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DEL MONTE FOREST LOCAL COASTAL PLAN AMENDMENT

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MEASURE "A" ANALYSIS  
TO THE  
MONTEREY COUNTY  
BOARD OF SUPERVISORS



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**DEL MONTE FOREST LAND USE PLAN LCP AMENDMENT  
MEASURE "A" ANALYSIS**

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## EXECUTIVE SUMMARY

### A. BACKGROUND

The California Coastal Commission (CCC) certified the Monterey County Del Monte Forest Land Use Plan (DMF LUP) in 1984 and the Coastal Implementation Plan (CIP) in 1987. Taken together, these documents constitute the County's Local Coastal Plan (LCP) in accordance with State law. Measure "A", the "Del Monte Forest Plan: Forest Preservation and Development Limitations," was approved by Monterey County voters on November 7, 2000. This measure changed a number of elements of the Del Monte Forest Local Coastal Plan (DMF LCP), including specific land use and zoning designations for a number of properties. However, Measure "A" will not become effective until certified by the CCC as a LCP amendment. This LCP amendment includes only those changes set forth in the Measure "A" initiative as described in this analysis.

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- A. Background
- B. Summary of Measure "A"
- C. Purpose of Analysis
- D. Findings and Conclusions

This measure changed a number of elements of the Del Monte Forest Local Coastal Plan (DMF LCP), including specific land use and zoning designations for a number of properties. However, Measure "A" will not become effective until certified by the CCC as a LCP amendment. This LCP amendment includes only those changes set forth in the Measure "A" initiative as described in this analysis.

### B. SUMMARY OF MEASURE "A"

The proposed amendment contained within Measure "A" includes changes to the Del Monte Forest LCP which are fully described in SECTION II. The changes consist of the primary components:

- 1) **LAND USE AND ZONING DESIGNATION CHANGES:** Measure "A" revises land use designations on approximately 570 acres, resulting in an increase in designated open space lands, a decrease in designated residential lands, and a decrease in residential density.
- 2) **LUP POLICY CHANGES:** Measure "A" revises the text for four policies related to provision of employee housing (Policies 78a, 82, and 116), and removal of designated resource constraint areas (Policy 113).
- 3) **OTHER LUP TEXT CHANGES:** Revises text regarding land use by planning area, circulation, and resource constraint compliance; add text for open space management for Planning Units with new open space designations; and revises Figure 15 regarding siting of new trails.
- 4) **COASTAL IMPLEMENTATION PLAN (CIP):** Revises text of four sections to be consistent with LUP policy changes.

### C. PURPOSE OF LCP AMENDMENT ANALYSIS

In considering Measure "A" as an LCP amendment, the California Coastal Commission has requested information on the effects of these changes on coastal resources and other LCP provisions. The intent of the analysis contained herein is to provide an assessment of coastal issues requested by the Coastal Commission in letters to Monterey County dated November 21, 2000 and March 3, 2001 as referenced parenthetically below. This analysis compares the potential land use changes under Measure "A" with the current (pre-Measure "A") LCP and analyzes the cumulative impacts to coastal resources, access, public services and traffic as a result of these changes. The primary areas of requested analyses include:

### D. FINDINGS AND CONCLUSIONS

#### Land Use and Potential Development.

- Residential Development. The overall effect of Measure "A" is to significantly reduce the amount of residentially designated land as identified in the Land Use section of the LUP by 440 acres, reduce the number of potential new residential lots by 815 lots, and reduce the development density of most of the remaining residentially designated lands (approximately 85 out of 95 acres), thus resulting in less residential development potential than under the current (pre-Measure "A") LCP. Measure "A" would modestly increase the employee housing development potential by at least 12 specified units in Planning Unit B and would allow potential additional development associated with new visitor serving and open space recreation sites (approximately 224 acres), that would be offset by a reduction in the amount of residentially zoned lands, that also potentially could support employee housing.
- Visitor-Serving Development. Measure "A" would increase visitor serving uses through designation of a new area (4 acres/24 units) and increase the potential number of new visitor units at the Spanish Bay Resort and The Lodge of Pebble Beach by an estimated maximum of 150 and 106 units, respectively.<sup>1</sup> The actual number of new units would be determined based on adherence to LUP policies, compliance with CIP and zoning regulations, outcome of environmental review, and the general development plan amendment and the coastal development permit process.
- Open Space. Measure "A" would increase the amount of land designated Open Space Forest by 216 acres and would increase the amount of land designated Open Space Recreation by 220 acres with specified references to potential development of a new driving range and an equestrian center, the latter of which would represent an increase in land use intensity at the Sawmill Gulch site. However, redesignation of the Sawmill Gulch site from Open Space Forest to Open Space Recreation (41 acres) would be at least

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<sup>1</sup> As a matter of comparison, it should be noted that on October 10, 2000, the Del Monte Forest Property Owners and the Pebble Beach Company entered into an agreement whereby, among other things, PBC agreed to limit the number of visitor serving units to a maximum of 210 units. The agreement was recorded on April 18, 2001. Thus, the estimated number for this analysis is conservatively high. Furthermore, the current Pebble Beach Company development application proposes 160 new visitor-serving units.

partially offset with the redesignation of approximately 100 acres to Open Space Forest adjacent to the Huckleberry Hill Natural Area.

**Public Access.** Measure "A" has no effect on the provision of or requirements for public access, but allows site-specific siting of trails in Planning Units M, N, O, U, V at the time development plans are prepared and submitted for a coastal development permit.

**Coastal Resources.** The overall effect of Measure "A" is to reduce development potential with redesignation of residential lands to open space lands, which generally would provide: a) better protection to water and marine resources by reducing potential runoff (due to reduction in structural development), providing increased watershed protection with increased open space, and maintaining some existing drainages in open space; b) an overall better protection of biological and forest resources of the Del Monte Forest than the current (pre-Measure "A") LCP with an increased area designated open space forest; c) increased preservation of the forested and open space character of Del Monte Forest with additional lands designated open space that would have a beneficial aesthetic benefit with less structural development; and d) expand and enhance the recreational potential and visitor amenities in the Del Monte Forest.

Coastal development that is allowed under the current LCP (pre-Measure "A") or under Measure "A" would require approval of coastal development permits for most development on existing designated and re-designated lands under Measure "A". Measure "A" does not change any existing LCP coastal permitting processes except as related to removal of the resource constraint overlays related to traffic and water and sewer infrastructure. Future development would have to comply with applicable LUP resource policies, CIP standards, and conditions developed through coastal development permit and CEQA review processes address potential impacts to resources under any land use designation scenario. Monterey County retains discretion through CEQA review and permit review to condition future development to avoid, reduce, and mitigate for direct and cumulative effect on coastal resources.

**Public Services and Traffic.** Given the reduction in residentially designated land, combined with the modest increase in employee housing allowed and the limited addition of visitor serving units, the overall effect of Measure "A" is a reduction in potential potable water demand, wastewater generation, and traffic generated by new development. Estimated water demand would be within the water entitlement granted to the Pebble Beach Company by the Monterey Peninsula Water Management District. Estimated wastewater generation demand would be within the wastewater treatment plant capacity that is allocated to the Pebble Beach Community Services District.

**Consistency with Coastal Act.** Measure "A" makes no changes to the County's Local Coastal Plan which would be inconsistent with the Coastal Act. Measure "A" does not change policies within the certified LUP relevant to provision of access. Measure "A" increases the amount of land designated Open Space Recreation by 220 acres that would facilitate development of commercial recreational facilities (open to the public), which is considered a priority use under Coastal Act Section 30222. Measure "A" would also facilitate development of additional visitor-serving units available to the public.

Measure "A" reduces the amount of residentially designated lands and reduces the density in most areas of the remaining residentially designated lands. Measure "A" does not include commercial or industrial land use designations. The reduction in development potential would provide better protection to water, marine and land resources as a result of increased open space. Future development allowable under either the existing (pre-Measure "A") LUP or Measure "A" would have to comply with all relevant water, marine, wetland, ESHA, biological resource policies, which are not changed or affected by Measure "A."

Measure "A" does not include development sites that are located on or adjacent to the coast, and does not affect coastal areas suitable for water-oriented recreational activities. Neither the current (pre-Measure "A") LCP or Measure "A" include commercial or recreational boating facilities or facilities or land uses that would result in potential hazards due to oil spills or propose dredging, shoreline alterations, or channelizations. There are no agricultural or timber lands within the Del Monte Forest LCP. Measure "A" does not change LUP policies or CIP standards related to the maintenance, enhancement, and restoration of wetlands; marine habitats; EHSA; scenic resources; circulation and parking; or hazards. Measure "A" has no effect on public access or transit. Measure "A" promotes additional commercial recreational facilities adjacent to existing residential and visitor-serving areas. LUP policies and CIP standards regarding circulation and parking are not changed by Measure "A".

Implementing Measure "A" will not fundamentally change the overall character of the Del Monte Forest, its neighborhoods, or visitor destinations because, in general, it promotes development similar to the residential, recreational, and visitor-serving development that exist at present. It will provide a future land use development emphasis on increasing open space by reducing the current residential use potential while adding the potential for limited visitor serving uses. Measure "A" does not include public works facilities. There are no sewage treatment plants, coastal dependent uses, or industrial uses within the existing LCP or Measure "A".

## I. INTRODUCTION

### A. BACKGROUND

The California Coastal Commission (CCC) certified the Monterey County Del Monte Forest Land Use Plan (DMF LUP) and Coastal Implementation Plan (CIP) in 1987. Taken together, these documents constitute the County's Local Coastal Plan (LCP) in accordance with State law. This certification enables the County to consider and issue permits for projects located in the coastal zone that are consistent with the certified LCP. Amendments to a certified LCP must be reviewed and certified by the CCC before they may take effect. Since its initial certification, the DMF LUP has been amended a number of times.

#### CONTENTS

- A. Background
- B. Purpose of LCP Amendment & Analysis
- C. Relationship of Measure "A" to Pebble Beach Company Development Application

Measure "A", the "Del Monte Forest Plan: Forest Preservation and Development Limitations," was approved by Monterey County voters on November 7, 2000. This measure changed a number of elements of the Del Monte Forest Local Coastal Plan (DMF LCP) and affected specific land use and zoning designations for a number of properties with an overall effect to increase lands designated for forest and recreational open space and decrease lands designated for residential use.

According to the preamble, the purpose of Measure "A" is:

- *"To preserve additional Monterey pine trees and related habitat in Del Monte Forest,*
- *To significantly reduce future residential development and increase open space in the Del Monte Forest,*
- *To encourage future visitor-serving development adjacent to existing visitor-serving or recreational facilities in the Del Monte Forest,*
- *To require that any future development in the Del Monte Forest area be consistent with the protections currently provided by the California Coastal Act,*
- *To require that any future development in the Del Monte Forest area be subject to full and complete environmental review and include public participation through the holding of public hearings."*

## B. PURPOSE OF LCP AMENDMENT ANALYSIS

Coastal Commission staff has interpreted Section 30514 of the Public Resources Code to require Coastal Commission certification of the LCP amendments contained in Measure "A" prior to it becoming effective. This section states that "a certified local coastal program and all local implementing ordinances, regulations, and other actions may be amended by the appropriate local government, but no such amendment shall take effect until it has been certified by the commission." Thus, although approved by County voters in November 2000, Measure "A" will not become effective until certified by the CCC as a LCP amendment. This LCP amendment includes only those changes set forth in the Measure "A" initiative as described in this analysis.

As an initiative, Measure "A", does not require an environmental review under CEQA. However, in considering Measure "A" as an LCP amendment, the California Coastal Commission has requested information on the effects of these changes on coastal resources and other LCP provisions. The intent of the analysis contained herein is to provide an assessment of coastal issues requested by the Coastal Commission in letters to Monterey County dated November 21, 2000 and March 3, 2001 as referenced parenthetically below.. This analysis compares the potential land use changes under Measure "A" with the current (pre-Measure "A") LCP and analyzes the cumulative impacts to coastal resources, access, public services and traffic as a result of these changes. The key areas of requested analyses include:

- Analysis of potentially adverse cumulative impacts on coastal resources (including ESHA and pine forest resources) and access due to change in density or public service provision [addressed in Section IV] and how the change can be found consistent with Coastal Act policies (Chapters 3 and 6) (November 2000) [addressed in Section VI].
- Analysis of how amendment provisions along with existing County environmentally sensitive habitat and tree removal policies (not proposed for amendment) will protect special status species, environmentally sensitive habitat, and Monterey pine forest (March 2001) [addressed in Section IV].
- Background regarding status and adequacy of water and sewer capacity and highway capacity and circulation regarding proposed lifting of the resource constraint overlay (March 2001) [addressed in Section IV].
- Discussion of the amendment's relationship to and effect on other sections of the previously certified LCP including the public access component (November 2000) [addressed in Section V].

Exhibit C includes the referenced Coastal Commission letters with a summary matrix that identifies where in this analysis or other submittal materials, the requests have been addressed.

The analysis is presented in the following sections:

- II. DESCRIPTION OF LCP AMENDMENT
- III. EXISTING CONDITIONS
- IV. EFFECTS OF LCP AMENDMENT ON COASTAL RESOURCES
- V. EFFECTS OF LCP AMENDMENT ON OTHER SECTIONS OF THE CERTIFIED DEL MONTE FOREST LCP
- VI. CONSISTENCY OF LCP AMENDMENT WITH COASTAL ACT POLICIES

### **C. RELATIONSHIP OF MEASURE "A" TO PEBBLE BEACH COMPANY DEVELOPMENT APPLICATION**

The proposed LCP amendment as directed by Measure "A" provides changes to land uses, policies and regulations in the Del Monte Forest LCP. It is the County's General Plan for this area. The Pebble Beach Company (PBC) development application, the "Del Monte Forest Preservation and Development Plan" (DMF/PDP), also is currently under review by Monterey County. The application is not part of the LCP amendment, but is referenced here with regards to its relationship to Measure "A".

All proposed DMF/PDP sites are affected by Measure "A." Additionally all parcels affected by Measure "A" are included in the DMF/PDP, except for two sites.<sup>2</sup> Although the Corporation Yard employee housing site land use designations were not affected by Measure "A", the Resource Constraint Overlay was removed from this site as described in the SECTION II.

PBC proposed land uses are consistent with land uses and densities established under Measure "A." The DMF/PDP identifies specific uses and siting for new recreational open space areas (new golf course, Spanish Bay driving range, and the relocated equestrian center). With regards to land use intensity, the DMF/PDP includes 33 residential lots, which is slightly less than allowed under Measure "A" (34), excluding 3 existing lots of record. The PBC application specifies 160 new visitor-serving rooms at Spanish Bay (91), The Lodge (58) and the new golf course (11 suites/24 rooms). The PBC project would also include preservation and conservation of open space forest and other areas in the Del Monte Forest, as well as resource management of these areas. The proposal includes formal dedication of 492 acres, and also includes management of an additional 32 acres of land to maintained in open space.

In addition, the DMF/PDP includes a greater amount of acreage than included in Measure "A" for the following sites: 1) Planning Unit G-the PBC application includes approximately 10 acres of land designated "Forest Open Space" that were not affected by Measure "A;" 2) Planning Units MNOUV- the DMF/PDP includes approximately 214 acres that include the existing Equestrian Center and portions of remnant dune areas that were not affected by Measure "A"; 3) Sawmill Borrow site-the DMF/PDP for an equestrian center on this site

<sup>2</sup> Areas F-1 (one existing lot) and J (three existing lots), both of which are owned by the Pebble Beach Company.

includes 4.36 acres that are located outside the coastal zone; and 4) "Preservation Area D"-the PBC application includes 17.1 acres for preservation that were not affected by Measure "A".

Much of the data contained within this Measure "A" analysis was taken from the environmental impact report (EIR) prepared for the Pebble Beach Company's Del Monte Forest / Preservation Development Plan. This EIR is comprised of the Draft EIR (2 volumes), a Partial Revision to the Draft EIR, and a Final EIR (4 volumes). While this document analyses the impacts of a development project, the EIR does include a detailed inventory of resources, including aerial photographs, relating to all parcels affected by Measure A. This EIR can be used to provide more detailed information on resources and baseline conditions contained in this analysis, including Monterey pine forest, wetlands, ESHA, special status species, water supply, and traffic.

## II. DESCRIPTION OF PROPOSED LCP AMENDMENT

### A. OVERVIEW

The proposed LCP amendment changes land use designations and residential densities for certain sites specified in the Del Monte Forest Land Use Plan (DMF LUP), as set forth in Measure "A." Measure "A" also amends four policies in the DMF LUP, removes the resource constraint overlay for specified sites, includes minor changes to the Coastal Implementation Plan (Title 20 – Zoning Ordinance), and revises the zoning map to be consistent with LUP land use designation changes. This LCP amendment includes only the changes effected by Measure "A". Figure 1 in EXHIBIT A illustrates the areas that are affected by Measure "A." The text of Measure "A" and identified changes are included in EXHIBIT B.

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- A. Overview**
- B. Land Use Changes**
  - Land Use Designation Changes
  - Site-Specific Changes
- C. Policy and Other LUP Changes**
  - LUP Policy Changes
  - Resource Constraint Overlay
  - Public Access
  - Resource Management
  - LUP Text Changes
- D. Coastal Implementation Plan Changes**
- E. LUP Policies & Development Sites Not Affected By LCP Amendment**

The proposed amendment contained within Measure "A"<sup>3</sup> includes changes to the Del Monte Forest LCP which are further described in this section.

- 1) LUP LAND USE MAP (Figure 5): Revises land use designations.
- 2) LUP POLICY CHANGES: Revises text for four policies (78a, 82, 113, 116).
- 3) LUP TEXT CHANGES: Revises text in Chapters 3, 4 and 6 regarding land use designations, land use by planning area, circulation, and resource constraint compliance.
- 4) LUP PUBLIC ACCESS: Revises Figure 15 ("Recreational Facilities").
- 5) LUP OPEN SPACE MANAGEMENT PLAN: Adds management text for Planning Units with new open space designations.
- 6) COASTAL IMPLEMENTATION PLAN (CIP): Revises text of four sections to be consistent with LUP changes.
- 7) ZONING MAP AMENDMENTS: Revises Zoning Map to be consistent with LUP land use designation changes.

<sup>3</sup> Measure "A" also amends Table 22 of the Monterey County Housing Element to change potential Pebble Beach dwelling units from 353 to 98 and to change the associated income target groups for Pebble Beach for moderate income (from 53 to 60 units) and for above moderate income (from 300 to 38 units). The Housing Element is not part of the DMF LCP and is not further reviewed in this analysis.

## B. LAND USE CHANGES

### Land Use Designation Changes

Measure "A" changes the Del Monte Forest LUP land use and CIP zoning district designations for 31 assessor's parcels owned by the Pebble Beach Company, encompassing approximately 722 acres. Following a request by the property owner the County has found a total of 21 legal lots of record within these areas.<sup>4</sup> The 722 acres include only those areas where LUP and zoning designations are changed. There are approximately 58 additional acres that are affected by other Measure "A" changes, as summarized in Table 3 and further discussed in SECTION IV, to include: Spanish Bay Resort (21.16 acres); The Lodge at Pebble Beach (22.61 acres); and the Pebble Beach Company Corporation Yard (13.87 acre portion). Tables 1 and 2 at the end of this section summarize the specific LUP land use designation and zoning changes. Pre- and post-Measure "A" LUP land use designations are shown for the entire Del Monte Forest in EXHIBIT A, Figures 1 and 2. Existing and proposed zoning designations are shown in EXHIBIT A, Figures 3 and 4. Table 3 summarizes the Measure "A" changes per LCP Planning Unit.

Of the 722 acres included in Measure "A," LUP land use changes would occur on approximately 567 acres as summarized below<sup>5</sup>.

- Redesignate approximately 265 acres from Residential to Forest Open Space;
- Redesignate approximately 170 acres from Residential to Recreational Open Space;
- Redesignate 4 acres from Residential to Visitor-Serving;
- Redesignate 49 acres from Forest Open Space to Recreational Open Space;
- Redesignate approximately 79 acres from Medium Density Residential to Low Density Residential; and

As a result of these changes, the proposed amendment would have the following overall effect on land use designations in the Del Monte Forest:

- Increase designated forest open space by 216 acres;
- Increase designated recreational open space by 220 acres;
- Increase designated visitor serving commercial lands by 4 acres; and
- Decrease designated residential land by 440 acres and decrease residential density at several sites as described below.

<sup>4</sup> A total of 41 unconditional certificates of compliance were issued to the Pebble Beach Company by the County between 2000 and 2002. Twenty of these were outside of the areas which were affected by Measure "A."

<sup>5</sup> The remaining 155 acres are portions of Planning Units in which land use designations do not change from their Pre-Measure "A" Forest Open Space or Residential designations.

### Site-Specific Changes

Site-specific LUP changes include those identified below. The changes are referenced to "Planning Units" as described in the DMF LUP and shown on the LUP land use map.

**Open Space Forest:** Site-specific changes include designation of additional open space forest in Planning Units B (part), G, H, I (part), J (part), L, and PQR (part); and removal of open-space forest designations in Area MNOUV (part) and the Sawmill Gulch site.

**Open Space Recreation:** Site-specific changes include designation of additional lands as open space recreation in Planning Units C, K (part), MNOUV (most), and the Sawmill Gulch site (except 3 acres outside the Coastal Zone). LUP Text has been added to indicate that a driving range, golf teaching center and parking are expected to be constructed in Area C to complement the existing Spanish Bay Golf Course. An existing LUP text reference to a new golf course in the Middle Fork Planning Area is eliminated, but language is added to indicate that "new recreational and visitor-serving uses may be located in appropriate zoned areas" in the Spyglass Cypress area. In addition, Measure "A" adds specific language that states that existing mined out areas at the Sawmill Gulch site in the Gowen Cypress Planning Area can be used for an equestrian center.

**Residential:** Site-specific changes include reducing residential densities in Planning Units F, I (part), J (part), and K (part) from medium to low density residential; further reducing the low-density zoning designation for PQR (part) from 1 acre/unit to 2 acres/unit; and removal of residential designations for Planning Units C, G, H, I (part), J (part), L, and PQR (part). LUP text also is added to specify that 12 employee housing units may be permitted in Planning Unit B.

**Visitor-Serving Commercial:** Site-specific changes include potential increased visitor-serving units at the Inn at Spanish Bay and the Lodge at Pebble Beach by removing LUP text references to the existing number of visitor units in these locations (270 and 161, respectively); designation of 4 acres for Visitor-Serving Commercial in Areas M and N and allowing up to 24 visitor-serving rooms in these areas; and removal of the 25% limit for commercial area site coverage at the Lodge.

## **C. POLICY AND OTHER LUP USE CHANGES**

### LUP Policy Changes

The text of four LUP policies would be changed under Measure "A" as summarized below:

- LUP Policy 78a. Measure "A" would delete the language regarding employee housing which is permitted for priority uses as being "in one dormitory/bunkhouse or in temporary structures (i.e., former mobile homes)" opening up the possibility

of other means of providing employee housing for priority uses (visitor-serving commercial) consistent with other plan policies.

- LUP Policy 82. Measure "A" would delete the requirement that Area B be the last area developed in the planning area. Existing language that allows a maximum of 63 dwelling units is deleted, and new language is added that indicates Area B may be used for up to 12 units of employee housing.
- LUP Policy 113. Measure "A" would change the Resource Constraint Areas designated on Figure 5 of the LCP and the language of LCP Policy 113 to remove the constraint overlay from the Pebble Beach Company owned areas.
- LUP Policy 116. Measure "A" would change the language of this policy to note that portions of Area B may accommodate employee housing at the permitted same density (presumably the underlying designated residential density for that Area), although Policy 82 limits such use to 12 units at Area B. The policy also would be changed to eliminate potential senior housing in the Spyglass M and Huckleberry G Areas.

#### **Resource Constraint Overlay**

The Resource Constraint Overlay is removed from Planning Units B, C, F, G, H, I, J, K, L, MNOUV, PQR, and the PBC Corporation Yard due to a finding included in Measure "A" that adequate sewer capacity and water supply are available and that highway capacity and traffic circulation solutions have been agreed upon and adopted. The Resource Constraint Overlay was not removed on Planning Units S, X and Y. Planning Unit S is currently developed, and Planning Units X and Y are not affected in any way by Measure "A." The Spanish Bay Resort site currently does not have a Resource Constraint overlay on it.

#### **Resource Management**

Measure "A" establishes new management directives for specified areas in the DMF LUP Open Space Management Plan (OSAC Plan) to include: Category IV (Open Forest) for areas to be designated OF (Open Space Forest) in Areas B, F, G, H, I, L, and PQR; Category VI (Golf Courses) for areas to be designated OR (Open Space Recreation) in Area C, K, MNOUV, and the existing equestrian center/polo field location; and Category VII (Equestrian Center) for the portion of the Sawmill Gulch site designated OR (Open Space Recreation).

### Public Access

Measure "A" adds the following language regarding LUP figure 15: "Trails shown within Areas M, N, O, U, and V of the Spyglass-Cypress Planning Area are illustrative. Location and alignment will be determined at the time of development project approval."

### LUP Text Changes

LUP Text Changes: In addition to policy and other LUP changes described above, Measure "A" changes the LUP text as follows:

- Chapter 3 – "Land Use Designations:" Revises general description to delete references of planning area maps (6A, 7A, 8A, 9A, 10A, 11A, 12A and 13A); to incorporate amended Figures 5 and 5A (Land Use Plan and legend); and to amend Commercial subsection discussion to add a fourth visitor-serving commercial area to include 24 future golf suites in Areas M and N.
- Chapter 3 – "Land Use By Planning Area:" Revises introduction to delete references to planning area maps and Table A, including references to the number of residential and visitor serving units that may be permitted; and revises discussion for all 7 planning areas under the "New Land Uses" subsections and also the "Environmental Considerations" subsection for the Huckleberry Hill area as described below.
- Chapter 4 – "Land Use Support Elements:" Revises "Planned Circulation Improvements" discussion to indicate that parking will be provided in a portion of Area C to accommodate visitor-serving facilities in Spanish Bay.
- Chapter 6 – "Implementation and Administration:" Adds a new section entitled "Resource Constraint Compliance."

### Land Use Text Changes by Planning Area:

- SPANISH BAY: Amend text to: Revise text to reference the existing 270-room resort hotel and golf course; delete reference to 199 new future residential units; add new text that indicates that a driving range, golf teaching center and parking in Area C may be proposed; add language that employee housing may be proposed in Area B; and revise summary of open space to indicate that when development is complete, there will be 235 acres of open space (changed from 199.86). (NOTE: The "Circulation Improvement" section allows visitor-serving parking in a portion of Area C.)
- SPYGLASS CYPRESS: Amend text to indicate that "New recreational and visitor-serving uses" may be located in appropriately zoned areas; to delete text reference to 249 residential units, but permit residential infill in Spyglass Woods Drive area remains; and to revise summary of open space to indicate that when development is

complete, 246 acres will be "preserved forest, shoreline and recreational open space areas" "(changed from 135.5 acres of forest and shoreline open space).

- **MIDDLE FORK:** Amend text to delete a potential new golf course and 131 residential units and to add text that provides for open space and 11 residential lots in Area I.
- **PESCADERO:** Amend text to change future residential lots from a total of 215 in planning area to 27 (20 in Area Y as exists in pre-Measure "A" LUP and 7 lots on approximately 15 acres in Area PQR); and to add text that indicate that there will be 230 acres of "preserved open space" in areas PQR.
- **HUCKLEBERRY HILL:** Amend text under "Environmental Considerations" section to indicate that "elimination of residential units in Area G will result in preservation of approximately 965 acres of contiguous open space forest between the Gowen Cypress, Huckleberry Hill, Middle Fork and Pescadero Canyon areas;" and amend text to delete reference to 78 potential residential units in Area G.
- **GOWEN CYPRESS:** Amend text to revise the residential units from a total of 86 to 16 in Area F; to add text to allow equestrian center in existing mined out areas in addition to public works uses; and to delete text reference to planned golf course in western portion of planning area.
- **PEBBLE BEACH:** Amend text to delete the reference to a maximum of 161 inn units at The Lodge and a maximum of 25% site coverage; to delete text reference to existing equestrian center; and to revise residential uses from a total of 109 to 23 (23 in Area X as exists in pre-Measure "A" LUP); and to add to indicate that "Open space recreational uses are planned for portions of the undeveloped areas in Pebble Beach."

#### **D. COASTAL IMPLEMENTATION PLAN CHANGES**

**DMF CIP Text Amendments.** Measure "A" revises four sections of the CIP to be consistent with LUP changes and Zoning Map changes:

- **Section 20.147.020(N):** Revises subsection 2a to include a fourth visitor-serving commercial area as "no more than 24 golf suites" in Planning Units M and N.
- **Section 20.147.090(B)(4)(i):** Deletes requirement that employee housing is permitted for priority uses (e.g. visitor-serving commercial) in one dormitory/bunkhouse or in temporary structures consistent with all other plan policies, and add that "Additional employee housing is permitted consistent with all other plan policies." [Per amended LUP Policy 78a]
- **Section 20.147.090(B)(7):** Deletes text that indicates the maximum number of potential housing units that can be developed in Planning Area B, and replaces with text to indicate that "Up to 12 units of employee housing may be provided in a portion of Area B." [Per amended LUP Policy 82]

- Section 20.147.110(A)(1): Adds text that identifies that resource constraints have been addressed and eliminated on the following properties: B, C, F, G, H, I, J, K, L, M, N, O, U, V, P, Q, R, and the quarry and corporation yard areas in the Huckleberry Hill Planning Area. [Per amended LUP Policy 113 and LUP Chapter 6 changes]

**Zoning Map Amendments.** Measure "A" includes rezoning of all or part of 31 assessor's parcels as shown in EXHIBIT A. Table 3 at the end of this section identifies zoning changes by assessor's parcel number (APN) for each affected Planning Unit.

