## CALIFORNIA COASTAL COMMISSION

W36a

## APPLICATION A-3-MCO-04-012

(WANG SINGLE-FAMILY RESIDENCE, BIG SUR)
JUNE 7, 2017 HEARING

## EXHIBITS

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## Regional Location Map



## Parcel Map



## Project Site



Project site (Source: California Coastal Records Project, Photo 201314981)


Looking northwest from Highway 1 at existing entrance gate (Source: Staff photo, September 15, 2016)


Looking west across project site from Highway 1 (Source: Staff photo, September 15, 2016)


Looking north at project staking and flagging in building pad area (Source: Staff photo, September 15, 2016)


Looking south across building pad area (Source: Staff photo, September 15, 2016)


Looking south at project site from Abalone Cove turnout (Source: Staff photo, September 15, 2016)


KASLER POINT HOUSE
36228 Highway 1, Big Sur Coast/ Carmel, CA 93923

COASTAL COMMISSION REVIEW 02/21/2017

OLSONKUND|G ARCHITECTS






## COASTAL DEVELOPMENT PERMIT

On August 3 1977, by a vote of 8 to 3 , the

## California Coastal Commission granted to Donald Sorensen

Permit A $174-77$ _ subject to the conditions set forth below, for development consisting of a single-family dwelling with two car garage, entrance driveway, and utility trenching
more specifically described in the application file in the Commission offices.
The development is within the coastal zone in Monterey_County at Kasler Point, seaward of Highway 1 on the Big Sur Coast

After public hearing held on July 5 1977, the Commission found that, as conditioned, the proposed development is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program that is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; if between the sea and the public road nearest the sea, is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976; and either (1) will not have any significant adverse impact on the environment, or (2) there are no feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impact that the development as approved may have on the environment.

Issued on behalf of the California Coastal Bqmission on August 4 , 197.7. JOSEPH E. BODOVITZ
Executive Director

by Llopaain
$\qquad$

Permit A 174-77, is subject to the following conditions:

## I. Standard Conditions.

1. Assignment of Permit. This permit may not be assigned to another person except as provided in Cal. Admin. Code, Title 14, Section 13170.
2. Notice of Receipt and Acknowledgment. Construction authorized by this permit shall not comence until a copy of this permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of its contents, is returned to the Commission.
3. Expiration. If construction has not conmenced, this permit will expire two (2) years from the date on which the Commission voted on the application. Application for extension of this permit must be made prior to the expiration date.
4. Construction. All construction must occur in accord with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviations from the approved plans must be reviewed by the Cormission pursuant to Cal. Admin. Code, Title 14, Sections 13164-13168.
II. Special Conditions.
5. Regional Commission Conditions. The applicant shall implement all conditions imposed by the Regional Commission as shown in Exhibit. 2 except as they may be superceded by the conditions of this permit.
6. Landscaping. The applicant shall submit for the approval of the Executive Director of the Commission detailed irrigation and landscaping plans showing the stabilization and restoration of bluff areas proposed for such treatment in order to minimize erosion on this site.
7. Recording of Conditions. The applicant shall cause to be recorded with the County Recorder of the County of Monterey a document, the form and content of which have been approved by the Executive Director of the Commission, which will put any successor-in-interest on notice as to the conditions of this permit, as those conditions may be amended from time to time, so long as this permit is in effect.

8. 'Compliance with Monterey County Special Permit PC-2687 (Resolution No. 76-616) shall be required, except where such compliance is precluded by the terms of this permit.
9. Permitted development shall be constructed in accordance with revised plans submitted July 22, 1977.
10. Prior to commencement of grading or construction, permittee shall demonstrate that Parcels C and B, being a portion of Lot 20, Rancho San Jose y Sur Chiquito, otherwise known and described as Assessor's Parcels \#243-251-12 and \#243-251-13, have been consolidated and recorded as a single parcel of land. Copy of document (s) showing such consolidation and recording shall be provided to Coastal Conmission for affirmation.
11. Construction shall not commence until an easement for the protection of scenic and natural resources is effected on that portion of subject property lying within view of designated Kasler Point public vista area on State Highway Route 1, shown in Exhibit 5. The easement boundary shall be adjusted to include as much of the archaeologic site as possible, and to exclude the proposed driveway. Such easement shall be granted to an appropriate public agency or conservation foundation, and shall include provisions to prevent disturbance of native plants and wildlife; to exclude damage by livestock; to provide for maintenance needs; and to specify conditions under which non-native plant species may be controlled, public access allowed, unsafe activity prevented, and entry for archaeologic and other scientific research purposes secured.

