



**DEL MONTE FOREST AREA  
LAND USE PLAN**

**LOCAL COASTAL PROGRAM  
MONTEREY COUNTY, CALIFORNIA**

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LAND USE PLAN***

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LOCAL COASTAL PROGRAM***

***Amendment Certified by the  
California Coastal Commission on May 9, 2012***

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Board of Supervisors on May 22, 2012***

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# TABLE OF CONTENTS

<b>CHAPTER ONE</b>	
<b>INTRODUCTION</b> .....	<b>1</b>
CALIFORNIA COASTAL ACT	
MONTEREY COUNTY LOCAL COASTAL PROGRAM (LCP)	
DEL MONTE FOREST LAND USE PLAN (LUP)	
DEL MONTE FOREST LUP ORGANIZATION	
DEL MONTE FOREST LUP TERMINOLOGY	
DEL MONTE FOREST LUP KEY POLICIES	
<b>CHAPTER TWO</b>	
<b>RESOURCE MANAGEMENT ELEMENT</b> .....	<b>7</b>
INTRODUCTION	
FRESHWATER AND MARINE RESOURCES	
ENVIRONMENTALLY SENSITIVE HABITAT AREAS	
FOREST RESOURCES	
HAZARDS	
SCENIC AND VISUAL RESOURCES	
CULTURAL RESOURCES	
<b>CHAPTER THREE</b>	
<b>LAND USE AND DEVELOPMENT ELEMENT</b> .....	<b>24</b>
INTRODUCTION	
LAND USE AND DEVELOPMENT	
LAND USE DESIGNATIONS	
LAND USE BY PLANNING AREA	
PEBBLE BEACH COMPANY CONCEPT PLAN	
<b>CHAPTER FOUR</b>	
<b>LAND USE SUPPORT ELEMENT</b> .....	<b>43</b>
INTRODUCTION	
CIRCULATION	
WATER AND WASTEWATER SERVICES	
HOUSING	
<b>CHAPTER FIVE</b>	
<b>PUBLIC ACCESS ELEMENT</b> .....	<b>51</b>
INTRODUCTION	

**CHAPTER SIX**  
**IMPLEMENTATION.....58**

INTRODUCTION  
BASIC IMPLEMENTATION PROGRAMS  
ADMINISTRATION OF THIS PLAN

## CHAPTER ONE

# INTRODUCTION

## CALIFORNIA COASTAL ACT

The California Coastal Act was enacted in 1976 based on the premise that California's coastal areas are areas of statewide importance for which certain statewide perspectives related to resource protection and development are required. The Coastal Act's legislative findings state:

*That the California coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.*

*That the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.*

*That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction.*

*That existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone.*

Accordingly, the Coastal Act creates the coastal zone, establishes the California Coastal Commission as the state agency responsible for Coastal Act implementation, and identifies the basic goals of the state for the coastal zone as follows:

*Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.*

*Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.*

*Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.*

*Assure priority for coastal-dependent and coastal-related development over other development on the coast.*

*Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.*

Thus, overall state coastal zone goals include the goal of protecting, maintaining and restoring the overall quality of the coastal zone environment and its resources, and the goal of assuring orderly and balanced use and conservation of such resources. These goals are then embodied in policies provided by

Coastal Act Chapter 3, which provides the key planning and management policies and provisions for the state's coastal zone resources.

In general, the Coastal Act establishes requirements and priorities for the location, intensity, type, and design of new development in the coastal zone in order to promote the protection and enhancement, where feasible, of coastal resources. The Coastal Act requires that most new development be concentrated in and around existing developed areas with adequate public facility capacities to serve new development. The Coastal Act also establishes a set of priority uses, including that public recreational uses take precedence over private residential and general industrial or commercial development, but not at the expense of agriculture or coastal-dependent industry.

Within this broader framework, the Coastal Act also provides specific prescriptions for specific resource types. For example, public views are protected as a resource of public importance, and new development in highly scenic areas like the Del Monte Forest must be subordinate to the setting. Public recreational access opportunities must be maximized, and popular visitor destination points and appropriate upland areas are protected for recreational use. Coastal waters, streams, and wetlands are specifically required to be maintained and enhanced, including through siting and design requirements. Likewise, the environmentally sensitive habitat area (ESHA) policies of the Act strictly limit development within ESHA and require that adjacent development not disrupt these resources.

The broad policies of the Coastal Act are implemented through a coastal development permit (CDP) requirement for all development in the coastal zone. New development must be consistent with the Coastal Act, or with the applicable Local Coastal Program (LCP) that has been certified by the Coastal Commission as consistent with the Coastal Act. Thus, implementation of the Coastal Act, including resource planning and development permitting, fundamentally relies on close coordination and a strong partnership between the Coastal Commission and coastal zone local governments.

## **MONTEREY COUNTY LOCAL COASTAL PROGRAM (LCP)**

The Coastal Act requires local governments to prepare local coastal programs (LCPs) consistent with the Coastal Act for the portion of the statewide coastal zone located within their jurisdiction. Each LCP is required to include both a land use plan (LUP) and an implementation plan (IP) that together distill statewide Coastal Act coastal resource policies to the local level in a way that recognizes local context and perspective. The County of Monterey decided to divide their coastal zone area into four segments (North County, Del Monte Forest, Carmel Area, and Big Sur) and to prepare segment-specific LUPs and IPs for each, as well as overall IP measures and zoning for the County coastal zone. The Coastal Commission originally certified Monterey County's four segment-specific LUPs between 1982 and 1986. The complete LCP IP was subsequently certified in 1988, and the County of Monterey assumed authority for issuing most CDPs in the County, including in the Del Monte Forest, at that time.

## **DEL MONTE FOREST LAND USE PLAN (LUP)**

This document is the Del Monte Forest LUP, and is applicable to the Del Monte Forest coastal zone area (see Figure 1). The Del Monte Forest coastal zone area is a large, almost exclusively privately held land area that extends inland three to four miles in places and is located along approximately 7 miles of

central California shoreline. The Pebble Beach Company owns the private road system that winds through the Forest, as well as almost all of its undeveloped land. The Pebble Beach Company also owns and operates the major resorts in the Forest, and much of The Lodge at Pebble Beach-related commercial operations, as well as four of the eight golf courses. The Pebble Beach Company's predecessor, the Del Monte Properties Company, acquired all of the Del Monte Forest and much of the surrounding area in the early 1900s. Although the Pebble Beach Company has sold many of these original holdings over time, as evidenced by the other golf course properties and the Forest's individually-held residences, it remains the predominant Del Monte Forest landowner and land management entity. As a result, this LUP reflects the Pebble Beach Company's significant role in coastal resource planning and management in the Forest.

The Del Monte Forest LUP was originally certified in 1984, and has subsequently been amended multiple times since. Because all of the Del Monte Forest is seaward of the first through public road and the sea, pursuant to the Coastal Act all County CDP approval decisions are appealable to the Coastal Commission, as are any local actions (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility. Because the inland portion of the Country Club planning area and a small segment of the Gowen Cypress planning area are outside the coastal zone, development in these areas is not subject to this LUP (and not subject to the Coastal Commission appeal process) but rather is subject to the 2010 Monterey County General Plan and the Greater Monterey Peninsula Area Plan.

## **DEL MONTE FOREST LUP ORGANIZATION**

The LUP is organized into six chapters:

Chapter 1 provides background context and information related to the Coastal Act, the County of Monterey LCP, and the Del Monte Forest LUP, including presenting the LUP's overall key policies.

Chapter 2 identifies the main natural resource policies and provisions of this LUP, including identifying the Del Monte Forest natural resource setting, and the ways in which such resources are to be protected and managed over time.

Chapter 3 identifies the main land use and development policies of the LUP, including parameters related to the balance between coastal zone resource conservation and development, as well as land use designations for Del Monte Forest property. This chapter also includes a description of the Pebble Beach Company 2011 Concept Plan (Concept Plan).

Chapter 4 presents the land use support policies of the LUP and addresses issues related to circulation, water supply, wastewater services, and housing. This chapter also includes consideration of development and public access infrastructure, including as it affects the timing of new or expanded uses and development and the way in which Coastal Act and LCP priorities, including coastal-dependent and coastal-related development, are given precedence over non-priority uses.

Chapter 5 presents additional public access policies, including identifying specific physical and visual access facilities and requirements along the Del Monte Forest shoreline and within the area as a whole. This chapter provides direction on how best to maximize public access and recreational opportunities in light of the unique ownership and private use patterns within the Del Monte Forest area.

Chapter 6 describes certain LUP implementing mechanisms, including with respect to its day-to-day administration by the County of Monterey.

## **DEL MONTE FOREST LUP TERMINOLOGY**

The policies of this LUP implement the Coastal Act and are key to ensuring consistency of new development with the Coastal Act. This LUP identifies standards that are mandatory in many cases, permissive in others, and optional in certain circumstances. To assist in clarifying the intent of this LUP, the following terminology distinctions are made:

“Must” or “shall” identifies mandatory language to which all development must adhere.

“Should” identifies guidance based on policy considerations of this LUP, as well as those of the Coastal Act, the legislative history of the Act, and/or in judicial decisions concerning the Act and its implementation, including through LCPs. This guidance is to be followed unless the particular facts and circumstances require deviation.

“May” identifies language describing provisions which are desirable to adhere to in the interest of meeting the broad goals of the Coastal Act and this LUP, but which in isolation from other mandatory policy guidance may be interpreted and applied at the discretion of the decision-making body.

All of the provisions of this LUP must be read and applied together. In cases where questions of or conflicts in interpretation arise, such questions and conflicts are to be resolved in favor of the interpretation that is most protective of coastal resources and most consistent with the Coastal Act.

## **DEL MONTE FOREST LUP KEY POLICIES**

The LUP is organized in relation to the following primary elements and objectives, each of which is called out in the LUP as a Key Policy. Each individually represents the key policy for the identified LUP issue area, and they collectively represent the principal LUP policies:

### **Freshwater and Marine Resources**

The water quality and biological value of the Del Monte Forest’s coastal streams, wetlands, open coastal waters, and the Carmel Bay shall be protected and maintained, including through application of adequate buffers and setbacks, maintaining hydrologic inputs, protecting riparian and wetland vegetation, carefully controlling grading to minimize erosion and sedimentation, and effective collection, filtration, and treatment of runoff.

### **Environmentally Sensitive Habitat Areas**

The environmentally sensitive habitat areas of the Del Monte Forest are unique, limited, and fragile resources that are sensitive and important biologically, as well as resources that enrich Del Monte Forest enjoyment for residents and visitors alike. Accordingly, these areas shall be protected, maintained, and, where possible, enhanced and restored in accordance with the policies of this LUP. Except where specifically and explicitly authorized by the LUP, all categories of land use and development, both



public and private, shall be subordinate to the protection of these areas.

## **Forest Resources**

The natural beauty of the Del Monte Forest is one of its chief assets, and forest resources, in addition to their fundamental role in supporting the area's natural environment, are a principal constituent of the scenic attractiveness of the area that must be preserved for the benefit of both residents and visitors alike. These forest resources are best understood as complex and dynamic habitats comprising forest trees, understory vegetation, wildlife, soils, and climate, and the interaction of all these elements. These forests are complex, interdependent webs of living organisms and physical habitat, and are much more than simply an aggregate of trees. They are also home to the area's wildlife and serve to moderate climatic extremes. Long-term preservation of forest resources is a paramount concern and objective of the LUP.

## **Hazards**

Land uses and development in areas of geologic, flood, fire, and other coastal hazards shall be carefully regulated through the best available planning practices and sited and designed in order to minimize risks to life and property, and damage to the natural environment.

## **Scenic and Visual Resources**

The Del Monte Forest and 17-Mile Drive are significant and important visitor destinations. It is the objective of this LUP to protect the area's magnificent scenic and visual resources, to avoid incompatible development, and to encourage improvements and facilities that complement the Forest's natural scenic assets and enhance the public's enjoyment of them. To protect the scenic and visual resources of the Del Monte Forest area, only development that does not block significant public views and does not significantly adversely impact public views and scenic character, including with specific attention to the 17-Mile Drive corridor and designated public access areas/vista points, shall be allowed.

## **Cultural Resources**

The Del Monte Forest's cultural resources shall be maintained, preserved, and protected for their scientific and cultural heritage values. New land uses and development shall be considered compatible with this objective only when they incorporate site planning and design features necessary to avoid impacts to cultural resources, and where impacts are unavoidable they shall be minimized and reasonably mitigated.

## **Land Use and Development**

Land use designations are directive as to the type of use, but uses shall only be allowed provided such use and related development can be accomplished consistent with LUP policies, including resource protection requirements. Development shall be sited and designed in such a manner as to protect and enhance coastal resources, including public recreational access.

## **Circulation**

The continued development of a multi-modal circulation system within the Del Monte Forest shall be encouraged to provide an adequate level of service with minimal intrusion to the Forest environment, ensure adequate and effective public recreational access, encourage separation of visitor and resident traffic, and provide for a proportionate share of the improvements necessary to impacted areas of Highway 68, which serves as an external access route to the Del Monte Forest.

## **Water and Wastewater**

Development shall be approved only if it can be served by adequate and long-term public water supplies and wastewater treatment capacities. Priority for use of scarce water and wastewater treatment capacity shall be for coastal priority land uses. Wastewater systems which minimize or eliminate ocean pollution, and which provide for reclamation of wastewater for reuse, shall be encouraged and supported.

## **Housing**

Housing opportunities for persons and families of low to moderate income should be protected and provided, both within the Forest and in outlying areas, as a function of new development within the Forest.

## **Public Access**

Visual and physical public access to and along the shoreline and the enjoyment of public recreational values throughout the Del Monte Forest, consistent with the basic purpose of the California Coastal Act, shall be maximized. This LUP shall also seek to ensure that the beauty of the Del Monte Forest Area coast, its tranquility, and the health of its environment will not be marred by public overuse or neglect.

## CHAPTER TWO

# RESOURCE MANAGEMENT ELEMENT

## INTRODUCTION

The spectacular meeting of forest, land, and sea in the Del Monte Forest area is more than an important scenic attraction of the Monterey Peninsula; it is also a vital habitat for a variety of vegetation and wildlife species, including several rare and endemic species dependent on the unique ecosystem. That so much of the Forest's natural and scenic resources remain unspoiled is also significant; it provides a sharp contrast to urban developments in most areas of the nearby cities of Carmel-by-the-Sea, Pacific Grove, and Monterey.

In considering the following natural resource management sections, it is important to read them together as a whole framework and as discrete subjects. For example, disruption of vegetation at one site could increase site-specific runoff, which in turn could increase area-wide erosion and affect water quality, riparian habitats, and visual quality. In addition, many of the Forest's natural resource areas encompass a variety of species and habitat types that are important and sensitive by themselves, but that also have important ecosystem values when considered together.

This chapter details requirements for protecting and enhancing certain natural resources in the Del Monte Forest, including those related to freshwater resources (wetlands, streams, creeks, etc.), marine resources (intertidal areas, roosting and haul-out sites, etc.), ESHA, forests, natural landforms, and public viewsheds. Such requirements are organized below in sections by resource type, but there is considerable overlap and interplay between sections, and thus they must be understood in relation to all of the requirements of the chapter. In addition, the resource requirements in this chapter are not the only resource requirements of the LUP, and the requirements of the other LUP chapters that refer to similar and other resources are also applicable and must be recognized on the same footing as these here. As stated in Chapter 1, any questions and conflicts are to be resolved in favor of the interpretation that is most protective of coastal resources and most consistent with the Coastal Act.

Of particular note, this chapter must also be understood in terms of Pebble Beach Company's Concept Plan described in Chapter 3. Pebble Beach Company is the owner of the vast majority of the undeveloped land in Del Monte Forest and the Concept Plan was developed to provide certainty as to the ultimate disposition of that land under the LUP. The Concept Plan includes provisions for the Company to dedicate and preserve most of its undeveloped land, and for it to develop and redevelop a limited number of other areas, some of which include certain natural resources. The Concept Plan allows for certain resource impacts to ESHA, wetlands, dunes, streams, and riparian corridors in these limited areas notwithstanding other LUP policies protecting such resources in recognition of the significant permanent open space protection that would correspondingly be applied to the overwhelming majority of the Pebble Beach Company's significant undeveloped lands. In short, for these lands and pursuant to the Concept Plan, this LUP strikes a balance that recognizes that concentrating development in and near existing developed Forest nodes (e.g., in former quarry areas and in areas framed by golf course and residential development, etc.) pursuant to the Concept Plan allows for large resource areas, including those that are contiguous to other large protected resource areas (e.g., Pescadero Canyon and Huckleberry Hill Natural Habitat Area, etc.), to be protected and managed as contiguous habitat areas in perpetuity.

Overall, the common thread of this chapter and others, and really the LUP as a whole, is one of resource protection. The LUP fundamentally recognizes that the resources of the Del Monte Forest are significant and important, and that their protection is essential to the health and wellbeing of the Forest, not only in terms of the value of the resources themselves but also including in terms of fostering a natural environment within which the Forest's residential and visitor-serving commercial uses can thrive.

## **FRESHWATER AND MARINE RESOURCES**

California Coastal Act policies require the protection of freshwater and marine resources, particularly areas or species of biological or economic significance, and the maintenance of water quality, both inland and along the coast.

Freshwater resources, including riparian corridors and wetlands, are limited in the Del Monte Forest area. Wetland habitat in the Forest is primarily freshwater-related and is perhaps the most limited in extent. Del Monte Forest streams tend to flow seasonally, generally carrying surface runoff during the rainy season. Disruption of hydrologic inputs and quality, including sedimentation from disturbed areas and polluted runoff from buildings and paved surfaces, is perhaps the most serious threat to the Del Monte Forest's freshwater resources. These freshwater systems exist in the Forest in a sort of dynamic equilibrium that can be easily disrupted by inappropriate development siting and design, thus requiring both appropriate setbacks as well as thoughtful consideration of design options to minimize disruption of these areas.

The Del Monte Forest's marine resources include significant intertidal areas, offshore rocks which are used as major rookeries, roosting and haul-out sites, extensive kelp beds which support numerous species of sport fishes as well as the threatened sea otter, the Carmel Bay State Ecological Reserve, and the Carmel Bay Area of Special Biological Significance (ASBS). Non-point sources of pollutants to Carmel Bay come primarily from silt from eroding surfaces and from other pollutants in storm water runoff. Pollutants of concern in such runoff include, but are not limited to: sediments, nutrients (nitrogen, phosphorous, etc.), pathogens (bacteria, viruses, etc.), oxygen demanding substances (plant debris, animal wastes, etc.), petroleum hydrocarbons (oil, grease, solvents, etc.), heavy metals (lead, zinc, cadmium, copper, etc.), toxic pollutants, floatables (litter, yard wastes, etc.), synthetic organics (pesticides, herbicides, PCBs, etc.), and changes in its physical parameters (changes to salinity, temperature, dissolved oxygen, etc.). The Pescadero Creek watershed, and much of the southern portion of the Del Monte Forest, drains to Carmel Bay, and thus development in these areas is of heightened concern for Carmel Bay protection, especially development which may become or lead to a source of pollutants into the Bay.

### **Freshwater and Marine Resources Key Policy**

The water quality and biological value of the Del Monte Forest's coastal streams, wetlands, open coastal waters, and the Carmel Bay shall be protected and maintained, including through application of adequate buffers and setbacks, maintaining hydrologic inputs, protecting riparian and wetland vegetation, carefully controlling grading to minimize erosion and sedimentation, and effective collection, filtration, and treatment of runoff.