### **E. LUP POLICIES & DEVELOPMENT SITES NOT AFFECTED BY MEASURE "A"**

Measure "A" does not change land use designations or the development potential on property in the Del Monte Forest except for the Pebble Beach Company owned parcels identified in Table 3. There are only two areas where the current LCP (pre-Measure "A") would allow future subdivision on undeveloped lands not owned by the Pebble Beach Company – Areas X (20 lots) and Y (23 lots). These lots presently have a resource constraint overlay. Measure "A" does not change the land use designations, number of allowable lots or residential densities and does not remove the resource constraint overlay for these two areas. Thus, development potential in these areas remains unchanged under Measure "A".

In addition to land use designation and zoning changes, Measure "A" revises four LUP policies and four corresponding CIP sections as described above. No other policy or CIP section is revised with Measure "A".

| <b>TABLE 1: DEL MONTE FOREST LUP LAND USE DESIGNATION CHANGES</b> |                  |                        |                      |                         |                                    |
|---|------------------|------------------------|----------------------|-------------------------|------------------------------------|
| <b>PLANNING UNIT<br/>AREA</b>                                     | <b>ACRES</b>     | <b>PRE-MEASURE "A"</b> |                      | <b>POST-MEASURE "A"</b> |                                    |
|   |                  | <b>DESIGNATION</b>     | <b>ACRES/UNITS</b>   | <b>DESIGNATION</b>      | <b>ACRES/UNIT</b>                  |
| Spanish Bay Resort  | N/A              | VSC                    | 270 new VS units     | No Change               | No limit on VS units               |
| Pebble Beach Lodge  | N/A              | VSC                    | 161 maximum VS units | No Change               | No limit on VS units               |
| B   | 24.34            | MDR                    | 18.14 acres          | MDR                     | 4 acres/12 employee units per text |
| C   | 29.05            | OF                     | 6.2 acres            | OF                      | 20.34 acres                        |
|   |                  | MDR                    | 28.55 acres          | OR                      | 28.55 acres                        |
| F   | 46.08            | OF                     | 0.50 acres           | OF                      | 0.50 acres                         |
|   |                  | MDR                    | 44.76 acres          | LDR                     | 44.76 acres                        |
| G   | 35.3             | OF                     | 1.32 acres           | OF                      | 1.32 acres                         |
|   |                  | MDR                    | 33.3 acres           |                         |                                    |
| H   | 53.83            | OF                     | 2.0 acres            | OF                      | 35.3 acres                         |
|   |                  | MDR                    | 24.05 acres          |                         |                                    |
| I   | 59.21            | OF                     | 29.78 acres          | OF                      | 53.83 acres                        |
|   |                  | LDR                    | 25.08 acres          | LDR                     | 18.73 acres                        |
| J   | 9.38             | MDR                    | 22.89 acres          | OF                      | 40.51 acres                        |
|   |                  | OF                     | 11.24 acres          |                         |                                    |
| K   | 10.62            | MDR                    | 9.38 acres           | LDR                     | 8.58 acres                         |
|   |                  |                        |                      | OF                      | 0.8 acres                          |
| L   | 18.15            | MDR                    | 10.62 acres          | LDR                     | 6.68 acres                         |
|   |                  |                        |                      | OR                      | 3.94 acres                         |
| MNOUV   | 149.49           | MDR                    | 18.15 acres          | OF                      | 18.15 acres                        |
|   |                  | LDR (N,U, EC)          | 84.88 acres          | OR                      | 145.49 acres                       |
| PQR   | 245.88           | MDR (M,O,V)            | 56.75 acres          | VSC                     | 4 acres / 24 suites                |
|   |                  | OF (O)                 | 7.86 acres           |                         |                                    |
| Sawmill Gulch Site  | 41.12            | LDR                    | 157.88 acres         | LDR                     | 12.83 acres                        |
|   |                  | OF                     | 88 acres             | OF                      | 233.05 acres                       |
| Corporation Yard  | N/A              | CG                     | 41.12 acres          | OR                      | 41.12 acres                        |
| Employee Housing  | N/A              | CG                     | 13.87                | CG                      | 13.87 - No land use change         |
| <b>TOTAL</b>  | <b>722 acres</b> | LDR                    | 268 acres            | LDR                     | 91 acres                           |
|   |                  | MDR                    | 267 acres            | MDR                     | 4 acres -12 employee units         |
|   |                  | V/S                    | No new units         | VS                      | 4 acres / 24 suites                |
|   |                  | OR                     | 0 acres              | OR                      | 220 acres                          |
|   |                  | OF                     | 187 acres            | OF                      | 403 acres                          |

VS = Visitor-Serving  
MDR = Medium-Density Residential (maximum of 4 units/acre)  
LDR = Low-Density Residential (maximum of 1 unit/acre)

OR = Recreation Open Space  
OF = Forest Open space  
CG = General Commercial

**TABLE 2: DEL MONTE FOREST ZONING DESIGNATION CHANGES**

| PLANNING UNIT<br>AREA                | ACRES            | PRE-MEASURE "A"    |                      | POST-MEASURE "A" |                                       |
|--------------------------------------|------------------|--------------------|----------------------|------------------|---------------------------------------|
|                                      |                  | DESIGNATION        | ACRES/UNITS          | DESIGNATION      | ACRES/UNIT                            |
| Spanish Bay Resort                   | N/A              | VSC                | 270 new VS units     | No Change        | No limit on VS units                  |
| Pebble Beach Lodge                   | N/A              | VSC                | 161 maximum VS units | No Change        | No limit on VS units                  |
| B                                    | 24.32            | MDR/B-8            | 18.14 acres          | MDR/4            | 4 acres/12 employee<br>units per text |
| C                                    | 29.05            | RC                 | 6.2 acres            | RC               | 20.34 acres                           |
|                                      |                  | MDR/B-8            | 29.05 acres          | OR               | 29.05 acres                           |
| F                                    | 46.08            | RC                 | 0.50 acres           | RC               | 0.50 acres                            |
|                                      |                  | MDR/B-8            | 44.76 acres          | LDR/4            | 25.26 acres                           |
| G                                    | 35.3             | RC                 | 1.32 acres           | LDR/1.5          | 19.5 acres                            |
|                                      |                  | MDR/B-8            | 33.3 acres           | RC               | 1.32 acres                            |
| H                                    | 53.83            | RC                 | 2 acres              | RC               | 35.3 acres                            |
|                                      |                  | MDR/B-8            | 24.05 acres          | RC               | 53.83 acres                           |
| I                                    | 59.21            | RC                 | 29.78 acres          | LDR/1.5          | 18.73 acres                           |
|                                      |                  | LDR/B-8            | 25.08 acres          | RC               | 40.51 acres                           |
| J                                    | 9.38             | MDR/B-8            | 22.89 acres          | LDR/4            | 4.29 acres                            |
|                                      |                  | RC                 | 11.24 acres          | LDR/2            | 4.29 acres                            |
| K                                    | 10.62            | MDR/2              | 0.9 acres            | RC               | 0.8 acres                             |
|                                      |                  | MDR/B-8            | 10.62 acres          | LDR/6            | 6.68 acres                            |
| L                                    | 18.15            | OR                 |                      | OR               | 3.94 acres                            |
|                                      |                  | MDR/B-8            | 18.15 acres          | RC               | 18.15 acres                           |
| MNOUV                                | 149.48           | LDR/B-8 (N,U)      | 81.03 acres          | OR               | 145.49 acres                          |
|                                      |                  | LDR/1.5 (EC)       | 3.85 acres           | VSC              | 4 acres / 24 suites                   |
|                                      |                  | MDR/B-8<br>(M,O,V) | 56.75 acres          |                  |                                       |
|                                      |                  | RC (O)             | 7.86 acres           |                  |                                       |
| PQR                                  | 245.88           | LDRB-8             | 157.88 acres         | LDR/2            | 7.59 acres                            |
|                                      |                  | RC                 | 88 acres             | LDR/1            | 5.54 acres                            |
| Sawmill Gulch Site                   | 41.12            | RC                 | 41.12 acres          | RC               | 233.05 acres                          |
| Corporation Yard<br>Employee Housing | N/A              | CGC/B-8            | 13.87                | CGC              | 13.87 - No land use<br>change         |
| <b>TOTAL</b>                         | <b>722 acres</b> | LDR/B-8            | 225 acres            |                  |                                       |
|                                      |                  | LDR/6              | 39 acres             | LDR/6            | 7 acres                               |
|                                      |                  |                    |                      | LDR/4            | 29 acres                              |
|                                      |                  |                    |                      | LDR/2            | 12 acres                              |
|                                      |                  | LDR/1.5            | 4 acres              | LDR/1.5          | 38 acres                              |
|                                      |                  |                    |                      | LDR/1            | 1 acre                                |
|                                      |                  | MDR/B-8            | 233 acres            |                  |                                       |
|                                      |                  | MDR/6              | 33 acres             |                  |                                       |
|                                      |                  |                    |                      | MDR/4            | 4 acres                               |
|                                      |                  | MDR/2              | 1 acres              |                  |                                       |
|                                      |                  | V/S                | No new units         | VS               | 4 acres / 24 suites                   |
| OR                                   | 0 acres          | OR                 | 220 acres            |                  |                                       |
| RC                                   | 187 acres        | RC                 | 403 acres            |                  |                                       |

VS = Visitor-Serving  
MDR = Medium-Density Residential (maximum of 4 units/acre)  
LDR = Low-Density Residential (maximum of 1 unit/acre)

OR = Recreation Open Space  
RC = Resource Conservation  
CGC = General Commercial

**TABLE 3: SUMMARY OF MEASURE "A" CHANGES ON LCP PLANNING UNITS AND DEVELOPMENT AREAS AFFECTED BY MEASURE "A"**

| LUP PLANNING UNIT (AREA)          | EXISTING LOTS OF RECORD   |  | ACRES | LAND USE CHANGES   |   |                           | RESIDENTIAL LOT POTENTIAL | RESOURCE CONSTRAINT OVERLAY LIFTED  | OTHER CHANGES  |
|-----------------------------------|---------------------------|--|-------|--|---|---------------------------|---------------------------|---|--|
|                                   | #                         | A P N  |       | LUP CHANGE   | ZONING CHANGE   | RESIDENTIAL LOT POTENTIAL |                           |   |  |
| Spanish Bay Resort [SPANISH BAY]  | 1                         | 007-091-028  | 21.16 |  |   |                           |                           |   | Removes reference to total visitor rooms (270)   |
| Pebble Beach Lodge [PEBBLE BEACH] | 8                         | 008-411-018;<br>008-423-019, -029, -030, -031<br>008-431-009, -010, -011 | 22.61 |  |   |                           |                           |   | Removes reference to maximum 161 inn units and removes reference to maximum 25% site coverage for associated commercial area |
| B [SPANISH BAY]                   | 1                         | 007-101-041  | 24.34 | 14.14 acres from MDR to OF                               | 14.14 acres from MDR/B-8 to RC; 4 acres from MDR/B-8 to MDR/4 | -63 lots                  | YES                       | 12 employee units permitted per text changes  |  |
| C [SPANISH BAY]                   |                           |  | 29.05 | 28.55 acres from MDR to OR                               | MDR/B-8 to OR   | -56 lots                  | YES                       | Driving Range & golf teaching center permitted per text changes                                 |  |
| F [GOWEN CYPRESS]                 | 3                         | 008-032-005, -04, -06  | 46.08 | 44.76 acres from MDR to LDR                              | MDR/B-8 to LDR/4; 19.5 acres from MDR/B-8 to LDR/1.5          | -70 lots (from 86 to 16)  | YES                       | LUP text reference to golf course in westerly portion of planning area (Gowen Cypress) removed. |  |
| G [HUCKLEBERRY HILL]              | Part of HHNA-Sawmill Site | 008-041-009  | 35.3  | 33.3 acres from MDR to OF                                | MDR/B-8 to RC   | -78 lots                  | YES                       | LUP Text reference to accommodate senior housing removed  |  |
| H [MIDDLE FORK]                   | 2                         | 008-031-015,<br>008-034-001  | 53.83 | 24.05 acres from MDR to OF                               | MDR/B-8 to RC   | -48 lots                  | YES                       |   |  |
| I [MIDDLE FORK]                   | 1                         | 008-031-017  | 59.21 |  |   | -72 lots (from 83 to 11)  | YES                       |   |  |
| I-1                               |                           |  | 40.48 | 25.08 acres from LDR to OF;<br>4.16 acres from MDR to OF | 25.08 acres from LDR/B-8 to RC; 4.16 acres from MDR/B-8 to RC |                           |                           |   |  |
| I-2                               | 1                         | 008-031-014  | 18.73 | 18.73 acres from MDR to LDR                              | MDR/B-8 to LDR/1.5  |                           |                           |   |  |

**TABLE 3: SUMMARY OF MEASURE "A" CHANGES ON LCP PLANNING UNITS AND DEVELOPMENT AREAS AFFECTED BY MEASURE "A"**

| LUP PLANNING UNIT (AREA)                        | EXISTING LOTS OF RECORD   |   | ACRES  | LAND USE CHANGES   |  |                           | RESOURCE CONSTRAINT OVERLAY LIFTED | OTHER CHANGES   |
|---|---------------------------|---|--------|--|--|---------------------------|------------------------------------|---|
|   | #                         | A P N   |        | LUP CHANGE   | ZONING CHANGE  | RESIDENTIAL LOT POTENTIAL |                                    |   |
| J<br>(SPYGLASS CYPRESS)                         | 3                         | 008-022-035, -024, -020   | 9.38   | 8.58 acres from MDR to LDR; 0.8 acres from MDR to OF   | 8.48 acres from MDR/B-8 & 0.9 acres from MDR/2 to 4.29 acres LDR/4 & 4.29 acres LRD/2; & 0.8 acres to RC   | -22 lots                  | YES                                |   |
| K<br>(SPYGLASS CYPRESS)                         | 2                         | 008-022-031, -032   | 10.62  | 6.68 acres from MDR to LDR; 3.944 acres from MDR to OR   | 6.68 acres from MDR/8 to LDR/6; 3.94 acres from MDR/8 to OR  | -22                       | YES                                |   |
| L<br>(SPYGLASS CYPRESS)                         | 1                         | 008-031-008   | 18.15  | 18.15 acres from MDR to OF   | 18.15 acres from MDR/B-8 to RC   | -46 lots                  | YES                                |   |
| MNOUV<br>(SPYGLASS CYPRESS (M/N) & SPYGLASS)    | 10                        | 008-241-008;<br>008-242-007;<br>008-272-010, -011;<br>008-311-011;<br>008-312-002;<br>008-313-002;<br>008-321-007, -008, -009 | 149.49 | 88.88 acres from LDR, 56.75 acres from MDR & 7.86 acres from OF to 145.49 acres OR & 4 acres VSC | 4 acres from LDR/B-8 to VSC; 77.03 acres from LDR/B-8 to RC; 3.85 acres from LDR/1.5 to OR; 56.75 acres from MDR/8 to RC; 7.86 acres from OF to RC | -233 lots                 | YES                                | Maximum 24 visitor serving suites allowed per LUP text changes; LUP text reference to employee housing (M) removed. |
| PQR<br>(PESCADERO)                              | 6                         | 008-163-001, -004, -005,<br>008-164-001,<br>008-171-009,<br>008-171-022   | 245.88 | 145.05 acres from LDR to OF  | 145.05 acres from LDR/B-8 to RC; 12.83 acres from LDR/B-8 to 7.59 acres LDR/2 & 5.54 acres LDR/1   | -147 lots (154 to 7 lots) | YES                                |   |
| Corp Yard<br>Housing Site<br>(HUCKLEBERRY Hill) | Part of HHNA-Sawmill Site | 008-041-009   | 13.87  |  |  |                           | YES                                |   |
| Sawmill<br>Gulch Site<br>(GOWEN CYPRESS)        | Part of HHNA-Sawmill Site | 008-041-009   | 41.18  | 41.18 acres from OF to OR  | 41.18 acres from RC to OR  |                           |                                    | Equestrian center permitted in mined areas per LUP text changes.  |



### III. EXISTING CONDITIONS

#### A. EXISTING DEL MONTE FOREST DEVELOPMENT

The unincorporated Del Monte Forest area is located within the unincorporated area of Monterey County, located on the Pacific Coast between the cities of Pacific Grove and Monterey on the north and east, and the City of Carmel-by-the-Sea to the south.

The area is comprised of residential areas, two resort hotels (The Lodge at Pebble Beach and The Inn at Spanish Bay), a small commercial center (at The Lodge), seven 18-hole golf courses, one 9-hole course, Samuel F. B. Morse Botanical Reserve, Huckleberry Hill Natural Area, Forest Lake Reservoir, Robert Louis Stevenson School, Pebble Beach Equestrian Center, several clubhouses, trails, and roads. The offices of the Pebble Beach Company and the Pebble Beach Community Services District are also located within the Del Monte Forest.

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- B. Existing Lots and Development
- C. Summary of Existing Coastal Resources
  - Public Access
  - Marine and Water Resources
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  - Forest Resources
  - Scenic Resources
  - Cultural Resources

#### B. EXISTING LOTS AND DEVELOPMENT

There are currently an estimated existing 2,959 legal lots of record in the Del Monte Forest (Del Monte Forest Architectural Review Board 2003), of which 2,815 are developed and 144 are vacant. Of the 144 vacant lots, Pebble Beach Company owns 33 lots which are affected by Measure "A" land use designation and zoning changes (excluding one existing lot at Spanish Bay Resort and 8 existing lots at The Lodge at Pebble Beach).

Existing land uses and development on properties affected by Measure "A" are summarized below.

**The Inn at Spanish Bay:** The approved Inn at Spanish Bay consists of 269 guestrooms, three restaurants, 14,000 square feet of conference space with a combined capacity of 500 persons, a 492 space parking lot, 80 condominium units, an 18-hole golf course (the Links at Spanish Bay), golf clubhouse, tennis courts, and tennis pro shop. The Inn is open 24 hours/7 days a week. The Spanish Bay Fitness Center is open from 5:30 AM to 9:00 PM. Golf pro shops are typically open from dawn to dusk depending on the season.

**Pebble Beach Lodge:** The existing development at this area includes The Lodge, comprising 161 guestrooms with an additional five guestrooms at Fairway One House, 24 guestrooms at Casa Palmero, and the Beach and Tennis Club. The Lodge complex is located on 17-Mile Drive approximately 1.5 miles north of the lower Carmel Gate entrance to Del Monte Forest. The Lodge and Casa Palermo are open 24 hours/7 days a week. The golf pro shop is open dawn to dusk depending on the season. The Beach Club Fitness Center is open from 5:30 AM to 9:00 PM, and the Spa at Pebble Beach (Casa Palermo) is open from 7:30 AM to 8:30 PM.

**LUP Area B:** The site is currently undeveloped Monterey pine forest.

**LUP Area C:** The site is currently undeveloped Monterey pine forest.

**LUP Area F:** This area comprises three separate sites that currently consist of undeveloped Monterey pine forest adjacent to Poppy Hills Golf Course, although a portion of Area F-2 has been cleared and used for the open air storage of materials.

**LUP Area G, H, I:** These sites are currently undeveloped Monterey pine forest adjacent to Poppy Hills Golf Course.

**LUP Areas J, K, L:** These sites are currently undeveloped Monterey pine forest adjacent to Spyglass Hill Golf Course.

**LUP Area K:** The site is currently undeveloped Monterey pine forest adjacent to Spyglass Hill Golf Course.

**LUP Area MNOUV<sup>6</sup>:** The remainder of the site is undeveloped except for an existing 5-acre driving range and several recreational trails, and contains Monterey pine forest and coastal dunes. Dune areas around the former Spyglass Quarry have been disturbed by previous activities, including mining and use of the site as a corporation yard.

**LUP Area PQR:** The site is currently undeveloped Monterey pine forest

**Sawmill Gulch Site:** The site consists of approximately 41 acres. The upper and lower Sawmill sites were formerly used for sand mining as part of the construction of the Spanish Bay Resort. As part of the Spanish Bay permit conditions, the Pebble Beach Company was required to undertake revegetation efforts at the disturbed portions of the Sawmill site, and to dedicate conservation and scenic easements over the upper and lower Sawmill sites. One easement is held by Monterey County (the lower Sawmill area) and one is held by the Del

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<sup>6</sup> The existing Equestrian Center and Collins Field are located adjacent to the MNOUV area, but the LUP Open Space Recreation land use designation for approximately 41 acres of the site was not changed by Measure "A." The MNOUV area and several adjacent residential lots which are affected by Measure "A" total approximately 150 acres. The existing Equestrian Center and other lands adjacent to MNOUV are included with MNOUV in the pending Pebble Beach Company development application for a total of approximately 213 acres.

Monte Forest Foundation (the upper Sawmill area) pursuant to conditions of an approved Coastal Commission development permit. Efforts to reforest this site have not achieved a level of success anticipated and are not anticipated to meet this level.<sup>7</sup>

**Corporation Yard Employee Housing:** The site is located on a former quarry site. The project is located adjacent to the Pebble Beach Company's Corporation Yard complex near Sunridge and Lopez Roads. Entrance to the project site is off of Sunridge Road, just past the entrance to the existing Corporation Yard. Existing facilities at Pebble Beach Company's Corporation Yard include office space, a vehicle maintenance shop, and covered and uncovered storage areas. The facility is used for a variety of Company departments.

### C. SUMMARY OF EXISTING COASTAL RESOURCES

#### Public Access

None of the sites affected by Measure "A" are located adjacent to the coastline. There are currently approximately 29 miles of existing unpaved trails throughout Del Monte Forest, used both for pedestrian and equestrian use. Within the areas affected by Measure "A", existing trails are found in Planning Units G, H, I, J, L, M, N, O, PQR, U, V, at The Lodge at Pebble Beach, along the eastern edge of the Sawmill Gulch site, and adjacent to the Spanish Bay Resort. This trail network accesses the coastline along the 17-Mile Drive north of Cypress Point and in the vicinity of the Lodge at Pebble Beach.

#### Marine and Water Resources

None of the sites affected by Measure "A" are adjacent to the coastline. The sites are located within five coastal drainage watershed areas as summarized below that drain to Carmel Bay (Pescadero) and the Pacific Ocean. Carmel Bay is a State Ecological Resource and an "Area of Special Biological Significance." Several creeks and drainages pass through or adjacent to the affected areas including Pescadero Creek tributaries (through PQR), Seal Rock Creek (through L), Sawmill Gulch tributaries (adjacent to the Sawmill Gulch site), and an unnamed drainage (adjacent to C). None of the affected sites are located within designated 100-year floodplains.

- **MOSS BEACH WATERSHED.** This watershed drains the area around the Spanish Bay Resort and Planning Units B and C. The watershed contains an unnamed drainage on the northeast side of C that drains along the northern boundary of The Links at Spanish Bay.

<sup>7</sup> Adrian M. Juncosa, Ph.D., Biological Consultant to Monterey County, April 9, 1999, letter to the Director of the Planning & Building Inspection Department.

- **SAWMILL GULCH WATERSHED.** This watershed drains the existing Huckleberry Hill Natural Area, the northern portion of the Poppy Hills Golf Course, residential areas, and part of the Monterey Peninsula Country Club Dunes Course. The Measure "A" sites within this drainage includes the Sawmill Gulch site and the Pebble Beach Company's Corporation Yard site. Sawmill Gulch originates from three primary unnamed tributaries on Huckleberry Hill; two of the tributaries flow just north and south of the Sawmill Gulch site.
- **SEAL ROCK WATERSHED.** This watershed drains the southern part of the Poppy Hills Golf Course, surrounding residential areas, the Spyglass Hill Golf Course, and open space areas near 17-Mile Drive. The Measure "A" sites within this drainage include Planning Units F, G, H, I (most of), J, K, L, and M (portion). A tributary of Seal Rock passes through area L.
- **FAN SHELL BEACH WATERSHED.** This watershed drainage includes Measure "A" Planning Units M (most of), N, O, U (part), and V (part), and also drains adjacent residential areas and much of the Cypress Point Club.
- **CARMEL BAY ASBS WATERSHED.** This watershed drains Pescadero Canyon, residential areas, Pebble Beach Golf Links, Collins Field and Peter Hay Golf Course. The Measure "A" sites within this drainage includes Planning Units I (portion), PQR, and The Lodge at Pebble Beach. Pescadero Creek is fed by a number of tributaries in Planning Unit PQR.

### **Biological Resources**

The project area is dominated by six major biological communities: Monterey pine forest, central maritime chaparral (Monterey Phase), Monterey pygmy forest, central dune scrub, riparian habitats, and wetland habitats. Monterey pine forest is the dominant community on the Measure "A" sites. (Central maritime chaparral is found scattered through the project area and occurs in openings in the Monterey pine forest. A portion of Planning Unit F has an area of Bishop pine/Gowen cypress forest, which is the only forest project area not mapped as Monterey pine forest.

Coastal dune scrub is found on a portion of Planning Unit M. The Sawmill Gulch site has some native Monterey pine forest and replanted forest. Riparian and wetland habitats are found in scattered locations within most Planning Units. The Lodge at Pebble Beach and Spanish Bay Resort sites are primarily developed. Del Monte Forest marine resources include intertidal areas; offshore rocks which are used as major rookeries, roosting, and haul-out sites; extensive kelp beds which support numerous species of sport fish as well as the threatened southern sea otter and the endangered California brown pelican.

**ENVIRONMENTALLY SENSITIVE HABITAT AREAS (ESHA).** ESHAs in the project area are defined in the DMF LUP: Figure 2 of the LUP shows the location of areas in the Del Monte Forest that qualify as ESHAs and Appendix A of the LUP provides a complete list of ESHAs for the Del Monte Forest. Under these definitions, the following ESHAs are

present within the areas affected by Measure "A;" Table 4 summarizes locations of ESHA and other biological resources by Planning Unit.

- Natural Freshwater Marsh (1.7 acres)
- Natural Seasonal Ponds (0.01 acres)
- Riparian Habitat (approximately 4,560 linear feet)
- Remnant Coastal Dunes, including LUP-specified ESHA plants [Menzies' wallflower, milkvetch, Tidestrom's lupine, Indian paintbrush,] (0.4 acres)
- Monterey Pygmy Forest, including listed Gowen cypress trees (3.5 acres)
- Sandmat manzanita, significant occurrences only (15 occurrences in PQR)
- Areas that support specified special status plants
  - Monterey clover habitat (8.2 acres)
  - Monterey Indian paintbrush (occurrences in L)
  - Pt. Lobos buckwheat (a synonym for seacliff buckwheat), in shoreline areas within Smith's blue butterfly habitat (occurrences in L)

There are also approximately 8.75 acres of non-ESHA wetlands within the Measure "A" areas.

**SPECIAL STATUS SPECIES.** Five special status plant species and three special status wildlife species have been documented within the Measure "A" sites. Special status species are plants and animals that are legally protected under the California Endangered Species Act (CESA), the federal ESA, other regulations, as well as species considered sufficiently rare by the scientific community to qualify for such listing (such as "Species of Special Concern" or CNPS List 1B species). Species found in the Measure "A" areas include the following:

- **Plants:**

- 1) Yadon's piperia (*Piperia yadonii*), a federally listed endangered and CNPS List 1B species, is found within 10 Planning Units, totaling approximately 127 acres. (See Table 4).
- 2) Hickman's potentilla (*Potentilla hickmanii*), a federally and state listed endangered species and a CNPS List 1B species, is not found within any Planning Unit. However, Planning Unit L is located adjacent to the Indian Village site that supports a known populations of this species.
- 3) Hooker's manzanita (*Arctostaphylos hookeri*), a CNPS List 1B species, is found in 7 Planning Units, totaling approximately 148 acres.
- 4) Hickman's onion (*Allium hickmanii*), a CNPS List 1b species, is found in 6 Planning Units, totaling approximately 5.6 acres.
- 5) Pine rose (*Rosa pinetorum*), a CNPS List 1b species, is found in 8 Planning Units.

6) Other Coastal dune species that would be included in ESHA areas as identified above:

- Monterey spineflower (*Chorizanthe pungens* var. *pungens*), a federally listed threatened and CNPS List 1B species
- Beach layia (*Layia carnosa*), a federally and state listed endangered and CNPS List 1B species
- Tidestrom's lupine (*Lupinus tidestromii* var. *tidestromii*), a federally and state listed endangered and CNPS List 1B species
- Menzies' wallflower (*Erysimum menziesii*), a federally and state listed endangered and CNPS List 1B species
- Sand gilia (*Gilia tenuiflora* var. *arenaria*), a federally listed endangered, a state listed threatened, and CNPS List 1B species

▪ **Wildlife:**

- 1) California red-legged frog (*Rana aurora draytonii*), a federally listed threatened and State Special Status species, has been sited in the MNOUV Planning Unit, but no breeding habitat has been identified.
- 2) Monterey dusky-footed woodrat (*Neotoma fuscipes Luciana*), a California species of special concern, has been found in the PQR Planning Unit.
- 3) White-tailed kite (*Elanus leucurus*), a California species of special concern, has been sited in Planning Unit L.