It is recognized that because of dangerous cliffs and fragile resources, unrestricted public access on easement would be contrary to public safety and resource protection needs. However, public access shall be allowed when and if a public agency is prepared to assume liability for such use, and to provide for management and supervision to the degree necessary to avoid damage to natural resources, to maintain privacy of permitted residence, and to prevent trespass on balance of parcel.

Visual access to the parcel from State Highway Route 1 shall be guaranteed; the terms of the agreement shall also preclude blockage of, or interference with public views through erection of any other types of structures or planting of trees.

The grantee for such easement and all provisions thereof, including designation of precise boundaries, shall be subject to advance written approval by the Executive Director of the Commission. The request for such approval shall be accompanied by parcel map showing location of easement boundary and existing fences.
5. A separate coastal development permit shall be required for any other future development activity within view of State Highway Route 1.
6. Should any sub-surface archaeologic features (such as described in archaeologic reconnaissance report of February 8, 1977, by William Roop) be unearthed during construction, work which coulid disturb the discovered evidence shall be temporarily suspended and the Coastal Commission office (408) 426-7390 contacted immediately. In such event, work in the discovery area shall be permitted to resume upon consent of either a Commission-authorized archaeologist or the Executive Director. Mitigation costs, if any, shall be negotiated by permittee and archaeologist, subject to approval by the Executive Director in event of disagreement.
7. Prior to commencement of excavations, permittee shall submit for the Executive Director's review and approval a detailed grading, landscaping and revegetation plan. At a mininum, the plan shall specify procedures for erosion control. and re-establishment of native plant corer; proposed landscaping species; and any provisions for vegetative screening around house. Natural vegetation shall not be disturbed except as necessary to complete the permitted development. Driveway design shall be adjusted to reflect conditions of Special Permit and to minimize impact on public views.
8. Excavated materials shall be carefully removed so that spoils are neither placed within or allowed to slide into that area seaward of permitted development.
9. Exterior landscape lighting which is visible from State Highway Route 1 shall not be permitted.


# ATTORNEY G 26638 

 donald sorfnsen and audrey l. sorensen, husband and wife, (hereinafter called, "GRANTOR"), and THE COUNTY OF MONTEREY, a political subdivision of the State of California, or any authorized public agency of the State of California, (hereinafter called, "GRANTEE");WHEREAS the said GRANTOR is the owner in fee of the real property described in attached EXHIBIT "A" situate in Monterey County, California; and

WHEREAS the said land of said GRANTOR presently has certain scenic and natural resources; and

WHEREAS the GRANTOR has applied for a development permit pursuant to the Coastal Act of 1976 and Permit No. A-174-77 was granted on August 3 , 1977 by the California Coastal Commission subject to the following conditions:


#### Abstract

"Construction shall not commence until an easement for the protection of scenic and natural resources is effected on that portion of subject property lying within view of designated Kasler Point public vista area on State Highway Route 1 . The easement boundary shall be adjusted to include as much of the archaeologic site as possible, and to exclude the proposed drlveway. Such easement shall be granted to an appropriate public agency or conservation foundation, and shall include provisions to prevent disturbance of native plants and wildiffe: to exclude damage by livestock; to provide for maintenance needs; and to specify conditions under which non-native plant species may be controlled, public access allowed, unsafe activity prevented, and entry for archaeologic and other scientific research purposes secured.


"It is recognized that because of dangerous clifes and Eragile resources, unrestricted public access on easement would be contrary to public safety and resource protection needs. However, public access shall be allowed when and if a public agency is prepared to assume liability for such use, and to provide for management and supervision to the degree necessary to avoid damage to natural resources, to maintain privacy of permitted residence, and to prevent trespass on balance of parcel.
"Visual access to the parcel from State Highway Route 1 shall be guaranteed; the terms of the agreement shall also preclude blockage of, or interference with public views through erection of any other types of structures or planting of trees.
"The Grantee for such easement and all provisions thereof, Including designation of precise boundaries, shall be subject to advance written approval by the Executive Director of the Commission. The request for such approval shall be accompanied

by parcel map showing location of easement boundary and existing fences."
$\square$

WHEREAS the California Coastal Commission has placed the above conditions on the permit granted because a finding must be made that the proposed development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and that in the absence of the above conditions said finding could not be made; and

WHEREAS the GRANTOR is offering and contributing said easement as described herein for exclusively public purposes, and

WHEREAS the GRANTOR and GRANTEE desire to conserve the present natural resources and preserve the present scenic beauty of that portion of said land as described in attached EXHIBIT "B"; and

