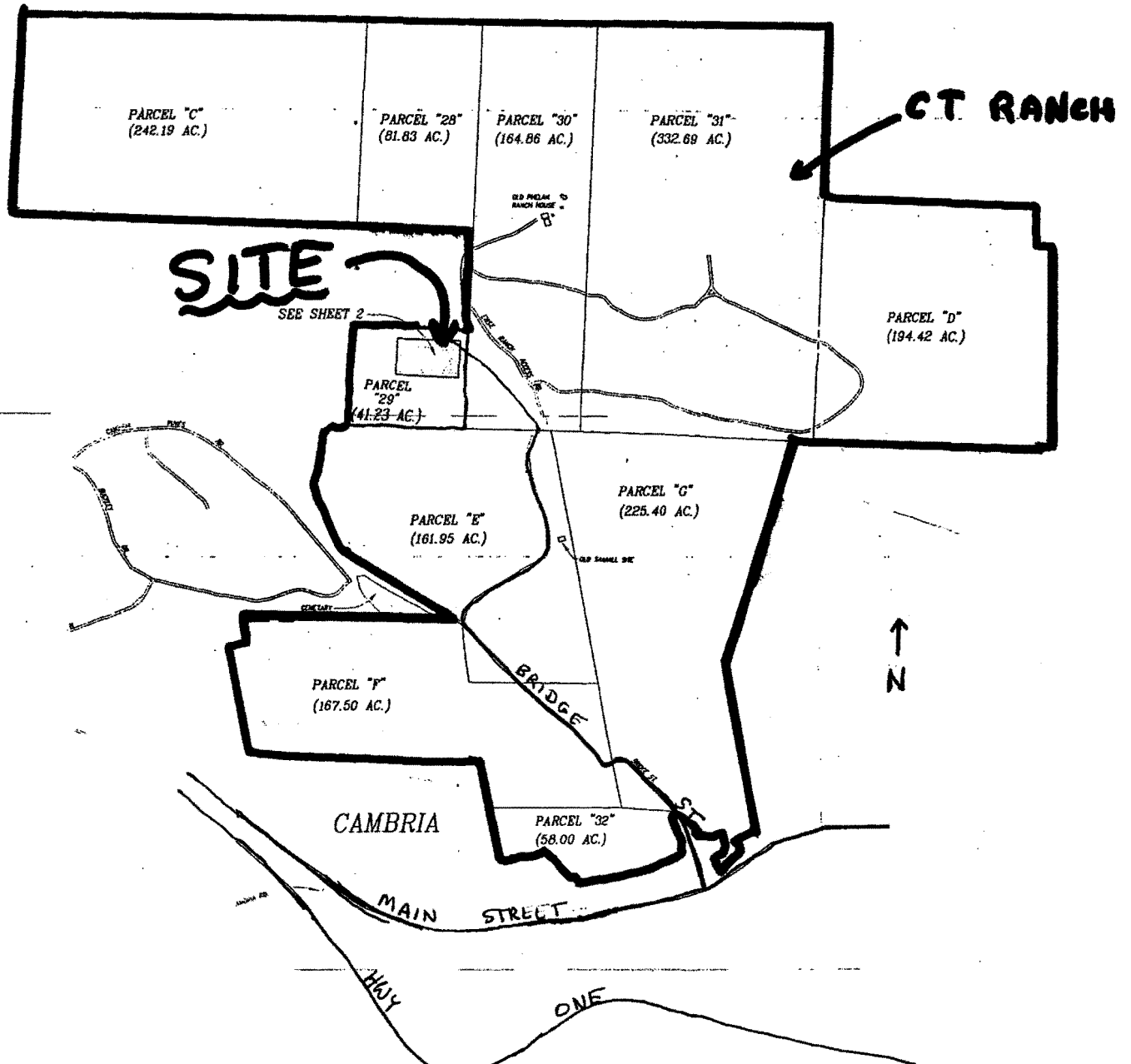
[Amended 1992, Ord. 2591; 1995, Ord. 2715]