The Measure "A" Planning Units also provide suitable wildlife habitat for special status species that to date have not been documented at the sites:

- Smith's blue butterfly
- Black legless lizard
- Silvery legless lizard
- California horned lizard
- Southwestern pond turtle
- Pallid bat
- Ringtail
- Monterey ornate shrew
- Cooper's hawk
- Sharp-shinned hawk

**Forest Resources**

As previously indicated, Monterey pine forest is the dominant biological community in the Del Monte Forest. There are approximately 680 acres of Monterey pine forest within the Measure "A" sites as summarized on Table 4. Other trees found in the Measure "A" sites include coast live oak and Gowen cypress trees, the later located within Planning Unit F.

There are also planted Gowen cypress and planted Bishop pine trees at the Sawmill site and planted Monterey cypress trees at The Lodge at Pebble Beach.

### **Scenic Resources**

The sites affected by Measure "A" are located in areas generally characterized by Monterey pine forest and surrounded by varying degrees of development. Figure 2 of the DMF LUP identifies visual resources in the area to consist of the following:

- Ridgeline and areas visible from Point Lobos across Carmel Bay, which includes portions of The Lodge at Pebble Beach and portions of Planning Units I, MNOUV, and PQR.
- View areas from 17-Mile Drive and vista points, which includes The Lodge at Pebble Beach, the Spanish Bay Resort, the Sawmill Gulch site, and a portion of Planning Units B, C, F, MNOUV and PQR.

The LUP also identifies 17-Mile Drive vista points and designated coastal access locations, but none of these are located within the sites affected by Measure "A".

### **Cultural Resources**

There are numerous archaeological sites recorded on the coast in the Del Monte Forest. However, archaeological investigations that have been conducted for various project proposals have found no recorded archaeological sites or evidence of human burials within areas affected by Measure "A".

Sites affected by Measure "A" are mostly vacant and undeveloped. Structural development exists at the Inn at Spanish Bay and The Lodge at Pebble Beach. None of the structures or buildings in these areas are included on the map of Monterey County Inventory of Historical Resources or have been determined to be historical resources.

TABLE 4: SUMMARY OF EXISTING BIOLOGICAL RESOURCES

| ESHA   | SB INN | PB LODGE | B     | C    | F                                 | G     | H    | I                      | J    | K    | L    | MNOUV | PDR   | SAWHILL | CORP YARD |
|--|--------|----------|-------|------|-----------------------------------|-------|------|------------------------|------|------|------|-------|-------|---------|-----------|
| Natural Freshwater Marshes (acres)   |        |          |       | 0.8  |                                   |       |      |                        | 0.2  | 0.35 | 0.01 | 0.12  |       | 0.2     |           |
| Natural Seasonal Ponds (acres)   |        |          | 1,147 |      |                                   |       |      | 2,309 (I-1)            | 88   | 400  | 215  | 0.01  | 400   |         |           |
| Riparian (Linear Feet)   |        |          |       |      |                                   |       |      |                        |      |      | 0.40 |       |       |         |           |
| Remnant Coastal Dunes & associated plants (acres)                                |        |          |       |      | 3.5 (F-3)                         |       |      |                        |      |      |      | X     |       |         |           |
| Gowen Cypress/Blotop pine (acres)  |        |          |       |      | X                                 |       | X    |                        |      |      |      |       | 15    |         |           |
| Sandhill manzanita (significant occurrences)                                     |        |          |       |      |                                   | 8.2   |      |                        |      |      | X    |       |       |         |           |
| Monterey sycamore - listed (acres)   |        |          |       |      |                                   |       |      |                        |      |      | X    |       |       |         |           |
| Monterey Indian paintbrush   |        |          |       |      |                                   |       |      |                        |      |      | X    |       |       |         |           |
| Seaside buckwheat / Potential Smith's blue butterfly habitat                     |        |          |       |      |                                   |       |      |                        |      |      |      |       |       |         |           |
| Hickman's potentilla - listed  |        |          |       |      |                                   |       |      |                        |      |      |      |       |       |         |           |
| Monterey pine forest (acres)   | 1.7    |          | 24.3  | 29.1 | 9.8 (F-1), 19.5 (F-2), 18.8 (F-3) | 47.9  | 63.8 | 33.2 (I-1), 18.7 (I-2) | 9.36 | 6.9  | 18.2 | 116   | 245.9 | 16.2    | 8.5       |
| Other Wetlands (acres)   |        |          | 0.03  |      |                                   |       | 1.3  |                        |      |      | 0.04 | 4.31  | 1.7   | 1.2     | 0.17      |
| Yerdon's pipit - listed (acres)  | 2.0    |          |       |      | 5.7 (F-1), 1.9 (F-2), 1.4 (F-3)   | 4.9   | 4.7  | 9.7 (I-1), 1.6 (I-2)   | 0.3  | 3.5  | 0.1  | 83.6  | 43.5  |         |           |
| Gowen Cypress trees (# of trees)   |        |          |       |      | 12 (F-1), 23 (F-3)                |       |      |                        |      |      |      |       |       |         |           |
| Hooker's manzanita (acres)   |        |          |       |      | 3.8 (F-1), 18.4 (F-2), 18.8 (F-3) | 33.56 | 22.6 | 9.6 (I-1), 15.6 (I-2)  |      |      |      | 1.9   | 25.3  |         |           |
| Hickman's onion (acres)  |        |          |       |      | 0.01 (F-3)                        | 0.01  | 0.01 | 0.07 (I-1)             |      |      | X    | 0.02  | 5.52  | X       |           |
| Pine Rose  |        |          |       |      | X                                 | X     | X    | X                      |      |      | X    | X     | X     | X       |           |
| Monterey sphernflower  |        |          |       |      |                                   |       |      |                        |      |      | X    | X     | X     |         |           |
| Beach sayla  |        |          |       |      |                                   |       |      |                        |      |      |      | X     | X     |         |           |
| Fedstrom's lupine  |        |          |       |      |                                   |       |      |                        |      |      | X    | X     | X     |         |           |
| Other coastal dune species (Sand gilia Indian paintbrush, & Menzies' wallflower) |        |          |       |      |                                   |       |      |                        |      |      | X    | X     | X     |         |           |
| California red-legged frog   |        |          | XP    | XP   | XP                                |       |      | XP                     | XP   |      | XP   | X     |       | XP      |           |
| Black / silvery legless lizard   |        |          |       |      |                                   |       |      |                        |      |      | XP   | XP    |       |         |           |
| Pallid bat   |        |          | XP    | XP   | XP                                | XP    | XP   | XP                     | XP   | XP   | XP   | XP    | XP    | XP      |           |
| Horned lizard  |        |          |       |      |                                   |       |      |                        |      |      | XP   | XP    |       |         |           |
| Monterey dusky-footed woodrat  |        |          |       |      |                                   |       |      |                        |      |      |      | XP    |       |         |           |
| Vizsla-tailed lile   |        |          |       |      |                                   |       |      |                        |      |      | X    |       |       |         |           |
| Others (pallid bat, English, Monterey ornate shrew)                              |        |          | XP    |      |                                   |       |      | XP                     | XP   | XP   | XP   | X     | X     |         |           |
| Redwing Blackbird  |        |          | X     | XP   | XP                                | XP    | XP   | XP                     | XP   | XP   | XP   | XP    | XP    | XP      | XP        |

## IV. EFFECTS OF PROPOSED LCP AMENDMENT ON LAND USE & COASTAL RESOURCES

### A. INTRODUCTION

This section provides the analyses of coastal issues requested for review by the Coastal Commission in their letters to Monterey County (see Exhibit C). This analysis compares the potential land use changes under Measure "A" with the current (pre-Measure "A") LCP and analyzes the cumulative impacts to coastal resources, access, public services and traffic as a result of changes in land use designations, density and intensity.

Consistent with the Coastal Commission request, the following analysis includes:

- Analysis of potentially adverse cumulative impacts on coastal resources and access due to change in density or public service provision. (Changes in land use density are addressed in subsection IV-B. Effects on access are addressed in subsection IV-C; effects on coastal resources are addressed in subsection IV-D; and effects on public services are addressed in subsection IV-E.)
- Analysis of how amendment provisions along with existing County environmentally sensitive habitat and tree removal policies will protect special status species, environmentally sensitive habitat and Monterey pine forest resources. (Effects of Measure "A" on coastal resources, including those identified above are addressed in subsection IV-D.)
- Background regarding status and adequacy of water, sewer and highway capacity related to the proposed lifting of the resource constraint overlay. Information regarding water and sewer capacity is addressed in subsection IV-E and information regarding highway capacity and circulation is addressed in subsection IV-F.)

Much of the data contained within this analysis was taken from the environmental impact report (EIR) prepared for the Pebble Beach Company's Del Monte Forest / Preservation Development Plan. This EIR is comprised of the Draft EIR (2 volumes), a Partial Revision to the Draft EIR, and a Final EIR (4 volumes). While this document analyses the impacts of a development project, the EIR does include a detailed inventory of resources, including

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aerial photographs, relating to all parcels affected by Measure A. This EIR can be used to provide more detailed information on resources and baseline conditions contained in this analysis, including Monterey pine forest, wetlands, ESHA, special status species, water supply, and traffic.

**B. LAND USE AND DEVELOPMENT**

As described in SECTION II of this analysis, Measure "A" changes land use designations and/or development considerations on sites owned by the Pebble Beach Company. The overall effect of Measure "A" is to designate larger portions of land as open space and reduce the amount of residentially designated land. In addition to changes in land use designations, Measure "A" would also result in changes to land use intensity for residential, visitor-serving and recreational open space as discussed below.

Table 5 provides a comparison of development potential under the current (pre-Measure "A") LCP and under an LCP amended by Measure "A" for affected sites. An analysis of the effects of Measure "A" on development potential within these land use categories are also described below.

**TABLE 5: COMPARISON OF DEVELOPMENT POTENTIAL UNDER CURRENT (PRE-MEASURE "A") LCP AND MEASURE "A"**

| Land Use                      | Development Potential Under Current LCP  | Development Potential Under Measure "A"              | Net Change         |
|-------------------------------|--|--|--------------------|
| New Residential Lots          | 849                                      | 34 [1]   | - 815 lots         |
| Employee Housing Units        | Additional amount not specified or known | 12 plus any additional amount not specified or known | 12 units specified |
| Visitor-Serving Units         | 0  | 280 [2]  | 280 [2]            |
| Open Space Recreation (acres) | 0  | 220  | + 220 acres        |
| Open Space Forest (acres)     | 200                                      | 417  | + 217 acres        |

[1] Includes potential new lots through subdivision; does not include existing vacant parcels. For example, there are three existing lots in Planning Unit J.  
 [2] Includes new suites (24 suites) at new visitor-serving location and an estimated additional 150 rooms at The Inn at Spanish Bay and 106 rooms at The Pebble Beach Lodge.

**Residential Development**

**Residential Lot Development.** Approximately 535 acres of lands currently designated residential in the DMF LUP would be reduced to 95 acres under Measure "A". This represents a decrease in residentially designated lands by 440 acres. The amendment would also redesignate approximately 78 of these 95 acres from the medium land use

designation to low density. Additionally, approximately 7.5 acres would be rezoned to a lower low-density designation in the PQR Planning Unit.

Measure "A" also revises LUP text in the Land Use Section and eliminates Table A, which reduces the residential development potential in each Planning Unit. Table 6 summarizes these changes. Under the current (pre-Measure "A") LUP, 849 new residential lots would be potentially allowed in Planning Units affected by Measure "A." This excludes 133 existing developed residential units in Planning Units A, S and W, and 43 potential residential lots in Planning Units Y and X, which are not affected by Measure "A". Under Measure "A," new residential lots allowed total 34. The resulting effect is a net reduction of 815 potential new residential lots.

| Planning Area             | Planning Unit | Current LUP (Pre-Measure "A") | Measure "A" |
|---------------------------|---------------|-------------------------------|-------------|
| Spanish Bay (Area 1)[2]   | B             | 21 [3]                        | 0           |
|                           | C             | 56                            | 0           |
| Gowen Cypress (Area 6)    | F             | 86                            | 16          |
| Huckleberry Hill (Area 5) | G             | 78                            | 0           |
| Middle Fork (Area 3)      | H             | 48                            | 0           |
|                           | I             | 83                            | 11          |
| Spyglass Cypress (Area 2) | J             | 22                            | 0           |
|                           | K             | 22                            | 0           |
|                           | L             | 46                            | 0           |
|                           | M             | 68                            | 0           |
|                           | N             | 51                            | 0           |
|                           | O             | 40                            | 0           |
| Pescadero (Area 4) [2]    | P             | 34                            | 7           |
|                           | Q             | 45                            |             |
|                           | R             | 75                            |             |
| Pebble Beach (Area 7) [2] | U             | 22                            | 0           |
|                           | V             | 52                            | 0           |
| <b>TOTAL</b>              |               | <b>849</b>                    | <b>34</b>   |

[1] Does not include development potential on existing lots of record.  
 [2] Excludes existing developed residential areas (80 units in Planning Unit A [Spanish Bay]; 41 units in Planning Unit S [Pescadero]; and 12 units in Planning Unit W [Pebble Beach]. Also excludes 43 potential dwelling units in Planning Units X (23) and Y (20) as these areas were not changed by Measure "A".  
 [3] The existing LUP indicates that the maximum total number of residential units permitted in Spanish Bay may be reduced if the northerly area of Planning Unit B is acquired for open space. This area was dedicated by the Pebble Beach Company to the Del Monte Forest Foundation in 1989. The LCP CIP indicates that this area be allowed a maximum of 42 units and the northeast portion of Area B (the area included within Measure "A") be allowed a maximum of 21 units.

It should be noted that the dwelling unit potential identified in the existing LUP is a potential maximum based on land use densities. Site-specific development would be subject to other LUP policies regarding ESHA, scenic resources and other coastal resources. The actual number of lots that could be subdivided and developed on a given

site may be less than these identified total numbers given site constraints and adherence to other additional LUP policies regarding resource protection and other CIP and zoning regulations. However, the reduction in the number of potential dwelling units is cited given that the existing LUP contains this reference.

*CONCLUSION: The overall effect of Measure "A" is to significantly reduce the amount of residentially designated land as identified in the Land Use section of the LUP (by 440 acres), reduce the number of potential new residential lots (by 815 lots), and reduce the development density of most of the remaining residentially designated lands (approximately 85 out of 95 acres), thus resulting in less residential development potential than under the current (pre-Measure "A") LCP.*

**Employee Housing.** A reference to allow 12 employee housing units at Spanish Bay (Planning Unit B) is inserted into the LUP per Measure "A". References to the type of employee housing (dormitory/bunkhouse) that could be developed are deleted (Policy 78a). Additionally, Policy 116 is amended to delete references that portions of Spyglass M and Huckleberry G may accommodate senior citizen housing and to add language that Spanish Bay Planning Unit B may be used for employee housing. Neither the current (pre-Measure "A") LCP nor Measure "A" define "employee housing."

Existing provisions of the LUP specifically allow for employee housing in two ways. First, under LUP Policy 78a and CIP Section 20.147.090(B)(4), caretaker's quarters are allowed throughout the Forest subject to criteria contained in the zoning ordinance. These units can be used to provide "affordable housing for caretakers, ranch hands, convalescent help, and domestic employees." This portion of the policy remains unaffected by Measure "A."

The second portion of Policy 78a indicates that "additional employee housing for priority uses (e.g., visitor serving commercial)" is permitted in "one dormitory/bunkhouse or in temporary structures" consistent with all other plan policies. Measure "A" would modify this second provision by removing the limitation that such additional employee housing be permitted in "one dormitory/bunkhouse or in temporary structures." Employee housing would continue to be permitted consistent with other LCP policies and regulations, although the type of housing permitted would not be specified. Neither the current (pre-Measure "A") LCP nor Measure "A" expand on this policy as to which land use categories can accommodate employee housing.

The second means by which the LUP could allow for employee housing is within existing zone districts. Within the Visitor-Serving Commercial (VSC) and Open Space Recreation (OR) zone districts, employee housing is permitted as a conditional use as an accessory use to an allowed use. One new 4-acre site is designated Visitor Serving Commercial under Measure "A" (see discussion below under "Visitor Serving Commercial"), but the size makes it unlikely that both visitor serving uses and employee housing would be constructed.

Approximately 220 acres would be redesignated to Open Space Recreation under Measure "A," the majority of which (170 acres) are currently designated for residential use. Residentially designated sites could also support employee housing, as described below. Therefore, there would be virtually no effect upon the potential to develop employee housing with this land use designation change on all but approximately 50 acres. The 50 acres of newly designated open space recreational lands and potential for employee housing development would be offset by the conversion of residentially designated lands as described below. Furthermore, employee housing that may be permitted under the VSC and OR zone districts would need to be accessory to the allowed use.

Employee housing could also potentially be developed within the low-density (LDR) and medium-density residential (MDR) zone districts, as the Zoning Code does not stipulate to whom a property owner shall rent or sell. The Zoning Code also has provisions which allow residential uses of a similar nature, density and intensity as a conditional use. The MDR designation also allows for "rooming houses and boarding houses", which are defined as "a dwelling other than a hotel where lodging with or without meals for three or more persons is provided for compensation." The uses permitted in these zone districts are not changed by Measure "A" and Measure "A" would not increase the designated densities of allowable residential development. However, most of the MDR land use designations have been removed or reduced to LDR, thus effectively eliminating the potential for rooming or boarding houses on lands designated MDR, except for the Planning Unit B where 12 employee housing units are specifically identified. Thus, any employee housing in these areas would still need to comply with underlying limits on density, development standards, and design standards for the designated residential use.

Residential uses are also permitted in the Coastal General Commercial (CGC) district, which is the current zoning of the Corporation Yard site. However, no land use designation or policy changes are made under Measure "A" that would affect this site.

Measure "A" does revise LUP text to specifically indicate that Planning Unit B can be used for 12 units of employee housing within an approximate 4-acre site. This represents approximately 3 dwelling units per acre, which is consistent with MDR densities. Thus, while Measure "A" specifically permits 12 employee housing units not specified in the current (pre-Measure "A") LCP, Measure "A" does not result in change in land use intensity or density related to potential employee housing in residentially designated areas.

*CONCLUSION: The overall effect of Measure "A" on employee housing development potential would be to modestly increase the development potential by at least 12 specified units in Planning Unit B and to allow potential development associated with new visitor serving and open space recreation sites (4 and 220 acres, respectively). This is offset, however, by a reduction in the amount of residentially zoned lands (435 acres) that also potentially could support employee housing. Additionally, the type of employee housing would not be restricted to "one dormitory/bunkhouse," and would allow for construction that would likely be more visually compatible with surrounding areas.*

### Visitor Serving Commercial

The current (pre-Measure "A") LUP delineates general areas for visitor serving commercial uses: the existing Lodge at Pebble Beach, the Spanish Bay Resort, and the NCGA Golf Course ("Poppy Hills"). Visitor serving commercial allows for uses providing basic support services and visitor needs associated with coastal recreation and travel. Principal uses include major hotel or inn accommodations and support commercial facilities. One of the stated purposes of Measure "A" is to encourage future visitor-serving development adjacent to existing visitor-serving or recreational facilities in the Del Monte Forest. Measure "A" proposes one new visitor-serving area. Measure "A" also eliminates LUP text and Table A references to the number of rooms the Spanish Bay Resort and at The Pebble Beach Lodge, 270 and 161, respectively. In addition, existing LUP provisions establishing a maximum 25% building site coverage at The Lodge would be removed. Each site is further described below.

**New Visitor Serving Commercial Areas.** Measure "A" designates visitor serving commercial uses on 4 acres within Planning Units M and N (Spyglass-Cypress Planning Area). Measure "A" provides that "no more than 24 golf suites" are to be located in this area. Measure "A" does not define golf suites. The term is not used within the current (pre-Measure "A") LCP.

**Spanish Bay Resort.** Measure "A" deletes LUP text (in the "New Land Use" subsection of the Spanish Bay Planning Area in Chapter 3) to remove references to a proposed 270-room resort hotel, which has now been developed. The existing text does not indicate that this is the maximum number of visitor units that could be constructed, but rather references development potential at the time the LCP was prepared in which the existing resort was being planned, and had not been completed. However, Table A also is eliminated with Measure "A" in which 270 new visitor accommodations are identified for Spanish Bay.

Under the Visitor Serving Commercial (VSC) zone district, a General Development Plan is required for any new development in VSC zones. Any change or expansion of use would require approval of an amendment to an approved General Development Plan, pursuant to the provisions of Section 20.22.030 of the Monterey County Coastal Implementation Plan Zoning Ordinance. These provisions are not changed by Measure "A."

The elimination of Table A with its reference to 270 new visitor accommodations is interpreted as potentially allowing increased visitor serving commercial development on this site. However, there are no policies or prohibitions in the current LCP (pre-Measure "A") that preclude the Pebble Beach Company from submitting a General Development Plan amendment to the County to expand its visitor-serving facilities at Spanish Bay.

Future development at the Spanish Bay Resort would be dependent on any conditions of the existing General Development Plan that limits development, of which there are none. In the absence of such conditions, the number of additional visitor units or commercial

space that could be developed would be based on existing zoning code regulations that would constrain future development on the site to include the following restrictions from Section 20.22.070, as well as other LCP policies and regulations:

- maximum structure height of 35 feet;
- maximum building site coverage of 50% , excluding parking and landscaping;
- provision of parking pursuant to Chapter 20.58 of the Zoning Ordinance;
- landscaping covering a minimum of 10% of the site area; and
- setbacks established through project review.

According to parcel maps and zoning maps, the VSC-designated area at the Inn at Spanish Bay is approximately 21 acres in size and currently contains 269 visitor-serving units. Existing structural development totals approximately 3 acres, and existing paved areas total approximately 6.0 acres with existing tennis courts and intervening landscaping. Given the current site configuration, additional development would require conversion of small landscaped areas, surface parking areas, and/or the existing tennis courts. Based on PBC development applications and review of existing land available for additional development, it is estimated that up to approximately 150 additional visitor units could be developed at The Inn at Spanish Bay.

**The Lodge at Pebble Beach.** Measure "A" deletes LUP text (in the "New Land Use" subsection of the Pebble Beach Planning Area in Chapter 3), which removes a reference to a maximum of 161 inn units per the General Development Plan at The Lodge, and eliminates Table A which lists no new visitor serving units at the Lodge. In addition, LUP text is revised to delete a "maximum 25% building site coverage" for the associated commercial area at the Lodge. Thus, additional visitor rooms and/or visitor serving commercial uses could potentially be developed on the site. Any new development would be governed by the Visitor Serving Commercial (VSC) zone district regulations as reviewed above, and other LCP policies and regulations.

As previously indicated, any change or expansion of use would require approval of an amendment to an approved General Development Plan, pursuant to the provisions of Section 20.22.030 of the Monterey County Coastal Implementation Plan Zoning Ordinance. These provisions are not changed by Measure "A."

According to parcel maps and zoning maps, the VSC-designated area at The Lodge at Pebble Beach is approximately 23 acres in size and currently contains 166 visitor-serving units and other commercial support uses. Given the current site configuration, additional development would require conversion of small landscaped areas, surface parking areas, and/or the existing tennis courts. Based on PBC development applications and review of existing land available for additional development, it is estimated that up to approximately 106 additional visitor units could be developed at The Lodge at Pebble Beach.

CONCLUSION: *The overall effect of Measure "A" on visitor serving commercial uses is to increase visitor serving uses through designation of one new visitor serving area (4 acres/24 units) and to increase the potential number of visitor units at the Spanish Bay Resort and The Lodge of Pebble Beach by approximately 150 and 106 units, respectively (256 units total).<sup>8</sup> The actual number of new units would be determined based on adherence to LUP policies, compliance with CIP and zoning regulations, outcome of environmental review, and the general development plan amendment and the coastal development permit process*

### **Recreational Open Space**

Measure "A" increases the amount of lands designated Open Space Recreation by 220 acres. Most of these lands are currently designated residential, except for approximately 49 acres that are currently designated Open Space Forest: 41 acres at the Sawmill Gulch site and approximately 8 acres at Planning Unit O. A LUP text reference to a new golf course in the Middle Fork Planning Area is eliminated, which effectively acknowledges the development of the Poppy Hills Golf Course. Language is added to indicate that "new recreational and visitor-serving uses may be located in appropriate zoned areas" in the Spyglass Cypress area. In addition, Measure "A" adds specific language that states that a "driving range, golf teaching center, and parking may are expected to be constructed in Planning Unit C" and that existing mined out areas at the Sawmill Gulch site in the Gowen Cypress Planning Area can be used for an equestrian center, in addition to being used for public works purposes which is already stated in the LUP.

The existing Open Space Recreation zone district (OR) allows for a range of uses, including hiking, bicycle and equestrian trails, picnic areas, parks, athletic fields, swimming pools, hostels and campgrounds, and interpretive centers, as well as some public use facilities. Golf courses and stables/accessory equestrian uses are allowed as conditional uses with the approval of a Coastal Development Permit. The largest areas of newly designated Recreational Open Space lands would be within the C and MNOUV Planning Units and at the Sawmill Gulch site. Given the text changes noted above, it would appear that the primary recreational uses to be developed at these sites include a driving range in Planning Unit C and an equestrian center at the Sawmill Gulch site. Under existing coastal zoning regulations, golf courses (and presumably driving ranges) are permitted as conditional uses in both the low-density and medium-density residential zone districts. Therefore, under the current (pre-Measure "A") LCP, the driving range could be permitted as a conditional use in Planning Unit C, and the change to an Open Space Recreation would not substantially alter this potential.

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<sup>8</sup> As a matter of comparison, it should be noted that on October 10, 2000, the Del Monte Forest Property Owners and the Pebble Beach Company entered into an agreement whereby, among other things, PBC agreed to limit the number of visitor serving units to a maximum of 210 units. This agreement was recorded on April 18, 2001. Thus, the estimated number for this analysis is conservatively high. Furthermore, the current Pebble Beach Company development application proposes 160 new units.

Recreational uses on the MNOUV sites could include the range described above. As with Planning Unit C, the existing residential designations for the MNOUV sites would already allow a variety of recreational uses as a conditional uses. Therefore, the change to Open Space Recreation would not substantially alter this potential.

Land use intensity would be increased at the Sawmill Gulch site (from Forest Open Space) with Measure "A". Under the existing zoning designation, only low-intensity recreational uses would be allowed, such as resource dependent educational and scientific research facilities/uses, low intensity day use recreational uses (trails, picnic areas), wildlife restoration programs, and limited public facilities. With Measure "A" changes, a range of recreational uses could be permitted, as indicated above, with an equestrian center specifically identified in Measure "A" for the Sawmill Gulch site.

In addition, the site was mined in the past to provide sand for the Spanish Bay development. As a part of permit conditions for the Spanish Bay Resort, revegetation of the site and dedication of conservation and scenic easements were required. Further discussion of effects of land use changes on scenic and forestry resources are further discussed below under subsection IV-D. The easement for the lower Sawmill site (between Monterey County and the Pebble Beach Company) states that no development or use of the site shall take place, although some exceptions are provided in the easement including: "use for open space and recreational purposes and scientific study and the construction, maintenance, repair and use of facilities related to maintenance and use for open space, recreational and scientific study uses."

The upper Sawmill site was included in the easement which dedicated the Huckleberry Hill Natural Area (HHNA) pursuant to Coastal Commission conditions of approval. The easement refers to an area as the "Huckleberry Hill Open Space" that includes both HHNA and the Upper Sawmill despite the location of the upper Sawmill outside of the area designated by the Del Monte Forest as part of the HHNA. Permitted uses and development specified in this easement include public and private recreational uses and facilities for active outdoor recreational pursuits.

The use of the Sawmill Gulch site as an equestrian center appears consistent with the provisions of existing easements, which allow for recreational uses, although the specific intensity of that use is not explicitly identified in the easement for the lower Sawmill site. Monterey County staff have recommended, that as part of the coastal development permit approval, this consistency should be clarified by the approval of minor amendments to the existing easements to include reference to operation of an Equestrian Center. The easement may be amended by the written agreement of the Grantor (the Pebble Beach Company), the Grantee (the Del Monte Forest Foundation), Monterey County, and the California Coastal Commission.

*CONCLUSION: The overall effect of Measure "A" is to increase the amount of land designated Open Space Recreation (by 220 acres) with specified references to potential development of a new driving range and an equestrian center. This increase in Open Space Recreation decreases areas designated Residential by approximately 170 acres and areas designated Open Space Forest by 49 acres. This would result in an increased land use intensity at the Sawmill Gulch site, which is currently designated Open Space Forest, with development of an equestrian center.*

### **Open Space Forest**

Measure "A" increases the amount of lands designated Open Space Forest by approximately 216 acres. All of these lands are currently designated residential, thus, the changes reduce residential development potential as discussed above, resulting in greater resource protection for these areas than currently exist. Additionally, approximately 100 acres are located adjacent to the existing Huckleberry Hill Natural Area (HHNA), and would expand this protected open space area. Thus, redesignation of the Sawmill Gulch site from Open Space Forest to Open Space Recreation (41 acres) would be at least partially offset with the redesignation of approximately 100 acres adjacent to the HHNA.