## **Freshwater and Marine Resource Policies**

1. New development shall be sited and designed to minimize runoff, site disturbance, erosion, and sedimentation. All new development shall be designed to conform to site topography as much as possible. New residential driveways and other vehicular surfaces shall be kept to the minimum length and width to provide simple, direct access, and surfaces shall be designed to minimize runoff (including through use permeable materials, filtration strips, and use of engineered collection/treatment units). Other impervious vehicular surfaces shall be limited to the minimum required to meet daily (not occasional) parking needs. This policy shall not be read to preclude safe bicycle lanes or adequate parking for commercial visitor-serving development and access points.
2. Non-point sources of pollution to Carmel Bay, rocky intertidal areas, and wetlands shall be avoided to the maximum extent possible, and where unavoidable, minimized and mitigated, through use of appropriately sited and designed drainage and runoff control systems.
3. Grading and site preparation activities shall incorporate design features to prevent soil erosion, repair existing erosion damage within the development footprint and prevent pollution of coastal waters.
4. All development shall employ adequate erosion/sediment control and water quality construction best management practices (BMPs) during construction, and all such BMPs shall be in place prior to the commencement of construction and shall be maintained in good operating condition through the construction period.
5. Erosion control measures (e.g., native vegetation cover, temporary vegetation, seeding, mulching, or other suitable stabilization methods) shall be used to protect soils that have been disturbed during grading or development. Manufactured slopes shall be stabilized as soon as possible with planting of native annual grasses and shrubs, appropriate native compatible plants, and with approved landscaping.
6. Provisions shall be made to collect and conduct runoff to drainage areas/devices capable of polluted runoff filtration/treatment (e.g., vegetated filtration strips, detention/retention basins, storm drains, etc.) to ensure maximum on-site filtration/treatment. Permanent onsite drainage areas/devices shall be designed to accommodate increased runoff resulting from site modification. Where necessitated by good drainage design considerations, on-site retention of storm water may be considered to reduce the size requirements for drainage structures, consistent with resource protection policies.
7. Dumping of spoil (dirt, garbage, refuse, etc.) into riparian habitat and drainage courses shall be prohibited.

## **ENVIRONMENTALLY SENSITIVE HABITAT AREAS**

Environmentally sensitive habitat areas (or ESHAs) in the Del Monte Forest are defined as those areas in which plant or animal life or their habitats are either rare or especially valuable due to their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. The Coastal Act provides strong protection for environmentally sensitive habitat areas and within such areas permits only resource-dependent uses (e.g., nature education and research) that do not result in any significant disruption of habitat values. The Act also requires that any development adjacent to environmentally sensitive habitat areas be properly sited and designed to avoid impacts that

would significantly degrade such habitat areas.

The Del Monte Forest is home to a variety of plant and animal species, including some that are exceptionally rare. These include Yadon's piperia, an orchid that is found in the Del Monte Forest but almost nowhere else in the world, and California red-legged frog. The native Monterey pine forest within which these and other sensitive species reside is the dominant biological community and is itself a special habitat – one of only five such native pine forest occurrences in the world. It is also the most extensive of these worldwide.

Offshore and along the shoreline, there is also an abundance and diversity of marine life. The shoreline is characterized by good water quality, protected pocket beaches alternating with granite outcroppings, and an unusually wide variety of animal and plant life, including a sea otter population and many endemic species of algae.

Historically, the following types of habitats have generally been found to meet the definition of ESHA:

- Habitat areas that are rare or especially valuable from a local, regional, or statewide basis.
- Habitat areas that support plant or animal species designated or candidates for listing as rare, threatened, or endangered under State or Federal law.
- Habitat areas that support species designated as Fully Protected or Species of Special Concern under State law or regulations.
- Habitat areas that support plant species for which there is compelling evidence of rarity (e.g., those designated 1b (rare or endangered in California and elsewhere) or 2 (rare, threatened, or endangered in California but more common elsewhere) by the California Native Plant Society).
- Areas of particular biological, scientific, or educational interest, including large continuous expanses of native trees and vegetation.

Determinations of whether ESHA is actually present in the Del Monte Forest in any particular situation must be based on an evaluation of both the resources on the ground and knowledge about the sensitivity of the habitat at the time of development consideration. In the Del Monte Forest, examples of habitat areas that have historically been determined to meet the definition of ESHA include: the rare Monterey cypress and Gowen cypress forest communities, portions of the native Monterey pine forest, the endemic Monterey pine/Bishop pine association, central maritime chaparral, coastal sand dunes, streams and riparian corridors, wetlands, rocky intertidal areas, near-shore reefs, offshore rocks and inlets, the Carmel Bay ASBS, kelp beds, rookeries and haul-out sites, important roosting sites, and sites in which sensitive plants and animals associated with these and other habitats are located.

Possible threats to the Del Monte Forest's environmentally sensitive species and habitats vary in type and degree of severity. Unrestricted recreational use is probably the greatest single threat to sensitive habitats along the immediate shoreline. Trampling, collecting, and off-road automobile parking have damaged or degraded certain habitats. Alterations to the surface hydrology and removal of natural vegetation are the two most serious threats to the continued viability of forest habitats. Given the forested nature of most of the undeveloped Del Monte Forest area, as well as the built environment – residential and otherwise – that exists within certain such areas, avoiding development that further fragments and circumscribes such forest habitats is key to their vitality and protection. Where development is allowed (e.g., on legal lots of record), it must be sited and designed in such a way as to

maintain large and intact forest areas as viable forest units. Opportunities for permanent conservation of forest resources (e.g., through dedication and conservation easement), are strongly encouraged and supported. In all cases, future development near environmentally sensitive habitat areas must be carefully sited and designed to avoid potential adverse impacts to these resources.

Potentially disruptive threats to the Del Monte Forest's sensitive marine habitats include the discharge or spillage of wastes and hazardous materials, as well as polluted runoff, which may originate from a variety of sources. The main sources of concern are wastewater discharge and polluted runoff from vehicular surfaces and other sources (e.g., manicured landscaped areas). While wastewater is generally thought of as treated municipal sewage, it can potentially include any number of toxic and/or hazardous materials from industrial processes and other sources. Wastewater discharge therefore has a high potential for disrupting the marine environment of Carmel Bay and the Forest's coastal waters. Similarly, polluted runoff is widely known to have a high potential for environmental degradation. Land uses and development in the Del Monte Forest must be evaluated in terms of the potential for adverse impacts to streams, wetlands, riparian corridors, other wet resource areas, and the ocean, and measures must be put in place to adequately address potential impacts.

### **ESHA Key Policy**

The environmentally sensitive habitat areas of the Del Monte Forest are unique, limited, and fragile resources that are sensitive and important biologically, and that enrich Del Monte Forest enjoyment for residents and visitors alike. Accordingly, these areas shall be protected, maintained, and, where possible, enhanced and restored in accordance with the policies of this LUP. Except where specifically and explicitly authorized by the LUP, all categories of land use and development, both public and private, shall be subordinate to the protection of these areas.

### **ESHA Policies**

8. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values. Within environmentally sensitive habitat areas, new land uses shall be limited to those that are dependent on the resources therein. Land uses and development adjacent to environmentally sensitive habitat areas shall be compatible with long-term maintenance of the habitat area, and such land use and development shall be sited and designed to prevent impacts that would significantly degrade the habitat areas.
9. Improvements to facilitate public recreational and/or visitor uses (including vegetation removal, excavation, grading, or filling) in environmentally sensitive habitat areas shall be sited, designed and managed to avoid any significant disruption of the protected resources and shall only be allowed for uses and improvements that are dependent on the resource. Areas that are especially sensitive to recreational use include riparian and stream habitats, wetlands, rocky intertidal areas, and sites where threatened, rare, and endangered species of plants and animals are found. Bird rookeries, major roosting and haul-out sites, and other wildlife breeding or nursery areas are generally appropriate only for off-site observation. Any such public recreational/visitor uses and improvements in environmentally sensitive habitat areas shall be required to enhance the affected habitat as part of the use/improvement.
10. Subdivisions that would allow or create commitment to non-resource dependent development in environmentally sensitive habitat areas are prohibited. Subdivisions that allow or create commitment

to development adjacent to environmentally sensitive habitat areas shall be allowed only at densities compatible with protection and maintenance of these resources, and if such subdivisions include enforceable parameters to prevent impacts that would significantly degrade those areas. Subdivisions may be approved only where potential adverse impacts to environmentally sensitive habitat areas from the subdivision or future development reasonably facilitated and expected due to the subdivision can be prevented. No residential subdivision shall be allowed unless it is first demonstrated that, for each new residential lot, normal residential development, including driveway and utility connections, is feasible without adverse impacts to any environmentally sensitive habitat area.

11. Contiguous areas of land in open space uses shall be maintained wherever possible to protect environmentally sensitive habitat areas and associated wildlife values. To this end, development of parcels immediately adjacent to environmentally sensitive habitat areas shall be planned to keep development intensity immediately adjacent to the sensitive habitats as low as possible, consistent with other planning criteria (e.g., drainage design, roadway design, and public safety).
12. Where development of any type, including subdivision of land for development purposes, is proposed in or near documented or expected locations of environmentally sensitive habitat areas, biological reports, including field surveys and impact analysis, by qualified individuals shall be required to precisely determine such habitat area locations and to recommend siting, design, and related mitigating measures to ensure protection of any sensitive species or habitat areas present.
13. Environmentally sensitive habitat areas shall be protected through deed restrictions or permanent open space conservation and scenic easements granted to the Del Monte Forest Foundation. Where developments are proposed within or near areas containing environmentally sensitive habitat, such restrictions or easements shall be established through the development review process. Where development has already occurred within or near areas containing environmentally sensitive habitat, property owners are encouraged to voluntarily grant conservation and scenic easements to the Del Monte Forest Foundation. Except in the case of voluntary easements, each instrument for effecting such restriction or easement shall be subject to approval by the County and the Coastal Commission as to form and content; shall provide for enforcement, if need be, by the County or other appropriate enforcement agency; and shall name the County as beneficiary in the event the Foundation ceases or is unable to adequately manage these easements for the intended purpose of natural habitat preservation. Permanent open space conservation and scenic easements shall be dedicated to the Del Monte Forest Foundation for all areas of the Forest designated Open Space Forest and Open Space Shoreline.
14. Near environmentally sensitive habitat areas, native vegetation removal and land disturbance (grading, excavation, paving, etc.) shall be restricted to the minimum amount necessary to accommodate reasonable development. Development shall be sited and designed to prevent impacts that would significantly degrade those nearby areas, and shall be compatible with the continuance of those habitat areas.
15. The use of non-invasive Del Monte Forest-appropriate native plant species shall be required in landscape materials used in projects and invasive plant species shall be prohibited, especially in developments adjoining environmentally sensitive habitat areas. Non-native and/or invasive plant species should be removed, and such removal is encouraged.



16. Prior to approval of development on existing legal lots of record, a biological report shall be prepared by a qualified biologist for the purpose of determining the presence of rare, endangered, and/or sensitive native plant and animal species and habitats and developing appropriate siting and design standards.
17. The remnant native sand dune habitat along the shore in the Spanish Bay planning area, on Signal Hill near the former Spyglass Quarry, and adjacent to 17-Mile Drive in the Spyglass Cypress planning area, shall be preserved through open space conservation and scenic easements conveyed to the Del Monte Forest Foundation, as provided by Policy 13 above, as part of the approval of any development in adjacent areas.
18. Uses of remnant native sand dune habitat shall be limited to low-intensity scientific, educational, and/or recreational activities dependent on the resource. Particular attention shall be given to protection of rare and endangered plants from trampling. Such uses must be consistent with restoration and enhancement of the habitat.
19. To prevent further degradation and to allow for restoration of degraded dune and bluff habitats, parking along 17-Mile Drive shall be restricted to designated turnouts through the use of barriers (structural and vegetational) and enforcement signs that are sited and designed to avoid impacting scenic views.
20. Indigenous Monterey cypress habitat is an environmentally sensitive habitat area within the Del Monte Forest, and is presumed present within the area mapped in Figure 2a. All proposed development in this area shall be accompanied by the biological reports described in Policies 12 and 16. All use and development in or adjacent to indigenous Monterey cypress habitat areas shall be compatible with the objective of protecting this environmentally sensitive coastal resource. All improvements (such as structures and driveways, etc.) shall be carefully sited and designed to avoid potential damage or degradation of Monterey cypress habitat, including the microhabitat of individual cypress trees, and must be located within existing hardscaped areas and outside of the dripline of individual cypress trees. Within the perimeter of the identified habitat area for a site, including at a minimum as defined by the driplines of the outermost indigenous Monterey cypress trees on the site, removal of native trees or other indigenous vegetation, grading, paving, building construction activity, landscape alterations and summer watering shall be prohibited. On the inland side of 17-Mile Drive, driveways shall be allowed in this area where the driveway does not come within the dripline of individual Cypress trees. Underground residential utilities and fences shall be allowed in this area on the inland side of 17-Mile Drive. Open space conservation and scenic easements are required for all undeveloped areas of a parcel within the Monterey cypress habitat area, and such easements shall be secured consistent with Policy 13.
21. The County supports the establishment of an interpretive and educational program at Crocker Grove (see Figure 2a). The program would be under careful supervision and designed for the protection of the indigenous Monterey cypress habitat. The type and intensity of access to Crocker Grove shall be carefully regulated.
22. In addition to all other requirements, land uses and development within or adjacent to the Gowen cypress/Bishop pine association and the S.F.B. Morse Botanical Reserve (see Figure 6f) shall be compatible with the objective of protection of the S.F.B. Morse Botanical Reserve. Residential and recreational development, such as golf courses, shall be carefully sited and restricted to a level

consistent with the protection of these resources. Development proposed adjacent to Gowen cypress habitat shall be planned in a manner to protect this rare species.

23. In addition to environmentally sensitive habitat area policies that may also apply, riparian plant communities shall be protected by establishing a setback/buffer of at least 100 feet as measured from the outer edge of riparian vegetation. The setback/buffer requirement may be reduced only if it is clearly demonstrated that a narrower setback/buffer is sufficient to protect riparian vegetation and associated wildlife values and other ecological functions, and that riparian enhancement is included in a project. No significant disruption of riparian habitat will be permitted, and all allowable use/development dependent on the riparian resource, including bridges, shall result in long-term habitat enhancement (i.e., new habitat value greater (qualitatively and quantitatively) than existing habitat value). Examples of such cases include restoration of previously damaged riparian environments and replacement of fill and culverts by bridges.
24. To protect wildlife habitat values of riparian areas and their adjacent setback/buffer zones, off-road vehicle activity of any type shall be prohibited within such areas. In addition, general public access should be limited within such areas to designated portions of the setback/buffer area (such as cart paths or trails) that are sited and designed to avoid impacts to riparian habitat.
25. In addition to environmentally sensitive habitat area policies that may also apply, a setback/buffer of at least 100 feet as measured from the edge of wetlands and from the mean high water line of the ocean shall be provided. No landscape alterations will be allowed in this setback/buffer area unless accomplished in conjunction with restoration and enhancement, and unless it is demonstrated that no significant disruption of environmentally sensitive habitat areas will result.
26. Alteration of the shoreline shall be prohibited except when required to serve coastal-dependent uses, to protect existing structures and public beaches in danger from erosion, and/or to restore and enhance shoreline habitat.
27. In the Cypress Point area, development shall be restricted to that associated with existing uses (e.g., golf course and golf clubhouse at the Cypress Point Club).
28. Shoreline areas used by harbor seals shall be managed to protect seals during the pupping period from April 1 to June 1, including through limitations on public access to such areas.
29. All new and/or expanded wastewater discharges into offshore coastal waters shall require a permit from all applicable agencies.

## **FOREST RESOURCES**

Forest-crested landforms providing a scenic backdrop for the cities of Monterey, Pacific Grove, and Carmel-by-the-Sea, and for the Del Monte Forest area are an integral part of the mystique of the Monterey Peninsula. The Del Monte Forest has long been recognized for its natural beauty and is well known for its mostly craggy shoreline that extends through the bluff platform and large areas of dunes up through and into a sloped landform mantled by native Monterey pine forest. The spectacular meeting of forest, land, and sea in the Del Monte Forest area is not only an important scenic attraction of the Monterey Peninsula, for both residents and visitors, but vital habitat for a variety of vegetation and wildlife, including several rare and endemic species dependent on the unique ecosystem.

Perhaps the most compelling characteristic of the Del Monte Forest area is this spectacular physical setting. Framed by the Asilomar Dunes extending into Pacific Grove upcoast and the granitic sands of Carmel Beach downcoast, the Del Monte Forest shoreline includes the incredible white sand dunes and beaches at Spanish Bay, Fan Shell Beach, and Signal Hill, the craggy shoreline from Cypress Point to Pescadero Point, and the striking calm waters and sandy beaches of Stillwater Cove – part of Carmel Bay (a designated State Marine Conservation Area, Water Quality Protection Area, and Area of Special Biological Significance) and the Monterey Bay National Marine Sanctuary. Inland of the shoreline, the Del Monte Forest transitions through both developed and undeveloped areas containing a variety of streams and creeks towards the peak of the Monterey Peninsula.

Within the spectacular physical setting of the Del Monte Forest is the forest resource itself. Much of the area remains substantially mantled by forest cover; predominantly native Monterey pine forest, but also native Monterey cypress, Gowen cypress, and Bishop pine, in both distinct and mixed groves of these species. Even the Forest's developed areas are mantled to greater and lesser degrees (depending on the nature of the development and how much of the native flora was retained and protected) with forest cover. Several areas have been formally set aside for preservation, such as the Huckleberry Hill Natural Habitat Area with its unique and valuable ecosystems.

The primary connecting forest resource thread is the native Monterey pine forest itself. The native *Pinus radiata* mantling the Monterey Peninsula is the defining characteristic of the Del Monte Forest. Majestic stands of pine forest as well as smaller groups of individual trees generally frame homes and other developed areas, and larger and more intact (and often more biologically diverse) forest areas occupy most of the undeveloped remainder of the Forest. The native Monterey pine forest is the dominant biological community and itself a special habitat – one of only five such native pine forest occurrences in the world. It is also the largest and most extensive of these worldwide.

Alteration of the Forest (e.g., through tree removal or excavation) not only can impact the soils, the natural drainage system, and associated plant and animal habitats, but can also lead to adverse impacts to its defining element, namely the forest resource itself. Preservation of the unique forests of the Del Monte Forest, including the dominant native Monterey pine forest areas, for their aesthetic and habitat value is a concern of both residents and visitors to the area as well as a statewide and even global issue in certain respects given the relative rarity of many Del Monte Forest natural resources. And while individual trees may rate protection in their own right in certain circumstances, the native Monterey pine and other forests of the Del Monte Forest are probably best understood as complex and dynamic habitats comprised of trees, understory vegetation, wildlife, soils, and climate and the interaction of all these elements. In short, the forest is a complex, interdependent web of living organisms and physical habitat.

Thus, the paramount LUP concern is protection of identified forest resources, and not just individual trees. The LUP policies that follow are meant to protect intact forest areas as a paramount concern, and forest areas that constitute ESHA above all. In those terms, it is important to note that much of the developed Del Monte Forest area is also forested to a certain extent. The LUP recognizes this fact, and distinguishes between forest that is ESHA and forest that is not ESHA; and among the latter those areas that are best considered as an aggregate of trees as opposed to defined forest areas. The LUP requires some level of protection for all of these types of forest, but allows for disturbance of non-ESHA forest and non-forest trees as part of normal and typical development consistent otherwise with the LCP, while strictly limiting what can occur in ESHA forests.

Future development in the Del Monte Forest, particularly within, adjacent to, or upslope from forest

areas, must be responsive to the delicate balance of climate, soils, and vegetation which has developed over the centuries, and development must not be allowed to adversely impact significant forest resources, including forest ESHA. Tree removal is allowed in certain circumstances, including in terms of trees that are not part of a forest and in non-ESHA forests, but tree removal in ESHA forests is only allowed as part of restoration and enhancement projects. Accordingly, a fundamental component of evaluating development in the Del Monte Forest that affects trees/forests is determining the types of trees and forest affected, and applying policies based on that determination to ensure protection of forest resources overall.

### **Forest Resources Key Policy**

The natural beauty of the Del Monte Forest is one of its chief assets, and forest resources, in addition to their fundamental role in supporting the area's natural environment, are a principal constituent of the scenic attractiveness of the area that must be preserved for the benefit of both residents and visitors alike. These forest resources are best understood as complex and dynamic habitats comprising forest trees, understory vegetation, wildlife, soils, and climate, and the interaction of all these elements. These forests are complex, interdependent webs of living organisms and physical habitat, and are much more than simply an aggregate of trees. They are also home to the area's wildlife and serve to moderate climatic extremes. Long-term preservation of forest resources is a paramount concern and objective of the LUP.