→ **23.08.072 - Rural Recreation and Camping:** ↙

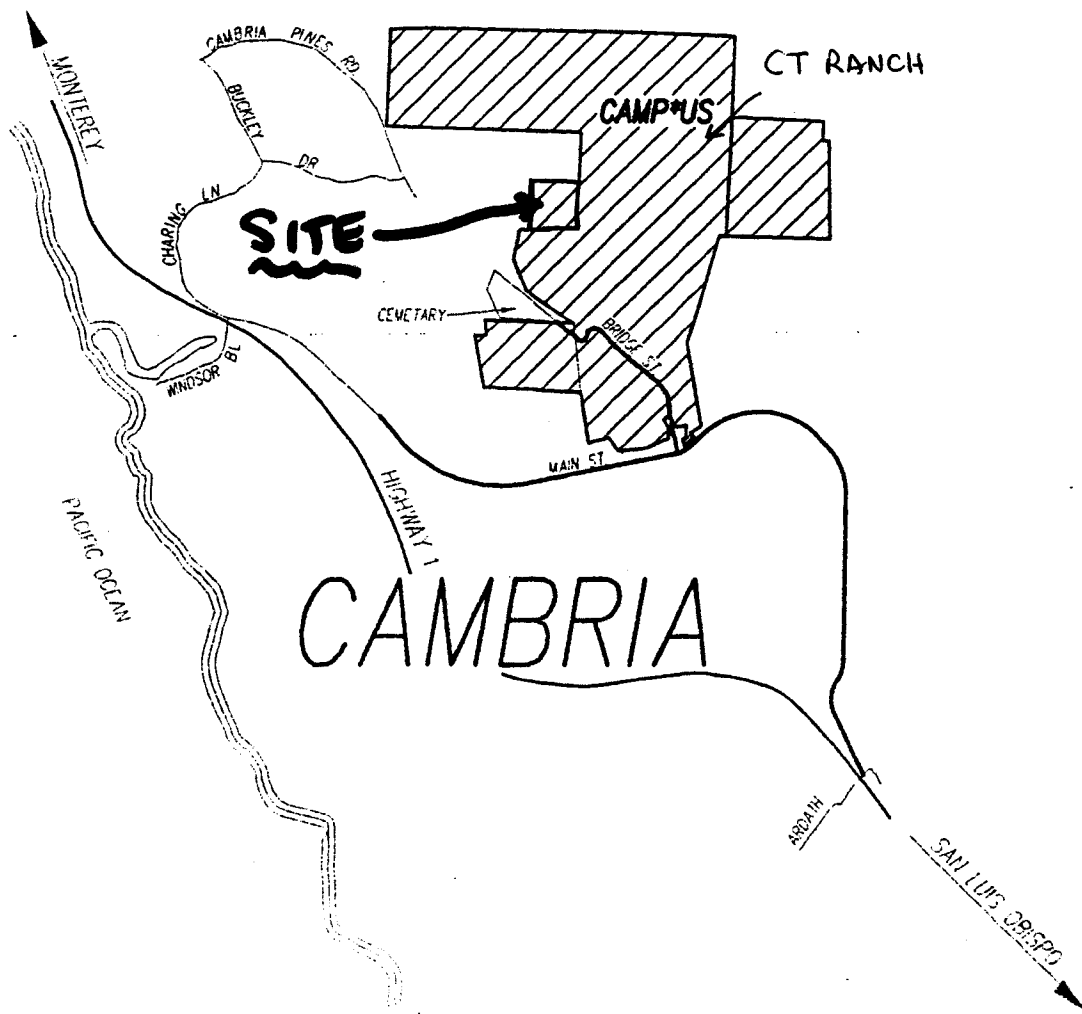
- a. Camping.** Permanent organizational group camps sponsored by a church, youth group, corporation or other organization, or camping that is seasonal and incidental to an agricultural use, are subject to the following provisions: Commercial campgrounds as principal uses are subject to Section 23.08.266 (Recreational Vehicle Parks); temporary camps are subject to Chapter 8.64 of the County Code (Temporary Camps). ↗

- (1) **Limitation on use.** Organizational camps are allowed only in the Rural Lands, Recreation, and Public Facilities categories. Incidental camping is allowed in the Agriculture category as well as where organizational camps are allowed.
- (2) **Permit requirements.** In addition to a Health Department permit as required by Chapter 8.62 of the County Code, camping facilities are subject to the following:
- (i) **Organizational camps.** Development Plan approval.
 - (ii) **Incidental camping.** Minor Use Permit approval.