*CONCLUSION: The overall effect of Measure "A" is to increase the amount of land designated Open Space Forest (by 216 acres) while reducing the amount of residentially designated lands as indicated above.*

### **C. PUBLIC ACCESS AND TRAILS**

Measure "A" does not change any policies regarding public access. Measure "A" adds the following language regarding LUP figure 15: "Trails shown within Areas M, N, O, U, and V of the Spyglass-Cypress Planning Area are illustrative. Location and alignment will be determined at the time of development project approval." Measure "A" does not change the requirement for provision of trails in this location, but allows for changes in siting and the alignment of trails at such time as development proposals are prepared. LUP Policy 124, which is not amended by Measure "A," requires any trail realignment to be "generally equivalent to the original route."

*CONCLUSION: Measure "A" has no effect on provision of or requirements for public access because there would be no specific reduction in the existing amount of trails and there are no changes to LUP policies regarding access. Measure "A" allows for the re-siting of trails in Planning Units M, N, O, U, V at the time development plans are prepared and submitted for a coastal development permit.*

## D. COASTAL RESOURCES

This section reviews the effects of Measure "A" on coastal resources addressed in the Del Monte Forest LUP including water and marine resources, habitat areas, forest resources, scenic resources, and cultural resources. The review also considers the definition of "sensitive coastal resource areas" as defined in the California Coastal Act (section 20116), which is defined as "those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity." "Sensitive coastal resource areas" include the following:

- (a) Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the coastal plan.
- (b) Areas possessing significant recreational value.
- (c) Highly scenic areas.
- (d) Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.
- (e) Special communities or neighborhoods which are significant visitor destination areas.
- (f) Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.
- (g) Areas where divisions of land could substantially impair or restrict coastal access.

Given the above definition and the fact that Pebble Beach is a prominent recreational and visitor destination, the section also examines recreational and visitor attractions as a coastal resource. Subsections (f) and (g) are not applicable to the DMF LCP.

### Water and Marine Resources

Measure "A" substantially reduces residential development potential and increases areas designated as open space forest. As a result, the amount of potential structural development and urban runoff would be also reduced. Development of an equestrian center at the Sawmill Gulch site represents an increased land use intensity at this location with potential drainage and water quality impacts associated with equestrian use at this location.

The redesignation of lands as Open Space Forest would provide better protection to several existing drainages and watersheds including: the Moss Beach Watershed (with redesignation of Planning Unit B); Seal Rock Watershed (with redesignation of Planning Units G, H, I [part] and L); and Carmel Bay (with redesignation of PQR). Additionally, a tributary of Seal Rock that passes through Planning Unit L would be within the redesignated Open Space Forest with better protection. The natural drainages in Planning Units P,Q,R would be also be better protected with the Open Space Forest designation under Measure "A" with a reduction in potential urban runoff into the Carmel Bay "Area of Special Biological Significance" (ASBS). The potential for increased visitor serving development may slightly increase structural development and runoff. Recreational uses on

lands currently designated residential could result in water quality impacts due to landscape maintenance (i.e. application of fertilizers and pesticides), depending on the type and extent of such development. However, as indicated above under subsection IV-B, some recreational uses are currently permitted as condition uses within residential areas.

Coastal development that is allowed, under either the current LCP (pre-Measure "A") or Measure "A," would require approval of a coastal development permit. Future development would have to comply with applicable LUP water and marine resource policies, CIP standards, and conditions developed through development permit and CEQA review processes that would ensure proper control of drainage to prevent water quality impacts. Additionally, management of horse wastes at the Sawmill Gulch site would be required as part of any environmental / coastal development permit review to prevent water quality degradation.

*CONCLUSION: The overall effect of Measure "A" is to reduce development potential and provide better protection to water and marine resources by reducing potential runoff (due to reduction in structural development), providing increased watershed protection with increased open space, and maintaining some existing drainages in open space (portion of Seal Rock tributary and natural drainages within Planning Units P, Q, and R).*

#### **Environmentally Sensitive Habitat Areas (ESHA) and Other Habitat Areas**

Measure "A" increases the amount of Open Space Forest by approximately 216 acres, thus eliminating potential indirect development impacts to ESHAs and other habitat areas, particularly in Planning Units H, I, L, P, Q, and R. In other areas, residential land use densities are reduced or residential lands are redesignated for open space recreational uses. Measure "A" does not change LUP policies or CIP regulations regarding permitted uses in or adjacent to ESHAs, requirements for setbacks or other protection measures. Under either the existing LCP (pre-Measure "A") or under Measure "A," proposed development would need to comply with the LUP policies regarding protection of ESHA, wetlands, riparian corridors, and rare and endangered species. Coastal development that is allowed, under either the current (pre-Measure "A") LCP or Measure "A," would require approval of a coastal development permit. Project consistency with LUP policies and project impacts to biological resources would be reviewed as part of the coastal development permit process.

The redesignation of the Sawmill Gulch site from Open Space Forest to Open Space Recreation could result in the potential for impacts to a wetland located in the lower Sawmill site, a portion of which has been determined to constitute ESHA, and indirect impacts to the adjacent Huckleberry Hill Natural Area (HHNA), a designated ESHA. Measure "A" includes amended text to indicate that the mined out areas of the site can be used as an equestrian center. However, as indicated above, any development would be subject to LUP ESHA policies and would be reviewed as part of the coastal

permit/environmental review process. Additionally, the redesignation of Planning Unit G, which is adjacent to HHNA, would provide additional buffer and protection to this ESHA.

In its expansion of recreational use, Measure "A" would facilitate recreational development on a portion of Planning Unit O that is currently designated Open Space Forest (approximately 9 acres). This land use designation change would not affect any ESHA areas, since none have been delineated within this area.

Placement of recreational facilities in Planning Units MNOUV could result in adverse effects on non-ESHA coastal resources (e.g. Monterey pine forest, Yadon's piperia, and California red-legged frog), depending on the specific development proposed. However, the existing LCP would allow for residential development in the same areas of concern, which could also result in impacts to these same coastal resources. In this sense, Measure "A" would not directly result in a new or increased potential for adverse effects to coastal resources.

Coastal development that is allowed under the current LCP (pre-Measure "A") or under Measure "A" would require approval of coastal development permits. Future development would have to comply with applicable LUP water and marine resource policies, CIP standards, and conditions developed through coastal development permit and CEQA review processes that would ensure proper control of drainage to prevent water quality impacts. Monterey County retains discretion through CEQA review and permit review to condition future development to avoid, reduce, and mitigate for direct and cumulative effect on coastal resources consistent with coastal LUP policies.

*CONCLUSION: Measure "A" would reduce lands designated for residential development and increase lands designated for open space forest for a net gain of 216 acres open space acres. This would serve to provide an overall better protection of biological resources of the Del Monte Forest than the current (pre-Measure "A") LCP. Redesignation of residential uses to open space recreational uses could potentially cause similar impacts to sensitive habitat although as explained above alternate policy directives remain in place to protect these resources. Redesignation from open space forest to equestrian uses in the Sawmill area could affect resources in the Huckleberry Hill Natural Area and wetland resources on the site although these resources are protected by other LUP policy directives. On balance, Measure A will reduce the amount and intensity of development potential near environmentally sensitive habitat given the areas involved and the types of existing uses and for the most part their re-designation to more passive uses.*

### **Forest Resources**

Measure "A" increases the amount of Open Space Forest by approximately 216 acres, thus providing better protection of forest resources. The reduction in residential density for remaining residentially designated lands would result in less tree removal and fewer indirect impacts to the forest.

Measure "A" would result in an increase in land use intensity at the Sawmill Gulch site with redesignation from Open Space Forest to Open Space Recreation and with added LUP language to permit an equestrian center at this location would increase the potential for the loss of forest resources. As previously indicated, the Sawmill Gulch site was previously mined to provide sand for construction at the Spanish Bay Resort, and conditions of the Spanish Bay permit required revegetation of the Sawmill site. As a result of revegetation efforts, previously disturbed portions of the Sawmill site are partially covered with planted Monterey pine, Bishop pine, and Gowen cypress trees and some native Monterey pine.

Future development of an equestrian center at the Sawmill site would remove revegetated areas and potentially some limited areas of native Monterey pine forest, resulting in an estimated potential removal of approximately 23 acres from revegetation efforts and 3 native acres of forest land. Measure "A" would offset this loss by an increase of approximately 100 acres in open space forest lands adjacent to the Huckleberry Hill Natural Area (HHNA). The overall resultant preserved area in and around HHNA will be substantially expanded and managed for sensitive resources in a manner such that the ecological values of the HHNA and surrounding area will be preserved. Recreational uses on lands currently designated residential (Planning Units C, M, N, O, U V) could result in a potential for greater tree removal than residential development, depending on the type and extent of such development, but any removal would be governed by other LUP policies that remain unchanged by Measure "A". Additionally, as indicated above under subsection IV-B, some recreational uses are currently permitted as condition uses within residential areas.

*CONCLUSION: Measure "A" would reduce existing forested lands designated for residential development and increase lands designated for open space forest for a net increase of 216 acres. This figure also takes into account the conversion of forest resources in the Sawmill site to equestrian uses. This would serve to provide an overall better overall protection of forest resources of the Del Monte Forest than the current (pre-Measure "A") LCP. Redesignation of residential uses to open space recreational uses in Planning Units C and MNOUV could potentially cause similar impacts to forest resources although as explained above alternate policy directives remain in place to protect these resources in the same manner as these resources would be protected as residential uses.*

#### **Scenic Resources**

The current (pre-Measure "A") LUP defines visually sensitive features in the Del Monte Forest. Portions of sites affected by Measure "A" are located within these areas as follows:

- View areas from 17-Mile Drive – portions of Planning Units B, C, F, MNOUV, and PQR, the Sawmill Gulch site, as well as The Lodge at Pebble Beach and the Spanish Bay Resort,

- Ridgeline and visible area from Point Lobos – portions of Planning Units I, MNOUV and PQR, and
- Scenic buffer zone for new development along 17-Mile Drive – Planning Unit F.

Measure "A" increases the amount of Open Space Forest by approximately 216 acres and increases the amount of lands designated Open Space Recreation by 220 acres, thus providing better protection of forest resources and increasing the amount of protected open space lands than under the current (pre-Measure "A") LCP. This includes portions of Planning Units MNOUV and PQR that are located within LUP-identified visual resource areas. Measure "A" would promote recreational development and preserve forest and recreational open space lands in locations presently designated for residential use, except for approximately 49 acres that are currently designated Open Space Forest that would be designated for Open Space Recreation (41 acres at Sawmill Gulch site and 8 acres in Planning Unit O). Other Measure "A" areas would generally result in reduced residential density, which would result in less structural development and overall reduced aesthetic impacts.

Measure "A" would facilitate additional structural visitor-serving development at the Inn at Spanish Bay and at The Lodge at Pebble Beach, which could result in impacts to scenic views from 17-Mile Drive. Depending on the specific siting, design and massing of future proposed development, scenic views along 17-Mile Drive could be altered. The existing views in the vicinity of the Inn at Spanish Bay and at The Lodge at Pebble Beach are currently characterized by a mix of structural development and open space. Coastal development that is allowed under the current LCP (pre-Measure "A") or under Measure "A" would require approval of coastal development permits. Project consistency with LUP scenic resource policies, as well as environmental review regarding visual resources, would be reviewed as part of the coastal development permit process. Any proposed development would have to comply with other applicable LUP scenic resource policies, CIP standards, and conditions developed through permit and CEQA review. These controls would be expected to reduce the aesthetic effect of any future proposed development at these locations.

Measure "A" would facilitate development of the Sawmill Gulch site that would change the aesthetic character of this location from its current disturbed/partially revegetated undeveloped state to that of an equestrian center. As portions of this site are visible from the 17-Mile Drive any proposed development at this location will need to be reviewed for its scenic impact. As previously indicated, future development would have to comply with applicable LUP scenic resource policies, CIP standards, and conditions developed through the coastal permit and CEQA review process. These controls would be expected to reduce the aesthetic effect of any future proposed development at this location.

*CONCLUSION: The overall effect of Measure "A" is to preserve the forested and open space character of Del Monte Forest with additional lands designated Open Space Forest and Recreational Open Space and with reduced residential structural development (as*

*discussed above in subsection IV-B). This would have a beneficial aesthetic benefit with a larger amount of land retained in open space and less structural development. Potential additional development at the Inn at Spanish Bay, The Lodge at Pebble Beach, and the Sawmill Gulch site would be subject to applicable LUP scenic resource policies and conditions developed as part of the environmental review and coastal permit process. On balance those potential increases in structural additions are minor compared to the reduction of residential structures that would cumulatively avoid potential scenic resource impacts throughout Del Monte Forest.*

### **Cultural Resources**

Measure "A" does not change policies regarding cultural resources. Archaeological investigations conducted to date have found no recorded archaeological sites or evidence of human burials within areas affected by Measure "A". Coastal development that is allowed under either the current (pre-Measure "A") LCP or Measure "A" would require approval of a coastal development permit. Project consistency with cultural resource policies and project impacts to cultural resources would be reviewed during the coastal development permit process.

*CONCLUSION: The overall effect of Measure "A" is to reduce lands designated for residential development and increase lands designated for open space, which would result in less ground disturbance and impacts to potential unknown, buried cultural resources. Redesignation of residential uses to open space recreational uses in areas MNOUV could potentially cause similar impacts to archeological resources depending on the recreational use proposed although alternate policy directives remain in place to protect these resources in the same manner as these resources would be protected as residential uses.*

### **Significant Recreational and Visitor Resources**

As previously indicated, Measure "A" increases the amount of land designated for recreational use and could facilitate additional visitor-serving development. The Measure "A" changes would further expand recreational values and visitor-serving amenities. Coastal development under either the current (pre-Measure "A") LCP or Measure "A" would require approval of a coastal development permit. Project consistency with LUP policies would be reviewed as part of the coastal development permit process.

*CONCLUSION: Given the redesignation of over 400 acres from residential to open space fore and recreational open space uses, and the fact that many of these areas are currently accessed by an areawide trail network, the overall effect of Measure "A" is to expand and enhance the recreational values and visitor amenities.*

## E. PUBLIC SERVICES

Measure "A" would lift the resource constraint overlay currently imposed on Planning Units B, C, F, G, H, I, J, K, L, MNOUV, and PQR and at the Corporation Yard site. At the time of adoption of the 1984 DMF LUP, there was insufficient sewer and water service capacity to serve all of the development allowed in the DMF LUP, and the DMF LUP itself (Policy 99) called for a study and program to define and implement traffic improvements. The Resource Constraint "Overlay" arises from LUP Policy 113 that states: "The Resource Constraint Area designation shall be removed only when water and sewer capacity sufficient to serve such development becomes available and that highway capacity and circulation solutions have been agreed upon and adopted."

Measure "A" would reduce the maximum allowable residential development in the Del Monte Forest by 815 units compared to the current LCP, which would result in a reduced population, service demand, and traffic generation. While not all of the existing LCP buildout is probably feasible, and some of the units built are second homes and would not result in the same service and utility demands of first homes, with Measure "A" the overall residential demand for public services would decrease. This decrease would be partially offset by a potential increase in visitor-serving and recreational development.

A review of the rationale and results of removal of these constraints are addressed below for water and sewer and in the following section for traffic. Table 7 provides a general comparison of water demand, wastewater generation and trip generation under pre- and post-Measure "A".

### Water Supply

One of the components of Measure "A" is the removal of the resource constraint overlay (and B-8 zoning district) from a number of properties in the Del Monte Forest. At the time of adoption of the DMF LUP, Monterey County was allocated a specified amount of water by the Monterey Peninsula Water Management District (MPWMD), which was insufficient to permit water service to all development planned in Del Monte Forest based on the priorities established by Monterey County. Subsequently, the Pebble Beach Company participated in financing the CAWD/PBCSD Wastewater Reclamation Project, and as a result, received a dedicated water entitlement of 365 acre feet annually from the Monterey Peninsula Water Management District. Approximately 355 acre feet of this entitlement remain unused. Therefore, Measure "A" concludes that there is sufficient water for the land uses allowed in the Del Monte Forest LUP with Measure "A" changes on the affected sites, which effectively removes this constraint. As shown on Table 7, estimated water demand of potential development under Measure "A" is almost 50% less than under the current (pre-Measure "A") LCP, and can be served by the existing water entitlement.

*CONCLUSION: Given the redesignation of over 400 acres from residential to open space fore and recreational open space uses, the overall effect of Measure "A" is a reduction in potential potable water demand for new development. Estimated water demand would be within the water entitlement granted to the Pebble Beach Company by the Monterey Peninsula Water Management District. Thus, the analysis provides evidence that the resource constraint overlay can be removed regarding water capacity.*

### **Wastewater**

One of the components of Measure "A" is the removal of the resource constraint overlay (and B-8 zoning district) from a number of properties in the Del Monte Forest. At the time of adoption of the DMF LUP, the Carmel Sanitary District (now Carmel Area Wastewater District or CAWD) sewage treatment plant had an authorized capacity of 2.4 million gallons per day (mgd). One-third of the CAWD Treatment Plant capacity is owned by the Pebble Beach Community Services District (PBCSD), which is responsible for sewage collection in Del Monte Forest. Based on 1984 flows, the wastewater capacity at the CAWD Plant was insufficient to serve all of the development planned for Del Monte Forest.

Subsequent improvements to the CAWD treatment plant have raised its authorized capacity to 3.0 mgd and the PBCSD share to 1.0 mgd. With this increased capacity, Measure "A" concludes that there is sufficient capacity to handle the additional sewage generated by the land uses identified for the sites included in Measure "A," and thus this constraint has been removed.

The current estimated PBCSD wastewater flows are between 500,000 and 600,000 gallons per day (gpd). As shown on Table 7, estimated wastewater generation resulting from potential development under Measure "A" is almost 65% less than under the current (pre-Measure "A") LCP, and can be served within the existing wastewater treatment capacity allocated to the PBCSD.

*CONCLUSION: Given the redesignation of over 400 acres from residential to open space fore and recreational open space uses, the overall effect of Measure "A" is a reduction in potential potable water demand for new development. The overall effect of Measure "A" is a reduction in potential wastewater generated by new development. Estimated wastewater generation demand would be within the wastewater treatment plant capacity that is allocated to the Pebble Beach Community Services District. Thus, the analysis provides evidence that the resource constraint overlay can be removed regarding sewer capacity.*

## F. TRAFFIC AND CIRCULATION

One of the components of Measure "A" is the removal of the resource constraint overlay (and B-8 zoning district) from a number of properties in the Del Monte Forest. Policies 98 and 99 of the DMF LUP govern the traffic and circulation improvement requirements for new development. Policy 99 requires an independent engineering study to establish an arterial system, changes to Highway 68 and access gates for increased traffic, and traffic controls. These requirements were satisfied by the County's acceptance of the Transportation Engineering Study for the Del Monte Forest, prepared by Burton N. Crowell and The Goodrich Traffic Group (commonly referred to as the "Crowell Report"), which established all of the indicated requirements.

Under Policy 99, new development must either bear the incremental costs of necessary improvements to Highway 68 and Highway 1 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 the necessary improvements. The conditions of Section 20.147.100.A, General Transportation Development Standards, of the Del Monte Forest Coastal Implementation Plan shall also continue to apply for all new development.

The highway capacity and circulation improvements identified in the Crowell Report under Policy 99, and the funding mechanisms established by Policy 98, have been agreed upon and adopted as required by Policy 113 in the Del Monte Forest Transportation Policy Agreement between Monterey County and the owner of the Properties. The traffic elements of Policy 113 have therefore been satisfied with respect to the Properties so this constraint has been removed. Furthermore, future site-specific development projects would be subject to other regional traffic impact fees in effect at the time. As shown on Table 7, the potential future traffic generation within the Del Monte Forest is substantially lower with Measure "A" (approximately 64%) than under the current (pre-Measure "A") LCP.

*CONCLUSION: The overall effect of Measure "A" is to reduce development potential and traffic generation. As described above, the requirements for highway capacity and circulation improvements have been agreed to and adopted. Thus the analysis provides evidence that the resource constraint overlay can be removed regarding traffic.*

**TABLE 7: COMPARISON OF WATER, SEWER, TRAFFIC EFFECTS OF MEASURE "A"**

| Use                    | Development Potential |           | Water Demand [1] |            | Wastewater Generation [2] |               | Daily Trip Generation [3] |             |
|------------------------|-----------------------|-----------|------------------|------------|---------------------------|---------------|---------------------------|-------------|
|                        | Pre                   | Post      | Pre              | Post       | Pre                       | Post          | Pre                       | Post        |
| Residential Lots       | 849 lots              | 34 lots   | 679              | 34         | 150,000                   | 7,500         | 8029                      | 325         |
| Employee Housing Units | None Specified        | 12 units  | 0                | 30         | 0                         | 2,640         | 0                         | 81          |
| Visitor-Serving Units  | 0                     | 280 rooms | 0                | 59         | 0                         | 16,800        | 0                         | 1873        |
| Open Space Recreation  | 0                     | 220 acres | 0                | 165        | 0                         | 25,600        | 0                         | 643         |
| Forest Open Space      | 187 acres             | 403 acres | 0                | 0          |                           | 0             | 0                         | 0           |
| <b>TOTAL</b>           |                       |           | <b>679</b>       | <b>288</b> | <b>150,000</b>            | <b>52,540</b> | <b>8029</b>               | <b>2922</b> |

## [1] In Acre-Feet Per Year (AFY), Water Demand Rates:

- Residential Lots = 0.8 AFY/Lot based on average Del Monte Forest use for pre-Measure "A" and 1 AFY / Lot for post-Measure "A" as density is reduced, which would allow for larger lots and increased landscaping.
- Employee Housing Units = 0.25 AFY/unit.
- Visitor-Serving Units = 0.21 AFY / room.
- Open Space Recreation = 0.75 AFY/acre based on a conservative worst-case estimate that all open space recreation acres would be used for golf course uses requiring irrigation. Irrigation water demand would be provided by recycled water.

## [2] In gallons per day (gpd), Wastewater Generation Rates:

- Residential Lots = 220 gpd (3.1 household size and 70/gpd per person).
- Employee Housing Units = 220 gpd (3.1 household size and 70/gpd per person).
- Visitor-Serving Units = 60 gpd / room.
- Open Space Recreation is based in estimates from Monterey County (February 2004).

## [3] Average Daily Trip Generation Rates:

- Residential Lots = 9.57 trips/lot.
- Employee Housing Units = 6.4 trips/unit.
- Visitor-Serving Units = 6.69 trips / room.
- Open Space Recreation is based in estimates from Monterey County (February 2004).

SOURCE: Monterey County. February 2004. "Draft Environmental Impact Report—Pebble Beach Company's Del Monte Forest Preservation and Development Plan." Prepared by Jones & Stokes, Inc.

## **V. EFFECTS OF LCP AMENDMENT ON OTHER SECTIONS OF THE CERTIFIED DEL MONTE FOREST LCP**

Measure "A" only changes land use designations and the development potential on property in the Del Monte Forest owned by the Pebble Beach Company. There are only two undeveloped areas where the current (pre-Measure "A") LCP would allow future subdivision on lands not owned by the Pebble Beach Company – Areas X (estimated 20 lots) and Y (estimated 23 lots). The development of these lots is presently limited by a resource constraint overlay. Measure "A" does not change land use designations, the number of allowable lots or residential densities and does not remove the resource constraint overlay for these two areas. Thus, development potential in these areas remains unchanged under Measure "A."

In addition to land use designation and zoning changes, Measure "A" revises four LUP policies (78a, 82, 113 and 116) and four corresponding CIP sections as described in SECTION II. No other policy or CIP section is revised with Measure "A". Thus, the majority of the LUP is not altered by Measure "A". Key policies relevant to this analysis that would not be changed include the following:

- Water and Marine Resources (Policies 1 -7)
- Environmentally Sensitive Habitat Areas (ESHAs) (Policies 8 – 15)
- Terrestrial Plants and Habitat (Policies 16-23)
- Riparian Corridors and Other Terrestrial Wildlife Habitats (Policies 24-26)
- Wetlands and Marine Habitats (Policies 27 – 30)
- Forestry and Soil Resources (Policies 31 – 39)
- Hazardous Areas (Policies 40 – 49)
- Scenic and Visual Resources (Policies 50 – 59)
- Archaeological Resources (Policies 60 – 67)
- Land Use (Policies 68-95, except for 78a and 82)
- Circulation (Policies 96-108)
- Water and Wastewater (Policies 109-115, except for 113)
- Housing (Policies 117-119 except for 116).

The Measure "A" land use designation and zoning changes, and the limited policy and CIP changes do not have any effect on remaining LUP policies or CIP regulations.



## **VI. CONSISTENCY OF PROPOSED LCP AMENDMENT WITH COASTAL ACT POLICIES**

Table 8 presents a review of consistency of Measure "A" with the development policies in Chapter 3 of the Coastal Act. A written summary is provided below.

### **PUBLIC ACCESS**

Measure "A" does not change any access policies within the certified LCP relevant to access, but does add language to LUP Figure 15 that would facilitate the rerouting of existing trails in Planning Units M, N, O, U, V at the time development plans are prepared. This would allow for better siting and alignment of trails as warranted. None of the Measure "A" development sites are located on or adjacent to the coast, and shoreline access has already been provided in the Del Monte Forest.

### **RECREATION**

Measure "A" increases the amount of land designated Open Space Recreation by 220 acres with specified references to potential development of a new driving range and an equestrian center. Thus, Measure "A" would facilitate development of commercial recreational facilities (open to the public), which is considered a priority use under Coastal Act Section 30222. Measure "A" would also facilitate development of additional visitor-serving units available to the public. Measure "A" does not include development sites that are located on or adjacent to the coast, and does not affect coastal areas suitable for water-oriented recreational activities.

### **MARINE ENVIRONMENT**

Measure "A" does not change LUP policies related to the maintenance, enhancement, and restoration of wetlands and marine habitats. Measure "A" would reduce development potential and provide better protection to water and marine resources by reducing runoff and maintaining drainages in open space. The potential for increased visitor serving development would slightly increase structural development and runoff. Recreational uses on lands currently designated residential could result in water quality impacts due to landscape maintenance (i.e. application of fertilizers and pesticides), depending on the type and extent of such development. However, as indicated above under subsection IV-B, some recreational uses are currently permitted as condition uses within residential areas.

Future development allowable under Measure A would have to comply with all relevant water and marine resource policies, which are not altered by Measure "A." Future development allowable under Measure "A" would have to comply with all relevant policies for marine resource protection. Furthermore, Measure "A" does not change LUP policies related to the protection of wetlands or marine habitats. Future development allowable under Measure "A" would have to comply with all relevant LUP policies and regulations regarding protection of wetlands. Neither the current (pre-Measure "A") LCP or Measure "A" include commercial or recreational boating facilities or facilities or land uses that would result in potential hazards due to oil spills or propose dredging, shoreline alterations, or channelizations.

## **LAND RESOURCES**

Measure "A" does not change LUP policies related to the protection of ESHA or the siting of uses adjacent to ESHA nor allows for the potential for increased impacts to ESHA from the land use designation changes noted. Measure "A" increases the amount of lands in protected Forest Open Space designation and reduces residential development areas and intensity, resulting in better protection of areas containing ESHA. Recreational uses on lands currently designated residential (Planning Units C, M, N, O, U V) could result in a potential for greater tree removal than residential development, depending on the type and extent of such development, but any removal would be governed by other LUP policies that remain unchanged by Measure "A". Additionally, as indicated above under subsection IV-B, some recreational uses are currently permitted as condition uses within residential areas.

All future development will be required to comply with LCP requirements for protection of ESHA. Measure "A" does not change LUP policies related to the protection of archaeological resources. Future development allowable under Measure "A" would have to comply with all LCP requirements. There are no agricultural or timber lands within the Del Monte Forest LCP.

## **DEVELOPMENT**

Measure "A" reduces the amount of residentially designated lands and reduces the density in most areas of the remaining residentially designated lands. Measure "A" does not include commercial or industrial land use designations. Measure "A" redesignates 4 acres from residential to visitor-serving uses within an area that is in proximity to other developed areas within the Del Monte Forest. Measure "A" does not change any LUP policies related to scenic or visual resources. Overall, the reduced residential development potential and increased open space forest and recreational components of Measure "A" would have a beneficial aesthetic benefit with a larger amount of land retained in open space and less structural development. Potential additional development at the Inn at Spanish Bay, The Lodge at Pebble Beach, and the Sawmill Gulch site would be subject to applicable LUP scenic resource policies and conditions developed as part of the environmental review and coastal development permit processes.

Measure "A," which primarily changes land use designations on specified sites, has no effect on public access or transit. Measure "A" promotes additional commercial recreational facilities adjacent to existing residential and visitor-serving areas. LUP policies and CIP standards regarding circulation and parking are not changed by Measure "A".

Measure "A" does not change LUP policies or CIP standards related to geotechnical, flood and fire hazards. CEQA review and the requirements of Monterey Bay Unified Air Pollution Control District (MBUAPCD) of potential future development are unchanged by Measure "A". Measure "A" does not fundamentally change the overall character of the Del Monte Forest, its neighborhoods, or visitor destinations as, in general, it promotes development similar to the residential, recreational, and visitor-serving development that exist at present. Measure "A" does not include public works facilities. There are no sewage treatment plants, coastal dependent uses, or industrial uses within the existing LCP or Measure "A".