### **Forest Resources Policies**

30. The natural forested character of Del Monte Forest shall to the maximum feasible degree be retained consistent with the uses allowed by this LUP. Accordingly, all tree removal, land clearing for development, and forest management activities within native forest areas covered by this LUP shall conform to LUP policies regarding water and marine resources, environmentally sensitive habitat areas, and scenic visual resources.
31. Where LUP objectives conflict, preference should be given to long-term protection of the forest resource. All development that could affect trees and/or forest resources shall be accompanied by a forest management plan that clearly identifies all aspects of the tree/forest resources in question, including in relation to whether the trees are part of a forest, and whether the forest or portions of it are considered ESHA (to which the requirements of the preceding applicable LUP ESHA policies shall apply). When reviewing requests for tree removal, environmental considerations shall include review of forest plant associations, native soil cover, fuel management, aesthetic values, tree health, and applicable forest management plans. Within a forest ESHA, or for any individual tree considered ESHA, tree removal shall be prohibited unless it is part of restoration and enhancement efforts.
32. In reviewing requests for tree removal, land clearing, and other development, preservation of scenic resources shall be a primary objective. Because of the regional significance of the forest resources, special consideration shall be given to the ridgeline silhouette, as well as views from significant public viewing areas, such as the corridors along Highway 68 and 17-Mile Drive, and the view from distant publicly accessible shoreline areas such as found at Point Lobos State Natural Reserve.
33. In considering potential development projects, siting and design shall be required to minimize to the extent feasible the removal of trees and understory vegetation and damage to soil resources. Siting, design, and land use concepts that minimize removal and damage should be applied and are

preferred. Retained trees that are located close to construction areas shall be protected from inadvertent damage by construction equipment through wrapping of trunks with protective materials, bridging or tunneling under major roots where exposed in foundation or utility trenches, and other measures appropriate and necessary to protect the well-being of the retained trees.

34. The natural forest soil cover shall be retained in place to the maximum extent possible.
35. Development, including driveways and parking areas, shall be sited and designed to minimize removal of trees, especially trees that significantly contribute to the visual character of public view corridors (e.g., along 17-Mile Drive) and that screen the development from public view and neighboring properties. The clustering of single family homes in order to maintain the forested character of the Del Monte Forest shall be encouraged, and shall be required in subdivisions where topographic and habitat constraints allow. Native trees that are removed shall be replaced on the site in accordance with the recommendations of an approved Forest Management Plan with trees of the same variety, except where it is demonstrated that replacement of trees would result in an overcrowded, unhealthy environment. Replacement trees shall be retained and maintained in good condition. Trimming, where not injurious to the health of the tree(s), may be performed, including to reduce safety and fire hazards.
36. Because of the habitat, recreation, aesthetic, and scientific values of forest resources in the Del Monte Forest, commercial harvesting for timber or firewood shall be prohibited.
37. Development associated with The Inn at Spanish Bay shall be designed to maximize the retention of the native Monterey pine forest as much as possible seaward of 17-Mile Drive.

## **HAZARDS**

The Coastal Act requires that new development minimize risks to life and property in areas of geologic, flood, and fire hazard; and, furthermore, that new development assure stability and structural integrity, and not threaten the stability of a site, contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas, or in any way require devices which would alter natural landforms along coastal bluffs and cliffs.

Although the Del Monte Forest is located in an active seismic region, with active faults a few miles to the east and west, the Cypress Point fault (potentially active) and minor faulting in the Pescadero Canyon area are likely the most significant local seismic hazards. The most likely effects of seismic activity that would occur locally are ground shaking, ground failure, bluff erosion, and tsunamis. Areas with slopes over 30% in combination with unstable bedrock or soils could become hazardous during seismic activity.

Potential significant damage due to flooding in the area appears minimal. The two creeks with flooding potential adjoin golf courses and generally appear to pose little flood danger to life and property. Major upstream development within the watershed may require safeguards to preclude flood or erosion control in downstream areas.

Most forested areas of the Del Monte Forest are considered high fire hazard areas and special attention must be given to subdivision design, structural design, landscaping, and maintenance when development is otherwise allowable under the LUP in these areas to minimize the risks to life and property.

Unforested parts of the Del Monte Forest Area are not rated as hazardous in terms of fire hazard. Fire protection services are available within the area and the response time is adequate.

The Del Monte Forest shoreline is subject to a variety of coastal hazards (including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunami, coastal flooding, landslides, bluff and geologic instability, and the interaction of same), all of which are likely to be exacerbated by sea level rise and global climate change over time. Thus, consistent with the Coastal Act, all new development along the shoreline must account for such hazards and be sited and designed to avoid the need for protective devices and other such development. If existing development is threatened due to such hazards, solutions should be premised on avoiding shoreline-altering development if feasible, including through relocation/redesign of endangered structures.

Siting, density, and design of future development with sensitivity to potential hazards will ensure that life and property will continue to be protected to the greatest extent feasible.

## **Hazards Key Policy**

Land uses and development in areas of geologic, flood, fire, and other coastal hazards shall be carefully regulated through the best available planning practices and sited and designed in order to minimize risks to life and property, and damage to the natural environment.

## **Hazards Policies**

38. New development shall be sited and designed to minimize risk from geologic, flood, or fire hazards; to assure stability and structural integrity; and to not threaten the stability of a site, contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas. Areas that are subject to the highest category of fire hazard in the California Department of Forestry and Fire Protection Fire Hazard Rating System shall be considered unsuitable for development, unless it can be clearly demonstrated that design measures can adequately mitigate the fire hazard. Mitigation of hazards shall be demonstrated by detailed technical reports specific to the hazard type in question (e.g., soils, geologic, geotechnical, erosion control, fire hazard, etc.) that are prepared by persons who are appropriately qualified in the hazard field in question (e.g., civil engineers and engineering geologists familiar with coastal processes, geotechnical engineers, etc.) and that are submitted as part of any permit application. All technical reports shall be prepared consistent with County criteria for such reports (e.g., criteria for detail on seismic hazards are contained in the General Plan Safety Element; criteria for detail on fire hazards are based on the fire hazard rating system of the California Department of Forestry and Fire Protection; criteria for detail on shoreline hazards are based on Coastal Commission guidelines). All technical reports and analyses shall accompany development applications and/or be part of any required environmental documentation (e.g., that associated with CEQA).
39. Subdivisions may be approved only where it can be clearly demonstrated that development of each proposed parcel and construction of any necessary access roads will not significantly contribute to erosion, geologic instability, flooding, or fire hazard, all of which shall be demonstrated in the technical reports required by Policy 38.
40. Development shall be sited and designed to conform to site topography and to minimize grading and other site preparation activities. Natural features, such as tree cover, should be preserved.

Applications shall be reviewed for potential onsite and offsite impacts arising from grading, as well as related geologic and seismic hazards, and mitigation measures may be required to offset such impacts. All areas disturbed by grading shall be revegetated with non-invasive native plant species appropriate to the site in order to recreate as much as possible native plant and animal habitat.

41. Structures to be occupied shall be set back a minimum of 50 feet from an active or potentially active fault as determined by geologic investigation.
42. As technical reports supporting development proposals are completed and received by the County, the information contained therein shall be recorded in such a manner that the report(s) will be identified in a chain of title for the property where approved development would occur and become part of the public record. Where appropriate, the results of such technical reports shall augment and may supersede, if appropriate, more general information found in other County sources.
43. No habitable structures shall be permitted along the shoreline in areas subject to storm wave run-up. New development shall be sited and designed in such a manner as to avoid the need for shoreline armoring and/or other such shoreline altering development over the development's lifetime, and shall include enforceable provisions for addressing any future bluff retreat/erosion danger to the development without shoreline armoring (e.g., moving the development, removing the development, etc.). In addition, bluff and cliff top development shall be permitted only if design and setback provisions are adequate to assure stability and structural integrity for the development's lifetime and if the development (including associated storm runoff, foot traffic, grading, and irrigation) will neither create nor contribute significantly to erosion problems or geologic instability of the site or surrounding area. Development on bluff faces shall be prohibited except for public access pathways, including stairways.
44. Revetments, seawalls, retaining walls, groins, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. For the purposes of application of this policy, existing structures shall mean existing substantial structures (such as a primary residence, a major road, or a significant facility or access area used by the public). Shoreline armoring and/or other such shoreline altering development shall be allowed to protect existing structures if they are in danger from erosion, and if:
  - (a) less-environmentally damaging alternatives to such armoring/development are not feasible (including relocation of endangered structures); and
  - (b) the armoring/development has been sited, designed, and accompanied by measures to proportionately mitigate any unavoidable negative coastal resource impacts (on views, sand supply, public access, etc.). Development, including land divisions, that would require shoreline armoring and/or other such shoreline alteration over the lifetime of the development shall be prohibited.
45. The fire hazard policies contained in the Safety Element of the Monterey County General Plan and the clearance requirements of the State Forest and Fire Law (Section 4291 of the Public Resources Code) shall be regularly and consistently applied provided they are consistent with all other policies of this LUP. For example, exceptions to the State Forest and Fire Law may be necessary where

ESHA is present and/or where prior restrictions (including in Forest Management Plans) dictate otherwise. The County's fire hazard map should be updated regularly, including in accordance with the most current California Department of Forestry and Fire Protection hazard rating criteria, as new and more specific information becomes available.

46. Geologic and geotechnical reports shall be required for unstable areas and for all proposed blufftop development.

## **SCENIC AND VISUAL RESOURCES**

The remarkable mingling of ocean, land, and forest found in the Del Monte Forest Area provides scenic resources for the entire Monterey Peninsula. Ridgeline vistas, coastline panoramas, tree-lined corridors, and unique tree and rock formations are all appreciated by the region's many residents and visitors alike. Placement and design of new development must not injure the visual integrity of the area. The Coastal Act calls for protection of views to and along the ocean, preservation of natural landforms, protection of special communities, and visually compatible development which is sensitive to the character and scenic assets of the area.

Considering the high visibility of the Del Monte Forest, including the coastline and wooded ridges as seen from more distant vista points, LUP scenic and visual policies must take into account not only views from within the Forest but also significant views of the Forest area from outside its boundaries. Preservation and enhancement of scenic resources within the Del Monte Forest Area is thus a significant component of maintaining scenic and visual character of the greater Monterey Peninsula and the Monterey County coastline as a whole. Protection of significant public views is most critical in this context. Well known important visual resources are shown on Figure 3. Extended use of scenic easements, public open space, design control, site control, and responsive planning and zoning are methods that will be useful in attaining Coastal Act objectives.

### **Scenic and Visual Resources Key Policy**

The Del Monte Forest and 17-Mile Drive are significant and important visitor destinations. It is the objective of this LUP to protect the area's magnificent scenic and visual resources, to avoid incompatible development, and to encourage improvements and facilities that complement the Forest's natural scenic assets and enhance the public's enjoyment of them. To protect the scenic and visual resources of the Del Monte Forest area, only development that does not block significant public views and does not significantly adversely impact public views and scenic character, including with specific attention to the 17-Mile Drive corridor and designated public access areas/vista points, shall be allowed.

### **Scenic and Visual Resources Policies**

47. Views from designated public access areas and vista points, from Highway 68 and 17-Mile Drive corridors, and of ridgelines as seen from the public viewing areas identified on Figure 3, shall be protected as resources of public importance, and development that could adversely impact such views shall only be allowed where it protects, preserves, and if feasible enhances, such scenic resources. Conservation and scenic easements shall be required as one means of protecting such views in perpetuity.



48. Development within visually prominent settings, including those identified on Figure 3, shall be sited and designed to avoid blocking or having a significant adverse impact on significant public views, including by situating lots, access roads, and/or buildings to maximize the effectiveness of screening vegetation and related viewshed mitigation. Lots, access roads, and/or buildings should also be sited to minimize tree removal and visually obtrusive grading.
49. During the development review process, open space conservation and scenic easements shall be required to the fullest extent possible for visually prominent areas. These shall be granted to the Del Monte Forest Foundation. Except in the case of voluntary easements or properties not subject to the permit process, these instruments shall be subject to approval by the County and the Coastal Commission as to form and content, shall provide for enforcement, if need be, by the County or other appropriate agency, and shall name the County as beneficiary in event the Foundation is unable to adequately manage these easements for the intended purpose of scenic and visual resource protection.
50. Utility lines shall be placed underground, typically within road access footprints, except where 1) such undergrounding would result in removal of native trees and 2) it can be shown that the lines can be hidden from public view using different siting and design approaches (e.g., placing lines behind existing vegetation or structures, etc.).
51. Live tree removal shall be prohibited in undeveloped areas unless it is consistent with all other LUP policies and any Forest Management Plan applicable to the area in question.
52. Development within the viewshed of visually prominent settings, including those identified on Figure 3, shall include adequate structural setbacks (generally a minimum of 50 feet) from such settings and shall require siting and design of structures to minimize the need for tree removal and alterations to natural landforms. New structures shall be sited and designed to harmonize with the natural setting and not be visually intrusive.
53. Design and siting of structures in public views of scenic areas should not detract from scenic values of the forest, stream courses, ridgelines, or shoreline. Structures, including fences, shall be subordinate to and blended into the environment, including by using appropriate materials that will achieve that effect. Where necessary, modifications shall be required for siting, structural design, shape, lighting, color, texture, building materials, access, and screening to protect such public views.
54. Structures in public view in scenic areas shall utilize non-invasive native vegetation and topography to help provide visual compatibility and, when such structures cannot be sited outside of public view, to provide screening from public viewing areas. In such instances, the least visible portion of the property should be considered the most desirable building site location, subject to consistency with other siting criteria (e.g., proximity to environmentally sensitive habitat areas and safe access).
55. Parking on the seaward side of 17-Mile Drive should be designed to minimize the visual impact of parked vehicles in the viewshed and disturbance to the habitat.
56. New development, including ancillary structures such as fences constructed between 17-Mile Drive and the sea (Pacific Grove gate to Carmel gate portion), shall be designed and sited to minimize obstructions of and degradation to views from the road to the sea. Examples of methods to reduce obstruction include, but are not limited to the following: height limits, use of see-through materials for fences, and limitations on landscape materials that would block views, whether immediately or at

maturity.

## **CULTURAL RESOURCES**

The Del Monte Forest area is located within the territory of the Ohlone people (also known as Costanoan people). The Rumsen group of the Ohlone are believed to have inhabited the Del Monte Forest area since 500 A.D. or earlier. The Rumsen were hunter-gathers who relied heavily on the native flora and fauna for survival. Some forms of resource management akin to agriculture were used by the Ohlone, including pruning and re-seeding plants. Controlled burns were also carried out to promote seed growth and to increase grazing area for deer, elk, and antelope.

Monterey Bay was also the focus of several Spanish expeditions after the first landing by Juan Cabrillo in 1542. The Franciscans founded three missions in Monterey County that became the hub of local activity, as did the Presidio when it was established in the late 1700s. By the early 1800s, an agrarian economy had emerged in Monterey County, with the City of Monterey as a central focus of trade and commerce. This focus was further solidified by the California gold rush of the 1850s. By the late nineteenth century, Monterey County had become a tourist area, and by the early 1900s, the area identified by Samuel F.B. Morse as “Pebble Beach” had become a popular resort destination. Residential and resort development soon followed and during the 1910s and 1920s the Del Monte Lodge, the Pebble Beach Golf Links, and a series of luxury residences were developed, setting the stage for the current Del Monte Forest built environment.

The Del Monte Forest area shoreline contains numerous archaeological sites which, along with several known upland sites, represent several periods of occupation. Currently known sites are mapped and on file at the Northwest Regional Information Center at the California Historical Resource System (CHRIS) at Sonoma State University. To protect the sites, these maps are confidential. The County of Monterey Planning Department maintains current site location information.

### **Cultural Resources Key Policy**

The Del Monte Forest’s cultural resources shall be maintained, preserved, and protected for their scientific and cultural heritage values. New land uses and development shall be considered compatible with this objective only when they incorporate site planning and design features necessary to avoid impacts to cultural resources, and where impacts are unavoidable they shall be minimized and reasonably mitigated.

### **Cultural Resources Policies**

57. The timely identification and evaluation of archaeological, historical, and paleontological resources, and coordination with applicable Native American representatives, is encouraged, so that these resources are given full consideration during the conceptual design phase of land use planning for project development.
58. Whenever development is proposed, it shall be determined whether the affected property has received an archaeological survey. If not, such a survey shall be conducted to determine if archaeological resources exist. The survey should describe the sensitivity of the site and make appropriate recommendations concerning needed protection of the resource. If the development

activity is subject to environmental review, this policy may be satisfied in conjunction with environmental review.

59. Where significant archaeological resources are identified, all available measures including dedication of open space conservation or scenic easements and purchase of development rights shall be considered to avoid development on significant archaeological sites.
60. When developments are permitted on parcels where archaeological or other cultural resource sites are located, project design shall be required which avoids or mitigates impacts to such sites. Where the site has religious significance, emphasis should be placed on preserving the entire site; likewise, where the site is of known regional significance, consideration shall be given to nominating the site to the National Register and preserving it.
61. When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate preservation and mitigation measures shall be required. Preservation and mitigation measures shall be designed by a qualified archaeologist in accordance with current accepted guidelines.
62. Unauthorized collecting of archaeological, historical, and paleontological artifacts shall be prohibited.
63. Public access to or over known archaeological or paleontological sites shall be limited as necessary to protect such resources.

## **CHAPTER THREE**

# **LAND USE AND DEVELOPMENT ELEMENT**

## **INTRODUCTION**

The land use and development requirements presented in this chapter are based upon the requirements of the Coastal Act as applied to the resources and physical setting of the Del Monte Forest area. A tradition of active planning and management by landowners in the Del Monte Forest area (predominantly the Pebble Beach Company and its predecessor, the Del Monte Properties Company) has provided a strong foundation for this LUP. These efforts have, over time, preserved the area's unique natural environment while creating a residential and resort community of world-renown.

Four basic goals of the Coastal Act establish direction for land use planning and development proposals for the Del Monte Forest area. They are:

1. Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
2. Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
3. Maximize public access to and along the coast and maximize public recreation opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
4. Assure priority for coastal-dependent and coastal-related development over other development on the coast.

In applying these goals, retention of the Del Monte Forest area's unique natural character is paramount. The Del Monte Forest area contains rich environmental resources. The long-term protection of these resources inevitably requires a cautious and thoughtful approach to planning and regulatory decisions. The natural environment and its resources vary widely in their sensitivity to development. Environmentally sensitive areas, such as the locations of rare and endangered species, wetlands, and riparian habitats, need to be protected. Other areas where potential constraints can be mitigated through careful site planning and development controls may be allowed to have appropriate levels of development.

The Del Monte Forest area is also known for its variety of passive and active recreational opportunities available to visitors and residents. The Lodge at Pebble Beach and the surrounding environs provide a central commercial core within the Forest that is popular with residents and visitors alike. Other popular destinations include Stillwater Cove near The Lodge and The Inn at Spanish Bay near the Pacific Grove gate. World famous 17-Mile Drive is a visitor destination unto itself, and provides a through way with a series of public access areas and turnouts where one can take in the sights and sounds of both the immediate coastline as well as more inland forested areas. The Forest's labyrinthine system of trails and series of other public access areas helps round out recreational offerings. And the Del Monte Forest's eight golf courses are considered some of the top golf courses in the entire world, most of which are open for general public play. Such coastal recreational opportunities must be protected and enhanced

consistent with resource protection.

The Forest is also home to a vibrant residential community which has been melded with the forest resource over time. In fact, even with the level of commercial and residential development, much of the Forest remains undisturbed, which helps offset more intense developments (like the golf courses, and the more concentrated residential subdivisions), and contributes to an overall sense that there remains a forest in the Del Monte Forest – dominated by native Monterey pine and related natural resources – that has not been completely overtaken by development. Although there are limited areas where completely new development is appropriate, redevelopment of existing developments is a common trend. Such new development and redevelopment must be sited and designed to protect the Forest’s built and natural environments consistent with the Coastal Act.

