



MEMORANDUM MONTEREY COUNTY

PLANNING AND BUILDING
INSPECTION DEPARTMENT

DATE: Wednesday, December 18, 2002
TO: Managers, Planners, and Land Use Technicians
FROM: Lautaro Echiburú, Associate Planner
Planning & Building Inspection Department
SUBJECT: Staff interpretation of Big Sur Coast LUP regarding development in the critical viewshed for parcels in the Rocky Point and Otter Cove areas.

BACKGROUND

Big Sur Coast Land Use Plan (LUP) key policy 3.2.1 states:

“Recognizing the Big Sur coast's outstanding beauty and its great benefit to the people of the State and Nation, it is the County's objective to preserve these scenic resources in perpetuity and to promote the restoration of the natural beauty of visually degraded areas wherever possible. To this end, it is the County's policy to prohibit all future public or private development visible from Highway 1 and major public viewing areas (the critical viewshed), and to condition all new development in areas not visible from Highway 1 or major public viewing areas on the siting and design criteria set forth in Sections 3.2.3, 3.2.4, and 3.2.5 of this plan. This applies to all structures, the construction of public and private roads, utilities, lighting, grading and removal or extraction of natural materials.”

The LUP and Coastal Implementation Plan (CIP) provide exceptions to the key policy for certain parcels in the Rocky Point and Otter Cove area (LUP 3.2.4.F & 3.2.4.G; CIP 20.145.030.B.6 & 20.145.030.B.7). However, these exceptions apply to existing vacant parcels in these areas. Development on non-vacant parcels, such as additions and new structures, would then seem to be subject to the key policy which prohibits development visible from Highway 1. However, that seems inconsistent with the intent of the LUP to allow development in these areas. Therefore, the Department's interpretation of the LUP regarding development in non-vacant parcels in Rocky Point and Otter Cove specified in the LUP is as follows:

NON-VACANT PARCELS

The guiding principle for development in non-vacant parcels in the Rocky Point and Otter Cove areas is that any proposed development should not be visible from Highway 1. Development shall be allowed provided that intrusion in the critical viewshed is minimized to the greatest extent feasible while reasonably accomplishing the applicant's development goals. The purpose of the following criteria is to establish priorities that allow planners to reduce adverse impacts to the critical viewshed to a less than significant level in the context of meeting the

guiding principle. If after applying the criteria staff finds that a proposal will still have a significant adverse impact on the critical viewshed, then staff shall recommend denial of the proposal.

New structures

Preferred options for development of new structures are in the following order:

1. If the parcel contains areas outside the critical viewshed, locate new structures in an area of the property outside the critical viewshed (not visible from highway 1) or resize the proposed structure so that it can be located in an area of the property outside the critical viewshed. LUP and CIP development standards for development outside the critical viewshed shall apply.
2. When it has been fully demonstrated that a new reasonably sized structure cannot be resited outside the critical viewshed or be resized to be accommodated outside the critical viewshed, the best planning techniques such as resiting, resizing, use of berms to hide development, selection of roof materials and structure colors, shall be used to ensure that intrusion in the critical viewshed is minimized to the greatest extent feasible. New structures should not be allowed to block ocean views. LUP policies 3.2.4.F & 3.2.4.G and CIP sections 20.145.030.B.6 & 20.145.030.B.7 shall be the guiding standards of review for the proposed development.

Additions

Preferred options for additions are in the following order:

1. If the existing structure is partially outside the critical viewshed, locate additions in the portion of the structure outside the critical viewshed. LUP and CIP development standards for development outside the critical viewshed shall apply.
2. If the existing structure is totally within the critical viewshed, locate additions in such a way that the addition does not increase the visibility of the structure. Additions shall not be allowed to block ocean views. LUP and CIP development standards for development outside the critical viewshed shall apply.
3. When it has been fully demonstrated that an addition cannot be located to avoid intruding in the critical viewshed, the best planning techniques such as resizing, selection of roof materials and structure colors, shall be used to ensure that intrusion in the critical viewshed is minimized to the greatest extent feasible. Additions shall not be allowed to block ocean views. LUP policies 3.2.4.F & 3.2.4.G and CIP sections 20.145.030.B.6 & 20.145.030.B.7 shall be the guiding standards of review for the proposed development.