**TABLE 8: MEASURE "A" CONSISTENCY WITH COASTAL ACT POLICIES**

| Section              | Subject or Text from Section   | Preliminary Consistency Review  |
|----------------------|--|---|
| <b>Public Access</b> |  |   |
| 30210                | Maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.  | Measure A does not change any access policies within the certified LCP relevant to access, but does add language to LUP Figure 15 that would facilitate the rerouting of existing trails in Planning Units M, N, O, U, V. Measure A would facilitate additional recreational development in the Del Monte Forest; the measure does not restrict the public availability of these facilities.          |
| 30211                | Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.  | The only sites near the coast are the Inn at Spanish Bay and The Lodge at Pebble Beach, which could potentially develop additional visitor-serving units with or without Measure "A." However, coastal access has already been provided and developed and wouldn't be affected by Measure "A."  |
| 30212                | (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) Adequate access exists nearby, or, (3) Agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway. | <b>Not Applicable.</b> All existing Del Monte Forest shoreline access areas have been permanently protected for long-term public use, and the LUP site specific access recommendations have been implemented. None of the Measure A development sites are located on or adjacent to the coast, would not include blufftop or lateral shoreline access and would not adversely affect shoreline access |
| 30212.5              | Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.   | <b>Not Applicable.</b> No public facilities are located within the Del Monte Forest nor would be established with Measure A.  |
| 30213                | Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.  | Measure A would increase the amount of recreational open space within the Del Monte Forest. Measure A does not promote nor hinder the potential development of lower cost facilities.   |
| 30214                | Implementation of public access policies; legislation intent.  | See discussion under 30212.   |
| <b>Recreation</b>    |  |   |
| 30220                | Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.  | <b>Not Applicable.</b> Measure A does not affect coastal areas adjacent to or suitable for water-oriented recreational activities.  |
| 30221                | Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is  | <b>Not Applicable.</b> Measure A does not affect oceanfront lands.  |

**TABLE 8: MEASURE "A" CONSISTENCY WITH COASTAL ACT POLICIES**

| Section                   | Subject or Text from Section   | Preliminary Consistency Review   |
|---------------------------|--|--|
|                           | already adequately provided for in the area.   |  |
| 30222                     | The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.  | Measure A would increase the amount of lands designated for open space recreation within the Del Monte Forest by 220 acres and would promote new and enhance existing recreational and visitor-serving uses in the Del Monte Forest.   |
| 30222.5                   | Ocean front land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.  | <b>Not Applicable.</b> Measure A does not affect oceanfront lands.   |
| 30223                     | Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.   | Measure A would increase the amount of lands designated for open space recreation within the Del Monte Forest by 220 acres.  |
| 30224                     | Recreational boating use; encouragement; facilities  | <b>Not Applicable.</b> Measure A does not affect oceanfront lands or areas with recreational boating use.  |
| <b>Marine Environment</b> |  |  |
| 30230                     | Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.  | Measure A does not change LUP policies related to the maintenance, enhancement, and restoration of wetlands and marine habitats. Future development allowable under Measure A would have to comply with all relevant policies for marine resource protection.  |
| 30231                     | The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams. | Measure A would reduce development potential and provide better protection to water and marine resources by reducing runoff and maintaining drainages in open space. Future development allowable under Measure A would have to comply with all relevant LUP water and marine resource policies, which are not changed by Measure A. |
| 30232                     | Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.  | <b>Not Applicable.</b> Neither the current LCP nor Measure A include uses that involve potential spillage of gas or hazardous materials.   |

**TABLE 8: MEASURE "A" CONSISTENCY WITH COASTAL ACT POLICIES**

| Section | Subject or Text from Section   | Preliminary Consistency Review  |
|---------|--|---|
| 30233   | <p>(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to specified uses outlined in the Coastal Act.</p> <p>(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.</p> <p>(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.</p> <p>(d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters.</p> | <p>Measure A does not change LUP policies related to the protection of wetlands or marine habitats. Future development allowable under Measure A would have to comply with all relevant LUP policies and regulations regarding protection of wetlands.</p> <p><b>Not Applicable.</b> Measure A does not affect coastal waters or propose dredging.</p> <p><b>Not Applicable.</b> Measure A does not affect estuaries or propose dredging.</p> <p><b>Not Applicable.</b> Measure A does not propose water course flood or erosion control facilities.</p> <p><b>Not Applicable.</b> Measure A does not affect coastal waters or include boating facilities.</p> <p><b>Not Applicable.</b> Measure A does not affect coastal waters or include fishing.</p> <p><b>Not Applicable.</b> Measure A does not affect coastal waters or revetments or breakwaters.</p> <p><b>Not Applicable.</b> Measure A does not propose alterations to rivers or streams.</p> |
| 30234   | Commercial fishing and recreational boating facilities   |   |
| 30234.5 | Fishing; economic, commercial and recreational importance  |   |
| 30235   | Revetments, breakwater, etc  |   |
| 30236   | Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible, or (3) developments where the primary function is the improvement of fish and wildlife habitat.   |   |

| TABLE 8: MEASURE "A" CONSISTENCY WITH COASTAL ACT POLICIES |   |   |
|--|---|---|
| Section  | Subject or Text from Section  | Preliminary Consistency Review  |
| 30237  | Habitat conservation plan; Bolsa Chica.   | Not Applicable. Policy applies only to Bolsa Chica area in southern California.   |
| <b>Land Resources</b>                                      |   |   |
| 30240  | (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.<br>(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas. | Measure A does not change LUP policies related to the protection of ESHA or siting of uses adjacent to ESHA. Measure A will increase the amount of lands in protected Forest Open Space designations, and reducing residential development areas and intensity, resulting in better protection of ESHA. All future development will be required to comply with LCP requirements for protection of ESHA. All future development will be required to comply with LCP requirements for protection of ESHA. |
| 30241  | Prime agricultural land; maintenance in agricultural production   | Not Applicable. There are no agricultural lands within the Del Monte Forest LCP.  |
| 30242  | Lands suitable for agricultural use; conversion   | Not Applicable. There are no agricultural lands within the Del Monte Forest LCP.  |
| 30243  | The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.  | Not Applicable. There are no timberlands within the Del Monte Forest LCP.   |
| 30244  | Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.  | Measure A does not change LUP policies related to the protection of archaeological resources. Future development allowable under Measure A would have to comply with all relevant policies.   |
| <b>Development</b>   |   |   |
| 30250  | (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.   | Measure A does not change the location of LCP designated residential land uses, but reduces the density in most areas that remain residentially designated. Measure A allows for additional visitor-serving units at existing developed sites and adds a new visitor-serving commercial area. The Resource Constraint Overlay is removed from a number of properties by Measure "A." This can be  |

**TABLE 8: MEASURE "A" CONSISTENCY WITH COASTAL ACT POLICIES**

| Section | Subject or Text from Section   | Preliminary Consistency Review  |
|---------|--|---|
|         | <p>(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.</p> <p>(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.</p>  | <p>done as there exists sufficient water, sewer, and highway capacity and circulation solutions have been agreed upon and adopted. For further information please refer to Section IV D of this analysis.</p>   |
| 30251   | <p>The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.</p>  | <p><b>Not Applicable.</b> There are no industrial lands within the Del Monte Forest LCP.</p> <p>Measure A redesignates 4 acres in a portion of Planning Units N and U from residential to visitor-serving uses. The site is adjacent to an existing developed area of the Del Monte Forest.</p> <p>Measure A does not change any LUP policies related to scenic and visual resources. Overall, the reduced residential development potential and increased open space forest and recreational components of Measure A, would better preserve the forested character of the Del Monte Forest than the existing LCP. Potential additional development at the Inn at Spanish Bay, The Lodge at Pebble Beach, and the Sawmill Gulch site would be subject to applicable LUP scenic resource policies and conditions developed as part of the environmental review and coastal development permit processes.</p> |
| 30252   | <p>The location and amount of new development should maintain and enhance public access to the coast by</p> <ol style="list-style-type: none"> <li>(1) facilitating the provision or extension of transit service,</li> <li>(2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads,</li> <li>(3) providing nonautomobile circulation within the development,</li> <li>(4) providing adequate parking facilities or providing substitute means of serving the development with public transportation,</li> <li>(5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by</li> <li>(6) assuring that the recreational needs of new residents will not overload</li> </ol> | <p>Measure A, which primarily changes land use designations on specified sites, would have no effect on public access or transit.</p> <p>Measure A promotes additional commercial recreational facilities adjacent to existing residential and visitor-serving areas.</p> <p>LUP policies and CIP standards regarding circulation and parking are not changed by Measure A.</p> <p>Measure A reduces residential development potential.</p>   |

| TABLE 8: MEASURE "A" CONSISTENCY WITH COASTAL ACT POLICIES |   |  |
|--|---|--|
| Section  | Subject or Text from Section  | Preliminary Consistency Review   |
| 30253  | <p>nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.</p> <p>New development shall:</p> <ol style="list-style-type: none"> <li>(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.</li> <li>(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs</li> <li>(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.</li> <li>(4) Minimize energy consumption and vehicle miles traveled.</li> <li>(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.</li> </ol> | <p>Measure A does not change LUP policies or CIP standards related to geotechnical, flood and fire hazards. CEQA review and the requirements of MBUAPCD of potential future development are unchanged by Measure A. Measure A does not fundamentally change the overall character of the Del Monte Forest, its neighborhoods, or visitor destinations as it in general promotes development similar to the residential, recreational, and visitor-serving development that exist at present.</p> |
| 30254  | <p>New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.</p>   | <p>Not Applicable. Measure A does not include public works facilities.</p>   |

**TABLE 8: MEASURE "A" CONSISTENCY WITH COASTAL ACT POLICIES**

| Section                       | Subject or Text from Section  | Preliminary Consistency Review   |
|-------------------------------|---|--|
| 30254.5                       | Sewage treatment plants and conditions.   | Not Applicable. Measure A does not include sewage treatment plants, and none are included within the Del Monte Forest LCP. |
| 30255                         | Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support. | Not Applicable. Neither the current (pre-Measure A) LCP nor Measure A include coastal dependent land use designations.     |
| <b>Industrial Development</b> |   |  |
| 30260                         | Location or expansion.  | Not Applicable. There are no industrial lands within the Del Monte Forest LCP.   |
| 30261                         | Use of tanker facilities; liquefied natural gas terminals   |  |
| 30262                         | Oil and gas development.  |  |
| 30263                         | Refineries or petrochemical facilities.   |  |
| 30264                         | Thermal electric generating plants.   |  |
| 30265                         | Offshore oil transport and refining.  |  |
| 30265.S                       | Coordination of offshore oil transport and refining activities  |  |

## REFERENCES

Monterey County Planning and Building Inspection Department. February 2004. *Pebble Beach Company's Del Monte Forest Preservation and Development Plan Draft Environmental Impact Report, Volumes I and II.*

Monterey County Planning and Building Inspection Department. September 2004. *Partial Revision of the Draft Environmental Impact Report, Pebble Beach Company's Del Monte Forest Preservation and Development Plan.*

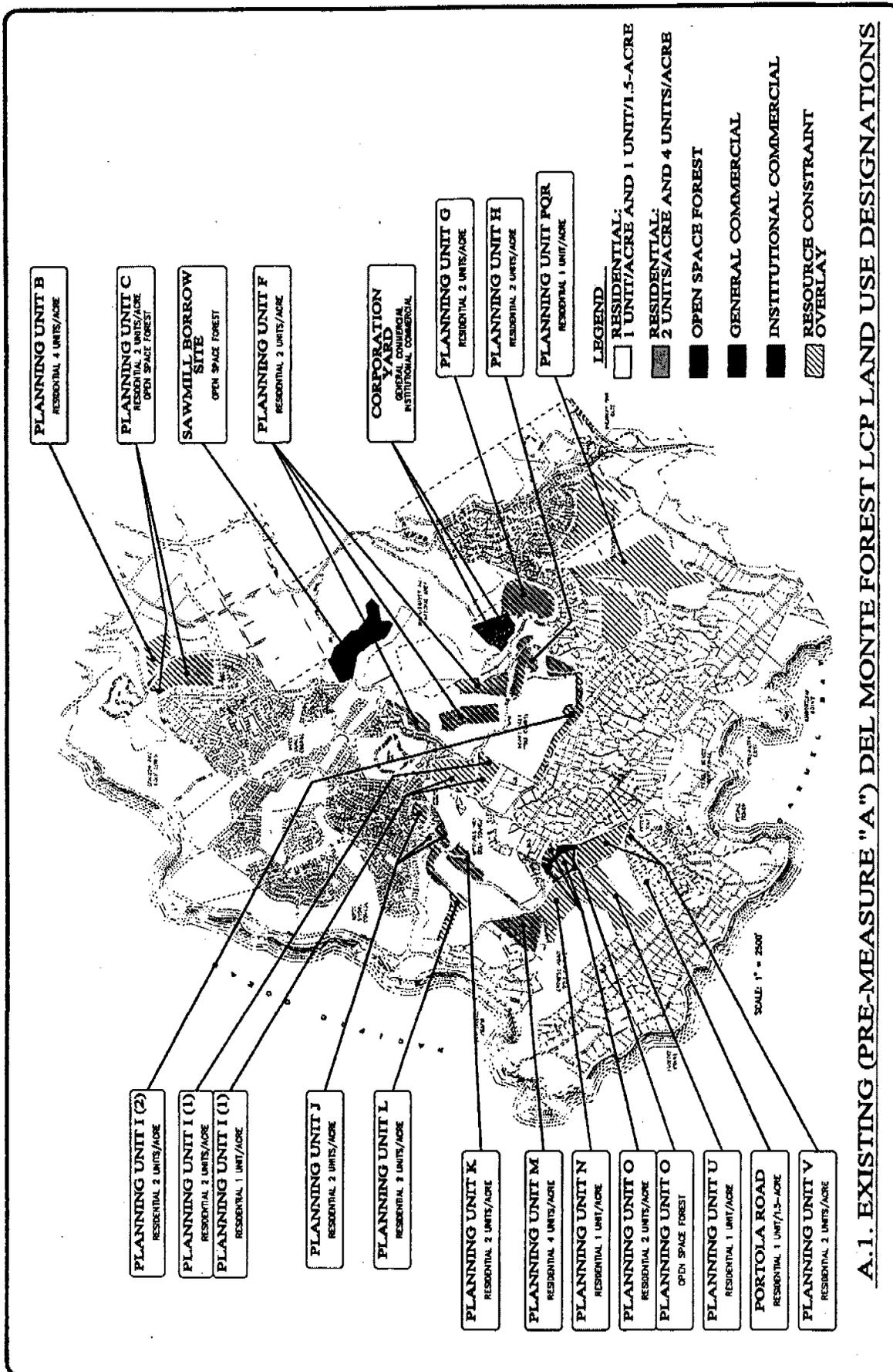
Monterey County Planning and Building Inspection Department. January 2005. *Final Environmental Impact Report, Pebble Beach Company's Del Monte Forest Preservation and Development Plan Draft Environmental Impact Report, Volumes I and II.*



## **EXHIBIT A: MAPS AND FIGURES**

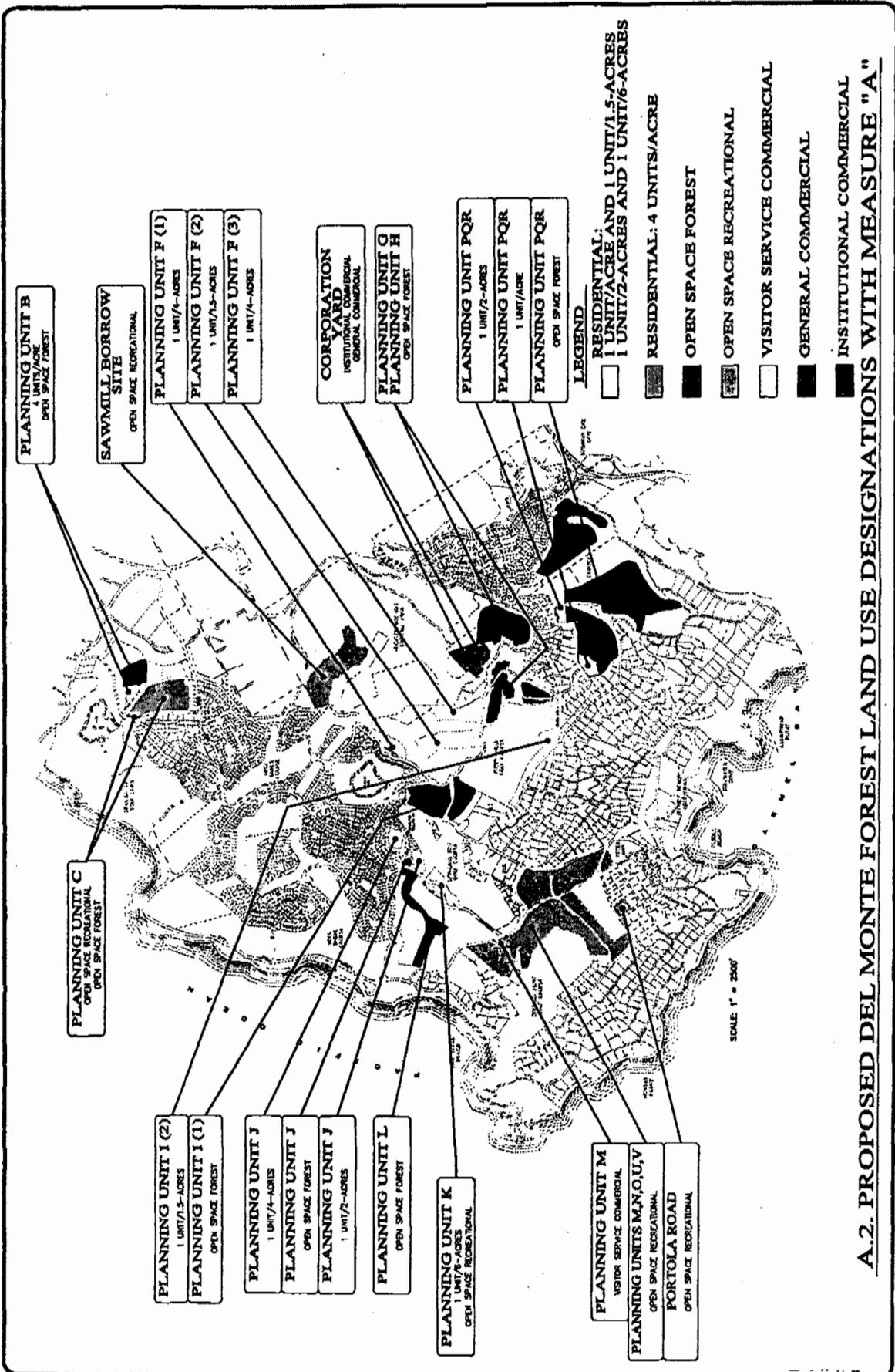
1. EXISTING DEL MONTE FOREST LCP LAND USE DESIGNATIONS
2. PROPOSED DEL MONTE FOREST LCP LAND USE DESIGNATIONS WITH MEASURE "A"
3. EXISTING DEL MONTE FOREST ZONING DESIGNATIONS
4. PROPOSED REZONING WITH MEASURE "A"
5. REVISED LUP FIGURE 15 – RECREATIONAL FACILITIES





**A.1. EXISTING (PRE-MEASURE "A") DEL MONTE FOREST LCP LAND USE DESIGNATIONS**





**A.2. PROPOSED DEL MONTE FOREST LAND USE DESIGNATIONS WITH MEASURE "A"**



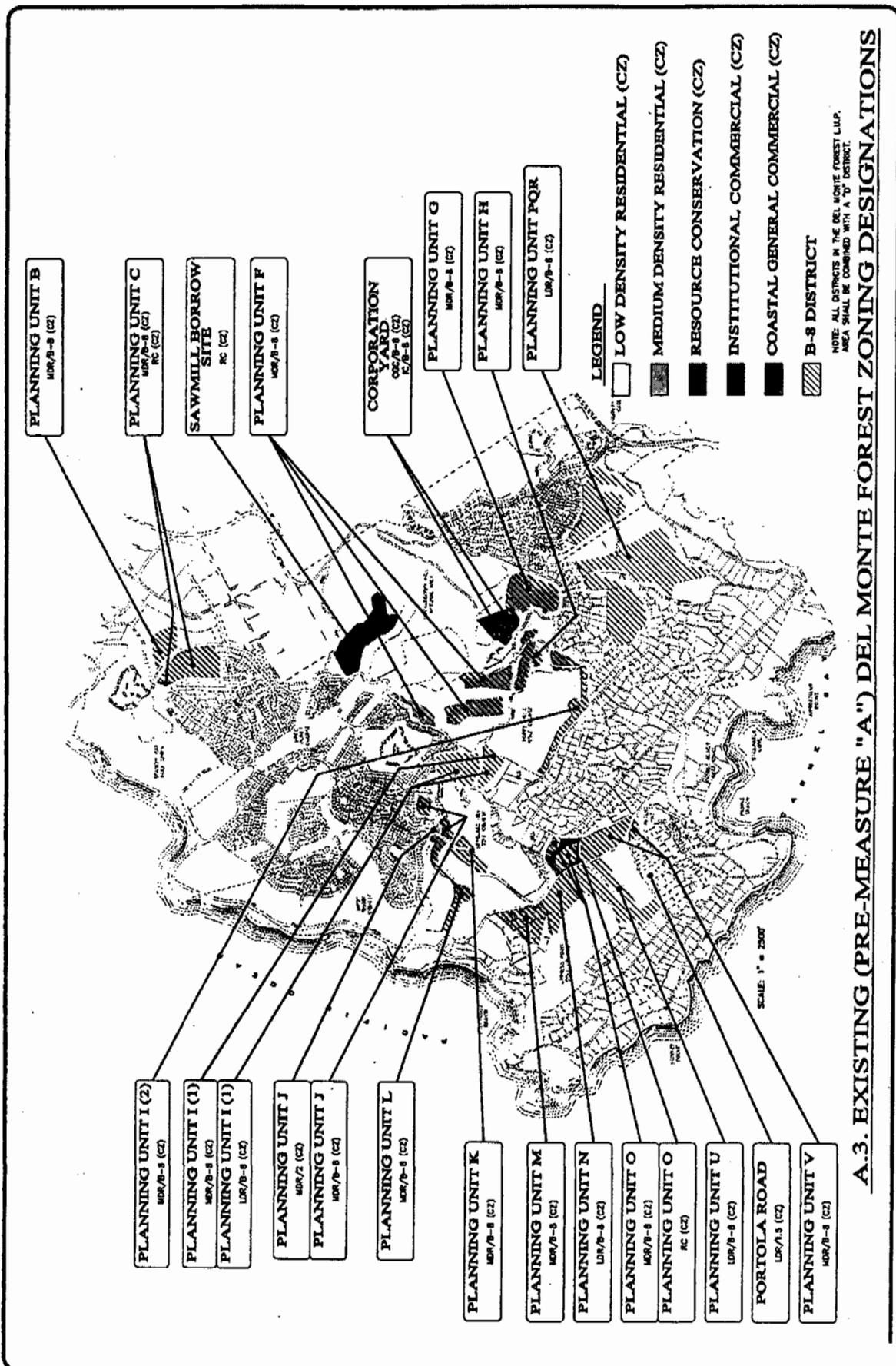
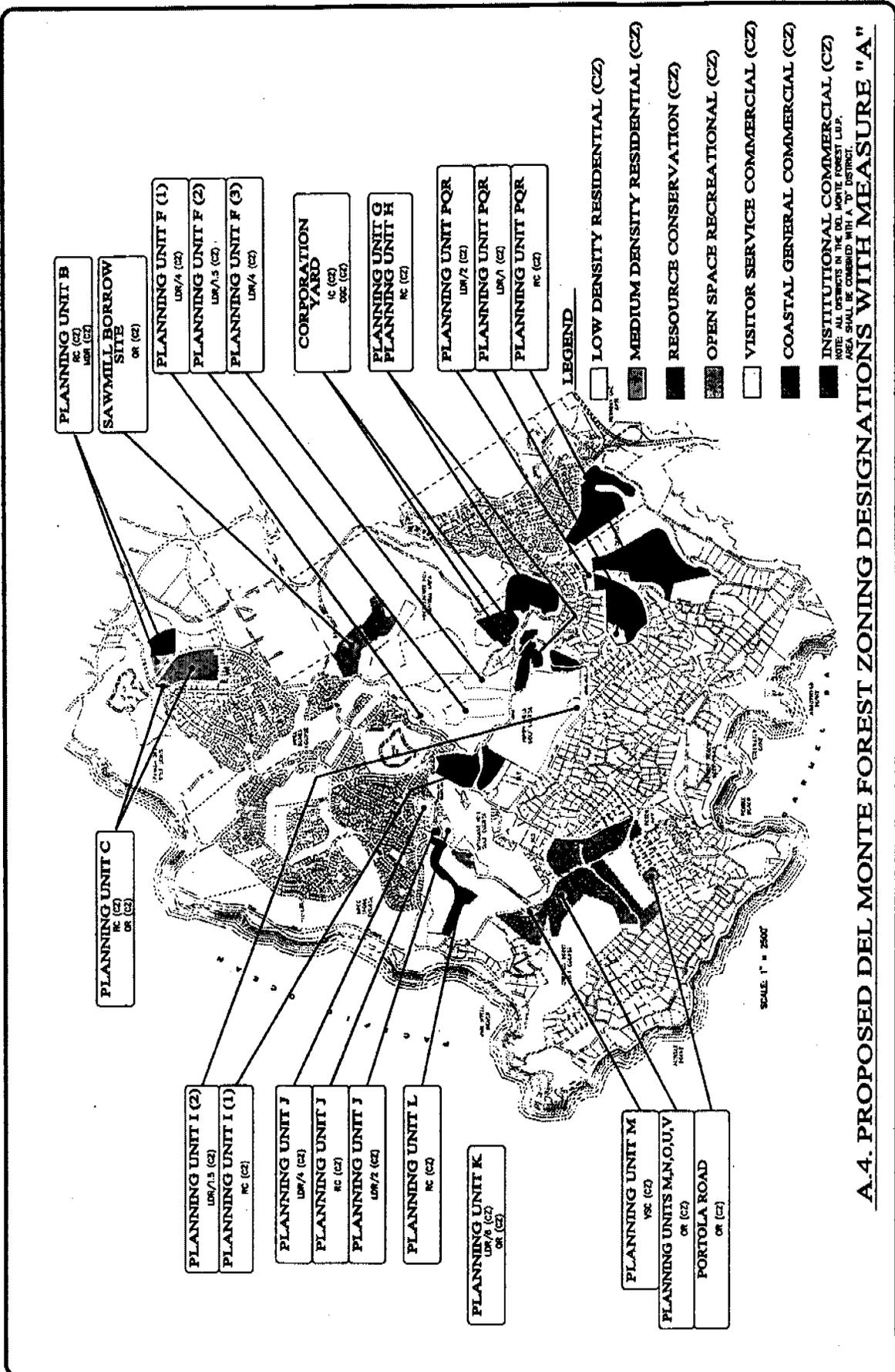


Exhibit 4: Monterey County Measure A Analysis  
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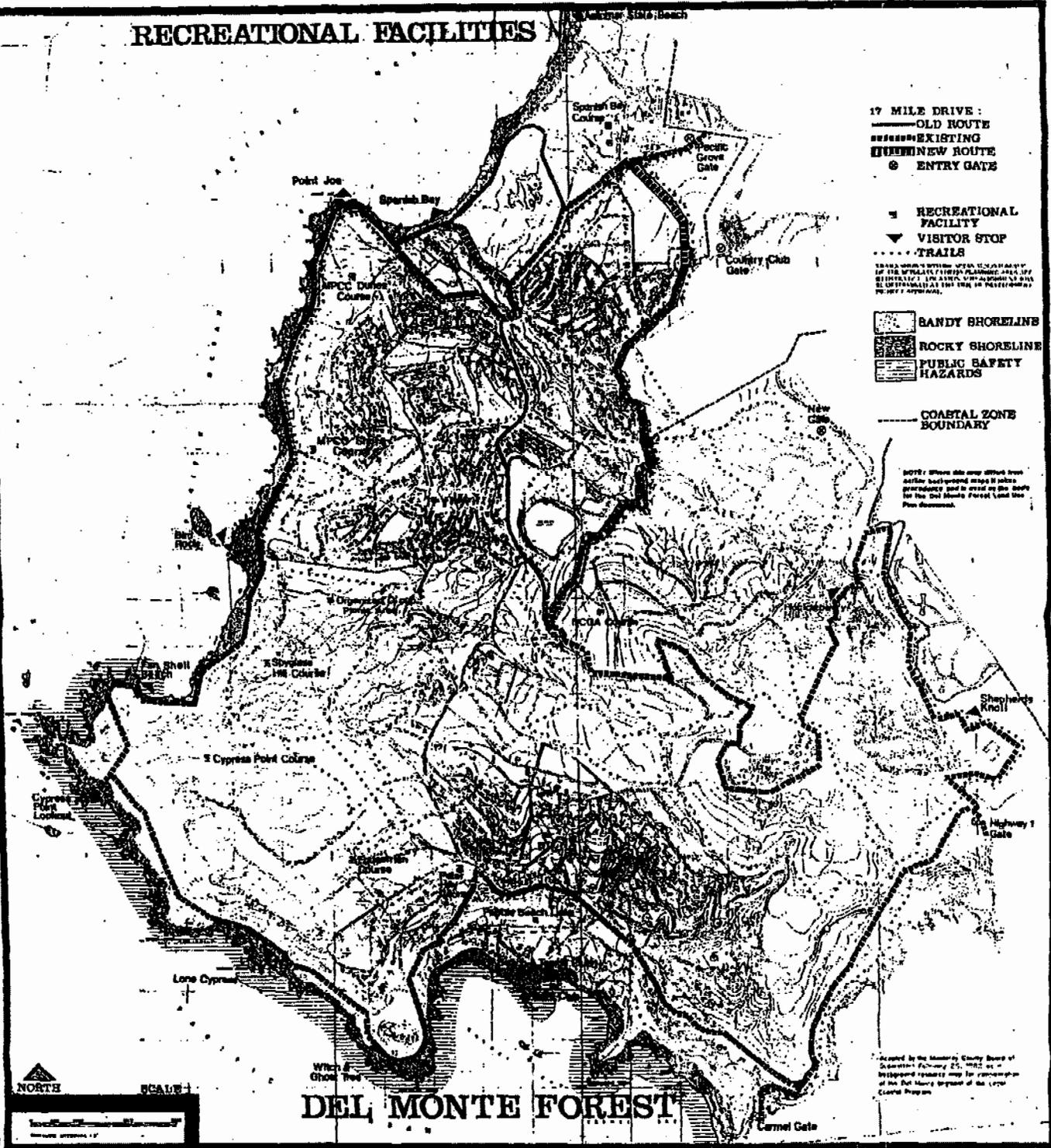




A.4. PROPOSED DEL MONTE FOREST ZONING DESIGNATIONS WITH MEASURE "A"



# RECREATIONAL FACILITIES



## DEL MONTE FOREST

AS AMENDED BY MEASURE "A"



**EXHIBIT B: MEASURE "A" TEXT AMENDMENTS**



**MEASURE “A”****“Del Monte Forest Plan: Preservation and Development Limitations”**

(Amendments are identified in bold, italicized type and text changes are indicated by ~~strikeout~~ and underlining.)