## **LAND USE AND DEVELOPMENT**

### **Land Use and Development Key Policy**

Land use designations are directive as to the type of use, but uses shall only be allowed provided such use and related development can be accomplished consistent with LUP policies, including resource protection requirements. Development shall be sited and designed in such a manner as to protect and enhance coastal resources, including public recreational access.

### **Land Use and Development Policies**

64. Development and use of the land, whether public or private, shall conform to the policies and shall meet resource protection requirements as set forth in this LUP. This includes development on legal lots of record as well as new subdivisions.
65. Figure 5 reflects maximum allowable development densities, including for any proposed subdivision of legal lots of record. Proposed development, including subdivision, shall only be allowed up to the maximum density allowed if such development is (and will be, in the case of the commitment to future development in subdivisions) consistent with all policies of this LUP, including resource protection requirements.
66. County design review shall be required for all development in Del Monte Forest.
67. Environmentally sensitive habitat areas shall be protected from both direct and indirect adverse impacts of development.
68. New development shall incorporate mitigation measures to avoid, and where unavoidable, to minimize and reasonably mitigate potential adverse environmental impacts.
69. Transportation improvements shall include consideration of non-automobile facilities, including public transit stops. Expansion of existing commercial facilities or development of new facilities shall be approved only where the requirement for adequate parking can be fully satisfied on and/or off-site. Adequate parking must account for all uses of the facilities (e.g., hotel units, restaurant, employees, day use facilities, etc.), but parking supply/demand may be adjusted when such uses overlap (e.g., hotel guests use multiple aspects of resort facilities (rooms, golf, meeting space, etc.))

and the amount of required parking can be reduced to reflect such overlap, if applicable).

70. New coastal-dependent land use, public and commercial recreation, and visitor-serving land uses shall have priority over other uses where public service capacities are limited.
71. Environmentally sensitive habitat areas shall remain undeveloped except for resource-dependent development that will not significantly disrupt habitat values.
72. Within their indigenous range (see Figure 2a), Monterey cypress trees shall be protected to the maximum extent possible. All development that would impact Monterey cypress trees and/or Monterey cypress habitat in this area shall be sited and designed to avoid adverse impacts to individual cypress trees and cypress habitat.
73. Prior to approval of any proposed development seaward of 17-Mile Drive at Pescadero Point (Assessor's Parcel Numbers 008-451-009-000 and 008-451-010-000, as of August, 2011), further archaeological review shall be required and mitigation measures adequate to protect the site's archaeological resource shall be developed and implemented.
74. Detached or attached guesthouses are not to be equipped for permanent living and are not considered residences. They may be permitted at the maximum rate of one for each principal residence provided the constraints of the lot and other LUP policies are met. Furthermore, detached guesthouses shall be located in close proximity to the principal residence, share the same utilities except where prohibited by public health or water management district requirements, contain no kitchen or cooking facilities, and be limited to 425 square feet. Conditions shall be implemented by CC&Rs or other legal restrictions, including revocation provisions for non-conformance. Subdivisions shall not be permitted to divide a principal residence from a guesthouse.
75. Studios and other small non-residential and non-commercial accessory structures such as tool sheds, workshops, or barns may be permitted on any size parcel provided the constraints of the parcel and other LUP policies are met. These units shall not be used for habitation purposes.
76. Accessory dwelling units shall be encouraged as an appropriate means of providing affordable housing for caretakers, convalescent help, domestic employees, and others. New accessory dwelling units shall comply with all LUP development standards. Subdivisions shall not be permitted to divide a principal residence from an accessory dwelling unit.

Employee housing is permitted for priority visitor-serving commercial and recreational uses (e.g., Pebble Beach Equestrian Center) provided such housing is accessory to the main priority use and is consistent with all other LUP policies.

77. New residential development, including main and accessory structures, within the Pescadero Watershed and the smaller unnamed watersheds of the Pebble Beach Planning Area which drain into the Carmel Bay Area of Special Biological Significance (ASBS) and in the watersheds of Seal Rock Creek and Sawmill Gulch (see Figure 2b) shall be limited to a maximum of 9,000 square feet of site coverage. The site coverage limitation total shall include both structural and other impervious surface coverage.
78. Development on slopes of 30% or more is prohibited unless such siting better addresses LUP objectives as a whole when compared to other possible siting alternatives on slopes of less than 30% associated with projects and/or sites.

79. Recreation in environmentally sensitive habitat areas such as dunes, wetlands, and areas with rare or endangered plants or animals shall be limited to passive, low-intensity recreational use that is dependent on and compatible with the sensitive habitat area resources, where such resources shall be protected against any significant disruption of habitat values.
80. Shoreline areas suitable for scenic outdoor recreation, such as from Cypress Point to Point Joe, are intended for day use only, with improvements limited to trails, picnic areas, parking areas, and restroom facilities.
81. All public access improvements in the Spanish Bay planning area should be coordinated with plans of the State Department of Parks and Recreation for adjoining Asilomar State Beach to ensure compatibility and a balance of public access opportunities.
82. Other than a parking lot to support The Inn at Spanish Bay (concurrent with the elimination of parking along Congress Road between 17-Mile Drive and Forest Lodge Road and restoration of such roadside area as native Monterey pine forest habitat) and public recreational access improvements consistent with all other LUP policies, LUP Planning Area B shall remain undeveloped.
83. Encourage the clustering of uses and development wherever practical as a means of preserving Forest resources.
84. New development fronting 17-Mile Drive shall maintain an adequate natural buffer to protect public views of, from, and along the 17-Mile Drive corridor. A minimum setback of 100 feet from the centerline of the road shall be maintained to screen new development from such public views (for motorists, bicyclists, pedestrians, etc.), unless otherwise screened by vegetation and/or terrain in which case the setback may be reduced if the screening terrain/vegetation is required to be maintained and/or enhanced in perpetuity for screening and public viewshed enhancement purposes. Direct driveway access to 17- Mile Drive should be avoided where possible.
85. Subdivisions shall provide and maintain an adequate natural buffer to protect forested areas, including forested road corridors, throughout Del Monte Forest and to screen new development. A minimum setback of 50 feet from the front lot line for all development other than driveway and utility connections shall be required in all new subdivisions.
86. Golf course development shall be limited to areas designated Open Space Recreational and only where consistent with all other LUP policies.
87. Commercial development may be permitted when integrated with other visitor-serving facilities.
88. Where existing or planned water and wastewater facilities can accommodate only a limited amount of development, water and wastewater services shall be assured for coastal-priority visitor-serving and public recreational uses (e.g., The Inn at Spanish Bay and The Lodge at Pebble Beach resort and golf facilities, the Poppy Hills golf course facility, the Spyglass Hill golf course facility, shoreline access areas, etc.) before new residential uses are permitted.
89. New visitor-serving and commercial recreation facilities shall be designed to maximize opportunities for public use and offer a range of visitor serving facilities. Low, no, and moderate cost facilities shall be provided as feasible (e.g., trails, picnic facilities, moderately-priced food and beverage service, viewing areas, etc.). Up to 700 total (existing and new) visitor-serving units/guestrooms may be allowed within the Del Monte Forest.

90. Use of The Links at Spanish Bay and Poppy Hills Golf Course by the general public shall be maximized. Except for periods of scheduled tournaments, the following requirements for public availability of the courses shall apply.

The Links at Spanish Bay: The course shall be available for use by the general public as well as resort guests on a first come, first served basis at least 50% of the time. The periods of availability shall be calculated in such a manner as to assure reasonable starting times for the general public.

Poppy Hills Golf Course: The course shall, in recognition of the Northern California Golf Association's (NCGA) broad based, quasi-public membership policy, be available to the general public on a space available basis. NCGA members and guests may reserve times up to 3:00 p.m. on the day preceding a desired day of play and one starting time per hour shall be reserved by the NCGA. After 3:00 p.m., reservations for starting times for the following day shall be available on first come, first served basis. If ownership or operation of the NCGA golf course changes, use of the course by the general public shall be on the same basis as that required at The Links at Spanish Bay.

Any future changes to both courses, as the courses are improved and/or redeveloped over time, shall be designed to maintain and to include public viewing areas and trails designed to maximize their utility with respect to public recreational access connectivity and utility, consistent with habitat and safety considerations.

91. Low intensity public visitor-serving facilities (such as a restaurant, golf-related shops, etc.) shall be allowed at Del Monte Forest golf courses.
92. Certain areas have been mined for silica and other minerals and are in need of rehabilitation. The portions of these areas that no longer constitute dune or other sensitive habitat are the most suitable for more intensive development, as compared with other forested and undeveloped land. Consequently, those areas are identified for development (including for visitor accommodations, recreational facilities, corporation yards, and residential development) provided such development is sited and designed to avoid, buffer, and enhance adjacent environmentally sensitive habitat areas. The more intensive use of such portions of these areas that no longer constitute dune and/or other sensitive habitat provides an appropriate mechanism to enhance remaining dune and other habitats that are associated with such previously mined areas and consequently repair any related habitat damage.
93. The Links at Spanish Bay golf course shall continue to provide for the restoration/enhancement of dune landforms and native habitat that is interspersed throughout and adjacent to the course. Such restoration and enhancement shall be included in all future course improvements or redevelopment. To provide maximum opportunity for the re-establishment of native wildlife and plants and to preserve existing dune and forest habitats, the golf course shall continue to accommodate habitat areas and habitat connectivity.
94. The former Spyglass Quarry site in the Spyglass Cypress Planning Area may be developed with a hotel or with low-density single-family residences pursuant to the Pebble Beach Company Concept Plan.
95. Development shall be prohibited in the former Sawmill Gulch Quarry site (both upper and lower sections) in the Gowen Cypress planning area, except: public recreational trails and related minor facilities; habitat restoration, enhancement, and management; and normal and typical maintenance



activities associated with each. This area shall otherwise be preserved, managed, and maintained as undeveloped open space and a component of the Huckleberry Hill Natural Habitat Area.

96. Pebble Beach Company's corporation yard, offices, storage, maintenance, waste processing, utilities and other related facilities are allowed at the former granite quarry site adjacent to sub-planning Area G. A portion of the former granite quarry may be developed with medium-density single family residences pursuant to the Pebble Beach Company Concept Plan. Monterey pine should be utilized in landscaping to stabilize fill embankments and to screen quarry walls, thus helping the area to blend in with the surrounding environment.

## **LAND USE DESIGNATIONS**

The basic categories of land use designated in the Del Monte Forest are 1) Residential, 2) Commercial, and 3) Open Space.

These land use categories are fully described in the following discussion. Figure 4 shows the planning area framework within which these uses are subsequently discussed. Figure 5 shows the Del Monte Forest Area LUP land use designations, and identifies the eight planning areas and sub-planning areas (alphabetically identified from Area A through Area Y). Figures 6a through 6h identify each planning area and its major features (e.g., streams, sensitive habitats, public access points, etc.). These figures are not meant to be a definitive identification of all such features, rather they are meant to provide identification of a subset of known and/or previously identified features that must be considered for the area. In all cases, more refined evaluation for any particular proposed development is necessarily based on evaluation of the resources on the ground and knowledge about those resources at the time of development consideration.

### **Residential Designations**

Residential land uses allowed in the Del Monte Forest area range in density from one unit per two acres up to 15 units per acre. However, maximum densities allowed in the Forest are fairly low, generally reflective of the mostly large lot pattern of development. For LUP purposes, densities are described in terms of low density (1 unit/2 acres up to a maximum of 1 unit/acre), medium density (2 units/acre up to a maximum of 6 units/acre), and high density (up to a maximum of 15 units/acre). Maximum allowed residential density for Del Monte Forest property is noted on Figure 5.

### **Commercial Designations**

Three commercial land use designations identify allowable commercial land use and development in the Del Monte Forest: 1) Visitor-Serving Commercial, 2) General Commercial, and 3) Institutional Commercial. These land use designations are described as follows:

#### **Visitor-Serving Commercial**

This category allows for uses and development providing basic support services and visitor needs associated with visitor-serving commercial development. Major hotel or inn accommodations and support commercial facilities are principal uses. Employee housing may be permitted as secondary uses under this category provided such use and development is clearly secondary to the primary use. The four

areas in this category are:

- The Lodge at Pebble Beach and environs in the Pebble Beach planning area (including the Beach & Tennis Club),
- the existing Spanish Bay resort and its associated parking facilities,
- the existing Poppy Hills golf course clubhouse and related facilities, and
- the hotel site at the former Spyglass Quarry site (in Area M).

### **General Commercial**

This category provides for uses and development providing commercial facilities that support both visitor and community needs, and it is limited in the Forest to the general commercial facilities provided in The Lodge at Pebble Beach area (including retail sales, market, post office, gas station, etc.). All such uses shall be compatible with the general retailing and community service character of this designation, as well as community services and storage facilities.

### **Institutional Commercial**

This category provides for uses and development of an institutional nature, and includes the Pebble Beach Company offices and corporation yard, Robert Louis Stevenson School, firehouses, and a utility substation.

### **Open Space Designations**

The primary objective of the Open Space designation is protection of the natural systems of the Forest, which include forested areas, riparian areas, wetland areas, dunes, beaches, and shoreline areas. A secondary objective is to identify appropriate locations for outside and more open recreational areas (like golf courses and the equestrian center). The LUP designates the following three classes of open space in the Del Monte Forest:

#### **Open Space Recreational**

This category allows for golf courses, golf driving ranges, golf clubhouses with pro shop and food and other services, equestrian centers, public access trails, neighborhood parks, as well as necessary support and maintenance facilities associated with these uses (such as golf cart and maintenance facilities, play equipment, parking areas, stables, and barns). Areas designated Open Space Recreational are generally open areas within which structures and above-ground development are present but limited.

#### **Open Space Forest**

This category encompasses forest and inland areas (as opposed to the immediate shoreline area) that are generally not appropriate for development other than that associated with resource enhancement and limited low-intensity public recreational facilities (e.g., trails) consistent with all other LUP policies. Areas designated Open Space Forest include habitat preservation areas (including the S.F.B. Morse Botanical Reserve, the Huckleberry Hill Natural Habitat Area, and most of Pescadero Canyon) as well as other natural habitat and visually sensitive areas.

### **Open Space Shoreline**

This category encompasses shoreline areas (as opposed to forest and inland areas) that are generally not appropriate for development other than that associated with resource enhancement and limited low-intensity public recreational facilities (e.g., shoreline access areas, including parking turnouts, vista points, and related facilities, trails, etc.) consistent with all other LUP policies. Areas designated Open Space Shoreline include sandy beaches, rocky shorelines and tidepools, remnant sand dunes, unique shoreline features, blufftop landforms near the shoreline edge, as well as other natural habitat and visually sensitive areas.

## **LAND USE BY PLANNING AREA**

The LUP is organized around eight planning areas: Spanish Bay, Spyglass Cypress, Middle Fork, Pescadero, Huckleberry Hill, Gowen Cypress, Pebble Beach, and Country Club (see Figure 4). Within portions of these eight planning areas, a series of sub-planning areas have been further delineated and identified alphabetically as Areas A through Y (see Figure 5). In the text below, land use and development considerations are described for each of the LUP's planning areas to provide for easier understanding of allowed uses and development, including the rationale for such uses and development within each planning area. Each planning area discussion is supplemented by a planning area figure (see Figures 6a through 6h) depicting land use designations and related information applicable to the planning area, as well as certain known and/or previously identified constraints (e.g., creek and stream resources) that need to be considered when development is proposed in that planning area. Such identified constraints are not meant to be a definitive identification of all such constraints, rather they are meant to provide identification of a subset of known and/or previously identified constraints that must be considered for the area. In all cases, a more refined constraint evaluation for any particular proposed development must necessarily be based on evaluation of the resources on the ground at the time of development consideration.

The densities shown on Figure 5 and on the individual planning area figures are maximum densities. Allowable density is contingent upon natural resource constraints present on any given site and availability of public services as determined through project review, and thus may be as high as the maximum (but no higher) or may be lower if site specific circumstances dictate a lower density for development to be consistent with LUP policies.

### **Spanish Bay Planning Area**

The 330-acre Spanish Bay planning area (see Figure 6a) is located in the northernmost portion of the Del Monte Forest fronting on the Pacific Ocean, with the Asilomar State Beach and Conference Center to the north, the City of Pacific Grove to the north and east, and the Country Club planning area (and coastal zone boundary) to the south. The area is developed with The Inn at Spanish Bay (and related golf and other resort facilities) and the Spanish Bay condominiums seaward of 17-Mile Drive, and includes two of the five gated entrances into the Forest (the Pacific Grove and Country Club gates). There are also significant habitat preservation areas both inland of 17-Mile Drive, including the Navajo Tract and Rip Van Winkle open space preservation areas, as well as on the seaward side interspersed and seaward of resort and golf course improvements. Remaining open space areas generally transition from sand dunes to closed canopy native Monterey pine forest extending inland from the shoreline, with some interspersed riparian and wetland areas, including along Majella Creek. Future land use and

development in the Spanish Bay planning area will focus on redevelopment of and improvements to existing development, particularly related to some limited resort expansion (including up to 60 additional visitor-serving units at The Inn at Spanish Bay), and is premised on preserving undeveloped habitat areas in perpetuity.

### **Spyglass Cypress Planning Area**

The 775-acre Spyglass Cypress planning area (see Figure 6b) encompasses the shoreline south of Seal Rock Creek to and including Cypress Point, and is principally comprised of the Cypress Point and Spyglass Hill golf courses. This area also includes limited residential parcels, protected open space areas, and several coastal access points along 17-Mile Drive. The Cypress Point shoreline is rugged and rocky with fairly shallow soil and rock outcrops supporting the endemic Monterey cypress, including those in the Crocker Grove Monterey cypress preservation area (see Figure 2a). The northerly portion, generally inland of Fan Shell Beach and the Seal Rock area, is primarily made up of dune habitat (associated with the southernmost extent of the Asilomar Dunes dune system) with a native Monterey pine forest transition zone that extends inland. Robert Louis Stevenson School (RLS), a private high school, is located on the eastern edge of this planning area. RLS has improved its campus over time consistent with a campus Master Plan (approved by the County for the campus in 1982) and subject to this LUP. This LUP anticipates that development/redevelopment of the RLS campus under the campus Master Plan will continue in the future, provided that it is also consistent with this LUP. A new 100-room hotel, or alternatively at the landowner's option, up to 10 residential units, would be allowed in Area M in the former Spyglass Quarry site (see Figures 9g(1) and 9g(2)).

### **Middle Fork Planning Area**

The 225-acre Middle Fork planning area (see Figure 6c) is located near the center of the Del Monte Forest in the upper portion of the Seal Rock Creek watershed, and is the smallest of the eight Del Monte Forest planning areas. Major land uses immediately adjacent to Middle Fork are the Spyglass Hill golf course to the west, a majority of the RLS campus on the southwest, the Huckleberry Hill Natural Habitat Area to the east, a portion of Poppy Hills Golf Course to the north (with some low-density residential designated land within the golf course), and low density residential uses in the Pebble Beach and Pescadero planning areas to the south.

The southern portion of the Poppy Hills Golf Course occupies much of the Middle Fork planning area, and it is framed by substantial protected Monterey pine forest areas designated Open Space Forest in Areas H and I-1. A portion of the RLS campus is located on the western portion of this planning area, and the Pebble Beach Community Services District facilities are located at the northernmost tip. Thus, the Middle Fork planning area is essentially built out, with the exception of further development of the RLS campus and up to 16 low-density residential units which are allowed between the golf course and Vizcaino and Spruance Roads bordering Poppy Hills Golf Course (see Figure 9c).