- (3) **Minimum site area.** As specified in Section 23.04.020 (Parcel Size).
- (4) **Density.** To be set by the Review Authority where Development Plan or Minor Use Permit approval is required, to a maximum of one unit per acre, which is also to be the maximum density for incidental camping of less than 10 units.
- (5) **Setbacks.** All camping facilities and activities are to occur no closer than 1,000 feet from any property line or public road.
- (6) **Parking.** No improved parking is required for incidental camping, provided that sufficient usable area is available to accommodate all user vehicles entirely on-site. The parking requirement for organizational camps is to be determined by the Development Plan approval.
- (7) **Access.** All-weather access is to be provided to the site.
- (8) **Allowed facilities.** Camps established pursuant to this section may include the following facilities in addition to tent camping areas, based on the type of camp:
 - (i) **Organizational camps.** Cabins; meeting hall; swimming pool; permanent restroom facilities; accessory and storage buildings.
 - (ii) **Incidental camping.** Water supply and portable restrooms only. Incidental camping uses may also include spaces for a maximum of 10 self-contained recreational vehicles, without utility hookup facilities.
- (9) **Sanitation.** Restroom facilities are to be provided as required by the Health Department.
- (10) **Required findings - incidental camping.** A land use permit for incidental camping is to be approved only where the Review Authority first finds that:
 - (i) The proposed use will not affect the continuing use of the site as a productive agricultural unit providing food or fiber; and
 - (ii) The proposed use will result in no effect upon the continuance or establishment of agricultural uses on surrounding properties.