**DEL MONTE FOREST AREA LAND USE PLAN AMENDMENTS [Section 4]**

The Del Monte Forest Area Land Use Plan is amended as follows:

***(a) Policy 78a of Chapter 3 (Land Use and Development Element) is amended to read as follows:***

78a. Encourage the use of caretakers' accommodations as an appropriate means of providing affordable housing for caretakers, ranch hands, convalescent help, and domestic employees. Applicants for detached caretakers' residences shall demonstrate a need for the unit as part of the development review process. Detached caretakers' residences shall not exceed 850 square feet in size. Subdivisions shall not be permitted to divide a principle residence from a caretaker's residence. Only one caretakers' unit shall be allowed on the parcel.

Additional employee housing is permitted for priority uses (e.g. visitor-serving commercial) ~~in one dormitory/bunkhouse or in temporary structures (i.e., former mobile homes)~~ consistent with all other plan policies.

***(b) Policy 82 of Chapter 3 is amended to read as follows:***

~~82. Area B shall be the last area to be developed in Spanish Bay. The southwest portion of Spanish Bay Area B shall be allowed a maximum of 42 units. The north east portion shall be allowed 21 units, a total of 63 units in Area B. Area B may be used for up to 12 units of employee housing.~~

***(c) The Land Use Designations section of Chapter 3 (Land Use and Development Element) is amended to read as follows:***

**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 use categories are fully described in the following discussion. Figure 3 shows the planning area framework within which these uses are subsequently discussed. Figures 4 and 4A show environmental considerations which were primary considerations affecting the location of new development. Figure 4A presents a detailed legend for Figures 6, 7, 8, 9, 10, 11, 12 and 13. Figure 5, attached hereto and incorporated herein by reference, shows the Del

Monte Forest Area Land Use Plan, - 1984 as amended. Figure 5A presents a detailed legend for Figures 6A, 7A, 8A, 9A, 10A, 11A, 12A and 13A. 5.

***(d) The Commercial subsection of the Land Use Designations section of Chapter 3 (Land Use and Development Element) is amended to read as follows:***

**Commercial**

Three classes of commercial uses are indicated. They include: 1) Visitor-Service Commercial, 2) General Commercial, and 3) Institutional. They are described as follows:

1. Visitor-Service Commercial - This category allows for uses providing basic support services and visitor needs associated with coastal recreation and travel. Major hotel or inn accommodations and support commercial facilities are principal uses. Residential uses consistent with LUP Land Use Maps and intensities may be permitted as secondary uses under this category at the density specified. The three ~~four~~ areas in this category are the existing lodge and environs at Pebble Beach, the proposed Spanish Bay resort, and the visitor-serving facilities at the proposed NCGA Golf Course, and no more than 24 future golf suites to be located in Areas M and N.

***(e) Figure 5 entitled "Land Use Plan" in Chapter 3 (Land Use and Development Element) is hereby amended as shown in Exhibit 1 which is incorporated herein by reference.***

***(f) The introductory subsection of the Land Use by Planning Area section of Chapter 3 (Land Use and Development Element) is amended to read as follows:***

**LAND USE BY PLANNING AREA** The Land Use Element is described for each of the planning areas. This provides for easier understanding of the uses and the rationale for each use within each planning area. The format for describing each planning area includes: a description of the location, size, and extent of existing land use; a summary of relevant environmental considerations; a summary of public service availability and limitations; and a description of the land uses planned for remaining available property. ~~A map is included for each planning area summarizing the discussion. Table A provides a statistical summary of acreages and planned new uses.~~

~~The number of residential and visitor-serving units shown on Table A and the~~ The densities shown on Figure 5 and on the following land use plan maps for the various planning areas are maximum figures. ~~The exact density is~~ are contingent upon natural resource constraints present and availability of public services as determined through project review.

***(g) Table A of Chapter 3 (Land Use and Development Element) is hereby repealed.***

**(h) The New Land Use subsection of the Spanish Bay (Area 1) section of Chapter 3 (Land Use and Development Element) is amended to read as follows:**

**New Land Use (See Figure 6A 5)**

A combination of recreation and visitor-serving land uses along with open space and residential uses is planned for Spanish Bay. ~~Currently, a proposed 270-room resort hotel is would be located seaward of 17-Mile Drive at the former sand mining site. It is expected that the~~ The hotel complex will include retail, restaurants, tennis courts, swimming pools, 80 residential units (area "A"), and parking facilities with direct access to 17-Mile Drive. One hundred nineteen (119) low and medium density residential units are planned east of 17 Mile Drive in areas B and C. A maximum of 199 residential units is permitted for the Spanish Bay area. However this number may be reduced if the northerly B area is acquired for open space use.

An 18-hole golf course is ~~planned~~ located at Spanish Bay; the areas along the shoreline encompassing the remaining native dune habitat are shown as shoreline and open-space land uses. The golf course ~~will include~~ rehabilitated riparian and wetland habitat as water hazards and will involve the enhancement of riparian areas as well as rehabilitation of dune landforms and plant associations originally found in the now mined-out area as part of the "links-land" golf course design. Sand necessary for dune landform rehabilitation will be obtained onsite if possible, but may be obtained from other sand pits or at locations designated on the Land Use Plan if insufficient quantities are available on site. When completed, there will be ~~199.86~~ approximately 235 acres in open space.

A driving range, golf teaching center, and parking are expected to be constructed in Area C to complement the existing Spanish Bay Golf Course. Employee housing may be proposed in Area B.

**(i) Figure 6A of Chapter 3 (Land Use Development Element) is hereby repealed.**

**(j) The New Land Uses subsection of the Spyglass Cypress (Area 2) section of Chapter 3 (Land Use and Development Element) is amended to read as follows:**

**New Land Uses (See Figure 7A 5)**

~~Continuity of~~ The existing pattern of low-density residential development and open space is generally reflected in the land use plan. New recreational and visitor-serving uses may be located in appropriately zoned areas. Residential uses will be allowed to infill the Spyglass Woods Drive area. The remnant sand dune habitat areas near Seal Rock Creek and behind Fan Shell Beach are to be protected in open space for their habitat and scenic resource values. ~~The permitted additional dwellings, therefore, would be concentrated away from the protected area; for example, within the former sand mine reclamation area or within the forested area east of the remnant dunes. A total of 249 additional residential units is allowed in this planning area in areas "J", "K", "M", "N", and "O". When built out completed, there will be 135.5~~ approximately 246 acres in of preserved forest, and shoreline, and recreational open space areas.

**(k) Figure 7A of Chapter 3 (Land Use and Development Element) is hereby repealed.**

**(l) The New Land Uses subsection of the Middle Fork (Area 3) section of Chapter 3 Land Use and Development Element) is amended to read as follows:**

**New Land Uses (See Figure 8A 5)**

~~A golf course and 131 additional residential dwelling units~~ Open space and 11 lots for residential dwellings in Area I are the principal proposed land uses in this planning area (~~area "H" 48, area "I" 83~~). ~~Low density residential clusters are shown in the Spruance Road and Forest Lake Road vicinities as well as fronting the golf course.~~

**(m) Figure 8A of Chapter 3 (Land Use and Development Element) is hereby repealed.**

**(n) The New Land Uses subsection of the Pescadero (Area 4) section of Chapter 3 (Land Use and Development Element) is amended to read as follows:**

**New Land Uses (See Figure 9A 5)**

The majority of the area is planned to be preserved as forest and upland open space habitat, reflecting environmental constraints of slopes, soil erosion hazard, and plant and wildlife habitats. Residential development clusters are shown on the more level terraces, with ~~245~~ 20 additional residential dwellings planned on land in Area Y. In addition, there will be 7 lots located on approximately 15 acres, and approximately 230 acres preserved in open space (areas "P", "Q", and "R" "S", and "Y").

**(o) Figure 9A of Chapter 3 (Land Use and Development Element) is hereby repealed.**

**(p) The Environmental Considerations subsection of the Huckleberry Hill (Area 5) section of Chapter 3 (Land Use and Development Element) is amended to read as follows:**

**Environmental Considerations (Figure 10)**

Much of the west-facing hillside within the Huckleberry Hill planning area has slopes over 30%. Soil on the steeper slopes is generally shallow with rapid runoff potential. Retention of the native trees and groundcover will minimize the erosion and runoff hazards on steeper slopes.

Elimination of residential units in Area G will result in preservation of approximately 965 acres of contiguous open space forest between the Gowen Cypress, Huckleberry Hill, Middle Fork and Pescadero Canyon areas.

Rehabilitation of the operating granite quarry (as well as another small abandoned quarry) should be accomplished in conjunction with ultimate reuse of the property. The face of the stockpiled overburden is subject to erosion into the branch of Sawmill Gulch which traverses

the S.F.B. Morse Botanical Reserve. Ultimately, revegetation of the mine face with Monterey pine forest and other indigenous plants will assist in blending the mine site into the surrounding pine forest environment.

**(g) The New Land Uses subsection of the Huckleberry Hill (Area 5) section of Chapter 3 (Land Use and Development Element) is amended to read as follows:**

**New Land Uses (See Figure 10A 5)**

The undeveloped area west of Los Altos Drive is shown primarily as open space for protection of the forest cover on the steep slopes., ~~with one area of residential use shown on more gently sloping knolls. This residential area is suitable for concentration of development. Seventy-eight additional dwelling units are permitted near Ronda Road (area G).~~ The quarry requires rehabilitation. Limited neighborhood commercial uses may be permitted in the quarry site and the total acreage devoted to such uses shall be limited to ten acres. A corporation yard, recreation vehicle storage facilities, and potable or sub-potable water storage may be permitted at the quarry site. The commercial land use designation allows maximum planning flexibility and could permit this site to become a transfer point for transit connections between normal bus service and intra-Forest transit.

**(r) Figure 10A of Chapter 3 (Land Use and Development Element) is hereby repealed.**

**(s) The New Land Uses subsection of the Gowen Cypress (Area 6) section of Chapter 3 (Land Use and Development Element) is amended to read as follows:**

**New Land Use (See Figure 11A 5)**

The land use designations for this planning area reflect the natural and scenic values of the Gowen Cypress habitat. Most of the area will remain in open space in order to protect the environmentally sensitive Gowen Cypress-Bishop pine habitat, riparian habitat and the Sawmill Creek watershed. A total of ~~86 additional residential dwellings~~ 16 residential dwellings is planned ~~in the Gowen Cypress area~~ in area "F". Existing mined out areas not used for residential development can be used for public works purposes and an equestrian center. ~~In addition to residential development, a golf course is planned for the westerly portion of the planning area.~~ Applicable OSAC Plan maintenance standards prescribe specific conditions for open space maintenance and limitations on development within future residential development areas as well as the maximum extent of the S.F.B. Morse Botanical Reserve.

**(t) Figure 11A of Chapter 3 (Land Use and Development Element) is hereby repealed.**

**(u) The New Land Uses subsection of the Pebble Beach (Area 7) section of Chapter 3 (Land Use and Development Element) is amended to read as follows:**

**New Land Uses (See Figure 12A 5)**

The entire Pebble Beach planning area, except for the townhouse area near The Lodge, will continue its low-density residential designation. A General Development Plan has been approved by the County for the Lodge and Associated Commercial Area.

The Plan reflects the visitor-serving facilities at The Lodge (~~maximum of 161 inn units per General Development Plan~~) and associated commercial area (~~maximum 25% site coverage per Planning Commercial zoning~~) along with the recreational uses of the golf courses, and beach and tennis club, and equestrian center. For Open space recreation uses are planned for portions of the remaining undeveloped areas in Pebble Beach. low density residential development is shown north of the equestrian center, while medium density is allowed adjacent to The Lodge townhouses and the Peter Hay Golf Course. 108 additional residential units are planned for these areas (areas "U", "V", "W", and "X"). Twenty-three additional residential units are planned for area X.

The area between Cypress Point and Pescadero Point and seaward of 17-Mile Drive is shown for low-density residential use at 1 unit per 2 acres. Although subdivided, this coastal strip contains some parcels which may be difficult to develop due to the presence of Monterey cypress specimens, a high water table, and rock outcrops.

**(v) Figure 12A of Chapter 3 (Land Use and Development Element) is hereby repealed.**

**(w) The Planned Circulation Improvements subsection of the circulation section of Chapter 4 (Land Use Support Elements) is amended to read as follows:**

**Planned Circulation Improvements**

In developing circulation improvements for the Forest, it has been assumed that the road system will continue to be privately owned and managed. Precise road locations will be engineered for safety, convenience, and minimal environmental damage from grading and tree removal, to be insured through the County's environmental review and permit process.

One important change to the existing visitor access along 17-Mile Drive will occur in the Spanish Bay planning area where existing Spanish Bay Drive will be terminated 2,000' north of its existing intersection with 17-Mile Drive near Point Joe. In its place, 80 additional visitor parking spaces will be provided (as well as a foot trail along the shoreline connecting with Asilomar State Beach). Additionally, parking will be provided in a portion of area C to accommodate visitor-serving facilities in Spanish Bay. Traffic now using Spanish Bay Drive will be rerouted along a relocated Spanish Bay Road skirting the south side of the Spanish Bay planning area.

**(x) Policy 113 of Chapter 4 (Land Use Support Elements) is amended as follows:****Policies**

113. The developments listed in Table B as first priority developments shall have first priority for the use of available water and sewer capacity. Both water from the County's current allotment of unused water from California-American Water Company (as allotted by the Monterey Peninsula Water Management Agency), and sewage treatment plant capacity as provided by the Carmel Sanitary District have been reserved for such development. ~~All other development in Del Monte Forest area shall be shown on the Land Use Map with an Open Space/Resource Constraint overlay category over the designated land use because sewage capacity is currently unavailable for new development.~~ The Resource Constraint Area designation shown on Figure 5 shall be removed only when water and sewer capacity sufficient to serve such development becomes available and that highway capacity and circulation solutions have been agreed upon and adopted. Until such time that resource problems are solved, there shall be no development other than existing lots of record. The County shall cease issuing coastal development permits for developments which would generate wastewater when the appropriate treatment and disposal facilities reach a capacity threshold or when Pebble Beach Sanitary District will not approve a connection.

**(y) Policy 116 of Chapter 4 (Land Use Support Element) is amended to read as follows:****Policies**

116. The housing goal for the Del Monte Forest Area, as with the rest of the County, is to ensure the availability of adequate housing, at affordable prices, to persons of a broad range of economic means. Portions of planning areas Spanish Bay B Spyglass M and Huckleberry G may accommodate employee housing for senior citizens at the permitted same density.

**(z) Figure 15 entitled "Recreational Facilities" in Chapter 5 (Public Access) is hereby amended as reflected in Exhibit 2 which is attached hereto and incorporated by reference.****(aa) A new section is added to Chapter 6 (Implementation and Administration) following the section entitled "Water Allocation in Del Monte Forest" to read as follows:****Resource Constraint Compliance**

As reflected in Figure 5 as amended and in the map entitled "Section 10 of the Zoning Plan of the County of Monterey," and "Section 16 of the Zoning Plan of the County of Monterey," each as amended, the Resource Constraints Overlay has been removed from certain lands in consideration of the following circumstances:

The Resource Constraint "Overlay" arises from Policy 113 of the Del Monte Forest Area Land Use Plan ("DMF LUP"). Policy 113 states that "the Resource Constraint Area designation shall be removed only when water and sewer capacity sufficient to serve such development

becomes available and that highway capacity and circulation solutions have been agreed upon and adopted." At the time of adoption of the 1984 DMF LUP, there was insufficient sewer and water service capacity to serve all of the development allowed in the DMF LUP, and the DMF LUP itself (Policy 99) called for a study and program to define and implement traffic improvements.

These were the only constraints on which the Resource Constraint Area designation was based. Since that time, all of these constraints have been addressed and eliminated with respect to the following properties: Spanish Bay areas B and C, Gowen Cypress area F, Huckleberry Hill area G, Middle Fork areas H and I, Spyglass Cypress areas J, K, L, M, N and O, Pebble Beach areas U and V, and Pescadero areas P, Q and R (hereinafter "Properties"). The constraints have been removed as follows:

Sewer. At the time of adoption of the DMF LUP, the Carmel Sanitary District (now Carmel Area Wastewater District or CAWD) sewage treatment plant had an authorized capacity of 2.4 million gallons per day (MGD). One-third of the CAWD Treatment Plant capacity (800,000 MGD at that time) is owned by the Pebble Beach Community Services District (PBCSD), which is responsible for sewage collection in Del Monte Forest. Based on then-existing flows, the remaining PBCSD capacity at the CAWD Plant was insufficient to serve all of the development planned for Del Monte Forest.

Subsequent improvements to the CAWD treatment plant have raised its authorized capacity to 3.0 MGD, of which the PBCSD share is 1.0 MGD. With this increased capacity, there is sufficient capacity to handle the additional sewage generated by the land uses contemplated in this Plan on the Properties so this constraint has been removed.

Water Supply. At the time of adoption of the DMF LUP, Monterey County's allocation of water from the California-American Water Company system, allocated by the Monterey Peninsula Water Management District, was insufficient to permit water service to all development planned in Del Monte Forest based on the priorities established by Monterey County. Subsequently, the owner of the Properties received a dedicated water entitlement of 365 acre feet annually, independent of Monterey County's allocation under the Monterey Peninsula Water Management District (MPWMD) jurisdictional water allocation program. As a result of the owner's financial guarantee of the cost of the CAWD/PBCSD Wastewater Reclamation Project, there is sufficient water for the land uses allowed by this Plan on the Properties so this constraint has been removed.

Traffic and Circulation. Policies 98 and 99 of the DMF LUP govern the traffic and circulation improvement requirements for new development. Policy 99 requires an independent engineering study to establish an arterial system, changes to Highway 68 and access gates in order to provide for the increased traffic, and traffic controls. These requirements were satisfied by the County's acceptance of the Transportation Engineering Study for the Del Monte Forest, prepared by Burton N. Crowell and The Goodrich Traffic Group (commonly referred to as the "Crowell Report"), which established all of the indicated requirements.

Under Policy 99, new development must either bear the incremental costs of necessary improvements to Highway 68 and Highway 1 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 the necessary improvements.

The highway capacity and circulation improvements identified in the Crowell Report under Policy 99, and the funding mechanisms established by Policy 98, have been agreed upon and adopted as required by Policy 113 in the Del Monte Forest Transportation Policy Agreement between Monterey County and the owner of the Properties. The traffic elements of Policy 113 have therefore been satisfied with respect to the Properties so this constraint has been removed.

**(bb) The Management Plan for Del Monte Forest Open Space Property is hereby amended to add the following section to the Introduction after the section entitled “Compatibility with Law and Resident Objectives”:**

**LUP Figure 5 Conformance with OSAC**

The areas designated OR in Areas C, K, M, N, O, U, and V of Figure 5 of the LUP, and the location of the existing equestrian center and polo field, shall be managed and maintained in conformance with the objectives, classifications, and policies for open spaces as indicated for Category VI (Golf Courses) in the Management Plan for Del Monte Forest Open Space Property. The areas designated OF on portions of Areas B, F, G, H, I, L, P, Q and R of Figure 5 shall be managed and maintained in conformance with the objectives, classifications, and policies for open forest as indicated for Category IV (Open Forest) in the Management Plan. The area designated OR within the Gowen Cypress planning area shall be managed and maintained in conformance with the objectives, classifications, and policies for open space as indicated for Category VII (equestrian center).

**MONTEREY COUNTY COASTAL IMPLEMENTATION PLAN AMENDMENTS**  
[Section 5]

The Monterey County Coastal Implementation Plan is amended to read as follows:

**(a) Section 20.147.020(N) is amended to read as follows:**

N. Land Use Categories: The basic categories of land use designated in the Del Monte Forest are: 1) residential, 2) commercial, and 3) open space.

1. Residential Land Use: New residential land uses planned for the Del Monte Forest Area range in average density from one to four dwelling units per gross acre. For convenience of designation, they are described in terms of low density (maximum of 1 dwelling unit/acre), and medium density (maximum of 4 dwelling unit/acre). Most of the existing and new residential development areas within the Forest fall within the low or medium categories. Caretakers units, servants quarters, and other separate houses, but not senior citizen units, are considered units of residential development for the purpose of calculating density. The County shall not approve such units in excess of the density allocated by this plan for each planning area.

2. Commercial: Three classes of commercial uses are indicated. They include: a) Visitor-Service Commercial, b) General Commercial and c) Institutional.

They are described as follows:

a) Visitor-Service Commercial - This category allows for uses providing basic support services and visitor needs associated with coastal recreation and travel. Major hotel or inn accommodations and support commercial facilities are principal uses. Residential uses consistent with Del Monte Forest Area Land Use Plan Land Use Maps and intensities may be permitted as secondary uses under this category at the density specified. The four areas in this category are the existing lodge and environs at Pebble Beach, the proposed Spanish Bay resort, the visitor-serving facilities at the proposed Northern California Golf Assoc. Golf Course, and no more than 24 golf suites to be located at Areas M and N.

b) General Commercial - This category provides for commercial-use areas to support community needs; it includes the professional/administrative offices near the community hospital, and the rock quarry at Sunridge and Lopez Roads, where reclamation for re-use is planned. Future uses will be required to be compatible with the general retailing and community service character of this designation, as well as community services and storage facilities.

c) Institutional - This designation is applied to a variety of uses, including the community hospital, Robert Louis Stevenson School, firehouses, and a utility substation.

3. Open Space: All areas considered critical to maintenance of the natural systems of the Forest are encompassed in this category, including environmentally sensitive habitat areas, the sites of endangered species, riparian areas, wetland areas, and sensitive coastal strand areas. In addition to the open space designation and policies within the body of this Del Monte Forest Area Land Use Plan, a separate, more detailed plan has been prepared for these areas by the Del Monte Forest Open Space Advisory Committee. This Open Space Advisory Committee Plan is adopted as a part of this plan. This Open Space Management Plan, to be administered by the Del Monte Forest Foundation, is generally consistent in terms of both map designations and policies with this Del Monte Forest Area Land Use Plan and provides more detailed maintenance standards and funding mechanisms for management of open space. However, where there may be conflicts between the Open Space Management Plan and this land use plan, the land use plan policies will take precedence.

Open space is classified into three groups: a) recreational; b) forest and c) shoreline. They are described as follows:

a) Recreational - This category permits golf course, the Beach and Tennis Club, and the equestrian center, as well as necessary support and maintenance facilities such as the pro shops, cart shops, parking areas, stables, and barns.

b) Forest - This category includes the S.F.B. Morse Botanical Reserve, riparian corridors, rare plants and specimen trees, and geological hazard areas. Permitted developments are trails, low-intensity recreational facilities, tree cutting, and public works only if consistent with all other plan policies.

- c) Shoreline - This category includes sandy beaches, rocky shorelines and tide pools, remnant sand dunes. Permitted are associated support areas for public access including parking turnouts, trails, vista points, and related facilities, consistent with all other plan policies.

**(b) Section 20.147.090(B) is amended to read as follows:**

**B. Specific Development Standards**

4. Caretakers quarters may be permitted throughout the Coastal Zone as provided for in the applicable zoning district and this ordinance. Caretakers quarters (attached and detached) are defined as "a permanent residence, secondary and accessory to an existing main structure, for persons employed exclusively on-site, for purposes of security or to provide continuous care for persons, plants, animals, equipment or other conditions on the site." In the Del Monte Forest Area Land Use Plan area, the following criteria shall be used in applications for detached caretakers' residences:

- a. One caretaker unit shall be allowed per lot, subject to first obtaining a use permit as approved by the Zoning Administrator or Planning Commission, as applicable.
- b. The minimum lot size is two acres, in order to provide sufficient water and sewer capability under Health Department regulations. Where public water and sewer services are available, there shall be no minimum lot size.
- c. Caretakers quarters shall not exceed 850 square feet.
- d. The applicant must supply evidence which demonstrates the necessity for such a unit. Legitimate basis for a caretakers' unit include:
  - 1) a security problem on the site;
  - 2) a situation which requires continuous care (i.e. medical problems of an individual(s) or plants, animals, equipment storage)
  - 3) the owner of property cannot perform adequately the function required and requires additional assistance to a sufficient degree to warrant a caretaker.

Acceptable evidence shall include (but is not limited to) such items as a letter from a doctor stating medical needs of an individual, a letter from a police department describing the area's security problems, or employee job descriptions of person intended to be housed in the caretakers' quarters.

e. Caretakers quarters shall be located on the same parcel as the principal residence and may not be later subdivided from the principal residence.

f. Caretaker units shall be excluded from density requirements. However, during the use permit review process, site characteristics shall be reviewed in order to determine that the site is both capable of sustaining the additional development and that the proposal is consistent with the policies of the Del Monte Forest Land Use Plan and this ordinance.

- g. One of the occupants of the caretakers quarters shall be employed on the property as their principal place of employment.
  - h. A minimum of one off-street parking space shall be provided for the caretaker unit.
  - i. Additional employee housing is permitted ~~for priority uses (e.g. visitor serving commercial) in one dormitory/bunkhouse or in temporary structures (i.e., former mobile homes) consistent with all other plan policies~~ consistent with all other plan policies. (Ref. Policy #78a Del Monte Forest Area Land Use Plan).
  - j. The caretaker unit shall not be rented.
  - k. Prior to the issuance of building permits for caretakers quarters or use of an existing building for caretakers quarters, the property owners shall record deed restrictions reflecting the regulations applicable to the caretakers quarters.
5. Recreation in environmentally sensitive habitat areas such as residual dunes, wetlands, and areas with rare or endangered plants or animals is limited to passive, low-intensity recreation use dependent on and compatible with the sensitive resources.
- Conformance with the appropriate Site Specific Shoreline Public Access Design Criteria (Appendix B of the Open Space Advisory Committee management plan) and Open Space Advisory Committee maintenance standards shall be the test of consistency with this development standard (Ref. Policy #79 Del Monte Forest Area Land Use Plan).
6. Shoreline areas suitable for scenic outdoor recreation, such as from Cypress Point to Point Joe, are for day use only, with improvements limited to trails, picnic areas, parking areas, and restroom facilities (Ref. Policy #80 Del Monte Forest Area Land Use Plan).
7. ~~Area "B" shall be the last area to be developed in Spanish Bay. The southwest portion of Spanish Bay Area B shall be allowed a maximum of 42 units. The north east portion shall be allowed 21 units, a total of 63 units in Area B.~~ Up to 12 units of employee housing may be provided in a portion of Area B. (Ref. Policy #82 Del Monte Forest Area Land Use Plan).
8. Uses which may be permitted in the existing quarry site in the Huckleberry Hill area include: limited neighborhood commercial uses, corporation yard, storage facilities, and potable or sub-potable water storage. As a condition of approval of such development, a landscaping plan shall be required. The landscaping plan shall include placement of Monterey pine to stabilize fill embankments, screen quarry walls, and to blend the proposed development with the surrounding area. (LUP Policy #95)
9. Proposed development shall not be permitted to make Bicycle Access on 17-Mile Drive between Fan Shell Beach and the Carmel Gate unavailable. Proposed development shall not include the imposition of fees for bicycle access; however, bicycle access may be regulated on weekends in the same manner approved for motor vehicles on 17-Mile Drive as long as a separate coastal bike route is not available. (Ref. LUP Policy #108).

**(c) Section 20.147.110 is amended to read as follows:****20.147.110 WATER AND WASTEWATER SERVICES DEVELOPMENT STANDARDS**

Intent of Section: It is the intent of this section to insure that the County reserves from its allocated water supply a sufficient quantity of water to accommodate the coastal priority land uses proposed in the Del Monte Forest Area Land Use Plan area.