### **Pescadero Planning Area**

The 540-acre Pescadero planning area (see Figure 6d) is comprised of Pescadero Canyon, a fairly steep-sided, Y-shaped, and sloping area covered with a mixed coniferous forest dominated by native Monterey pine trees, which is one of the largest areas of unfragmented native Monterey pine forest within the Del Monte Forest. This planning area contains the Carmel Hill (Highway 1) gate at the southern intersection

of Highways 1 and 68 that serves as a principal visitor access point to the Del Monte Forest and 17-Mile Drive. The area is bounded by Carmel Woods and the City of Carmel-by-the-Sea to the south and southeast, the Pebble Beach planning area to the west, and the Middle Fork and Huckleberry Hill planning areas to the north. With the exception of residential development in the north and northwesterly portion of the planning area, a single residential subdivision in the southern portion (in Area S), and the CALFIRE fire station near the Highway 1 gate, the Pescadero planning area is and will remain mostly undeveloped, reflecting environmental constraints of slopes, soil erosion hazard, and sensitive plant and wildlife habitats (including wetlands, riparian corridors, and an array of sensitive species including Hooker's Manzanita, sandmat manzanita, Hickman's onion, and Yadon's piperia).

### **Huckleberry Hill Planning Area**

This easternmost 415-acre planning area (see Figure 6e) is bounded on the north, south, and west by the Gowen Cypress, Pescadero, and Middle Fork planning areas, respectively. The eastern portion of the area, to the east of Highway 68, known as the Shepherds Knoll or Scenic Drive Annexation area, is within the City of Monterey. This planning area consists of medium density residential development in the eastern portion and the Pebble Beach Company corporation yard and an area designated for medium-density residential use on the southwestern end, in the former granite quarry site. Rehabilitation of the former granite quarry area (as well as another small abandoned quarry) and restoration with native Monterey pine forest species is in process. About half of the planning area is covered with significant Monterey pine forest habitat that is designated Open Space Forest and that is part of the Huckleberry Hill Natural Habitat Area (see also Gowen Cypress planning area description below). This planning area includes and is traversed from north to south by Highway 68, which follows the ridgeline and generally separates the Del Monte Forest from the City of Monterey. Much of the west-facing hillside within the Huckleberry Hill planning area has slopes over 30%. Other than a ten-lot subdivision that is planned in the portion of the former quarry area nearest the Pebble Beach Company offices and corporation yard (see Figure 9l), the remainder of the planning area is intended to be preserved for its habitat and scenic resource value, and is designated Open Space Forest.

### **Gowen Cypress Planning Area**

The 585-acre Gowen Cypress planning area (see Figure 6f) is dominated by the Huckleberry Hill Natural Habitat Area (HHNHA), which includes the S.F.B. Morse Botanical Reserve as part of it. The HHNHA is one of the most important ecological systems on the Monterey Peninsula and the Del Monte Forest. This habitat area, nearly 400 acres, is home to such sensitive species as the planning area's namesake Gowen Cypress, Eastwood's goldenbush, Hooker's manzanita, Sandmat manzanita, Pine rose, and Monterey ceanothus. It is also largely populated by native Monterey pine forest in association with Bishop pine and Yadon's piperia. Significant wetland and creek areas are also found here in this natural area including Sawmill Gulch Creek, providing habitat for such protected species as California red-legged frog. The LUP categorically deems the HHNHA to be ESHA.

In addition to such natural resources, the northern portion of the Poppy Hills Golf Course is located in the southwestern portion of this planning area. Limited residential development exists along Sunridge Road, and two former silica quarries at Sawmill Gulch (both in the process of long term restoration efforts) are located within the HHNHA. This planning area is bounded on the south by the Middle Fork planning area, on the east by Haul Road and Huckleberry Hill, on the west by the Country Club planning area, and on the north by Pacific Grove and Highway 68. Adjacent land uses to the west and north are

the residential areas of the Country Club and Pacific Grove, respectively, where density ranges from four to seven units per acre. The Gowen cypress habitat, for which this planning area is named, is one of the important ecologic features of the Monterey Peninsula. Adaptation to the unique combination of sandy soil, climate, rainfall, and periodic fires has allowed the "pygmy" Gowen cypress to survive in this location. The majority of the undeveloped portion of this planning area is designated Open Space Forest to protect the environmentally sensitive Gowen cypress-Bishop pine habitat, riparian habitat, the Sawmill Gulch Creek watershed, and the native Monterey pine forest, among other resources. Approximately 20 acres in this planning area surrounded by the Poppy Hills Golf Course is intended for residential development of 16 lots (see Figure 9b).

### **Pebble Beach Planning Area**

The 1,300-acre Pebble Beach planning area (see Figures 6g(1) and 6g(2)) is the largest of all the Del Monte Forest planning areas, comprising the majority of the southern portion of the Forest. It is bounded by the Spyglass Cypress and Middle Fork planning areas to the north, and the Pescadero planning area to the east, and it includes approximately four miles of shoreline along the east and south from near Cypress Point extending to the City of Carmel-by-the-Sea city limits and Carmel Beach downcoast. The Pebble Beach planning area is generally framed by protected open space to the east and west, and golf course and residential development to the north. Adjacent residential densities generally range from 1 unit per acre in the Spyglass Cypress planning area to eleven units per acre in the City of Carmel-by-the-Sea. This planning area has been substantially developed and contains The Lodge at Pebble Beach, the Pebble Beach Golf Links, the Beach and Tennis Club at Stillwater Cove, the Pebble Beach Equestrian Center, related facilities along Portola Road used for golf practice, special events, and other recreational and resort uses, and the Peter Hay par-three nine-hole golf course. The commercial area adjacent to the Lodge serves as the main commercial center of the Forest. The remainder of the Pebble Beach planning area has been developed as low-intensity, large-lot residential use. Important resource considerations for this area include proximity to the Carmel Bay ASBS; the presence of the rare native Monterey cypress habitat between Pescadero Point and Cypress Point; several cultural resource sites, including one of the County's more important sites at Pescadero Point; and the presence of the Cypress Point fault.

Hotel, resort, and other redevelopment improvements associated with The Lodge and the adjacent area, including the core commercial area, are allowed and expected to add up to 80 new hotel rooms, renovated meeting facilities, additional parking, and other improvements (see Figures 9m and 9q). Likewise, the equestrian center, special events staging area, and Pebble Beach driving range are slated for redevelopment, with some limited medium-density residential development in these areas (see Figures 9h, 9i, 9j, and 9p). The area between Cypress Point and Pescadero Point along 17-Mile Drive is part of the protected native Monterey cypress habitat (see Figure 2a) within which further subdivision is prohibited and very limited redevelopment (i.e., this area is generally already developed with very large lot residential uses and development) is allowed subject to restrictions and requirements to protect this very rare and sensitive resource.

### **Country Club Planning Area**

The 1,100-acre Country Club planning area (see Figure 6h) is located mostly outside the coastal zone except for the rocky shoreline seaward of and including 17-Mile Drive, and the 14th hole of the Monterey Peninsula Country Club Dunes Course. The non-coastal zone areas are located within the

Greater Monterey Peninsula Area Plan. Its boundaries are the Spanish Bay, Gowen Cypress, and Spyglass Cypress planning areas to the north, east, and south, respectively. The western edge is bounded by approximately two miles of panoramic and iconic Del Monte Forest shoreline. The dominant land use in this planning area is the Monterey Peninsula Country Club's two golf courses (the Shore course and the Dunes course), which are integrated with significant single-family residential development. The planning areas bordering the Country Club area have significant areas of undeveloped land, but are also developed with golf courses (Spyglass Hill and Cypress Point in the Spyglass-Cypress planning area, and The Links at Spanish Bay in the Spanish Bay planning area) and some residential use. The planning area's eastern boundary, the Gowen Cypress planning area, contains the 84-acre S.F.B. Morse Botanical Reserve and the larger Huckleberry Hill Natural Habitat Area, of which it is a part, adjacent to the eastern boundary of the Dunes Course across Congress Road. The Country Club planning area is nearly fully developed, except for the coastal strip seaward of 17-Mile Drive, which is heavily used by visitors and Forest residents for its recreational opportunities and ocean vistas. No significant new development is contemplated in the Country Club planning area other than redevelopment on existing lots of record.

## **PEBBLE BEACH COMPANY CONCEPT PLAN**

Pebble Beach Company is the owner of the vast majority of the undeveloped land in Del Monte Forest and has developed a Concept Plan that includes dedication and preservation of most of its undeveloped land, and development and redevelopment of other areas. This Concept Plan includes additions, improvements, and/or redevelopment at certain Pebble Beach Company visitor-serving and commercial facilities, including The Lodge at Pebble Beach, The Inn at Spanish Bay, the Equestrian Center, and the Pebble Beach Driving Range. In one area (the former Spyglass Quarry in Area M), the Concept Plan introduces a new 100-room or smaller standard hotel (i.e., not a timeshare, private ownership, or similar structure) and related resort facilities (such as a restaurant, spa, meeting rooms, and parking), or 10 or fewer single-family residential lots. In other areas, the Concept Plan envisions limited single-family residential development, and also includes a series of public recreational access and visitor-serving improvements. The remainder of the Concept Plan provides for long-term preservation, enhancement, and management of undeveloped preservation areas as protected habitat in perpetuity. Development pursuant to the Concept Plan will also require certain infrastructure improvements, primarily traffic-related, which are recognized and also included as part of the Concept Plan. The Concept Plan as it applies to each of these areas is included in this LUP as Figures 9a to 9t.

In recognition of the opportunity to achieve a "final buildout" of Pebble Beach Company's significant undeveloped lands in the Del Monte Forest, with the vast majority of such lands to be dedicated for permanent open space protection and resource conservation, and to resolve potential conflicts in interpretation regarding allowed development on the portion of these lands identified for development and redevelopment, this section describes the Concept Plan and establishes certain specific standards that govern LUP requirements concerning ESHA, wetlands, dunes, streams, riparian corridors, and their related setbacks/buffers for Concept Plan areas, provided (1) development associated with such standards meets all other relevant LCP requirements; (2) permanent open space/conservation easements have been dedicated to the Del Monte Forest Foundation for all preservation areas shown on Figures 9a through 9t, and adequate implementation measures have been established to ensure protection and management of such areas as protected habitat areas in perpetuity; and (3) the traffic, water, wastewater, public access and recreation, affordable housing, and low-cost visitor serving requirements of this LUP are implemented in accordance with this LUP, including with respect to specific Concept Plan

requirements identified below. The special policies and standards that apply to the Concept Plan areas are described below.

**Requirements Applicable to ESHA, Wetlands, Dunes, Streams, and Riparian Corridors**

Notwithstanding the presence of ESHA, wetlands, dunes, streams and riparian corridors, development located in the following areas shall be allowed as indicated below.

1. The portion of Area B located west of and including the fire road nearest the intersection of Congress Road and 17 Mile Drive (see Figure 9a).
2. The portion of Area F known as F2 in the lot configuration generally shown in Figure 9b.
3. The portion of Area I known as I2 in the lot configuration generally shown in Figure 9c.
4. The portion of Area J in the lot configuration generally shown in Figure 9d.
5. The portion of Area K in the lot configuration generally shown in Figure 9e.
6. The portion of Area L in the lot configuration generally shown in Figure 9f.
7. The portion of Area M identified as the "development area" on Figures 9g(1) and 9g(2).
8. The portion of Area U in the lot configuration generally shown in Figure 9h.
9. The portion of Area V in the lot configuration generally shown in Figure 9i.
10. The portion of the Equestrian Center/Driving Range area identified as "Equestrian Center", "Special Event Staging", and "Driving Range" on Figures 9h and 9j.
11. The portion of The Inn at Spanish Bay area identified for hotel expansion ("Spanish Bay Cottages") as generally shown on Figure 9k.

**Requirements Applicable to Certain Setbacks/Buffers**

Notwithstanding other LUP policies to the contrary, setback/buffer requirements applicable to ESHA, wetlands, dunes, streams, and riparian corridors located outside of the areas listed under the heading "Requirements Applicable to ESHA, Wetlands, Dunes, Streams, and Riparian Corridors" above shall apply as follows:

1. Setbacks/buffers for residential and related development in Areas F, I, J, K, L, U, and V, and the Corporation Yard area (in the configurations generally shown in Figures 9b, 9c, 9d, 9e, 9f, 9h, 9i, and 9l) may be coterminous with such lot lines and roadway access areas provided that:
  - (a) The setback/buffer applicable to the western portion of Lot 1 in Area L (see Figure 9f) shall be coterminous with the western edge of the lot line provided the existing watercourse along the western edge of Lot 1 is realigned and restored 50 feet to the west of its current location.
  - (b) The setback/buffer applicable to the southwestern portion of Lots 1 through 7 in Area V (see Figure 9i) shall extend 100 feet as measured from identified ESHA, wetlands, dunes, streams, and riparian corridors between these lots and Stevenson Road, or shall extend to the existing tree canopy on these lots, whichever is less.



2. Setbacks/buffers for parking lot development in Area B may be as shown on Figure 9a.
3. Setbacks/buffers for hotel development in Area M may be as generally shown on Figure 9g(1) provided that degraded dune areas adjacent to the development area are restored as dune habitat, and that any landscaped areas inside of and within 100 feet of the edge of the development area are landscaped in a form, and planted with native species, compatible with the adjacent dune areas.
4. Setbacks/buffers for equestrian center, special event staging, and driving range development in the areas labeled as "Equestrian Center," "Special Event Staging," and "Driving Range" on Figures 9h and 9j may be coterminous with the boundaries of those areas.
5. Setbacks/buffers for hotel development in The Lodge at Pebble Beach area ("Fairway One Cottages") and The Inn at Spanish Bay area ("Spanish Bay Cottages") may be as shown on Figures 9m and 9k, provided that vegetative and/or topographic buffering is provided between such development and 17-Mile Drive in such a way to ensure that such development effectively integrates into the existing built and natural environment as seen from 17-Mile Drive.
6. Setbacks/buffers for conference center development in The Pebble Beach Lodge area and The Inn at Spanish Bay area may be as shown on Figures 9n and 9o.

#### **Requirements Applicable to Further Subdivision**

The residential lots as shown in the general configurations in Figures 9b, 9c, 9d, 9e, 9f, 9g(2), 9h, 9i, 9l, and 9p shall not be further subdivided and shall be so restricted by deed restrictions and B-6 zoning upon their initial subdivision.

#### **Requirements Applicable to Preservation Areas**

Easements over all preservation areas shown on the Concept Plan (Figures 9a to 9t) shall be dedicated to the Del Monte Forest Foundation in perpetuity through Open Space Conservation Easements in a form and content approved by the County and the Executive Director of the Coastal Commission, as a condition of the first development in the Concept Plan that is approved. Such dedication shall be accompanied by a comprehensive forest and resource management plan for such areas, along with all necessary measures, including adequate funding, to assure implementation in such a way as to ensure enhancement, protection and management of such preservation/easement areas as protected and self-functioning habitat areas in perpetuity. Such plan shall, as feasible, also incorporate prior forest and resource management requirements (and updated requirements, as appropriate in light of changes in resource conditions or understandings) associated with other Del Monte Forest properties that the Pebble Beach Company either previously deeded or previously dedicated easements to the Del Monte Forest Foundation as a means of providing a unified and updated plan for long term management of all such areas in perpetuity.

#### **Requirements Applicable to Forest Management on Residential Lots**

Forest management and maintenance on the Concept Plan residential lots shall be required in the same manner as is generally applicable to residential development in the Forest, where the LUP's Forest Management Plan requirement applicable to individual Concept Plan residential lots may be covered by an overall Forest Management Plan for all of the lots, or by Forest Management Plans applicable to related lots (e.g., Forest Management Plans specific to each subdivision area). Deed restrictions shall be

imposed on the individual Concept Plan residential lots requiring the owner to comply with the applicable Forest Management Plan, but conservation easements to the Del Monte Forest Foundation shall not be required for the Concept Plan residential lots. Dedication and management of Preservation Areas noted above provides the required forest habitat and tree replacement for Concept Plan development.

#### **Requirements Applicable to Traffic and Circulation**

Approval of any development proposed by Pebble Beach Company that is based on the Concept Plan shall incorporate and/or require as a condition of approval improvements to the Highway 68/17-Mile Drive intersection area, including redevelopment of the Highway 1 gate (see Figure 7), and improvements to The Lodge area parking and circulation system (see Figure 9q) that improve circulation consistent with all Plan policies. Such approvals granted to Pebble Beach Company must also incorporate and/or require as a condition of approval all other necessary measures and modifications that are identified during the development review process to adequately address traffic and circulation issues associated with the approved development.

#### **Requirements Applicable to Water and Wastewater**

Development pursuant to the Concept Plan may satisfy its water demand through the use of water supply associated with the Pebble Beach Company and Monterey Peninsula Water Management District (MPWMD) Water Entitlement (Entitlement) (identified in the Pebble Beach Company-MPWMD Fiscal Sponsorship Agreement dated October 3, 1989, as amended), consistent with applicable law for such use. Estimated water demand of the Concept Plan is 135 acre feet per year (AFY). The unused portion of the Entitlement in 2011 was 225 AFY. All Concept Plan approvals based on the Entitlement shall clearly reflect the use of such water entitlement, including in terms of ongoing documentation and calculation of remaining entitlement as Concept Plan approvals are granted. All approvals granted to the Pebble Beach Company for Concept Plan development must also incorporate and/or require as a condition of approval all other necessary measures and modifications that are identified during the development review process to adequately address water supply issues associated with the development.

Wastewater capacity at the Carmel Area Wastewater District (CAWD) was available as of 2011 to serve all development pursuant to the Concept Plan. Estimated wastewater treatment demand under the Concept Plan is 150,000 gallons per day (gpd). Capacity available to the Pebble Beach Community Services District for treatment at the CAWD plant was 500,000 gpd in 2011. Approval of any development under this Concept Plan shall incorporate and/or require as a condition of approval all necessary measures and modifications that are identified during the development review process to adequately address wastewater issues associated with the proposed development, including that it shall identify and appropriately offset all wastewater impacts and comply with Regional Water Quality Control Board sewage treatment capacity requirements. Development approved under the Concept Plan shall also incorporate measures designed to ensure that all Pebble Beach Company golf courses are irrigated using recycled water as much as possible as a condition of the first development in the Concept Plan that is approved.

#### **Requirements Applicable to Public Access and Recreation**

As a condition of approval of the first development in the Concept Plan, the Pebble Beach Company shall be required to prepare and implement a Del Monte Forest Public Access Management Plan that is subject to review and approval by the County and the Executive Director of the Coastal Commission.

The Plan shall clearly describe the manner in which general public access in the Del Monte Forest is to be managed and provided (including through improvements to existing access areas and development of new access areas, as appropriate), with the objective of maximizing public access to all major access points (e.g., all shoreline access locations, trails, parking areas, destinations, facilities, etc.) and all related public access areas, and maximizing utility and enjoyment of all such public access features through siting and design premised on seamlessly integrating them into the built and natural environment, and through provision of appropriate public access amenities (i.e., landscaping, irrigation, restrooms, overlooks, interpretive signs and facilities, bench seating, trash and recycling, bike racks, etc.) and signage/information. The Plan shall at a minimum include the following:

1. Public Access Areas. All public access areas in the Del Monte Forest shall be clearly identified as such on the Plan, including through maps, site plans, elevations (as appropriate), and photographs of each access area clearly identifying all elements of access so that it is clear what areas are available for public access and use. All public access and use parameters for each area shall be clearly identified, including with respect to different types of access features (i.e., shoreline accessways, trails, etc.), for specific access features (i.e., for individual access points, trail segments, etc.), and for different user types (i.e., cars, pedestrians, bicyclists, equestrians, etc.). At a minimum, public access areas associated with the following shall be included and so detailed:
  - a. 17-Mile Drive, including bike access and bike lanes.
  - b. All defined accessways and access areas adjacent to 17-Mile Drive (including at Moss Beach, Point Joe, China Rock, Bird Rock, Seal Rock, Fanshell Beach, Cypress Point, Crocker Grove, Lone Cypress, Ghost Tree/Pescadero Point, Shepherds Knoll, Huckleberry Hill, etc.).
  - c. All trails along 17-Mile Drive and the shoreline.
  - d. All public access areas at The Inn at Spanish Bay, including public access parking and trail connectivity.
  - e. All public access areas at The Lodge at Pebble Beach and the Pebble Beach commercial core area, including access through the commercial area and Lodge to and including Stillwater Cove and Sloat access areas, and including parking provisions (including in the commercial area and at Peter Hay, Casa Palmero, and the Beach and Tennis Club).
  - f. All public access areas at the new hotel site at the former Spyglass Quarry (at Area M).
  - g. Pebble Beach Company golf courses and the Pebble Beach Equestrian Center, specific only to their public access and use parameters.
  - h. All beach access and accessible sandy beach areas.
  - i. The Del Monte Forest trail system, including with respect to connections outside of the forest in Pacific Grove and Carmel.
  - j. Access areas in the Del Monte Forest owned by the Del Monte Forest Foundation (e.g., Indian Village).
  - k. All access areas and improvements identified in former LUP Appendix B (as certified in the original LUP in 1984).