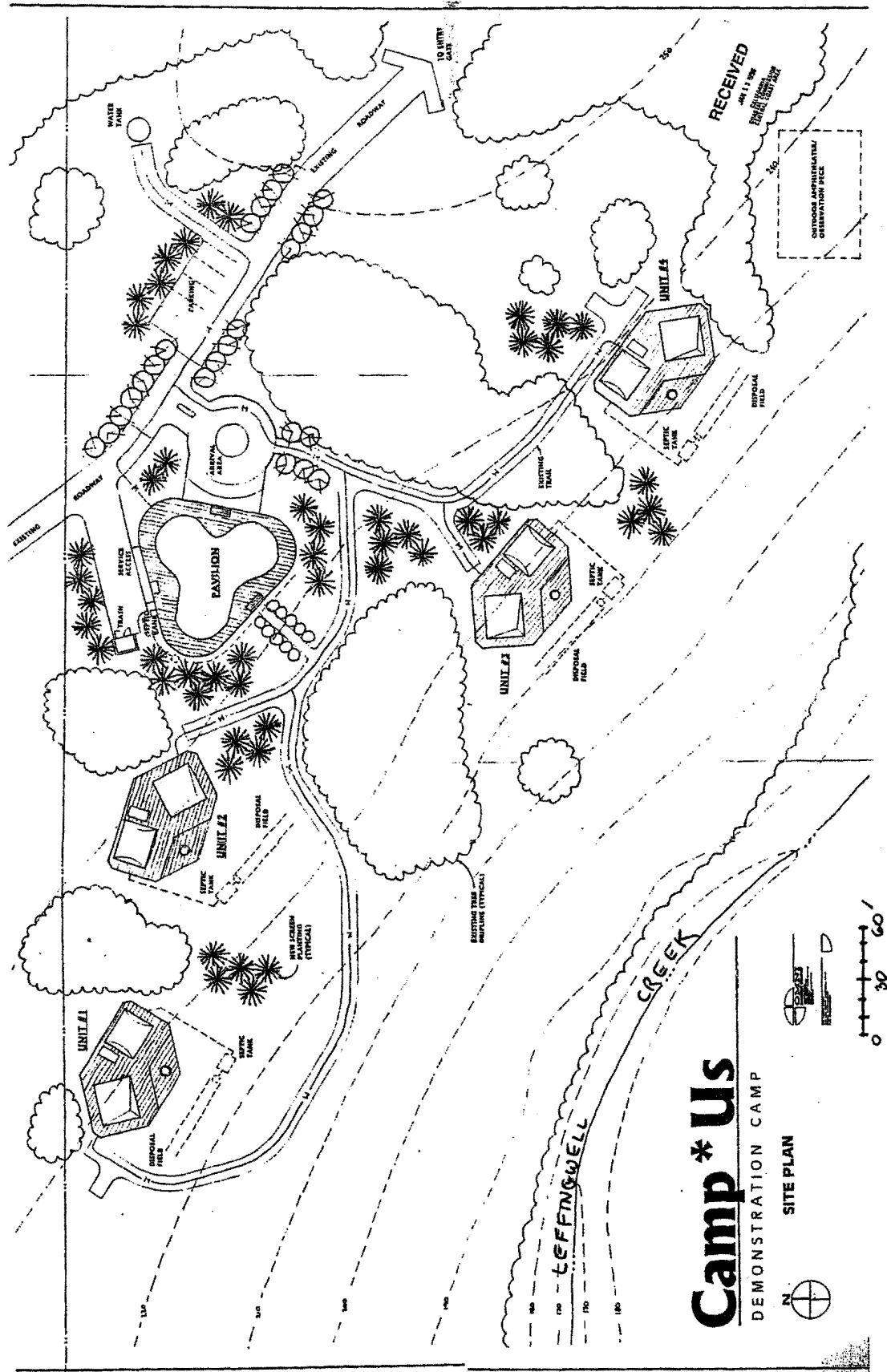


Ex 7 3-97-023 WFSNOLSKY



VICINITY MAP
(NOT TO SCALE)

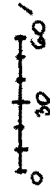
Ex 8 3-98-023 WESNOUSKY

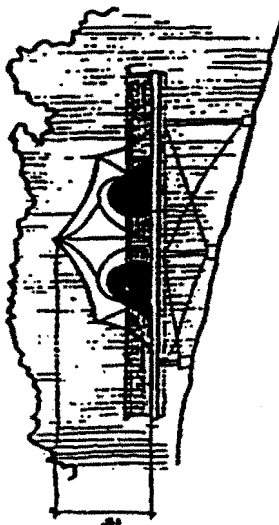


Camp *Us

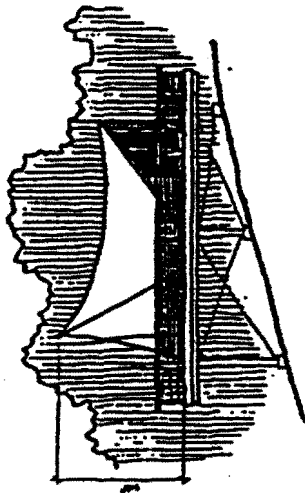
DEMONSTRATION CAMP

SITE PLAN

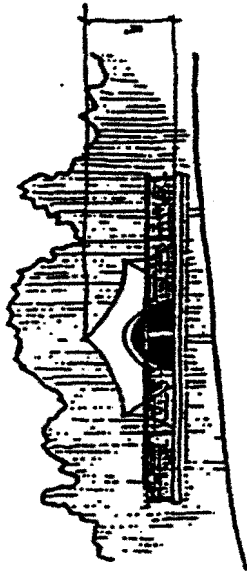




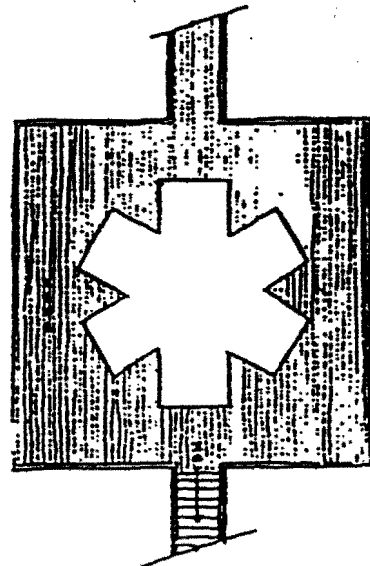
SIDE ELEVATION
1/8" = 1'-0"



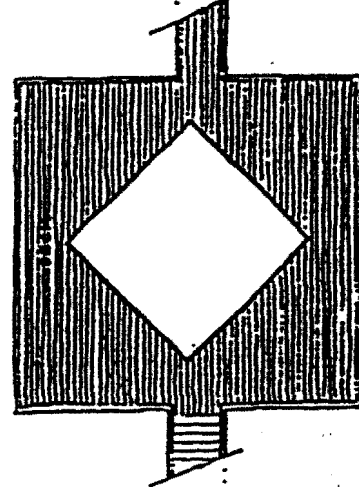
SIDE ELEVATION
1/8" = 1'-0"