**A. General Development Standards**

1. The developments listed in table B of the Del Monte Forest Land Use Plan as first priority developments shall have first priority for the use of available water and sewer capacity. Both water from the County's current allotment of unused water from California-American Water Company (as allotted by the Monterey Peninsula Water Management Agency), and sewage treatment plant capacity as provided by the Carmel Sanitary District have been reserved for such development. The Resource Constraint Area designation shall be removed only when water and sewer capacity sufficient to serve such development becomes available and that highway capacity and circulation solutions have been agreed upon and adopted. Until such time that resource problems are solved, there shall be no development other than existing lots of record. The County shall cease issuing coastal development permits for developments which would generate wastewater when the appropriate treatment and disposal facilities reach a capacity threshold or when Pebble Beach Sanitary District will not approve a connection. All of these constraints have been addressed and eliminated with respect to the following properties: Spanish Bay areas B and C, Gowen Cypress area F, Huckleberry Hill area G and the quarry and corporation yard areas, Middle Fork areas H and I, Spyglass Cypress areas J, K, L, M, N and O, Pebble Beach areas U and V, and Pescadero areas P, O and R. (Ref. Policy #113 and Resource Constraint Compliance Section (Chapter 6), Del Monte Forest Area Land Use Plan).
2. New development shall include water conservation techniques such as use of water-saving fixtures, retaining native plants, and installing drought-tolerant native-species landscaping (Ref. Policy #114 Del Monte Forest Area Land Use Plan).
3. Wastewater reclamation projects are permitted and will be supported providing that they meet all the requirements of the Director of Environmental Health, Monterey County, the Regional Water Quality Control Board, and mitigation measure requirements of the California Environmental Quality Act (Ref. Policy #115 Del Monte Forest Area Land Use Plan).
4. Septic systems, package treatment plants, and individual water wells shall not be permitted. Development shall utilize public water and sewer services.

**ZONING MAP AMENDMENTS [Section 6]**

The maps designated Section 10 and Section 16 of the Zoning Plan of the County of Monterey are amended as reflected in Exhibit 3 which is incorporated herein by reference.

**MONTEREY COUNTY HOUSING ELEMENT AMENDMENTS [Section 7]**

Table 22 of the Monterey County Housing Element is amended as reflected in Exhibit 4 which is incorporated herein by reference.



**EXHIBIT C: CALIFORNIA COASTAL COMMISSION REQUESTS  
REGARDING MEASURE "A" SUBMITTAL MATERIALS**



**MEASURE "A" / LCP AMENDMENT SUBMITAL REQUESTS**

| <b>CCC Request</b><br>(Per Coastal Commission staff letters to County dated November 21, 2000 and March 30, 2001 as noted below with letters attached and cross referenced)   | <b>County Measure "A" Analysis and Submittal Cross Reference</b>  |
|---|---|
| <b>LCP AMENDMENT SUBMITAL REQUESTS:</b>   |   |
| 1. Copy of adopted amendments (11-00[1])  | Included in Exhibit B   |
| 2. Official Initiative packet presented to electorate (3-01 [m])  | Included in Exhibit D   |
| 3. Declaration of Vote (11-00[6])   | Included in Exhibit D   |
| 4. Public Meeting Mailing lists, agendas, etc (11-00[7])  | None required or provided with the ballot measure.  |
| 5. Clarification of the definition of "golf suites" (whether these are residential or visitor serving) and the definition of the employee housing assigned to Area B (3-01 [o], [e], respectively).                                       | Page IV-5 notes that a definition of these terms in neither provided in the pre- nor post-Measure "A" LUP.  |
| 6. Exact number of legal lots of record in areas proposed for rezoning (3-01[f]).   | 21 legal lots of record have been identified by the County as Identified within Section II.B.   |
| 7. Acreage and description of existing development in areas proposed for rezoning (3-01[g], [l]).   | Identified on Table 2 and discussed in Section II-B.  |
| 8. Documentation on historic use and permit history of area MN (old Spyglass quarry) used as a dumping (fill) site with location and extent of fill material shown on any biological resource maps (3-01 [n]).                            | The historic uses of this site are not relevant to existing conditions or affected by Measure "A" and are not addressed. Existing land uses for lands affected by Measure "A" are discussed in Section II-B.  |
| 9. Aerial photographs (3-01[h]).  | An aerial photo of Del Monte Forest and sites subject to Measure "A" is provided on revised Figure 2.0-2, Chapter 3, Final Environmental Impact Report, Pebble Beach Company's Del Monte Forest Preservation and Development Plan. Additional aerial photos are included in other portions of the EIR.  |
| <b>SUPPORTING ANALYSES REQUESTED:</b>   |   |
| 10. Discussion of the amendment's relationship to and effect on other sections of the previously certified LCP including the public access component (11-00[2]).  | Provided in Section V   |
| 11. Analysis of potentially adverse cumulative impacts on coastal resources and access due to change in density or public service provision (11-00[3]).   | Addressed in Section III-B (regarding land use density changes); Section III-C (regarding effects on public access); Section III-D (regarding coastal resources); and Section III-E (regarding public service provision).   |
| 12. Address how change can be found consistent with Coastal Act policies (Chapters 3 and 6) (11-00[4]).   | Provided in Section VI  |
| 13. Analysis of how amendment provisions along with existing County environmentally sensitive habitat and tree removal policies (not proposed for amendment) will protect special status species and Monterey pine forest (3-01[c], [d]). | Measure A does not change ESHA or tree/forestry policies that would be applied to future development projects. Measure "A" reduces residential development potential, but does not change any coastal resource policies that would be applied to site-specific development projects. To the extent that additional lands are designated for open space forest instead of residential uses, Measure "A" provides a greater degree of protection to ESHAs, Monterey pine forest and special status species than under the existing (pre-Measure "A") LUP. |

| <b>CCC Request</b><br>(Per Coastal Commission staff letters to County dated November 21, 2000 and March 30, 2001 as noted below with letters attached and cross referenced)                         | <b>County Measure "A" Analysis and Submittal Cross Reference</b>  |
|---|---|
| 14. Background materials regarding status and adequacy of water and sewer capacity and highway capacity and circulation regarding proposed lifting of the resource constraint overlay (3-01[p]).    | Water entitlement and sewer capacity exist as discussed in section IV-D; traffic capacity exists with implementation of policies to enforce payment of traffic fees as discussed in section IV-E. Additional background information is included in the EIR for the Pebble Beach Company's DMP/PDP. In particular please refer to DEIR Section 3.7 and PRDEIR Section P-4 relating to traffic and PRDEIR Section P-1 relating to water.      |
| 15. Description of measures that could be taken to protect designated trails consistent with LUP Policy 124 (3-01[q]).  | Policy 124 relates to siting of new development. Measure A does not change access, except by adding language which allows better site-specific alignment of trails at time of development proposals as discussed in section IV-C.   |
| 16. List of references used for analyses (3-01[a]).   | Section VIII  |
| 17. Environmental Review Documents -- Not required because amendment results from a voter approved initiative for which environmental documents are not required (11-0[5]).                         | Not applicable.   |
| <b>SUPPORTING STUDIES AND DOCUMENTS REQUESTED:</b>  |   |
| 18. Most recent information/mapping for natural resources (i.e., Monterey pine forest, wetlands, dune habitats and special status species); also request copy of mapping in digital form (3-01[b]). | [The most recent information and mapping of natural resources in the areas affected by Measure "A" are included throughout the EIR for the Pebble Beach Company's Del Monte Forest Preservation and Development Plan. In particular, please refer to Appendix E.2 ("Biological Resource Figures") in the DEIR, mapping related to Yadon's piperia in the PRDEIR, and an updated baseline of pine forest resources in Appendix C of the FEIR |
| 19. Additional wetlands mapping for MNOUV (3-01[j]).  | The County has conducted additional wetland mapping on Planning Units, B, C, MNOUV, and at the Sawmill site, and have previously submitted these to the Coastal Commission staff. The location and quality of wetlands is also exhaustively reviewed in the DEIR for the Pebble Beach Company's DMF/PDP in Chapters 3.3 and 3.4.  |
| 20. Updated information from the 1995-1997 EIR on project description and environmental setting for resources (3-01[i]).  | Comment is in reference to the previous development application and use of EIR prepared in 1997. This analysis references the EIR which was just completed. Therefore the information has been updated. Refer to Section I-C for additional information.  |
| <b>OTHER INFORMATION REQUESTED:</b>   |   |
| 21. Clarification of what constitutes the "detention basin" area shown on 1995-1997 EIR Biological Resources/Subdivision maps (3-01[k]).  | The EIR for the previous Pebble Beach Lot Program has been replaced by the recently completed EIR. Please refer to the Hydrology and Water Quality Chapter of the DEIR for baseline information.  |
| 22. Describe traffic improvements that have been implemented in and around DMF since original EIR was completed (3-01[p]).  | The existing traffic baseline is outlined in the EIR for the Pebble Beach Company's Del Monte Forest Preservation and Development Plan. In specific please refer to Chapter 3.7 of the DEIR and Chapter P-4 of the PRDEIR.  |

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
 100 FRONT STREET, SUITE 300  
 SALINAS, CA 95060  
 (408) 777-4863



COPY

November 21, 2000

Annette Chaplin  
 Monterey County Land Use Programs Director  
 P.O. Box 1208  
 Salinas, CA 93902

**Subject: *Local Coastal Program Amendment Submittals***

Dear Annette,

This letter is a reminder of the requirements for a local coastal program amendment submittal. With the recent passage of Measure A, we assume that your office will soon be submitting an amendment application to us. Thus, as a courtesy, this letter outlines what is normally required and what deviations from the requirements are acceptable because the amendment was enacted by initiative rather than by the Board of Supervisors.

The Public Resources Code (P.R.C.; California Coastal Act chapters) and the California Code of Regulations (CCR) ordinarily require the following as components of an amendment submittal that would be relevant to the contents of Measure A were it adopted by the Board (citations in parentheses). It will be necessary to submit these:

- 1 (1) A clear, reproducible copy of adopted amendments:
  - For additional text, an indication of where it fits into the previously certified document (e.g., "insert as p. 20a between pp. 20 and 21 as policy #")
  - For a revision to certified text, please submit either with strikeouts and underlines or with indication of what policies, paragraphs or page(s) it replaces.
  - For a map change, please submit a new (replacement) map or submit a supplemental map with indication that previously adopted map is to be superseded by the supplement for the specific geographic area indicated (CCR Tit. 14, Sec. 13552(b), (c)).
- 10 (2) Discussion of the amendment's relationship to and effect on other sections of the previously certified LCP including the certified public access component. (CCR 13552(b), (c) and (f)).
- 11 (3) An analysis of potentially significant adverse cumulative impacts on coastal resources and access, due to the change in density or public service provision, and how the change can be found consistent with the policies of Chapters 3 and 6 of the California Coastal Act (CCR 13552(d) referring to 13511).
- 12 (4) Policies, plans, standards, objectives, diagrams, drawings, maps, photographs, and supplementary data addressing the proposed Land Use Plan amendment's consistency with the Coastal Act, and addressing the adequacy of the coastal implementation program, as amended, to conform with and to carry out the certified LUP. (P.R.C. Sections 30512 and 30513; CCR 13552(b))

The Codes also ordinarily requires the following three items:

- 17 (5) Any environmental review documents, pursuant to the California Environmental Quality Act, required for all or any portion of the amendment (CCR 13552(e))
- 3 (6) A resolution adopted and dated by the Board of Supervisors or City Council after a public hearing (P.R.C. Section 30510(a); CCR 13551):
  - Indicating that the local government intends to carry out the LCP in a manner fully consistent with the California Coastal Act.
  - Indicating when it will take effect (automatically upon Commission approval or requiring formal local action after Commission approval).
- 4 (7) A summary of the measures taken to ensure public and agency participation including:
  - list of hearing dates, sample notice, mailing list;
  - comments received from hearing participants (written and verbal) and their names and addresses;
  - any response to comments by the local government. (CCR 13552(a)).

Because Measure A was a voter approved initiative, it did not go through the normal set of hearings for a local coastal program amendment, pursuant to *County Code* Chapters 20.84 and 20.94 and Appendix 13 (Local Coastal Program Amendment Procedures) of Part 6 of the *Coastal Implementation Plan*. Therefore we would suggest the following adjustments to comply with the last three required items:

- 17 Since no environmental documents were required (item #5), this item is moot.
- 3 For the resolution (item #6), please submit the declaration of the vote, pursuant to Election Code Section 9122.
- 4 For the evidence of public participation (item #7) we understand that the Board of Supervisors did have at least one hearing devoted to the implications of Measure A. Thus, the submittal should include mailing lists, notices, copies of correspondence, staff reports and the like from that meeting as well as any other such meetings of the Board or Planning Commission. Also, the subject of Measure A involves new development that has been part of what was termed the Pebble Beach Lot Program (e.g., a new golf course), which has been subject to public hearings and CEQA review. Thus, the County should have records of interested persons who have testified or corresponded on this matter. From these records, please compile a mailing list of those who you know to have an interest in this matter. This will satisfy the mailing list requirement.

We do note that Section 11 of Measure A authorizes the Board of Supervisors to amend provisions of the Zoning Code and other ordinances and policies, if necessary. If the Board does adopt any such amendments that constitute amendments to the certified local coastal program (i.e., the four coastal land use plans and the Coastal Implementation Plan), then those would need to be submitted to the Coastal Commission as well. Since those amendments

would go through the normal amendment process, the caveats described above would not apply. In other words, for those amendments the submittal would need to include a Board resolution pursuant to CCR section 13551, the full documentation of public participation, and any environmental review documents.

If you have any questions, please do not hesitate to call.

Sincerely,

**COPY**

Rick Hyman  
Deputy Chief Planner  
Central Coast District Office

Cc: Anthony Lombardo

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060  
 427-4063



March 30, 2001

Scott Hennessy, Planning Director  
 Monterey County Planning Dept.  
 P.O. Box 1208  
 Salinas, CA 93902

**Subject: *Del Monte Forest Local Coastal Program Submittal***

Dear Scott:

This letter is a follow-up to our letter of November 21, 2000 to Annette Chaplin and subsequent conversations on the subject of the Del Monte Forest Measure A local coastal program amendment. In that letter we outlined the various submittal requirements as detailed in the Commission's regulations and stated that an Environmental Impact Report (EIR) on the amendment was not strictly necessary for amendment filing purposes. The specific requirement is "an analysis of potentially significant adverse cumulative impacts on coastal resources and access...." We have since had the opportunity to review existing files and discuss the available information with County staff. Given the amount of investigation that occurred on the subject sites to date, we believe that it is possible for the County to submit the LCP amendment request without waiting to first perform an EIR on a specific project proposal.

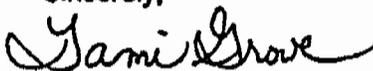
In order to comply with the quoted California Code of Regulations' filing requirement, the following, in combination with our previous letter, is a summary of the information needed to file the Measure A amendment request.

- 16 (a) A list of all references used for the County's analysis (including all maps, reports, aerial photos, and other documentation), dated and indicating the preparer's name and affiliation. Following a review of this list, we will inform you if any necessary reference materials are missing.
- 18 (b) The most recent and up-to-date information and mapping for the natural resources located in the planning areas proposed for rezoning (i.e., Monterey pine forest, wetlands, dune habitats, and rare, threatened and endangered plant and animal species such as Gowen cypress, California red legged frog, Monterey spineflower, Yaden's piperia, etc). We would also appreciate receiving a copy of any resource mapping the County may have completed in digital format (e.g., GIS layers in ARCVIEW or similar format).
- 13 (c) An analysis of how the amendment provisions along with existing County environmentally sensitive habitat policies (not proposed for amendment) will protect the rare, threatened and endangered plant and animal species.
- (d) An analysis of how the amendment provisions along with existing County tree removal policies (not proposed for amendment) will protect Monterey pine forest resources, particularly in light of the impact of pitch canker epidemic.
- 5 (e) The definition for the "employee housing" designation assigned to Area B and what would be allowed within this designation.

- 6 (f) The exact number of legal lots of record in all areas proposed for rezoning.
- 7 (g) The acreage of all areas proposed for rezoning by Measure A.
- 9 (h) Any relevant aerial photographs of the Del Monte Forest area.
- 20 (i) Assuming that the County will be using the previous EIR developed for the earlier Lot Program (Volumes I and II dated November 1995, Volumes III, IV and V dated June, 1997) for background information, we will need any updated information on the project description and environmental setting for the resources listed (i.e., those listed in Chapter 4 of Volume I), including updated tables and maps.
- 19 (j) Any additional wetlands mapping conducted specifically in area MNOUV for the proposed golf course.
- 21 (k) Clarification of what constitutes the "detention basin" area shown on EIR Biological Resources/Subdivision maps. ( Is it existing an wetland, an existing basin or a basin proposed for construction?)
- 7 (l) Description of all existing development in areas proposed for rezoning by Measure A.
- 2 (m) Official Initiative packet presented to electorate, and electronic version of Initiative text if possible.
- 8 (n) Any documentation on historic use and permit history of area MN (old Spyglass quarry site west of the Stevenson Drive/Spyglass Hill Road intersection) used as a dumping site (fill). The location and extent of the existing fill material should be shown on any biological resource maps for that area.
- 5 (o) Clarification of the definition of "golf suites," and a description as to whether these are to be residential or commercial visitor serving.
- 14 (p) With regards to the proposed lifting of the B8 resource overlay, please provide any background materials you may have regarding the status and adequacy of water and sewer capacity, and highway capacity and circulation. Please describe any traffic improvements that have been implemented in and around the Del Monte Forest since the original EIR was completed.
- 22
- 15 (q) A description of measures that could be taken to protect the designated trails and trail routes identified in the LCP, consistent with LUP Policy 124. (These may include criteria for realignments, and for trail dedications as needed to insure continued availability for public use.)

Based on our recent discussions and file reviews, it is our understanding that most, if not all, of this information is readily available to the County. Certainly feel free to contact this office if you wish to discuss this matter further.

Sincerely,



Tami Grove  
Deputy Director

Scott Hennessy, Planning Director  
Monterey County Planning Dept.  
March 30, 2001  
Page 3

cc: Edith Johnsen, Chair, Board of Supervisors  
Jim Colangelo, Monterey County  
Tony Lombardo, Lombardo & Gilles  
Alan Williams, Carmel Development Co.

**EXHIBIT D: OFFICIAL MEASURE "A" INITIATIVE PACKET  
PRESENTED TO THE ELECTORATE**



**BEFORE THE BOARD OF SUPERVISORS IN AND FOR THE  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

**ADOPT STATEMENT OF VOTES CAST AT THE...)  
NOVEMBER 7, 2000 PRESIDENTIAL GENERAL...).  
ELECTION HELD IN MONTEREY COUNTY.....)**

Upon motion of Supervisor Potter , seconded by Supervisor Calcagno ,  
and unanimously carried, the Board hereby adopts, pursuant to Elections Code Section  
15308, the Statement of Votes Cast for the November 7, 2000 Presidential General Election  
held within the Monterey County as certified by the Registrar of Voters and filed with the  
Clerk of the Board.

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the  
foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at  
page -- of Minute Book 70 . on January 2nd , 2001.

DATED: January 2, 2001

SALLY R. REED, Clerk of the Board of Supervisors,  
County of Monterey, State of California

By:   
Cynthia Juarez Deputy

Report to Monterey County Board of Supervisors

|   |   |                                     |
|---|---|-------------------------------------|
| <b>SUBJECT</b><br>ADOPT STATEMENT OF VOTES CAST<br>AT THE NOVEMBER 7, 2000 PRESIDENTIAL<br>GENERAL ELECTION | <b>BOARD<br/>MEETING<br/>DATE</b><br><br>01/02/2001 | <b>AGENDA<br/>NUMBER</b><br><br>31. |
| <b>DEPARTMENT</b>   | <b>ELECTIONS #141</b>                               |                                     |

**RECOMMENDATION:**

Pursuant to Elections Code section 15308 it is recommended that your Board:

- 1) Adopt the Statement of Votes Cast for the November 7, 2000 Presidential General Election as certified by the Registrar of Voters and filed with the Clerk of the Board.

**SUMMARY:**

Your Board has a statutory obligation to acknowledge and adopt the Statement of Votes Cast at the November 7, 2000 Presidential General Election as certified by the Registrar of Voters.

The Registrar of Voters has completed the canvass of the votes cast and has declared the results official and final.

**DISCUSSION:**

The election ran smoothly with ballot counting being completed at 11:55 p.m. on November 7, 2000. The official canvass was completed on November 27, 2000 and the election certified on November 28, 2000. The canvass consisted of several steps to insure that the computer had counted the ballots correctly and that the proper number of ballots were counted as compared to the number of voters who signed precinct rosters on election day. All steps in the canvass resulted in accurate counts.

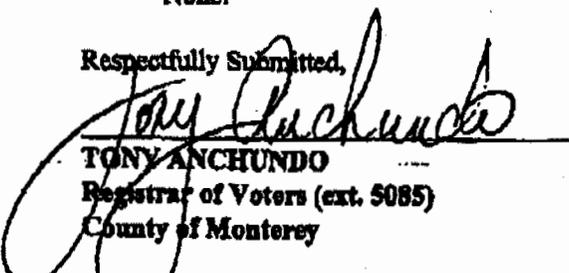
**OTHER AGENCY INVOLVEMENT:**

The Clerk to the Board of Supervisors will receive the official results.

**FINANCING:**

None.

Respectfully Submitted,

  
TONY ANCHUNDO  
Registrar of Voters (ext. 5085)  
County of Monterey

**ATTACHMENTS**

# MONTEREY COUNTY

## ELECTION DEPARTMENT

P.O. BOX 1848, 95002 - 1370 S SOUTH MAIN STREET, SALINAS, CALIFORNIA 95001

**TONY ANCHUNDO**  
REGISTRAR OF VOTERS

(831) 756-8085 SALINAS  
(831) 647-7821 MONTEREY  
(831) 386-8321 KING CITY  
(831) 755-5485 FAX

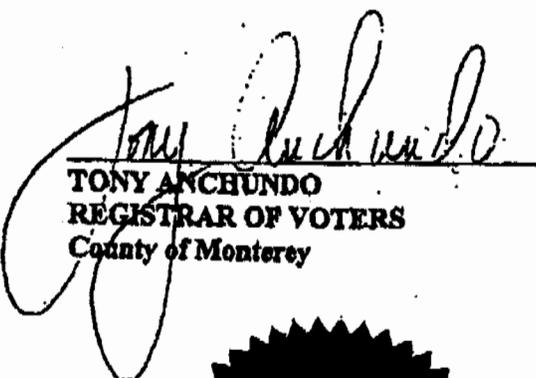
**JUNEL DAVIDSEN**  
ASSISTANT REGISTRAR OF VOTERS



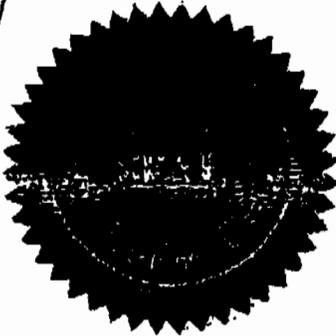
### STATEMENT OF VOTES CAST

I, **TONY ANCHUNDO**, Registrar of Voters for the County of Monterey, State of California, do hereby certify that the attached Official Statement of Votes Cast accurately reflects the total number of votes cast within each precinct for each Candidate and For and Against each measure voted at the Presidential General Election held on Tuesday - November 7, 2000 throughout Monterey County.

I hereby set my hand and affix my official seal this 28th day of November 2000.

  
\_\_\_\_\_  
**TONY ANCHUNDO**  
REGISTRAR OF VOTERS  
County of Monterey

(Seal)



|  |  |  |  |
|--|--|--|--|
| COUNTY MEASURE A<br>(No. to vote for 1)    | (#/PCT 188)<br>(#/RPT 188)<br>(%/RP 100.0) | MEASURE E-MARINA<br>(No. to vote for 1)    | (#/PCT 10)<br>(#/RPT 10)<br>(%/RP 100.0) |
| DEL MONTE FOREST.... YES                   | 70475 63.5                                 | URBAN GROWTH..... YES                      | 2925 52.9                                |
| PRESERVATION..... NO                       | 40350 36.4                                 | BOUNDARY LINES..... NO                     | 2595 47.0                                |
| MEASURE B-SPRECKELS<br>(No. to vote for 1) | (#/PCT 1)<br>(#/RPT 1)<br>(%/RP 100.0)     | MEASURE F-SAND CITY<br>(No. to vote for 1) | (#/PCT 1)<br>(#/RPT 1)<br>(%/RP 100.0)   |
| SPRECKELS MEMORIAL.. YES                   | 236 73.7                                   | HOTEL OCCUPANCY.. YES                      | 41 58.5                                  |
| SPECIAL PARCEL TAX... NO                   | 84 26.2                                    | TAX..... NO                                | 29 41.4                                  |
| MEASURE C-MARINA<br>(No. to vote for 1)    | (#/PCT 10)<br>(#/RPT 10)<br>(%/RP 100.0)   | MEASURE G-MONTEREY<br>(No. to vote for 1)  | (#/PCT 19)<br>(#/RPT 19)<br>(%/RP 100.0) |
| HOME-RULE CHARTER. YES                     | 3415 66.6                                  | PROPERTY TRANSFER... YES                   | 8734 84.1                                |
| FOR MAYOR..... NO                          | 1711 33.3                                  | SPECIAL ELECTIONS.... NO                   | 1643 15.8                                |
| MEASURE D-MARINA<br>(No. to vote for 1)    | (#/PCT 10)<br>(#/RPT 10)<br>(%/RP 100.0)   | MEASURE H-KING CITY<br>(No. to vote for 1) | (#/PCT 3)<br>(#/RPT 3)<br>(%/RP 100.0)   |
| HOME-RULE CHARTER.. YES                    | 3632 71.3                                  | CELLUAR PHONE..... YES                     | 476 28.4                                 |
| FOR CITY COUNCIL.... NO                    | 1456 28.6                                  | TAX INCREASE..... NO                       | 1197 71.5                                |

**OFFICIAL FINAL**

# COUNTY OF MONTEREY



CONSOLIDATED PRESIDENTIAL  
GENERAL ELECTION

TUESDAY, NOVEMBER 7, 2000

## Sample Ballot & Voter Information Pamphlet



SEE LABEL ON BACK COVER FOR  
Mail Ballot Precinct Information  
"YOUR PRECINCT HAS NO POLL PLACE  
BALLOT WILL BE SENT - VOTE BY MAIL"  
OR  
POLLING PLACE LOCATION

POLLS ARE OPEN FROM 7 A.M. TO 8 P.M.  
KEEP THIS PAMPHLET FOR ASSISTANCE  
ON ELECTION DAY

YOU MAY VOTE BY MAIL:  
ABSENT VOTER BALLOT APPLICATION ON BACK COVER  
DO NOT COMPLETE APPLICATION FORM IF PERMANENT  
ABSENTEE VOTER OR MAIL BALLOT PRECINCT VOTER

**WARNING**  
Your polling place  
may have been  
changed! See back  
cover for polling  
place location.

### AVISO IMPORTANTE

Una traducción al español de esta Muestra de Boleto y Folleto Informativo al Votante puede obtenerse computando y regresando la tarjeta de solicitud (boleto postal pagado) que se le proporciona en la cubierta de atrás de este folleto. Escriba su nombre y dirección con otra copia y envíela por correo o más tarde una semana antes del Día de Elección.



27-00-022\*8 27-00-020

FOR VOTERS INFORMATION, CAMPAIGN INFORMATION  
AND ELECTION NIGHT RESULTS ON THE INTERNET

http://www.montereycounty.org



C

**OFFICIAL BALLOT**  
**CONSOLIDATED PRESIDENTIAL**  
**GENERAL ELECTION**  
**COUNTY OF MONTEREY**  
**TUESDAY, NOVEMBER 7, 2000**

THE BALLOT AND THE MEASURES  
 ARE PRINTED BY THE COUNTY

**MEASURES SUBMITTED TO THE VOTERS**

**STATE**

**37 FEES, VOTE REQUIREMENTS, TAXES, INITIATIVE CONSTITUTIONAL AMENDMENT.** Repeals the two-thirds vote of State Legislature, majority or two-thirds of local schools to impose future state, local fees on adults to study or mitigate air, environmental, social or economic effects. Defines such fees as taxes except property, development, certain mineral, Fiscal Impact: (unknown) - potentially significant reduction in future state and local government revenues from making it more difficult to approve certain necessary projects.

|     |   |
|-----|---|
| YES | - |
| NO  | + |

**38 SCHOOL VOUCHERS, STATE-FUNDED PRIVATE AND RELIGIOUS EDUCATION, PUBLIC SCHOOL FUNDING, INITIATIVE CONSTITUTIONAL AMENDMENT.** Authorizes annual state payments of at least \$4000 per pupil for private religious schools. Permits replacement of current constitutional basic school funding formula. Fiscal Impact: Non-zero state costs from zero to \$1.1 billion annually. Long term state impact from \$2 billion in annual costs to \$5 billion in annual savings, depending on how many public school students shift to private schools.

|     |   |
|-----|---|
| YES | + |
| NO  | - |

**39 SCHOOL FACILITIES, 55% LOCAL VOTE, BONDS, TAXES, ACCOUNTABILITY REQUIREMENTS, INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Authorizes bonds for repair, construction or replacement of school facilities, classrooms. If approved by 55% local vote. Fiscal Impact: increased bond cost for many school districts. Long term state savings could total in the hundreds of millions of dollars annually. Potential long-term state savings to the extent school districts assume greater responsibility for facility bond facilities.

|     |   |
|-----|---|
| YES | + |
| NO  | - |

**COUNTY**

**COUNTY OF MONTEREY  
MEASURE A**

**A** Shall the Del Norte Forest Park Forest Preservation and Development Ordinance, in those instances as approved?

|     |   |
|-----|---|
| YES | + |
| NO  | - |

Sample Ballot

Sample Ballot

37-39-00

C

**IMPARTIAL ANALYSIS BY COUNTY COUNSEL  
DEL MONTE FOREST PLAN INITIATIVE  
MEASURE A**

A "yes" vote on this measure is a vote to approve specified amendments to the Del Monte Forest Area Land Use Plan, the Monterey County Coastal Implementation Plan, the Monterey County Zoning Plan, and the Monterey County Housing Element to reduce allowed residential development and increase open space and forest habitat in the Del Monte Forest area. A "no" vote on this measure is a vote against those amendments.