- l. All access areas and improvements required as part of the Spanish Bay development pursuant to coastal development permit 3-84-226, including as identified in former LUP Appendix B.
  - m. New access areas to be developed as part of the Concept Plan, including those necessary to offset public access impacts from Concept Plan development.
2. Public Access Area Improvements. For each of the public access areas identified above, all necessary and feasible improvements to provide optimum vehicular, pedestrian, bicycle, and equestrian access to and along the shoreline, and as close to the sea as possible, taking into account the need to balance such access with existing resort and recreational facilities, private property, and public safety, and the need to avoid interfering with existing resort operations and golf course play, shall be identified and developed per the Plan.
  3. Public Access Signs/Materials. The Plan shall identify all signs, handouts, brochures, procedures, and any other elements that will be used to facilitate, manage, and provide public access in the Del Monte Forest, including identification of all public education/interpretation features (educational displays, interpretive signage, etc.). All access areas shall be signed in such a way as to make clear that such areas are available to public access, and in such a way as to provide clear direction on navigating within the Forest, including at a minimum improved trail signs and directions, and way-finding kiosks or similar structures at key visitor destinations in the Forest (i.e., at the Pacific Grove and Carmel gates, at major shoreline accessways and access areas, at key segments of the California Coastal Trail (i.e., connections at Asilomar State Beach and Carmel Beach, etc.), at the Lodge commercial area, etc.). Any specific use parameters shall be clearly identified. All sign and other such informational materials shall use a unified design theme wherein all signs and materials use similar materials, colors, fonts, figures, symbols, layouts, and other associated elements so as to provide a recognizable program that extends throughout the Forest and relates back to informational brochures, way-finding maps, etc. In addition:
    - a. Signs. Signs may be categorized by sign types (e.g., trail signs, overlook signs, parking signs, interpretive signs, informational signs, etc.) provided all signs are consistent with the overall Forest theme, and provided all signs within a sign type shall be similarly designed to facilitate ease of recognition (for example, sign types may use the same letter type and size, employ the same palette of colors/materials, and be installed at the same height). All signs shall be designed to integrate with the character of the sign location, and shall be: fabricated of natural or natural looking materials that are compatible with locational character to the maximum extent feasible and that have limited areas of contrasting materials and color (i.e., materials such as stone, wood, COR-TEN<sup>®</sup> steel, etc.); consolidated so as to limit the number of freestanding poles or other structures devoted exclusively to signage; and part of a coordinated hierarchy of information and related design elements such as sign size, text size, and color.
    - b. Public Access Brochure. A Public Access Brochure shall be included as a component of the Plan, and shall be subject to the requirement that it be updated (subject to County and Executive Director review and approval) whenever significant public access changes occur in the Forest, and at least once every five years. The Brochure shall clearly and accurately identify all public access areas, amenities, and use provisions within the Forest (including all trails, parking areas, destinations, facilities, etc.) consistent with the Plan at a scale and in a design that is easily understood. The Brochure shall be provided at key visitor destinations in the Forest, including as a gate handout for visitors entering the Forest for which it may be developed as a separate public

access insert to the existing 17-Mile Drive gate handout, provided it is clear that such insert is to be distributed (with the remainder of the gate handout) to all visitors entering Del Monte Forest.

- c. Acknowledgments. All signs, handouts, brochures, procedures, and other public access information elements shall acknowledge the participants in the Plan including the Pebble Beach Company, County of Monterey, the California Coastal Commission, and other applicable entities, and shall clearly reflect that the trail system is a component of the California Coastal Trail.
4. Public Access Disruptions Prohibited. Development and uses within the public access areas that disrupt and/or degrade public access (including areas set aside for private uses, and barriers to public access such as fences, temporary structures, private use signs, closures, etc.) shall be prohibited, except that the Pebble Beach Company may charge a vehicular gate fee subject to LUP requirements, and except that the Pebble Beach Company may restrict entrance to the Del Monte Forest and/or use of 17-Mile Drive and other public access areas during special events in the Forest as long as such public access use restrictions are minimized as much as possible and are clearly identified through all necessary processes. Public access areas shall be maintained in a manner that maximizes public use and enjoyment consistent with the operation of the applicable public access area.
5. Public Access Use Hours. Public use access hours shall be maximized. Such hours are generally limited to daylight hours.
6. Public Access Fees. Other than fees related to certain facility use and other than fees consistent with the LUP for vehicular access at each Del Monte Forest gate, all public access areas and amenities, including pedestrian and bicycle access at the gates, shall be available to the general public free of charge. Any proposed increases to the gate vehicle fee shall be subject to review by the County and the Coastal Commission's Executive Director, and shall be submitted with clear evidence of the manner in which it complies with the LUP's requirements specific to vehicular fee increases.
7. Public Access Plan Adjustments. The Plan shall provide that minor adjustments may be allowed by the County and the Executive Director if such adjustments:
  - (1) are deemed reasonable and necessary; and
  - (2) improve public access and do not adversely impact coastal resources.
8. Public Access Areas and Amenities Maintained. The Pebble Beach Company shall manage and maintain all Del Monte Forest public access areas and related amenities associated with the Plan on Pebble Beach Company land (and on land for which Pebble Beach Company has assumed such obligation) in their approved state and consistent with all Plan provisions in perpetuity. Others shall similarly manage and maintain areas and amenities associated with the Plan but not managed and maintained by the Pebble Beach Company consistent with their LCP and CDP obligations. At least once every five years (and by May 1st of each fifth year), the Pebble Beach Company shall assess the condition of all such public access areas and amenities, and shall provide a copy of such assessment for the review and approval by the County and the Coastal Commission's Executive Director. The assessment shall identify the existing condition of such areas and amenities, shall recommend actions necessary to maintain areas and amenities in their Plan-approved and/or Plan-required state, and shall include photographs of such areas and amenities. Actions necessary to maintain such areas and amenities in a structurally sound manner and their approved state shall be implemented within 30

days of Executive Director approval, unless a different time frame for implementation is identified by the Executive Director.

The Pebble Beach Company, and all successors and assigns, shall implement the Del Monte Forest Public Access Management Plan on Pebble Beach Company land (and on land for which Pebble Beach Company has assumed such obligation), and others shall implement the Plan consistent with their LCP and CDP obligations, which shall govern all Del Monte Forest public access. The Plan shall make clear that the Pebble Beach Company, the County, and the Coastal Commission (through its Executive Director) agree that the Plan governs public access in this way, and that any differences between Plan provisions and other documents shall be resolved in favor of Plan provisions and maximum public access. The Plan shall include signatory blocks for the Pebble Beach Company, the County, and the Coastal Commission, and shall only be deemed approved when it has been signed and dated as to its approval per the signatory blocks.

#### **Requirements Applicable to Low-Cost Visitor-Serving Facilities**

Lower-cost overnight visitor-serving accommodations shall be provided for as a condition of approval of the first development in the Concept Plan that provides for additional overnight visitor-serving accommodations. The condition should be satisfied by payment of a fee to an organization acceptable to the County and the Coastal Commission's Executive Director to provide for lower-cost overnight visitor accommodations in the coastal zone.

#### **Requirements Applicable to Affordable Housing**

The Pebble Beach Company shall comply with the County's Inclusionary Housing Ordinance in the manner approved by the County. In addition to the 10 market rate units identified at the Corporation Yard site, an additional 20 units of inclusionary housing may be allowed within the same development footprint as identified in Figure 9I.

#### **Implementation of Concept Plan**

All relevant LCP requirements shall apply to each element of the Concept Plan, except as described in this Concept Plan section or as otherwise noted in other policies. In recognition of the relative specificity of the Concept Plan and the benefits accruing from it, it is the premise of this LUP that none of the LCP requirements will be applied in a manner to prevent reasonable development consistent with the Concept Plan, and in particular to prevent reasonable residential development on any of the Concept Plan residential lots in a manner generally consistent with the residential development on similar residential lots in the Del Monte Forest.

## **CHAPTER FOUR**

# **LAND USE SUPPORT ELEMENT**

## **INTRODUCTION**

The land use and development area designations described in Chapter 3 are based upon resource considerations presented in Chapter 2 as well as considerations of the needs of supporting systems for development and uses. This chapter describes existing support systems in the Forest, as well as the system improvements necessary to support Forest development and land uses, including with respect to requirements related to provision of sometimes limited services (circulation, water supply, wastewater treatment, etc.).

## **CIRCULATION**

### **Circulation Background**

The Del Monte Forest is served by a private internal road system, including world-famous 17-Mile Drive, that is owned and maintained by the Pebble Beach Company. In addition to 17-Mile Drive, five gated entrances provide access into the Del Monte Forest: the Pacific Grove and Country Club gates from Pacific Grove, S.F.B. Morse gate from Highway 68, Highway 1 gate from the southerly Highway 1/68 interchange, and the Carmel gate from the City of Carmel-by-the-Sea. Major roads leading to these gates include Highway 1, Highway 68, Sunset Drive and 17-Mile Drive in Pacific Grove, and Ocean Avenue to North San Antonio Avenue/Carmel Way in Carmel-by-the Sea. Residents pay a yearly fee toward upkeep of the road system. Visitors in vehicles pay an entrance fee, but there is no fee for pedestrians, bicyclists, or equestrians. Principal circulation system elements in the area are shown in Figure 7.

As of 2007, all roads within and gates into the Del Monte Forest were operating at acceptable levels of service (“C” or better on a range scale ranging from “A” (the best) to “F” (the worst)). The LUP’s target service level is, at minimum, Level “D” (see Policy 108). Some nearby intersections were operating at lower levels of service in peak times, most notably Highways 68/1 southbound off ramp, Highway 68/Skyline Forest Drive, Highway 68/Beverly Manor, Highway 68/Aguaquito Road, and Highway 1 southbound on-ramp/17-Mile Drive, which were all operating at Level of Service F (over-capacity) at some times.

Emergency vehicle response is provided from the central fire station on Forest Lake Road and the fire station located inside the Highway 1 gate over a network of collector or primary roads. Emergency access for law enforcement and ambulance responses as well as mutual or automatic resources from neighboring jurisdictions is provided through the five entrance gates, as well as the Haul Road gate off Highway 68 (which is closed to all vehicular traffic other than emergency ingress and egress).

### **Circulation Considerations**

Although 17-Mile Drive has evolved since it was originally created in the early 1900s as a route between the old Hotel Del Monte, the old Carmel Mission, and Point Lobos, it remains a defining element of the

circulation system for both residents and visitors. One of the LUP's basic circulation objectives is to preserve 17-Mile Drive for visitor access, including through the use of alternative distribution systems for Forest residents. In this way, 17-Mile Drive can continue to function as a special scenic route for visitor access to and along the shoreline and the recreation and scenic resources of the area, at the same time that its role of distributing residential traffic within the Forest can be lessened. The LUP addresses this objective by a variety of means, including appropriately directing internal travel within the Forest, and segregating resident and visitor traffic as much as possible. Critical capacity situations are typically weekday morning and afternoon peaks, when the traffic is primarily residential, and the middle of the day on Sundays, when visitors comprise a large proportion of the traffic volume.

Although the S.F.B. Morse gate from Highway 68, completed in 1989, has helped in distributing traffic, significant new development in the Forest will require offsetting traffic improvements, including Highway 68/17-Mile Drive intersection area improvements, redevelopment of the Highway 1 gate into the Del Monte Forest, regional cumulative traffic projects, traffic demand management requirements (including offsite employee parking, shuttles, etc.), and special event requirements.

In terms of non-automobile circulation, existing bicycle routes connect the coastal cities of Pacific Grove and Carmel-by-the-Sea, north and south of the Del Monte Forest Area, at the Carmel and Pacific Grove gates. Other bicycle access into the Forest is more limited and subject to safety and terrain constraints along the shoulder of Highway 68 (to the S.F.B. Morse and Highway 1 gates) where grades are generally too steep for the average cyclist, and vehicular traffic presents safety hazards. Within the Forest, the primary bicycle route presently extends along 17-Mile Drive from the Pacific Grove gate to near The Lodge at Pebble Beach, including via Spyglass Hill Road. Bicycle access between the Lodge area and the Carmel gate is more limited due to the narrow road width and excessive road grade in places, and the lack of dedicated bicycle lanes. Improvements to enhance bicycle access, including safety improvements, are necessary in certain such areas. This LUP encourages such enhanced bicycle access and connectivity within the Forest, including via a safe and usable through route (off-road preferably) from Pacific Grove to Carmel where space and grades permit.

In addition, the Del Monte Forest trails system provides pedestrian access on a series of trails that wind throughout the Forest (see Figure 8). This trail system is made up of a variety of components (e.g., developed trails, fire roads, footpaths, sidewalks, etc.) that has been and is available for general public access use, and it remains one of the most significant public access and non-automobile circulation facilities within the Forest. It allows its users to navigate through the Forest almost exclusively separated from vehicular roads and along alignments that dip into and out of significant natural resource areas. It offers a more natural trail experience as well as opportunities to enjoy Forest resources first hand. Use is limited to hikers and equestrians, who, using a trail map, can find their circuitous way from the Asilomar Dunes area in Pacific Grove through to Carmel Beach in Carmel in a few hours. This trail system is a portion of the California Coastal Trail (CCT) connection between Asilomar Dunes State Beach and Carmel Beach through the Forest, and a significant circulation resource for which continued protection, enhancement, and management is critical.

### **Planned Circulation Improvements**

No new major internal Del Monte Forest roads are planned. However, it is critical to continue the redevelopment, improvement, and management of roads within the Forest including as necessary to offset impacts from new development. In addition, efforts must continue to maximize the utility of the Forest trail system and the CCT, including with respect to new trail components and improved bicycle



access through the Forest. Brochures are available to visitors at each gate access into the Del Monte Forest and must be updated on a regular basis.

The major road improvement project still necessary is the Highway 68/1/17-Mile Drive intersection area improvement project, including fundamental redevelopment of the Highway 1 gate into the Del Monte Forest. It is anticipated that these improvements will be requirements of major new development in the Forest in the future.

## **Circulation Key Policy**

The continued development of a multi-modal circulation system within the Del Monte Forest shall be encouraged to provide an adequate level of service with minimal intrusion to the Forest environment, ensure adequate and effective public recreational access, encourage separation of visitor and resident traffic, and provide for a proportionate share of the improvements necessary to impacted areas of Highway 68, which serves as an external access route to the Del Monte Forest.

## **Circulation Policies**

97. Seventeen Mile Drive shall remain open to the public for recreational use and any entrance fee charged shall be limited to a vehicular access fee (i.e., pedestrian and bicycle access shall remain free) and shall remain reasonable.
98. The vehicular entrance fee as of January 1, 2011 was \$9.50, and it was last increased to that amount on April 1, 2010. The entrance fee may be increased over time, as long as it is not increased by more than the increase in the Consumer Price Index (CPI) or more than 5% per year, whichever is less, on a cumulative basis as measured from the date of the last gate fee increase.
99. The recreational and scenic value of the 17-Mile Drive corridor shall be maintained by appropriate siting and design of new development to minimize public view impacts associated with the corridor as much as possible, including through the use of appropriate building setbacks along sections of the Drive where such new development will occur.
100. To protect public access to the shoreline and reserve limited highway capacity for coastal priority uses, development in the Forest shall be required to identify and appropriately offset all circulation impacts, with preference given to mitigation measures designed to improve public recreational access and visitor-serving circulation. All such development shall either bear the incremental costs of necessary improvements to Highway 68 and the Highway 1 gate required as a result of traffic generated by the development, or pay into a fund that will be administered by the County for the incremental costs of necessary improvements to Highway 68 and the Highway 1 gate required as a result of traffic generated by the development. Approval of any development proposed by the owner of the Del Monte Forest road system (Pebble Beach Company) that is described in the Pebble Beach Company Concept Plan (in Chapter 3 of this LUP) shall incorporate and/or require as a condition of approval improvements to the Highway 68/1/17-Mile Drive intersection area, including redevelopment of the Highway 1 gate (see Figure 7), and improvements to The Lodge area parking and circulation system (see Figure 9q) that improve circulation consistent with all LUP policies. Such approvals granted to Pebble Beach Company must also incorporate and/or require as a condition of approval all other necessary measures and modifications that are identified during the development review process to adequately address traffic and circulation

issues associated with the proposed development.

101. Approval of new subdivision and/or hotel development in the Forest shall be based upon professional engineering traffic studies that will identify and provide for circulation changes/improvements necessary to appropriately offset such development's impacts on existing visitor and residential circulation needs. Approval of any such development shall incorporate and/or require as a condition of approval the identified mitigation for circulation changes/improvements.
102. Circulation changes and/or improvements in the Forest shall utilize to the maximum extent feasible existing disturbed areas.
103. To preserve both visual and physical access to the coast, the impacts on the road system of the Forest and on Highways 68 and 1 resulting from incremental development in the Forest shall be mitigated in conjunction with, or as a function of, new development.
104. Parking reorganization and other measures to best accommodate visitors consistent with maintaining/enhancing public views and protecting sensitive habitat shall be implemented at all access areas as a condition of approval of any development that is described in the Pebble Beach Company Concept Plan (in Chapter 3 of the LUP) as a means to improve visitor visual and physical access to the shoreline.
105. Circulation improvements shall include the provision of improved visual access to the sea where needed along Highway 68 and 17-Mile Drive.
106. Relocation of portions of 17-Mile Drive is encouraged where the purpose is to improve public views of scenic resources, reduce conflicts between visitor and resident traffic, and allow for the separation of bicycle/pedestrian and vehicular traffic.
107. Development or expansion of visitor-serving facilities should be planned to maximize opportunities for use of public transportation systems.
108. Applications for development in the Forest shall include an analysis of the traffic generation of such development and an analysis of the probable routes of such traffic. If the decision making body determines that the additional traffic generated by such development will create the need for additional traffic facilities, including changes and/or enhancements, to account for traffic that will exceed Level of Service D, and without regard to any other traffic generated by other sources, the County shall require the applicant to contribute to the County, at the time of construction, the applicant's estimated proportionate share of the cost of those facilities made necessary to which the development contributes.
109. Non-automobile transportation modes (e.g., trails) shall be considered and, where feasible, included in new development proposals. Appropriate considerations for residential developments include non-vehicular connections to the trail system and to commercial or visitor-serving facilities, including where such connections will facilitate enhanced trail connectivity and/or close trail gaps.
110. Improved bicycle access and connectivity within the Del Monte Forest, including a safe and usable through route (off-road preferably) from Pacific Grove to Carmel where space and grades permit, as close as feasible to the sea, is encouraged. Development that affects existing bicycle access

(e.g., road improvement projects) shall include enhanced bicycle access improvements if such improvements are feasible.

## **WATER AND WASTEWATER SERVICES**

### **Water Supply Considerations**

The Del Monte Forest area, along with the six cities and unincorporated portions of the Monterey Peninsula, has its domestic water supplied by the California-American Water Co. (Cal-Am). Cal-Am's principal water sources are the Carmel River and the Seaside coastal groundwater basin, both of which are currently over-drafted with water withdrawals leading to adverse impacts on resources. The distribution and use of Cal-Am water is regulated by the Monterey Peninsula Water Management District (MPWMD), which allocates water among various cities and the County, who in turn decide how to distribute their allocations.