WHEREAS the GRANTOR desires to comply with the aforementioned condition; and

WHEREAS it is the intention of the GRANTOR and GRANTEE that the estate, interest, and easements described herein directly benefit the People of the County of Monterey and the State of California and that the duties and restrictions hereby imposed shall run with the land in favor of and enforceable by the GRANTEE or the People of the State of California acting through any authorized public agency; and

WHEREAS said GRANTOR is willing to offer and grant to GRANTEE a conservation easement and a scenic easement as hereinafter expressed, and thereby conserve the present natural resources and preserve the present scenic beauty of that portion as described in EXHIBIT "B" by the imposition of the conditions and restrictions hereinafter expressed:

NOW, THEREFORE, for and in consideration of the premises, GRANTOR does hereby irrevocably offer to dedicate an estate, interest, conservation easement, and scenic easement in said portion of the real property of GRANTOR as described in EXHIBIT "B" in the manner provided herein, and GRANTOR does hereby grant and convey unto GRANTEE an estate. interest, conservation easement, and scenic easementin said portion of the real property of GRANTOR as described in EXHIBIT "B". Such estate, interest, and easements will result from the duties and restrictions hereby imposed upon the use of said portion of the property as describe. in EXHIBIT"B" by said GRANTOR and GRANTEE. In order to accomplish the stated purposes of the parties hereto, said GRANTOR and GRANTEE covenant on behalf of themselves, their heirs, successorsandeasignsper to do the following acts and to adhere to the following restrictions with respect to that portion of the property as described in EXHIBIT " ${ }^{\text {w }}$

In order to conserve the present natural resources of that portion of the land as described in EXHIBIT "A", GRANTOR and GRANTEE shall fulfill the following duties and adhere to the following restrictions:

1. GRANTOR shall make no use of that portion of the property described in EXHIBIT "B" which will or does harm the native vegetation, wildiffe, or archaeological area upon said portion, including damage to said portion by livestock owned by the GRANTOR.
2. GRANTOR may plant or permit to be planted on that portion of the property described as Parcel 4 in EXHIBIT "B", any non-native vegetation such as ornamental shrubs, plants, flowers and vegetables near and around GRANTEE'S residence to be constructed on the property described in EXHIBIT "A".
3. GRANTEE shall be solely responsible for all maintenance, repair and upkeep of that portion of the property described as. Parcels 1,2 and 3 in EXHIBIT "B".
4. GRANTOR and GRANTEE shall permit entry upon that portion of the real property described as Parcel 2 (archaeological area) in EXHIBIT "B" only for legitimate archaeologic and other scientific research purposes. Such entry shall be granted only to persons duly authorized in writing by the GRANTEE and upon twenty-four (24) hours prior written notice to GRANTOR from GRANTEE.*
5. Both GRANTOR and GRANTEE recognize the dangerous cifffs and terrain, together with the fragile natural resources, will preclude uncestricted public access as contrary to public safety and natural resources protection requirements. GRANTEE may permit limited and controlled public access to Parcels 1 and 3, and the northerly three (3) feet of Parcel 2 providing a three (3) foot wide access strip between Parcels 1 and 3, as described in EXHIBIT "B", providing:
(a) GRANTEE shall assume, in a written agreement with GRANTOR, all Ilability for such public access and hold GRANTOR (heirs, successors and assigns) fully and completely harmless from any and all claims arising out of or caused by said public access and the persons using said public access.
(b) GRANTEE shall provide in a written agreement with the GRANTOR for the fulltime maintenance, repair and upkeep of that
 EXHIBIT "B" to which the public may have access, together with the

management and supervision to the degree and for the period of time necessary to prevent damage to the natural resources, to prevent injury to the persons using said public access, to prevent unsafe activity, to maintain the privacy of the permitted residence of the GRANTOR and to prevent access to and trespass on the remaining portion of GRANTOR'S real property not described in EXHIBIT "B" and Parcel 4 as described in EXHIBIT "B".
6. GRANTOR shall, on the property described in EXHIBIT "B":
(a) not allow or locate billboards or advertising of any nature or kind;
(b) take reasonable measures to prevent trespassing on said real property; such as, erecting fences and/or posting notices prohibiting trespassing, provided such measure shall not interfere with any public access as provided for above in paragraph 5 .
(c) not permit the dumping of trash, rubbish or waste materials of any type on said property.