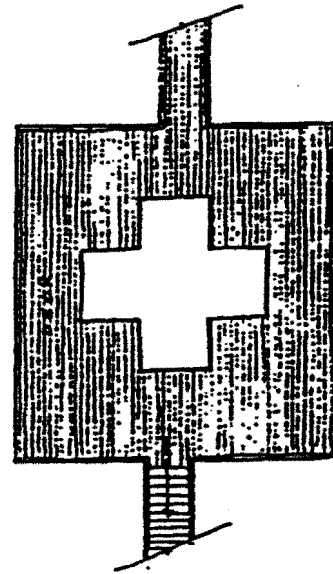
SIDE ELEVATION
1/8" = 1'-0"



OF 600 600 SQ. FT.
FLOOR PLAN
1/8" = 1'-0"



TEMPLE TENT 400 SQ. FT.
FLOOR PLAN
1/8" = 1'-0"



OF 350 350 SQ. FT.
FLOOR PLAN
1/8" = 1'-0"

EX10 3-97-023 WESNORSKY

CAMP*US

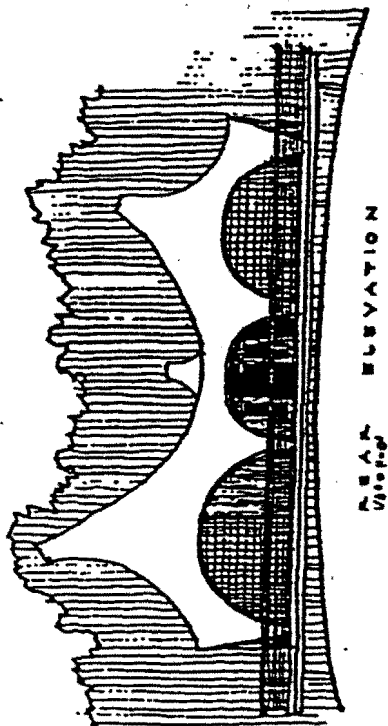
HABITAT UNITS



DATE 3/27/76

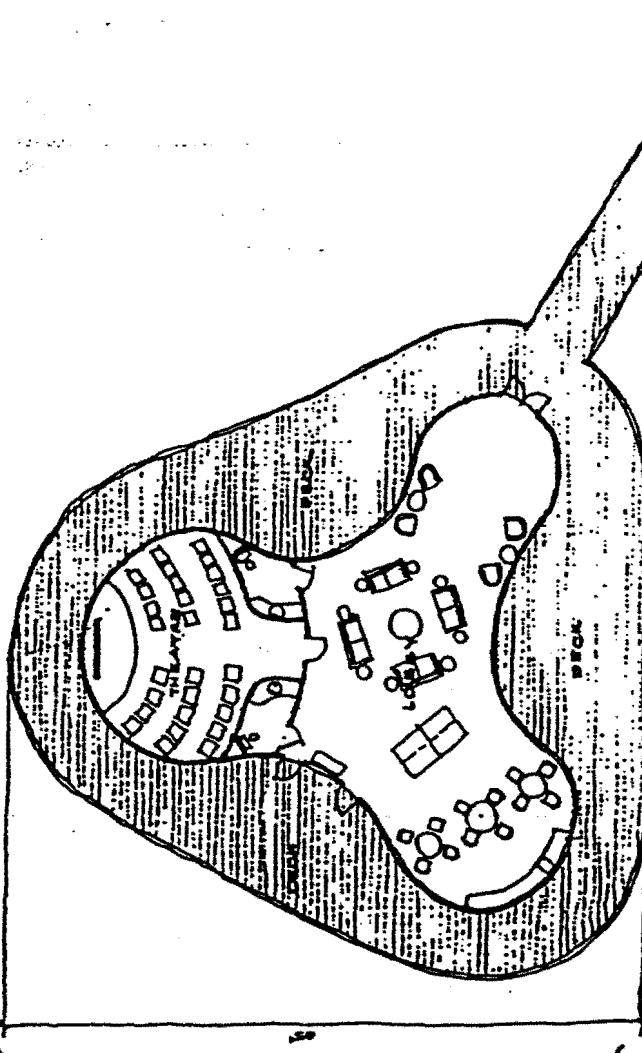
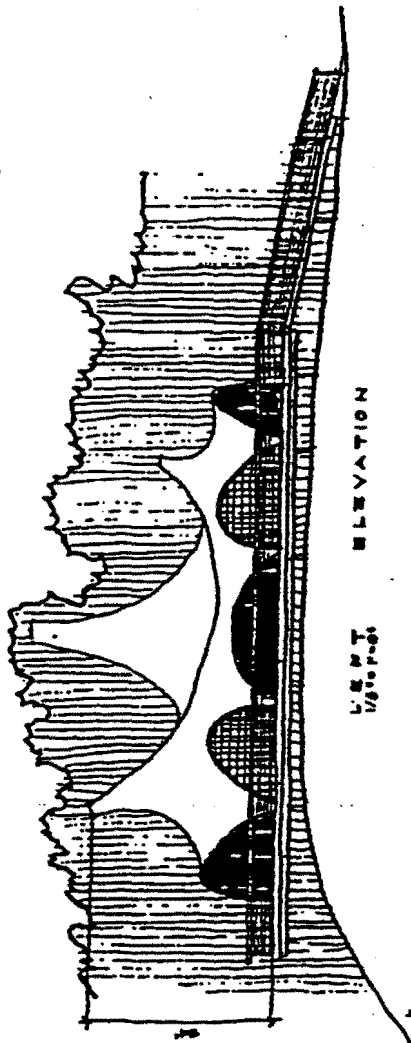
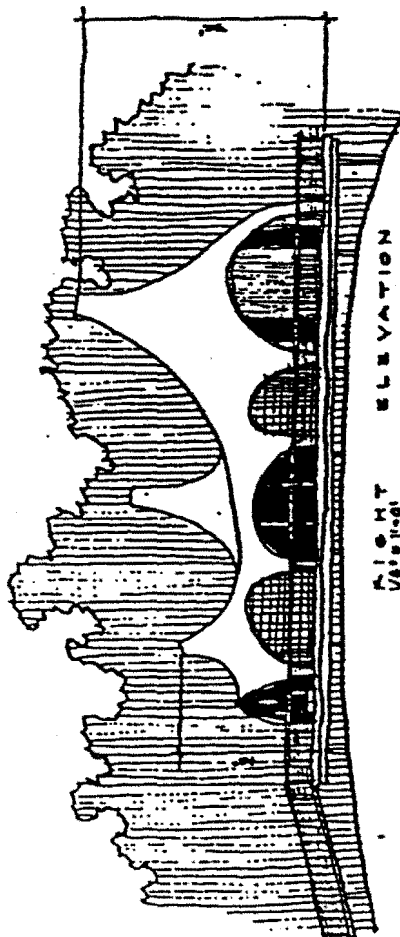
SCALE 1/8" = 1'-0"

53



Ex 10 3-97-023
PZ WESNOMSKY

PAVILION



CAMP*US

INTERACT CENTER



SCALE: 1/8" = 1'-0"

SHEET OF 6

52



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

ALEX HINDS
DIRECTOR

BRYCE TINGLE
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

BARNEY MCCAY
CHIEF BUILDING OFFICIAL

JANUARY 21, 1998

STEVE GUINEY
CALIFORNIA COASTAL COMMISSION
725 FRONT ST. #300
SANTA CRUZ, CA 95060

SUBJECT: WESNOUSKY APPEAL, D950157P

RECEIVED

JAN 27 1998

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Steve,

We have reviewed Mr. Wesnousky's proposed site change for the his proposal to a nearby site in the Rural Lands zone. The project is to be heard on appeal at your Commission's February meeting. After review of the proposed change for conformity with the Coastal Zone Land Use Ordinance and Land Use Element, we have no objections to approving the project at the new site. It appears to be a better site selection than the original site as it is not located within the agricultural land use category.

If your Commission decides to approve the project, Condition of Approval # 15, Agricultural Easement could be deleted as it would not long apply with the new Rural lands zoning. Condition of Approval # 13 can remain as the site will border agricultural land.

In regard to the environmental document for the project, the new location will result in less overall site disturbance and fewer impacts than the original proposal. Both locations are similar in regard to terrain and vegetation and all the environmental related Conditions of Approval would still apply. There is one new issue raised by the revised location. The revised project location is near an area identified as containing the rare Gairdner's yampah (*Perideridia gairdneri subsp. gairdneri*). Though the proposed site is located outside the area of occurrence mapped as part of the CT Ranch Draft EIR, a springtime survey prior to construction, with required replanting if the plant is encountered, would not be inappropriate as an extra measure of protection. If the Commission decides to approve the project in the new location, a condition of approval requiring such would be recommended. Overall, the new location appears to reduce environmental impacts as compared with the original application.