Coastal Act policies require, where public works facilities can accommodate only a limited amount of new development, that coastal-dependent land uses, including recreation and visitor-serving land uses, shall not be precluded by non-priority residential development.

Due to insufficient legal rights for Cal-Am withdrawals from the Carmel River, the State Water Resources Control Board (SWRCB) has issued Orders limiting the amount of water Cal-Am can withdraw from the Carmel River. This limitation has had the effect, on a general basis, of precluding water for new development within the Cal-Am service area, with some exceptions. One of these exceptions is the Pebble Beach Water Entitlement, which has its genesis in the Carmel Area Wastewater Services District (CAWD) – Pebble Beach Community Services District (PBCSD) Recycled Water Project (RWP).

In 1989, MPWMD and Pebble Beach Company entered into an agreement in which Pebble Beach Company guaranteed financing for the RWP designed to reclaim approximately 800 acre-feet per year (AFY) of wastewater for irrigation use on golf courses and other landscaping in the Del Monte Forest. The use of recycled water in place of potable water was intended to conserve approximately 800 AFY of Cal-Am potable water then being used to irrigate these areas. The project was to be constructed and operated by CAWD and PBCSD. In return for its fiscal guarantee, MPWMD granted Pebble Beach Company a water entitlement of 365 AFY of potable water for specific "benefited" properties in the Del Monte Forest. MPWMD granted two other property owners who also participated in the agreement an additional 15 AFY entitlement (applicable to use for Areas S and W in the Del Monte Forest), for a total of 380 AFY of water entitlement in return for guaranteeing financing for the RWP.

In 1994, CAWD and PBCSD completed construction of the RWP and began supplying treated water. Between 1994 and 2008, the RWP supplied on average about 750 AFY of recycled water for irrigation of eight golf courses, and other areas in the Del Monte Forest. During this period, the recycled water supply was supplemented with potable water to bring it up to necessary irrigation standards, necessitating use of approximately 250 AFY.

To eliminate the supplemental use of potable water for such irrigation, Pebble Beach Company agreed in 2005 to fund upgrades to CAWD's recycled water facilities to address salinity issues and to fund the retrofit of the Forest Lake Reservoir (owned by PBCSD) to provide additional storage capacity. By 2011, with such upgrades complete, the RWP was capable of providing about 1,100 AFY of recycled

water, sufficient to meet the irrigation demands of the golf courses and other open space areas served by the RWP without the use of potable water.

The MPWMD-Pebble Beach Company agreement, including as modified in 2004, identifies the water entitlement as a vested property right and allows Pebble Beach Company the right to reallocate the water entitlement among its properties as well as the ability to sell up to 175 AFY of its remaining entitlement to other Del Monte Forest property owners for residential use, provided that the annual water usage among all of Pebble Beach Company's properties and buyers' properties does not exceed the aggregate 365 AFY water entitlement granted to Pebble Beach Company. As of 2011, Pebble Beach Company had sold approximately 130 AFY in this fashion, and had used about 10 AFY for other projects, leaving a balance of 225 AFY.

Water demand for the Pebble Beach Company's Concept Plan projects is estimated at about 135 AFY. Taking the Pebble Beach Company's MPWMD Water Entitlement (Entitlement) of 365 AFY, less the 175 AFY it is authorized to sell, leaves 190 AFY for Pebble Beach Company use under the Entitlement. Approximately 10 AFY has already been used, leaving 180 AFY under the Entitlement to satisfy the Pebble Beach Company Concept Plan projects and other Pebble Beach Company needs per the Entitlement. In addition, for other Del Monte Forest property owners, up to 175 AFY under the Entitlement is available to serve development on lots of record, additions, remodels and other residential uses.

Thus and in summary, existing water sources for Del Monte Forest development are generally overdrafted, the use of these sources is leading to adverse resource impacts, and such use is subject to specific legal requirements related to continued use, including SWRCB orders. As a result, the lack of adequate, long-term public water sources and supplies is a significant constraint to development in the Del Monte Forest. So as not to exacerbate resource impacts from water withdrawals, development in the Del Monte Forest can thus only be approved if it is first clearly demonstrated that the development will be served by an adequate, long-term public water supply, and where such development incorporates all necessary measures to assure no net increase in water demand from Cal-Am sources where extraction is leading to resource degradation. The only exception is the remaining portion of the Pebble Beach Company's MPWMD Water Entitlement consistent with all applicable law for such use, including as circumstances surrounding such use change over time (e.g., in relation to SWRCB order or otherwise). Thus, this LUP recognizes the validity of the Pebble Beach Company's MPWMD Water Entitlement, and recognizes that new development which relies on the remaining Entitlement is allowable provided other applicable law does not dictate otherwise.

### **Wastewater Treatment Considerations**

Wastewater treatment and disposal for the unincorporated Del Monte Forest is provided by the PBCSD through a contract with CAWD. The CAWD wastewater treatment plant is located south of Carmel near the Carmel River Lagoon. The plant has a total treatment capacity of approximately 3 million gallons per day (mgd) with 2011 flows ranging between approximately 1.5 and 1.6 mgd. Of the total capacity, 1.0 mgd is allocated to the PBCSD for service in the Del Monte Forest. PBCSD in 2011 was using about 500,000 gallons per day (gpd) or approximately one half of its allotted capacity. Future Del Monte Forest wastewater needs under the LUP are not expected to exceed an additional 150,000 gpd. The maximum wastewater flow from the Del Monte Forest in the future is thus not expected to exceed 700,000 gpd, which is well within the existing capacity of the CAWD plant for the Forest's allocation.

The CAWD plant treats wastewater to secondary and tertiary levels. Some of the treated water is

recycled and piped to Del Monte Forest for irrigation use per the RWP, but the remainder is discharged into Carmel Bay, pursuant to a permit from the SWRCB. Carmel Bay is designated by the state as a State Marine Conservation Area (SMCA), a Water Quality Protection Area (WQPA), and an Area of Special Biological Significance (ASBS). It is also part of the Monterey Bay National Marine Sanctuary (MBNMS). Although wastewater discharges are prohibited into ASBSs, 2011 State law includes a specific exemption for Carmel Bay to continue receiving treated effluent. In sum, Carmel Bay is recognized by a series of overlapping designations that reflect its rich biological resources and overall value, and treated wastewater discharge must continue to be understood in this evolving context.

In summary, PBCSD/CAWD has adequate wastewater collection and treatment capacity for future expected Del Monte Forest development. The SWRCB permit requires annual sampling of Carmel Bay waters and comprehensive reports to the SWRCB at ten year intervals. The first comprehensive report (2002-2003) showed no evidence of a measurable effect of the treatment plant discharge on the ASBS. The next comprehensive study report is due March 2013. The SWRCB will continue to monitor and evaluate Carmel Bay waters for CAWD discharge effects on the ASBS, including as it relates to increased wastewater discharge from new development.

### **Water and Wastewater Key Policy**

Development shall only be approved if it can be served by adequate, long-term public water supplies and wastewater treatment capacities. Priority for use of scarce water and wastewater treatment capacity shall be for coastal priority land uses. Wastewater systems which minimize or eliminate ocean pollution, and which provide for reclamation of wastewater for reuse, shall be encouraged and supported.

### **Water and Wastewater Policies**

111. Development shall only be approved if it is first clearly demonstrated that the development will be served by an adequate, long-term public water supply, and where such development clearly incorporates all necessary measures to assure no net increase in water demand from Cal-Am sources where extraction is leading to resource degradation, other than development that uses the remaining available Pebble Beach Company MPWMD Water Entitlement from the original 365 AFY granted to Pebble Beach Company (pursuant to its Fiscal Sponsorship Agreement with MPWMD, dated October 3, 1989, as amended), consistent with applicable law for such use.
112. Recycled wastewater shall be used as much as possible to irrigate all golf courses and landscaping areas, to the extent recycled water is reasonably available for such purpose, in order to conserve and make available additional potable water for domestic use. Development associated with golf courses and/or non-residential landscaping shall incorporate measures designed to ensure that such golf courses and/or landscaped areas are irrigated using such recycled water as much as possible.
113. In reviewing development applications, the County shall consult with the MPWMD and Cal-Am to determine that an adequate, long-term public water supply is available to serve proposed development.
114. The County shall reserve water from any MPWMD and/or Cal-Am allocation for coastal priority uses.
115. Development shall only be approved if it is first clearly demonstrated that there is adequate, long-

term public wastewater treatment capacity to serve such development.

116. New development shall employ water conservation techniques to the greatest possible extent. This shall include, among other things, use of water-saving fixtures, retaining native plants, and installing drought-tolerant landscaping.
117. Wastewater disposal systems which minimize or eliminate Carmel Bay pollution, and which provide for reclamation of wastewater for reuse, shall be encouraged.
118. Development shall only be approved if it is first clearly demonstrated that the additional wastewater discharge associated with such development will not significantly adversely impact coastal resources, including primarily in terms of Carmel Bay.

## **HOUSING**

The Coastal Act encourages the protection of existing, and the provision of new, affordable housing opportunities for persons and families of low and moderate income levels within the coastal zone. Similarly, one of the County's objectives is to increase the overall availability of low and moderate income housing in both the coastal and inland regions. Although the Del Monte Forest area is largely built-out, with limited potential for additional housing units, these housing objectives remain an important consideration with respect to new development within the Forest.

### **Housing Key Policy**

Housing opportunities for persons and families of low to moderate income should be protected and provided, both within the Forest and in outlying areas, as a function of new development within the Forest.

### **Housing Policies**

119. The County shall encourage the expansion of housing opportunities for low and moderate-income households, including a requirement that all new residential subdivisions contribute to the provision of low and moderate-income housing. The allowance of accessory dwelling units may also serve to further this objective in the Del Monte Forest.
120. Timeshare residential uses and quasi-residential visitor-serving uses (including condominium hotels, private unit ownership, fractional ownership, and similar use and ownership structures) shall be prohibited.

## **CHAPTER FIVE**

# **PUBLIC ACCESS ELEMENT**

## **INTRODUCTION**

The public's right to coastal zone access is ensured by the provisions of the Coastal Act. Notably, the Coastal Act prohibits development from interfering with public access to and along the coast, and requires that public recreational access opportunities be maximized. This latter statutory direction presents a different threshold than to simply provide or protect such access, and is fundamentally different from other like provisions in other laws in this respect. In other words, it is not enough to simply provide access to and along the coast, and not enough to simply protect access, rather such access must also be maximized. This terminology distinguishes the Coastal Act in certain respects, and provides fundamental direction with respect to projects along the California coast, including in the Del Monte Forest, that raise public access issues. However, the Act also recognizes that efforts to maximize such access must be balanced against the need for preservation of the fragile natural environment, as well as the need to ensure public safety and to protect the rights of residents and landowners. Balancing these sometimes conflicting objectives is a primary goal of this LUP.

The Del Monte Forest has long been recognized for its natural beauty and is well known for its mostly craggy shoreline that extends through the bluff platform and large areas of dunes up through and into a sloped landform mantled by native Monterey pine forest. Perhaps the most compelling characteristic of the Del Monte Forest area is this spectacular physical setting. Framed by the Asilomar Dunes extending into Pacific Grove upcoast and the sands of Carmel Beach downcoast, the Del Monte Forest shoreline includes the incredible white sand dunes and beaches at Spanish Bay, Fan Shell Beach, and Signal Hill, the craggy shoreline from Cypress Point to Pescadero Point, and the striking calm waters and sandy beaches of Stillwater Cove – part of the larger Carmel Bay State Marine Conservation Area and the Monterey Bay National Marine Sanctuary. Inland of the shoreline, the Del Monte Forest transitions through both developed and undeveloped areas containing a variety of streams and creeks towards the peak of the Monterey Peninsula. Much of the Del Monte Forest remains substantially mantled by forest cover; predominantly native Monterey pine forest, but also native Monterey cypress, Gowen cypress, and Bishop pine, in both distinct and mixed groves of these species. Even the Forest's developed areas are occupied to greater and lesser degrees (depending on the nature of the development and how much of the native flora was retained and protected) with forest cover. Several areas have been formally set aside for preservation, such as the Huckleberry Hill Natural Habitat Area with its unique and valuable ecosystem.

Within this setting, public access has become a prominent component of the landscape, particularly in the time since passage of the Coastal Initiative (Proposition 20) in 1972, and the Coastal Act in 1976. Most visitors are well aware of world famous 17-Mile Drive, and much of the Forest's developed accessways as well as primary public access use areas are located along its winding extent, including a series of primary access points and trails along the shoreline. However, the Forest is also home to a series of access attractions that are located away from the immediate shoreline and 17-Mile Drive. These attractions include an extensive collection of inland public trails throughout the Forest, which together with the shoreline trails are all components of the California Coastal Trail (CCT), as well as a vibrant commercial core near The Lodge at Pebble Beach. In addition, the Forest is a visitor-serving destination, anchored by the Pebble Beach Company's major resort operations at Spanish Bay and The

Lodge, and by the five golf courses available for public play (Pebble Beach Company's Pebble Beach Golf Links, Spyglass Hill Golf Course, Links at Spanish Bay, and Peter Hay (9-hole) Golf Course, and the Northern California Golf Association's Poppy Hills Golf Course). Thus, the Del Monte Forest provides a vast range of public recreational access opportunities, including those that are free up to those that are higher cost. Almost all of the free access facilities are provided and maintained by the Pebble Beach Company, which has committed to providing, maintaining, and managing such areas for public access in perpetuity. Overall, the result is that the Del Monte Forest provides a significant public recreational access system and is a prime visitor destination, not only for visitors from the Monterey Peninsula, the greater Monterey Bay area and the State, but also worldwide.

### **Shoreline Access**

The Del Monte Forest shoreline is world-famous for its raw scenic beauty, its rich diversity of marine wildlife, and its botanic interest. The presence of these special resources has long made the area a favorite of visitors as well as local residents. There are four distinct areas along this coastline.

Beginning outside of the Del Monte Forest at the north end of Asilomar State Beach, southerly to Point Joe, the shoreline is a combination of rocky headlands and large, open beaches. In Pacific Grove, Sunset Drive parallels the Asilomar coast, and parking is provided along the roadway at numerous turnouts. Easy access to the shoreline by foot is available here, including through trails and boardwalks that enter into the Del Monte Forest area from the Asilomar State Beach area. The northern portion of the beach at Spanish Bay is intensively used year-round for sunbathing, beachcombing, picnicking, surfing, and beach sports. Access to Point Joe and Moss Beach, at the southern end of Spanish Bay, is also easily obtained on foot from Asilomar State Beach, from trailhead access from the Spanish Bay Resort, and from Spanish Bay Drive and the Spanish Bay coastal accessway fronting Moss Beach itself.

The section of the coastline from Point Joe to and through Fan Shell Beach near Cypress Point is a relatively narrow strip of largely low, rocky coastal bluffs with small pocket beaches. 17-Mile Drive closely parallels the shoreline to Cypress Point. Off-road pedestrian access is provided along the entire coastline from Point Joe to near Cypress Point. Numerous developed and undeveloped parking areas are also present here. Telescopes are provided at several locations to observe marine wildlife and other shoreline features of interest. Picnic and restroom facilities are also provided in a number of locations along this stretch. The Del Monte Forest area from Pacific Grove through the downcoast end of Fan Shell Beach is all considered part of the Asilomar Dunes system.

The character of the coastline changes at Cypress Point from the open and more low-lying shore found to the north to one with steeper, taller sea bluffs forested in many places to their edge with Monterey cypress and Monterey pine. The majority of this land is in individual private ownership and extends along the coastline from Cypress Point to Pescadero Point and past that to the Pebble Beach Golf Links. Public access to the immediate shoreline along this segment is from several well-known vantage points at Cypress Point, Midway Point (Lone Cypress), and Ghost Tree. Turnouts are provided for parking and stopping, and some of these public access areas include footpaths to and along the coast.

The remaining segment of the Del Monte Forest coastline extends primarily along the Pebble Beach Golf Links from about Pescadero Point eastward to the City limits of Carmel-by-the-Sea. 17-Mile Drive is located along the eastern inland edge of the course, and views of the ocean, which is generally several hundred yards away, are limited. In addition to a series of private residential properties along the bluffs near Pescadero Point proper, the golf course lines almost the entire shoreline of this reach, at most times limiting access to the immediate shoreline to players on the course. The course is open to public play.



Public access to this portion of the immediate Del Monte Forest shoreline is generally limited to shoreline areas reached through the Lodge area public access trail system that includes links to both the public access overlook near the Golf Links 18th Hole, as well as the public beach and related amenities at Stillwater Cove (including for small boat launching, diving access, etc.). This Lodge area trail system includes connecting segments through the Lodge area commercial core and its visitor serving commercial establishments, as well as connection to the interior forest trail system near the Pebble Beach Equestrian Center and Peter Hay Golf Course. The Stillwater Cove public access area, including the beach and pier, is used for day beach use, diving, and boating, and includes restroom facilities and a limited number of public parking spaces. These access amenities at Stillwater Cove were required by coastal development permit conditions for the Spanish Bay project (3-84-226) and Casa Palmero Inn and Spa redevelopment (A-3-MCO-97-037). The Pebble Beach Company's Beach Club facilities front Stillwater Cove and are private and open only to club members and their guests, as well as guests of the Forest's resorts (The Lodge and The Inn) and special function guests. General public access to the beach and pier is available through the Beach Club parking lot area. Beach Club membership is available for both residents and non-residents of the Forest. The sandy beach below the downcoast portion of the Pebble Beach bluffs is a part of Carmel Beach and is accessible from the main Carmel Beach parking lot at the end of Ocean Avenue in the City of Carmel-by-the-Sea, as well as from a number of trails and stairways in the City. One of these stairways is located nearest to Pebble Beach in the north Del Mar Dunes area of the City, connecting into the Forest via a dedicated public access boardwalk and trail to North San Antonio Avenue, and along the seaward side of North San Antonio extending into the Del Monte Forest, and to the historic Redondo Trail section of the Forest trail system just inland of the Pebble Beach Golf Links near Pescadero Creek. This trail segment connects the Del Monte Forest trails to Carmel and Carmel Beach (and through to Asilomar State Beach in Pacific Grove at the other end of the Forest) and is an important link in the California Coastal Trail.

### **Interior Trail Access**

The Del Monte Forest area includes an outstanding and extensive system of public trails. In some locations these trails parallel the shoreline, including providing access to and between the above-described shoreline areas as well as loop and other trail access from the shoreline access areas. In addition, a series of trails snake through the more interior portions of the Forest, literally fanning out in all directions. Some of these are more developed footpaths, some of these are actually roads, and some of these are dirt fire roads. Overall, these trails provide good public access to and through the forested interior, to the shore, and to the various residential neighborhoods. While many of these trails were originally constructed for horseback riding, they are now commonly used by pedestrians and joggers. This system of trails allows its users to navigate through the Forest almost exclusively separated from vehicular roads and along alignments that dip into and out of significant natural resource areas. It offers a more natural trail experience as well as opportunities to enjoy Forest resources first hand. Using a trail map, users can find their circuitous way from Asilomar Dunes in Pacific Grove through to Carmel Beach in Carmel-by-the-Sea in a few hours. This trail system is a backbone component of the CCT connection between Asilomar State Beach and Carmel Beach. Visitors to the Forest can obtain a trail map at any the five entry gates as well as by contacting Pebble Beach Company.

### **Roadway Access**

The Del Monte Forest is served by a private internal road system, including world-famous 17-Mile Drive, which is owned and maintained by the Pebble Beach Company. Five gated entrances provide access into the Del Monte Forest: the Pacific Grove and Country Club gates from Pacific Grove, S.F.B.

Morse gate from Highway 68, Highway 1 gate from the southerly Highway 1/68 interchange, and the Carmel gate from the City of Carmel-by-the-Sea. Visitors in vehicles pay an entrance fee (where increases are governed by CPI), but there is no fee for pedestrians, bicyclists, or equestrians. Public access parking is provided at the shoreline access areas, as well as at designated areas at The Inn at Spanish Bay and The Lodge at Pebble Beach, the latter in and around the first-come, first-serve parking areas adjacent to the commercial core, as well as in designated parking facilities at Casa Palmero, at the Tennis Club, and near the Beach Club.