SCENIC EASEMENT
In order to preserve the present scenic beauty of that portion of the land as described in EXHIBIT "B", GRANTOR and GRANTEE shall fulfill the following duties and adhere to the following restrictions:

1. GRANTOR shall take no action, including the erection of additional structures or the planting of additional vegetation, which will or does cause any blockage of or interference with the present public view of that portion describeu"in EXHIBIT "B".
2. Nothing in the foregoing provision shall require GRANTOR to malntain that portion of the property described as Parcels 1 , 2 and 3 in EXHIBIT "B", to which GRANTEE shall be solely responsible for its repair, maintenance, and upkeep.

## ASSIGNMENT

These easements may not be assigned except to a government agency or a nonprofit corporation, described in Sectiuns 501 (c) (3) $2055(\mathrm{a})(2)$ and 2522 (a) (2) of the Internal Revenue Code, as amended, which has among its purposes the conservation of open space.

## EXCEPTIONS

There is hereby excepted and reserved to therGRANTOR thesusentrand and occupancy of said real property described in EXHIBIT "B" not inconsistent with the conditions and restrictions herein imposed by
the above-described conservation and scenic easements.
This grant of easements shall be binding upon the heirs, successors and assigns of GRANTOR and GRANTEE and shall run with the land in perpetuity.


STATE OF CALIFORNIA )
COUNTY OF MONTEREY;

On this 18th Day of March, before me, Martha . Tripps, personally appeared DONALD SORENSEN and AUDREY L. SORENSEN, known to me to be the persons who executed the within instrument and acknowledged to me that they executed the same.

NOTAPY SEAL

 OPFICIAL SEAL MARTHA L. TRIPPS

notary pullic - caurornia county of monseriy - s2sass Cemm. Exp. July 16, 1985


$$
\text { My Commission expires on July 16, } 1985
$$

CERTAIN real property situated in Rancho San Jose y Sur Chiquito, County of Monterey, state of California particularly described as follows:"

## PARCEL 1

BEGINNING at the most southerly corner of that certain 2.0 bacre parcel shown and designated as Parcel " $B$ " on that certain Record of Survey Map filed 18 October 1961 in Volume $\dot{x}-2$ of Surveys at Page 223, Records of Monterey County, California, said corner also being a point on the westerly line of State Highway No.1, as shown on said map; thence along said line
(1) $\mathrm{N} 3^{\circ} 55^{\prime} 58^{\prime \prime} \mathrm{W} . \mathrm{C} 90.87$ feet; thence leaving said highway line and running along the northeasterly boundary of said parcel
(2) Northwesterly, 145.47 feet (shown as 145.45 feet on said map) along the arc of a non-tangent curve to the left center bears $S 48^{\circ} 14^{\prime \prime} 28^{\prime \prime} \mathrm{W} ., 200.00$ Eeet distant, through a central angle of $41^{\circ} 40^{\prime \prime} 29^{\prime \prime}$; thence tangentially
x-x men
(3) N $83^{\circ} 26^{\prime}$ W. . 82.44 feet to a point hereinafter referred to as point "A": thence leaving said boundary
(4) $523^{\circ} 30^{\prime}$ E., 63.76 feet to a point, hereinafter referred to as point " $B^{\prime \prime}$, on the southerly boundary of said parcel; thence along last said boundary
(5) $\mathrm{N} 73^{\circ} 59^{\prime} \mathrm{E} ., 13.50$ feet; thence
(G) S $83^{\circ} 26^{\circ}$ E., 38.03 feet; thence
(7) Southeasterly, 123.05 feet along the arc of a tangent curve to the right having a radius of 150.00 feet, through a central angle of $47^{\circ} 00^{\circ}$; thence non-tangentially
(8) $536^{\circ} 44^{\prime} 23^{\prime \prime}$ E.. 58.08 feet to the POINT OF BEGINNING, containing 0.2658 acres, more or less, and being a portion of said parcel "B".

PARCEL 2
BEGINNING at an angle point on the northeasterly boundary of that certain 2.0 acre parcel shown and designated as Parcel. "B" or that certain Record of survey. Kap filed 18 October 1961 in Volume $\mathrm{Z}-2$ of Surveys at page 223 , Recards of