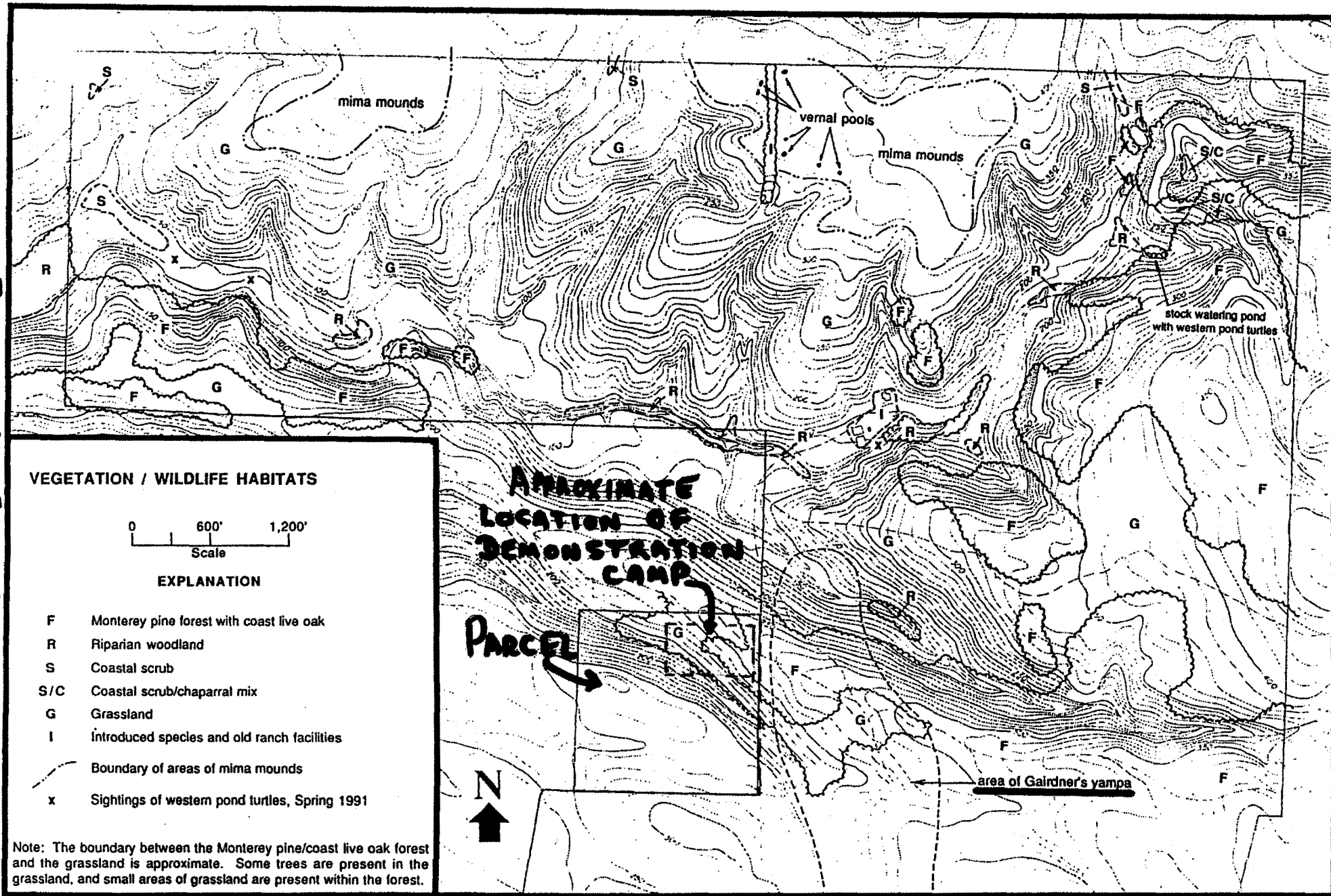
Sincerely,

Jessica Kahel
Jessica Kahel

Development Review Section

Ex 11 3-97-023
WESNOUSKY

Ex 12 3-97-023 WESNOSKY V-81



Note: The boundary between the Monterey pine/coast live oak forest and the grassland is approximate. Some trees are present in the grassland, and small areas of grassland are present within the forest.