The shoreline access areas described above are generally accessible from 17-Mile Drive. The more interior trails generally crisscross 17-Mile Drive and other roads, sometimes using the roadway shoulder as connecting segments. Bicyclists can travel Del Monte Forest roads, but bicycle access is more difficult in some areas due to the narrow road width, excessive road grade, and lack of striped bicycle lanes. This LUP encourages enhanced bicycle access and connectivity within the Forest, including via a safe and usable through route (preferably off-road) from Pacific Grove to Carmel where space and grades permit.

Overall, there are a wide variety and type of public recreational access features available in the Del Monte Forest. Visitors are a priority in the Forest, not only in terms of the core visitor serving nature of the resort operations, the public golf courses, and the commercial core, but also in terms of low and no-cost public access amenities like trails and overlooks designed to maximize enjoyment of the natural environment and the incredible scenery of the Forest and shoreline. The Pebble Beach Company is allowed to charge a fee for vehicular access, but other than that vehicle entrance fee, the Del Monte Forest's access facilities, including parking areas, are free for public use. The Del Monte Forest offers a well-rounded and exceptional series of public access amenities in an incredible setting. Thus, although the LUP envisions some new public access amenities, the majority of public access projects are likely to be those associated with maintaining and enhancing existing public access areas. Nearly all of these access areas are maintained and provided for the public by the Pebble Beach Company, which is committed to providing and maintaining these improvements in perpetuity.

### **Public Access Key Policy**

Visual and physical public access to and along the shoreline and the enjoyment of public recreational values throughout the Del Monte Forest, consistent with the basic purpose of the California Coastal Act, shall be maximized. This LUP shall also seek to ensure that the beauty of the Del Monte Forest Area coast, its tranquility, and the health of its environment will not be marred by public overuse or neglect.

### **Public Access Policies**

121. Existing public access areas, including shoreline access areas, interior trails, and road access, shall be permanently protected for long-term and continued public use, and development on sites that provide such access shall be required to ensure such access areas are so protected, including through dedication of access easements and/or property.
122. For areas not appropriate for access, public access shall be discouraged. Where such areas are located on private land, the County shall cooperate with landowners to develop effective methods for directing access to appropriate locations.
123. Public viewsheds are an important component of shoreline access and public recreational use.

Development shall not block significant public views and shall not significantly adversely impact public views and scenic character, including with specific attention to the 17-Mile Drive corridor and designated public access areas/vista points.

124. Development on sites that could provide for enhanced public access (e.g., filling a gap in relation to adjacent access areas) should be required to provide such access, including through dedication of access easements and/or property.
125. New development shall be sited and designed to avoid adversely affecting public access areas, including trail access (see, for example, Figure 8). Trail dedications necessary to provide public access connections to existing public access areas consistent with LUP policies shall be required as a condition of development approval. If, due to habitat or safety constraints, development entirely outside existing trail routes is not feasible, the route shall be realigned if otherwise appropriate and LUP consistent. Approved realignments shall be generally equivalent in terms of connectivity, utility, and public use value to the original route.
126. While encouraging maximum public access, this LUP also intends to ensure that the privacy, safety, health, and property of residents are protected through the implementation of the following standards for the siting and design of public access improvements in residential areas.
  - a. Provide adequate separation between shoreline access and residential uses to protect the privacy and security of homes. Specifically, keep the edge of lateral shoreline trails 25 feet, and vertical shoreline access trails 10 feet, from any occupied residential structure if feasible while still providing for adequate public access.
  - b. Maximize the use of appropriate landscaping, fences and grade separation between access routes and residences to protect privacy so long as such measures do not adversely impact access connectivity, utility, and public use value.
127. Public pedestrian access to, and along, the Spanish Bay shoreline shall be maintained by developing and adequately marking a shoreline trail from Asilomar State Beach to the southerly end of Moss Beach, where the southerly end of Spanish Bay Drive terminates.
128. Public access plans for the Spanish Bay planning area should be coordinated with plans of the State Department of Parks and Recreation for adjoining Asilomar State Beach to ensure compatibility, seamless connectivity, and a balance of public access opportunities.
129. The County shall receive and hold all easements and/or property dedicated for public access areas and accessways (including for shoreline and inland trails) as a result of conditions placed on new development. The County may designate another public agency or non-profit to accept such access area dedications if the recipient demonstrates the ability to manage them consistent with the specific objectives associated with the public access area in question and the public trust. The terms of all access area easements and/or access area property restrictions may be enforced by the County or their designee, and shall revert to the County if the recipient is unable or unwilling to appropriately manage the public access area in question consistent with its intended purpose in the future. Direct dedications are the preferred method of implementing these easement and/or property transfer requirements, but offers to dedicate easements and/or property may also be used if a direct dedication is not possible.

130. The responsibility for, and costs of, all improvements, maintenance and operation of Del Monte Forest access areas on Pebble Beach Company land (and on land for which the Pebble Beach Company has assumed such obligation), including existing access areas and any others that are developed over time by Pebble Beach Company, and including all shoreline access areas and all shoreline and interior Forest trails (see Figure 8) shall be borne by Pebble Beach Company or its successors in interest in perpetuity.
131. Active management of all public access areas, both public and privately owned, shall be required.
132. Where public access already exists, or is proposed, in environmentally sensitive habitat areas, it shall be limited to low-intensity recreational, scientific, or educational resource-dependent uses such as nature study and observation, education programs in which collecting is restricted, photography, and hiking. Access in such areas shall be controlled through siting and design which confine it to designated trails and areas.
133. Public access to areas where rare, endangered, or sensitive plants occur shall be sited and designed to avoid individual plant specimens, and to prevent impacts which would significantly degrade such plants and their habitats.
134. Public access to the Lone Cypress and Ghost Tree sites, and to the Crocker cypress grove, shall be managed in order to protect the Monterey cypress and their habitat. Management will entail improvement and maintenance of designated paths, and signing and fencing of degraded areas to allow for habitat restoration, as necessary.
135. Recreational access to environmentally sensitive marine habitats, including rookeries, roosting and haul-out sites, intertidal areas and kelp beds, should be restricted.
136. Plans to improve existing trails or create new trails shall ensure as a condition of approval that environmentally sensitive habitat areas are protected.
137. Future development shall be compatible with the goal of retaining and enhancing public visual access. Development shall not block significant public views and shall not significantly adversely impact public views and scenic character, including with specific attention to the 17-Mile Drive corridor and designated public access areas/vista points, and shall be sited and designed to be compatible with the existing scenic character of the area.
138. Access improvements, including trails, stairs, ramps, railings, restrooms, and parking facilities, shall be sited and designed in a manner compatible with the scenic character of the surrounding environment.
139. Public safety shall be considered wherever shoreline access is provided. Improvements shall improve public safety when possible. In extremely hazardous areas where safe access to the shoreline is not feasible, visual access should be emphasized.
140. Public parking is an important component of public access in the Forest. Existing public parking areas shall be protected, maintained and, where feasible, enhanced for public parking utility.
141. The public recreational access network and amenities in the Forest shall be clearly identified by a uniform system of informational and directional signs that identifies public accessways, vista points, bicycle, pedestrian, and equestrian paths, specific shoreline destinations and areas where

access is hazardous or restricted. Signs shall be designed so as to provide clear information without impacting public views and site character. The California Coastal Trail (CCT) and public nature of the CCT shall be clearly identified on appropriate signs throughout the Forest.

All unimproved areas and accessways that are available to the public and that pose safety risks should have signs posted regarding possible safety risks. Hazardous areas that are closed to the public should be appropriately signed to prohibit access.

Interpretive signage shall be placed at all major public access points as well as at appropriate locations along shoreline and forest trails to educate the public and Forest residents about the natural history of the area.

Informational brochures and trail maps shall be available to the public at all entry gates, shall clearly identify and describe the use parameters for all public access facilities within the Forest, and shall be updated and revised as necessary to reflect the most current public access facilities in the Forest.

142. Residential development and the internal circulation network of the Forest should be planned and developed in a manner that separates visitor and resident traffic.
143. Public transit (bus) operators shall be encouraged to serve concentrated visitor-serving facilities as a means of providing employee transit and reducing congested shoreline access routes.
144. Public access improvements shall ensure that a variety of access opportunities are provided and available.
145. In all areas where topography permits, shoreline access shall be provided for the disabled by building paths and ramps for wheelchairs if feasible without significant alterations to major landforms.

## **CHAPTER SIX**

# **IMPLEMENTATION**

## **INTRODUCTION**

The Del Monte Forest LUP serves as the defining guide to decisions relating to conservation, resource management, and development in the Del Monte Forest. The County administers the LUP through its delegated coastal permitting authority. All private and public development within the Forest will be reviewed against the requirements of this LUP.

## **BASIC IMPLEMENTATION PROGRAMS**

The certified County of Monterey LCP has four geographic segments – the Del Monte Forest area is one of these segments. Each of these segments has its own LUP, and the four LUPs together form the LCP’s overall LUP. The Coastal Implementation Plan (CIP) portion of the LCP is broken up into six sections that complement one another: the overall LCP component of the zoning code that applies to all of the segments (i.e., the coastal zone regulations in Title 20 of the County Code), four segment-specific CIP sections that provide implementation detail for each of the four segments, and then a sixth part that includes other applicable County ordinances, the zoning district maps, and a series of other relevant appendices. Coastal development in the Del Monte Forest area is primarily governed by the LUP, the DMF-specific CIP segment (Chapter 20.147 of the County Code), and the zoning district maps that show the Forest (Sections 20-10 and 20-16 of the County Zoning Plan).

The Coastal Commission originally certified the individual LCP LUP segments between 1982 and 1986; the Del Monte Forest LUP segment was certified in 1984, and has since been amended numerous times. The complete LCP CIP was effectively certified on January 12, 1988. On February 4, 1988, the County of Monterey assumed authority for issuing the majority of coastal development permits within the County.

## **ADMINISTRATION OF THIS PLAN**

The County of Monterey is the primary entity responsible for administering development review pursuant to this LUP and the LCP through the County’s development review procedures as described briefly below.

### **CDP Process**

Coastal development permits (CDPs) are required from the County for all categories of development in the Del Monte Forest, unless the development in question is exempt from such CDP requirements by the Coastal Act, the Coastal Commission’s regulations, and the LCP. To be approved, permit applicants will be required to demonstrate that their proposed project is consistent with the LCP, including the Del Monte Forest LUP, CIP, and zoning maps. Three basic tests must be met:

1. The proposed project must conform to the type and intensity of use permitted within the specific geographical area of concern.
2. The proposed project must conform to the policies of this LUP. In particular, the proposal must satisfy the natural resource protection policies of this LUP. If land use and natural resource protection policies conflict, natural resource protection policies shall prevail.
3. The proposed project must conform to CIP and zoning provisions.

In addition to LCP consistency, all development in the Del Monte Forest is located seaward of the first through public road and the sea, and thus CDP applicants will also be required to demonstrate that their proposed project is also consistent with the public access and recreation policies of the Coastal Act (as required by the Coastal Act, even in areas with certified LCPs).

Applicants are responsible for providing all information necessary to support their proposed projects and to allow for such projects to be evaluated for consistency with the LCP and the public access and recreation policies of the Coastal Act. Where additional information is requested, applicants are required to provide such information before further consideration will be given to the proposal.

The County will make a good-faith effort to work cooperatively with applicants in evaluating and processing CDP applications as expeditiously as possible, and will conform to application review time limits specified by State law (e.g., the Permit Streamlining Act). County staff will provide advice and guidance to the public concerning interpretation of the policy provisions of the LCP and will prepare written reports supporting all CDP recommendations made by staff. These reports will summarize the development proposal and will describe how the proposal meets or fails to satisfy relevant provisions of the LCP and Coastal Act. The report will contain a specific recommendation on whether the proposal should be approved, approved with conditions, or denied. Staff reports shall be made a permanent part of the administrative record and copies shall be available for public review.

CDP applications are subject to review by: 1) the Del Monte Forest Architectural Review Board (ARB), a private body whose review authority is established by CC&Rs that are incorporated in the deeds of property in the Del Monte Forest, and 2) the Del Monte Forest Land Use Advisory Committee (LUAC), an advisory body to the County Zoning Administrator, Planning Commission, and Board of Supervisors. The principal charge of these committees is to review CDP applications and make recommendations to the County decision-making bodies regarding consistency with deeds (ARB) and LCP requirements (ARB and LUAC). Decisions on CDPs are made at the County level by the County Zoning Administrator, Planning Commission, and Board of Supervisors, where each lower body decision is appealable to the higher body. In addition, because all of the Del Monte Forest is seaward of the first through public road and the sea, all County CDP approval decisions are appealable to the Coastal Commission, as are any local actions (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility.

The California Environmental Quality Act (CEQA) establishes criteria for environmental review of private and public project applications of various types. The County maintains a well-established program for implementing the requirements of CEQA within the coastal zone which is applied to project development applications as they are received.

## **Timing of Development**

The long-term historic rate of development in the Del Monte Forest Area has been relatively modest, and has been generally focused on residential development and redevelopment. Such residential and other development in the Forest may be approved in the future if consistent with this LUP, including development that is compatible with the normal availability and extension of utility and public service facilities and within the constraints of available water supply and wastewater capacity.

## **Supplemental Implementation Actions**

The County will, in its administration of the LUP, either undertake itself, or encourage other affected parties to: 1) utilize and update all data developed and collected historically that is associated with the Del Monte Forest area, including information developed and updated during the course of LCP amendments and individual development projects, 2) encourage the use of open space conservation and scenic easements wherever appropriate, and 3) encourage, support, and, where appropriate, participate in activities to restore coastal resources. These efforts are described more fully in the following paragraphs.

### **Collect, Update, Utilize, and Manage Data**

The County will use all available information about the Del Monte Forest developed in the planning and development review process in its review of development applications and in other actions relating to planning and regulation of land use and development in the Forest. This body of information will be supplemented and updated from time to time as new information becomes available. New information can come from a variety of sources, including from applicants and interested parties during the course of the review of development applications, and by public agencies during the discharge of their duties.

Information will be maintained by the County Planning Department, and will be readily available to the public, other agencies, and County officials. During review of any projects or activities in the area, County staff is required to review available and pertinent information and include and consider it in recommendations on proposed projects or activities. All existing information will be integrated with the Planning Department's database at least once a year.

### **Encourage Granting of Open Space Conservation and Scenic Easements**

Easements can be powerful tools in ensuring long-term protection of coastal resources, including natural resources and public access features, and will be encouraged, wherever warranted, as a matter of County policy. Open space conservation and scenic easements may provide tax benefits when enforceable restrictions on the use of land extinguish the possibility of development.

The Del Monte Forest Foundation ("Foundation") is the entity that has been designated to accept and monitor open space conservation and scenic easements in Del Monte Forest. The Foundation is a private, non-profit foundation formed in 1961 specifically to own and manage open space in the Del Monte Forest. At the time of adoption of the Coastal Act, the Foundation either owned or was in line to receive title to Crocker Cypress Grove, S.F.B. Morse Botanical Reserve, the Indian Village area, a portion of the Navajo Tract, and Pescadero Canyon. It was designated in the LUP, when first certified in 1984, as the entity to accept and hold open space conservation and scenic easements generated under the LCP. As a result, since 1984, it has accepted a number of such easements in Del Monte Forest, perhaps most significantly the conservation easement covering the Huckleberry Hill Natural Habitat Area. The Foundation is governed by a board of trustees, and receives funding from voluntary contributions and



from Pebble Beach Company to carry out its activities.

Each easement in the Del Monte Forest shall include the particular findings upon which the easement is based, with implementation measures necessary to ensure adequate protection and management of such easement areas in perpetuity. All such easements shall be structured so as to revert to the County should the Del Monte Forest Foundation be unable or unwilling to accept such easements, or unable or unwilling to appropriately manage such easements consistent with their purpose in the future. Deed restrictions may also be used in lieu of easements as a means of protecting certain open space resources provided such documents can provide the same level of long-term resource protection and management.

The guiding forest and open space management document for the Foundation is the Open Space Advisory Committee (known as "OSAC") Plan. OSAC was formed in 1979 at the behest of residents; the Committee included several renowned naturalists as well as representatives of multiple Del Monte Forest organizations. The objective of OSAC was to produce a management plan for the Del Monte Forest open space then existing and to be dedicated in the future, primarily by Pebble Beach Company. The OSAC Plan was completed in 1980 and revised in 1983, and incorporated into the original Del Monte Forest LUP upon its adoption and certification in 1984. The OSAC Plan, while still relevant to the Del Monte Forest Foundation and its activities, was removed from the LUP in 2011. The OSAC Plan continues to set out prescriptive requirements for management of certain Del Monte Forest open space properties though such requirements are relevant only inasmuch as they have been implemented to date through CDPs. OSAC continues to function as an independent committee in close association with the Foundation. The Foundation, as noted, is the entity responsible for carrying out the provisions of the OSAC Plan.

### **Restore Coastal Resources**

The County shall encourage, and where appropriate require, restoration of coastal resources as a primary component and objective of this LUP. In particular, efforts undertaken to revitalize areas damaged by past mining for silica and other minerals shall be undertaken as appropriate.

Within previously mined areas, original landforms and all accompanying vestiges of the original environment have been altered. The County will encourage and support programs which result in rehabilitation of mined-out areas toward more productive uses, and will make accommodations in its review processes for the changes that will be necessary to rehabilitate these areas.

### **Substandard Lots**

Existing legal lots of record which are smaller than the allowed minimum size in this LUP and/or in the CIP's zoning district regulations will be permitted to develop so long as the proposed project is otherwise consistent with the policies of this LUP and applicable County standards and policies.

### **LUP Revisions**

This LUP will be updated over time, as need dictates. Formal amendment procedures will be used to accomplish changes to this LUP or its implementation ordinances. Changes to this LUP must be consistent with the Coastal Act. The California Coastal Commission must also certify future changes or amendments.

## **Appeals**

Coastal Act Section 30603 provides for the appeal to the Coastal Commission of certain CDP decisions in jurisdictions with certified LCPs. The following categories of local CDP decisions are appealable: (a) approval of CDPs for development that is located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff, and (3) in a sensitive coastal resource area; or (b) for counties, approval of CDPs for development that is not designated as the principal permitted use under the LCP. In addition, any local action (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development), as defined in Chapter 14 of the California Code of Regulations, section 13012, or an energy facility, as defined in section 30107 of the Coastal Act, is appealable to the Commission. The grounds for appeal under Section 30603 are limited to allegations that the development in question does not conform to the certified LCP or to the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a de novo CDP hearing on an appealed project unless a majority of the Commission finds that “no substantial issue” is raised by such allegations.

## **Public Agency Participation and Citizen Input**

The County of Monterey will cooperate fully with other government agencies and private entities on matters of mutual interest concerning the Del Monte Forest. The County will provide technical or policy advice to other agencies as requested and will seek advice on technical or policy matters from appropriate agencies as the need arises. This presently occurs formally through environmental review procedures, and informally on a staff-to-staff basis where the need exists.

The County provides a mechanism for advice and comment from appointed community representatives on permit matters and on long-range decisions affecting planning and land management. In the Del Monte Forest, this occurs on a regular basis through the Planning Commission-appointed Del Monte Forest Land Use Advisory Committee. The general public is encouraged to attend and participate in County public meetings and hearings concerning administration of the LUP or processing of development applications pursuant to the LUP. Such hearings are noticed in local newspapers and by similar measures.

## **Enforcement**

Positive action by the County is required to ensure that the tenets of the LUP are fulfilled. All County departments engaged in activities in the Del Monte Forest will refer any possible violations, including development without benefit of a CDP and development inconsistent with CDP terms and conditions, to the Planning Department for investigation.

Because of County Counsel's role as advisor in planning matters, suspected violations of LCP subdivision or planning ordinances will be referred to the County Counsel's office when preliminary investigation indicates that such follow-up is deemed necessary. The County has a duty to pursue legal remedies against persons who illegally use open space or similar easements and will not only enjoin such misuse, but will seek recovery of damages wherever appropriate.