(1) $S 83^{\circ} 26^{\prime}$ ミ., 7.56 feet to a point hexeinabove described as point "A": thence leaving said boundary
(2) S $23^{\circ} 30^{\prime}$ E., 63.76 to a point, hereinabove described as Point " $B^{\prime \prime}$, on the southerly boundary of said parcel; thence along last said boundary
(3) $573^{\circ} 59^{\prime}$ W., 68.00 feet to a point hereinafter referred to as Point " $C$ ": thence leaving last said boundary
(4) N $16^{\circ} 30^{\prime}$ W., 90.00 feet to a point hereinafter referred to as Point "D": thence
(5) $N 71^{\circ} 30^{\prime} E ., 55.84$ feet to a point, hereinafter referred to as Point "E"; on the easterly boundary of said parcel; thence along last said boundary
(G) $S 11^{\circ} 00^{\circ} E ., 26.39$ feet to the POINT OF BEGINNING, containing 0.1282 acres, more or less, and being a portion of said parcel. "B"

Buetion Engineerg, Inc.
$\triangle O O$ Camino Aguajito
Monterey, California 93940
Exkibit "p"



BEGINNING at a point on the easterly boundary of that certain 2.0 acre parcel shown and designated as Parcel "B" on that certain Record of Surv-1 Map filed 18 October 1961 in Volume $\mathrm{X}-2$, of Surveys at Page 223, Records of Monterey county, California, said point bears, along said boundary. in $11^{\circ} 00^{\prime} \mathrm{W} ., 26.39$ feet distant from the angle point on said boundary, said POINT OF BEGINNING also hereinabove described as point "E; thence leaving said boundary
(1) S 71" $30^{\prime}$ W., 55.84 feet to a point hereinabove described as point "D"; thence
(2) $\mathrm{N} 23^{\prime \prime} 00^{\circ} \mathrm{W} ., 285.00$ feet; thence
(3) $N 14^{\circ} 00^{\prime}$ W., to a point on the sh xe line of Pacific Ocean, as said shore line also shown on said map; thence
(4) Northeasterly, along said shore line to the intersection of said easterly boundary, also shown on said map; thence along last said bounuary
(5) $S 11^{\circ} 00^{\prime \prime}$ E., to the POINT OF BEGINNING, containing 0.7 acres, more or less, and being a portion of said Parcel "B"

## PARCEL 4

BEGINNING at the intersection of the shore line of the Pacific Ocean with the soutinerly boundary of that certain 2.0 acre parcel shown and designated as parcel "A" on that certain Record of Survey Map filed 18 Octor er 1961 in volume X-2 of Surveys at page 223, Records of Monterey County, California; thence along said boundary
(1) $\mathrm{N} 73^{\circ} 59^{\prime}$ E., 93.95 feet; thence leaving said boundary
(2) Northwesterly, 149.44 fzet along the arc of a curve to the right (center bears $N 28^{\circ} 56^{\prime} 44^{\prime \prime}$ E., 225.00 feet distant), through a central angle of $38^{\circ} 03^{\prime}$ IE thence tangentially
(3) $\mathrm{N} 23^{\circ} 00^{\circ}$ W. . 35.10 feet; thence
(1) North, 103.00 feet; thence
(5) $\mathrm{N} 30^{\circ} 00^{\prime} \mathrm{E} ., 75.00$ feet; thence
(6) East, 40.00 feet; thence
(7) S $75^{\circ} 00^{\prime}$ E., 26.47 Eeet; thence
(8) $S 17^{\circ} 00^{\prime}$ E., 182.05feet; thence
(9) Southeasterly, 75.54 feet along the arc of a tangent curve to the left having a radius of 70.00 feet, through a central angle of 61 $1^{\circ} 49^{\prime \prime} 41^{\prime \prime}$ to an angle point on the northerly boundary of said parcel "A": thence along said northerly boundary


> REEL. 1.58P RAGE
> REqL1.541 race 26
(10) N $73^{\circ} 59^{\prime} \mathrm{E} ., 18.50$ feet to a point hereinabove described as point " C "; thence leaving last said boundary
(11) $\mathrm{N} 16^{\circ} 30^{\circ} \mathrm{W} .90 .00$ feet to a point hereinabove described as Point "D" thence
(12) $\mathrm{N} 23^{\circ} 00^{\prime} \mathrm{W} ., 285.00$ feet; thence
(13) N $14^{\circ} 00^{\prime} \mathrm{W}$. , to a point on said shore line of the pacific Ocean; thence
(14) Southerly, along said shore line, to the POINT OF BEGINNING, and being a portion of said Parcel "A" and of Parcel "B", as said parcels are shown on sair map.

Revised 17 October 1977
W. O. 3860



Natural Communities

-END-

## Project Site Habitat Map

## X. VEGETATION MAPS:

Seacliff Buckwheat, Monterey Indian Paintbrush, Ocean Bluff Milk Vetch.


Exhibit 9
A-3-MCO-04-012