If a majority of the voters voting on the measure vote in its favor, the measure shall become a valid and binding ordinance of the County of Monterey. If the measure passes, the plan provisions and zoning designations specifically affected by this measure could not be repealed or amended except by a vote of the people.

Passage of the measure would make plan-level, and zoning-level, amendments, but would not approve any new development nor modify the terms of any previously approved development. All new development proposed in the Del Monte Forest area would remain subject to public hearings before the County Planning Commission and/or Board of Supervisors, review under the California Environmental Quality Act, and mitigation of potential environmental impacts, including water, sewer, and traffic impacts.

The Del Monte Forest Area Land Use Plan currently provides for new residential development in certain areas of up to 890 new homes. The measure would change the land use designation on approximately 425 acres of land in the Del Monte Forest area from a residential and use classification to an open space classification. This change would reduce the amount of residential development allowed in these areas from 890 new homes to no more than 38 new homes. The measure would also provide for the creation of up to 12 employee housing units, to add to the 48 housing units for which a vesting tentative map application is currently on file.

The Del Monte Forest Area Land Use Plan currently imposes a "Resource Constraint" zoning overlay on certain lands until water and sewer capacity are sufficient to serve development and until highway capacity and circulation solutions have been agreed upon and adopted. The measure would remove the resource constraint zoning overlay on lands where all water, sewer, and traffic constraints have been satisfied, as provided in the measure.

The measure would rezone property to provide for the relocation of an existing equestrian center onto land formerly used as a sand quarry, and for location of visitor serving uses on approximately 5 acres of land formerly zoned for new residential development.

Future open space uses (defined as forest habitat, shoreline, and recreation) must be consistent with the standards contained in the Open Space Advisory Committee Management Plan which is incorporated in the Del Monte Forest Area Land Use Plan.

The measure is intended to be consistent with the California Coastal Act and if a court determines that there is an inconsistency, the entire ordinance would be of no further force or effect. The measure also provides that if any portion is invalidated by a court on other grounds the validity of the remaining portions would not be affected.

S. Adrienne M. Crover  
County Counsel

The above statement is an impartial analysis of Measure A (Pebble Beach initiative). If you desire a copy of the measure, please call the Monterey County Election Department at 831-755-5085 (Salinas) 831-647-7621 (Monterey Peninsula) or 831-385-8321 (South County) and a copy will be mailed at no cost to you. Copies are also available at various public agencies throughout Monterey County. For the nearest location, call the Monterey County Election Department.

The initiative measure, including exhibits, may be accessed online at [www.mocovote.org](http://www.mocovote.org).

**ARGUMENTS  
FOLLOW  
ON  
NEXT  
PAGE**

**BALLOT MEASURE INFORMATION HAS BEEN PRINTED "AS SUBMITTED" AND  
PROOFED BY THE PUBLIC AGENCY SUBMITTING THE MEASURE PRIOR TO PRINTING.**

27-501

01-01-2011 11:11:11 AM

## ARGUMENT IN FAVOR OF MEASURE A

Vote Yes on Measure A to protect key habitat areas in the Del Monte Forest and to require voter approval for any future changes to these protections.

Vote Yes on Measure A to:

- ✓ down-zone approximately 425 acres of residentially zoned land to forest and recreational open space
- ✓ reduce the number of potential new homes on land covered by Measure A from 250 to 32
- ✓ approve limited visitor-serving and recreational zoning at Pebble Beach.

Vote Yes on Measure A with confidence that future development on land covered by the measure may:

- ✓ be consistent with the new zoning approved by voters
- ✓ charge required environmental review
- ✓ be reviewed by the County Planning Commission and approved by the Board of Supervisors

Measure A does not approve any new development. But Measure A would allow Pebble Beach Company to focus on visitor-serving and recreational facilities rather than homes, to relocate an existing equestrian center, and to provide much-needed employee housing on site.

The proposed visitor-serving and recreational improvements, in turn, would create millions of dollars in business tax revenues to support local schools, libraries, law enforcement, and other public services. If approved by the voters, Measure A must be certified as consistent with the California Coastal Act by the Coastal Commission. And no current or future owner of Pebble Beach Company can change the zoning and land use provisions in Measure A without local voter approval.

The beauty of the Del Monte Forest and the open spaces of the Pebble Beach area make Monterey County special. Measure A will help protect those special qualities by limiting future residential development and preserving open space.

Measure A is a balanced approach in the best interests of the environment, Monterey County residents and the region's economy.

Vote Yes on Measure A.

- ✓ Clint Eastwood  
Del Monte Forest Resident, Actor
- ✓ Sam P. Karas  
Former Member, California Coastal Commission
- ✓ William A. McCormick  
Howard Jarvis Taxpayers Association,  
Monterey County Representative
- ✓ Robert B. Franco  
Former Member,  
California Coastal Commission

## REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE A

Vote No On Measure A

Measure A is NOT a "Forest Preservation" initiative.

Pebble Beach Company would have voters believe 425 acres would be open space for all to use. Untrue!

Over 200 acres would be set aside for a \$200 million golf course and driving range as exclusive open space for the wealthy and destroy over 10,000 trees.

Over 40 acres of Open Space Forest would be rezoned to Open Space Recreation for the proposed equestrian center. Up-zoning not down-zoning!

Over 140 acres of nondevelopable Pescadero Canyon land would become Open Space Forest. Pebble Beach Company had already committed this land to Open Space Forest.

Only 42 more acres would be rezoned Open Space Forest.

Measure A is NOT a "Development Limitation" initiative. It encourages unlimited expansion of visitor-serving COMMERCIAL facilities.

Measure A IS a "Real Estate Development" initiative promoted by a special interest, Pebble Beach Company.

Pebble Beach Company is bringing the ground rules for real estate development in Del Monte Forest. They don't want to follow the rules that apply to everyone else. Monterey County officials will have to use Pebble Beach Company's new zoning and land use policies. NOT the people's land use plan.

City of Pacific Grove, Pacific Grove Residents Association, Carmel Valley Property Owners Association, Concerned Residents of Pebble Beach, Carmel Residents Association Board of Directors, Peninsula Concerned Neighbors of Del Monte Forest, and former presidents of Del Monte Forest Property Owners oppose Measure A.

Measure A is NOT a balanced approach. It does NOT protect the environment in Del Monte Forest or Monterey County residents.

VOTE NO ON MEASURE A

✓ Carl E. Nielser  
Co-Chair, Concerned Residents of Pebble Beach

✓ Ted R. Hunter  
Former President, Del Monte Forest Property Owners

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27-519

## ARGUMENT AGAINST MEASURE A

Measure A is a big business, real estate development initiative. It is not a grassroots effort that grew out of long-term citizen efforts to improve governance of land use issues. It was created and financed by the Pebble Beach Company.

Measure A is the Pebble Beach Company's land use plan, not the people's and use plan. It allows this developer to revise land use regulations.

Measure A allows for residential development, a new equestrian center, golf course and driving range and unlimited construction of new hotel rooms. This is a real estate development.

Measure A deprives residents of the right to effectively challenge excessive commercialization in Del Monte Forest. It removes Monterey County government officials' rights to make basic land use and zoning decisions.

### Measure A:

Encourages unlimited construction of new hotel rooms and other commercial activities.

Allows the Pebble Beach Company to ignore water and major traffic problems.

Example: The proposed golf course and driving range will use about 135 acre feet of potable water yearly, enough for 550 homes. Example: There will be no requirement to solve major traffic problems at the 17-Mile Drive, Highway 1 and Highway 56 intersection and Holman Highway.

Permits the construction of an 8<sup>1/2</sup> mile golf course and new driving range, destroying thousands of trees and a historic equestrian center that also serves as the commons for residents.

voids, through rezoning and land use plan changes, two scenic easements required by the Spanish Bay development permit on land proposed for a relocated equestrian center.

Measure A is intended to make an end run around the land use process by making it more difficult for elected officials to do their jobs - to think broadly about the community's needs, listen to the public, sort through the complexities and make decisions.

Measure A gets an 'F' in good government.

Vote No on Measure A.

- s/ Ted R. Hunter  
Co-Chair, Concerned Residents  
of Pebble Beach
- s/ Jerold G. Norton  
Interim President,  
Pacific Grove Residents Assoc (PGRA)
- s/ Richard H. Zahn  
Former President, Del Monte  
Forest Property Owners
- s/ Carol A. McCarthy  
Co-Chair, Peninsula Concerned  
Neighbors of Del Monte Forest

## REBUTTAL TO ARGUMENT AGAINST MEASURE A

Nothing is more grassroots than a vote of the people. 15,000 residents signed petitions to put this on the ballot. Measure A does not approve new development, change existing scenic easements, destroy trees or ignore water and traffic constraints.

Measure A does reduce density by 250 homes, adds 425 acres in open space, and dramatically reduces potential water use and traffic impacts compared to current zoning.

Sam Karas  
Former County Supervisor and  
Coastal Commissioner

The Farm Bureau supports Measure A. It resolves zoning questions up front and allows only limited development supplied with water from Pebble Beach's existing reclamation project.

Every Monterey County voter has an interest in supporting good planning for our future. This is it.

Sharan Lanini  
Monterey County Farm Bureau

Measure A is a win-win for taxpayers. Measure A preserves open space at no cost to County taxpayers, and will help create new occupancy tax revenue that could be used for badly needed road improvements.

William A. McCormick  
Taxpayers' Association

I have lived in Pebble Beach my entire life. Measure A carries out my father's vision for the future of our forest and is in the best interests of our residents and our environment.

Mary Shaw  
Daughter of Sam Morse,  
Founder of Pebble Beach

The owners of Pebble Beach Company are personally committed to the preservation of the Del Monte Forest. The natural environment and protection against overdevelopment are critical to our future success and the community's quality of life.

Clint Eastwood

### VOTE YES ON MEASURE A!

- s/ Clint Eastwood  
Del Monte Forest Resident, Actor
- s/ Sam P. Karas  
Former Member,  
California Coastal Commission
- s/ William A. McCormick  
Howard Jarvis Taxpayers Association,  
Monterey County Representative
- s/ Sharan Lanini  
Executive Director,  
Monterey County Farm Bureau
- s/ Mary Shaw  
Del Monte Forest Resident

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PROOFED BY THE PUBLIC AGENCY SUBMITTING THE MEASURE PRIOR TO PRINTING.

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4853  
FAX: (831) 427-4877



February 28, 2005

Supervisor W.B. Lindley, Chair  
Monterey County Board of Supervisors  
P.O. Box 1728  
Salinas, CA 93902

**Re: March 1, 2005 Agenda Item S-14: The Pebble Beach Company's Del Monte Forest Preservation and Development Plan (PLN010254, PLN010341, and PLN040160).**

Honorable Chair and Supervisors:

We write to urge that you not approve the Pebble Beach Company (PBC) development project because it violates both the Monterey County Local Coastal Program (LCP) and the Commission's Spanish Bay coastal development permit (CDP). The LCP has not been amended by Measure A and thus major components of the project cannot legally be approved. In addition, with or without the certification of Measure A much of the project appears inconsistent with the environmentally sensitive habitat area (ESHA) policies of the LCP, including requirements for wetland protection. The project also directly contravenes the Commission's Spanish Bay CDP forest restoration requirements and associated recorded irrevocable conservation easements. Concerning the adequacy of information for your decision, recent fieldwork by the Commission's biologist suggests that there is more wetland and dune habitat within the project disturbance area than has been identified by the County to date. Similarly, our preliminary review of the legal lot information indicates that there may be fewer legal lots (and thus more proposed subdivision) than identified by the County. Finally, given the substantial evidence that much of the project area qualifies as ESHA under the LCP, your staff recommendation overstates both the "pre-Measure A" development potential under the certified LCP and the project benefits for the Del Monte Forest. This overstatement brings into question the overall rationalization being offered to the public that Measure A and the project will result in less development than would be allowed under the certified LCP.

**Project is inconsistent with the certified LCP**

We have previously advised that the County not take a final action on any coastal development permits necessary for the project until after the Commission has reviewed Measure A for conformity with the California Coastal Act (PRC 30514(a); also Monterey County LCP Zoning (CIP) 20.06.755 which defines the LCP as the Commission certified version). This is primarily because in the absence of Commission certification of Measure A, major components of the project have no legal basis for approval since they are patently inconsistent with the certified LCP (i.e., without the proposed Measure A LCP amendments). Proposed development that is not consistent with the certified LCP includes: the new Equestrian Center at Sawmill Gulch, which is not allowed in the Open Space Forest (OF) land use designation and Resource Conservation (RC) zoning at this location (nor by a prior CDP and recorded easements, see below); 149 new

**Exhibit 5: Selected Commission Staff  
and Commission Correspondence  
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visitor-serving units at Spanish Bay and the Pebble Beach Lodge, which are not allowed under Table A of Chapter 3 of the LCP Land Use Plan (LUP); 11 new golf course cottages, which are not allowed under Table A or current zoning; portions of the new golf course which conflict with the OF designation and RC zoning; and, more broadly, all new development proposed beyond a single residence on each legal lot because the B-8 resource constraint zoning that prohibits new development has not been removed; this includes the proposed new golf course, driving range, residential subdivisions, and visitor-serving units.

To address these inconsistencies, the County is proposing to approve the project with a condition that precludes issuance of grading or building permits until the Coastal Commission "has certified the Local Coastal Program changes contained within Measure A." Such an action by the County would be in excess of the County's legal authority, or *ultra vires*.<sup>1</sup> Under the California Coastal Act, the County only has delegated authority to issue coastal development permits that are consistent with its certified LCP (PRC 30604(b)). The certified LCP also requires that all coastal development permits approved by the County be consistent with the policies and ordinances of the LCP (e.g., CIP 20.02.060(A), 20.06.755, and 20.70.050(B)(3)). The County does not have the legal authority to issue coastal permits for developments that are clearly inconsistent with the LCP on a presumption that the LCP will be changed in the future to allow such development. This fundamental lack of authority is not cured by making the approval contingent on the eventual certification of Measure A by the Commission. Moreover, as we have previously observed, the outcome of the Commission's review of the Measure A LCP amendment is uncertain. If the Commission does not certify Measure A as proposed, the County's action will be rendered a nullity.

**Project is inconsistent with the certified LCP and a Measure A amended LCP**

Commission staff has previously delivered detailed comments to the County questioning the consistency of Measure A and its anticipated land uses with the Coastal Act. We remain concerned that Measure A is not approvable in its current form. Nonetheless, even if the Commission were to certify Measure A as submitted, the PBC project would still not be consistent with the LCP as so amended. The primary reason for this is because there is substantial evidence that undeveloped portions of the project area are predominantly ESHA.<sup>2</sup>

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<sup>1</sup> We note that in prior instances where LCP amendments were required to allow development being considered by the County, the County has only granted conceptual approval of the requisite coastal permits, and has only taken a final action on the coastal permits after Commission review and approval of the necessary LCP amendments (see, for example, the LCP amendments and permits associated with Mission Ranch (amendment 2-91 and CDP PC-7595) and Oak Hills (amendment 1-95 and CDPs SB840-842) that were referenced by the Company in their January 6, 2005 letter on this topic).

<sup>2</sup> This conclusion is based on preliminary fieldwork and review of the administrative record that has been available to date.

Among other things, ESHA is defined by the LCP as the habitat of rare and/or endangered species, including Federal and State listed species and California Native Plant Society (CNPS) List 1b species (CIP 20.147.020(H); 20.147.020(AA)). The LCP also identifies wetlands, dunes, and riparian habitats as ESHA (Ibid). As is well documented in the project EIR, the undeveloped portions of the project area are mostly made up of large intact tracts of native Monterey pine forest (CNPS List 1b) in association with a variety of sensitive plant (e.g., federally-listed endangered Yadon's piperia) and animal (federally-listed threatened California red-legged frog) species, and include large areas of delineated wetlands, riparian areas, and dunes. Apart from legal definitions, the EIR clearly establishes the biological sensitivity of these species and their habitats. The EIR documents significant impacts to these coastal resources including converting 150 acres of Monterey pine forest to urban use, removing some 15,000 individual Monterey pine trees, and reducing the total known population of Yadon's piperia, an endangered species, by 25% (an estimated loss of 36,000 individual piperia plants).

In analyzing the project to date, the County has relied upon the LCP interpretation that ESHA is only that area containing the habitats and species listed in LUP Appendix A. This narrow reading of the LCP would, if carried forward into action, result in significant adverse impacts to any number of the sensitive species and their habitats in the Del Monte Forest that have been identified and/or listed since certification of the LUP in 1984, including the California red legged frog (threatened), Yadon's piperia (endangered), and many others.<sup>3</sup> This interpretation is at odds with the letter and intent of the LCP's ESHA protection provisions, and disregards the fact that the reference to Appendix A is a reference to a list of known examples when the LCP was certified in 1984 (and not a list meant to limit ESHA to Appendix A for all time).<sup>4</sup> The LCP clearly contemplates that the resources on the ground at the time of proposed development should be determinative of the presence or absence of ESHA for purposes of applying the ESHA protection policies of the LCP. Biological surveys are required at the time of proposed development so that ESHA's might be identified and protected (LUP Policy 12; CIP 20.147.040(A)). In addition, the DMF Land Use Plan (LUP p. 6) clearly notes that the LUP ESHA maps are "to be used as background resource material for decision-making" and that the County "acknowledges that they are not definitive and may contain errors or may be incomplete." Indeed, "challenges" to the accuracy of the maps are encouraged by the County to facilitate updating of the maps and so that "decisions will accordingly be based on the new data."

Consistent with the Coastal Act, the LCP requires that ESHAs be identified, avoided, and buffered (LUP Chapter 2; CIP 20.147.040). Only resource-dependent uses may be approved within an ESHA (e.g., LUP Policy 8; CIP 20.147.040(B)). Subdivisions within ESHA are

<sup>3</sup> See the Commission's Draft Periodic Review Findings for the Monterey County LCP, Chapter 3 (2003), for more detail.

<sup>4</sup> This is clear from the LUP text and policies as well as the overall framing definition of ESHA from CIP Section 20.06.440, an LCP section which is generic to all of the coastal planning areas of the LCP. Section 20.06.440 mimics the Coastal Act Section 30107.5 general definition of ESHAs, and then refers the reader to each land use plan segment for specific examples.

prohibited (e.g., LUP Policy 10; CIP 20.147.040(A)(1)). A *minimum* undevelopable 100-foot buffer around ESHAs, including wetlands, is required (e.g., CIP 20.147.040(B)). As documented in the EIR, the project does not avoid or adequately buffer sensitive habitat areas that should be treated as ESHA under the certified LCP. Except perhaps for some anticipated new trails, none of the development proposed in sensitive habitat areas is resource-dependent.<sup>5</sup> Thus, much of the proposed development is inconsistent with these ESHA protection requirements of the LCP. The potential certification of Measure A (which doesn't propose any changes to the LCP's ESHA policies) would not resolve these inconsistencies. In short, the implementation of the County's interpretation of the LCP's ESHA policies for the identified sensitive species and habitats of the Del Monte Forest is contrary to law, common sense, the County's own LCP, and numerous Commission and local government actions in other areas on California's coast. We urge the County to reject the staff recommendation to approve non-resource dependent development in areas that qualify and must be protected as ESHA.<sup>6</sup>

**Project is inconsistent with the Coastal Commission's Spanish Bay CDP**

The Commission's 1985 approval of the applicant's Spanish Bay project, which allowed the construction of the Spanish Bay Resort and golf course, was conditioned upon certain mitigations to address the environmental impacts of that project. But for these mitigation measures (which the PBC agreed to and has, in material respect, implemented when it accepted the permit) the Spanish Bay project CDP could not have been approved. One such mitigation was that all of the Sawmill Gulch site, both upper and lower portions, be restored.<sup>7</sup> The upper portion was also added to the Huckleberry Hill Natural Habitat Area. To assure implementation of this condition, the PBC recorded an Offer to Dedicate a conservation easement, since accepted by the Del Monte Forest Foundation, for the primary purpose of permanent natural habitat protection *in perpetuity*. As previously noted, all of the Sawmill Site is designated open space forest and zoned resource conservation – a designation and zoning designed to “protect, preserve, enhance, and restore sensitive resource areas in the County of Monterey” (IP 20.36.010).

The PBC now proposes to undo its restoration and conservation commitment by proposing development that is in direct conflict with the mitigation requirements of the Commission's Spanish Bay permit. PBC proposes to put a new equestrian center in Sawmill Gulch. In addition to being prohibited by the certified zoning of the LCP, this development is not allowed by the Commission's Spanish Bay CDP. To address this conflict, the County is proposing to approve the project with a condition requiring the applicant to show that the “Coastal Commission has amended its Spanish Bay Coastal Development Permits to allow for the use of the Sawmill site

<sup>5</sup> Commission staff acknowledges and supports the proposed formal protection of other sensitive habitat areas (through conservation easements) that also should not be developed pursuant to the ESHA protection policies of the LCP.

<sup>6</sup> We note that to the extent that there may be a conflict between LCP ESHA policies, LCP section 20.02.060(D) identifies the Coastal Act as the highest prevailing authority for resolving such conflict.

<sup>7</sup> CDP Conditions 3, 4, 5, and 28.

for the proposed Equestrian Center." This condition fails to consider the fact that the Executive Director of the Commission is obligated to reject an application for a CDP amendment if he/she determines that the amendment would lessen or avoid the intended effect of the original permit, unless new material information is presented (14 CCR § 13166(a)). In this case, an amendment request to develop the Sawmill Gulch restoration area, an area designed to be set aside and restored as mitigation for Spanish Bay project impacts, and required under the recorded easements to be permanently protected as sensitive habitat *in perpetuity*, would clearly be a weakening amendment that would be rejected. We are not aware of any new information that would support an application to eliminate this or any other requirement of the Commission's Spanish Bay CDP.

**Information gaps preclude a finding of LCP consistency**

In addition to the fundamental information gap associated with the unknown Measure A and Spanish Bay CDP amendment outcomes, there appear to be significant additional information gaps that make it difficult to fully assess the consistency of the project with the LCP. In particular, as we informed the County in January, recent fieldwork conducted by Commission staff in areas MNOUV has led us to conclude that the EIR has not delineated all areas that would qualify as wetland under the LCP using the methodology that we advised in 2002. In particular, there appear to exist significant areas of wetland in the proposed golf course site that have not yet been delineated and that would render additional areas undevelopable. Similarly, it appears that areas of dune habitat at Signal Hill/Spyglass have not been delineated, and that portions of the proposed golf course are sited on top of dune habitat. Finally, based on our preliminary review of the administrative record for the certificates of compliance that have been issued for the project area to date, the number of legal lots may be overstated, raising questions about the level of proposed subdivision necessary to support the project (see also discussion below). We recommend that the County not take a final action on the PBC project until the wetlands, dune, and lot legality information can be appropriately updated, and the project further modified if necessary. In sum, because of the aforementioned Measure A and Spanish Bay unknowns, and because of these additional information gaps, approval at this time may be illegal since the decision-makers (the Board) do not have before them the necessary information (including the Commission's future actions relative to Measure A and Spanish Bay) to make an informed decision about potential environmental impacts (see, for example, *Sundstrom v. County of Mendocino*).

**Development potential under the Del Monte Forest LUP/IP is overstated**

PBC and the County staff report for Measure A have presented the project as both reducing the scope and intensity of otherwise allowable development and increasing habitat preservation in the Forest. However, this assertion relies on the unsupported claim that the LCP allows much more development than the proposed project. The LCP does not guarantee the development of the +850 residential units that has been suggested as the Company's entitlement within the project area. Rather, the LCP clearly states that the residential densities identified in various planning areas are maximums that need to be understood in relation to resource and other

constraints, where the actual density allowed by the LCP for any specific project area is dependent on the development constraints under relevant LCP requirements (e.g., LUP Policy 68a; CIP 20.147.090).

For example, the LCP prohibits subdivision within ESHA. As discussed above, there is substantial evidence that the undeveloped project area lands, including areas proposed for "preservation," are predominantly ESHA. As such, their development potential is considerably less than 850 residential units. Within the context of Constitutional takings law, the general requirements of which are reflected in CIP 20.02.040 and 20.02.060(B), the maximum development potential of a residentially-zoned legal parcel that is entirely ESHA under the LCP generally is probably not more than a single house.<sup>8</sup> As mentioned, we have not concluded our review of the administrative record on this matter and believe that the number of developable legal lots in the project area may be something less than the 41 that the County has certified. Even still, there is no doubt that the development potential of 41 lots substantially comprising ESHA is significantly less than the 850 units that has been suggested. Moreover, to the extent that the proposed preservation areas are ESHA, they are already substantially protected by the LCP. Thus, only that development that must be allowed under the Constitution, such as a single residence on an all ESHA parcel, should be countenanced as a resource protection "benefit" of the project. In short, it is important that the public record reflect a more realistic statement of the development potential of the Del Monte Forest under the certified LCP, particularly to the extent that arguments about the purported reduction in LCP development potential by Measure A and the project, as well as statements concerning the preservation benefits of the project, are being used to rationalize approval of significant new development in environmentally sensitive areas.

#### **Conclusion**

There is no doubt that the proposed PBC development, including Measure A, is complex and controversial. We acknowledge and sincerely appreciate the significant commitment that your staff has made to evaluating and processing the project thus far. We look forward to continuing to work with your staff as the process unfolds. Nonetheless, we have serious concerns with the project, particularly with respect to its significant impacts on environmentally sensitive habitat areas and the contravention of the restoration requirements of the Spanish Bay CDP. Conditions of approval proposed by the County are not adequate to address these fundamental LCP and legal inconsistencies. Because Measure A has not been certified, the approval of much of the project is without legal foundation. Finally, information with respect to wetlands and dune habitats, as well as the number of legal lots, appears to be incomplete or uncertain.

There are other issues of project consistency with the LCP, including questions regarding public access, scenic resources, mitigations outside the coastal zone and therefore beyond the applicability of the LCP, water quality protection, and water supply, as well as more detailed

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<sup>8</sup> Such an analysis is case specific. The actual development potential of any particular lot will depend on the transactional history of the parcel, applicable laws and regulations, development context, environmental constraints, etc.

**Monterey County Board of Supervisors**

**March 1, 2005 Board of Supervisors' Agenda Item S-14: Pebble Beach Company's Del Monte Forest Preservation and Development Plan (PLN010254, PLN010341, and PLN040160)**

**February 28, 2005**

**Page 7**

concerns related to the protection of habitat and wetlands, that may need to be further addressed. But at this point and given the accelerated pace at which this project is now being moved through the County, these further issues are secondary to the fundamental conflicts of the proposed project with the LCP's ESHA protection policies. We recommend that you not approve the project because it is not consistent with the Monterey County certified LCP and the Commission's Spanish Bay coastal development permit.

Sincerely,

A handwritten signature in cursive script that reads "Charles Lester" followed by a flourish.

Charles Lester  
Deputy Director  
California Coastal Commission

cc: Ann Anderson, Clerk to the Board of Supervisors  
Lew Bauman, Monterey County Administrative Officer  
Scott Hennessy, Monterey County Planning Director  
Thom McCue, Monterey County Senior Planner  
Mark Stilwell, Pebble Beach Company



**CALIFORNIA COASTAL COMMISSION**

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December 22, 2004

Supervisor Louis Calcagno  
Chair, Monterey County Board of Supervisors  
P.O. Box 1728  
Salinas, CA 93902

**Subject: Measure A and the Pebble Beach Company's Project in the Del Monte Forest**

Dear Chairman Calcagno:

I write to express the California Coastal Commission's concern about the manner in which the County is processing the Pebble Beach Company's Del Monte Forest project coastal development permit (CDP) application. We understand that this project relies on, and is intended to be measured against, the County's Local Coastal Program (LCP) as modified by Measure A. However, the County has not yet submitted Measure A to the Coastal Commission for review under the Coastal Act, and the LCP modifications proposed by Measure A are not part of the certified LCP. It is premature for the County to take final action on the Pebble Beach Company's CDP application until the Coastal Commission has fully reviewed Measure A for conformance with the Coastal Act. Similarly, because the Pebble Beach CDP application proposes significant development of property in conflict with the previously implemented CDP for Spanish Bay, neither the County's nor the Commission's review of this new project should precede Coastal Commission action on an amendment to the Spanish Bay CDP. As you know, the Coastal Commission holds the Spanish Bay CDP, not the County; therefore the Commission retains continuing jurisdiction over the permit. Finally, the legality of the County's pending action is in question since the standard of review for the County at this time is the existing unmodified LCP. The County's decision to move ahead with the Del Monte Forest project CDP application prior to establishing the degree to which Measure A can be incorporated into its LCP, coupled with the bypassing of Coastal Commission action on an amendment to the existing Spanish Bay CDP, will result in unnecessary and unwarranted expenditures of public funds by both of our agencies and significant confusion for the public.

The Commission therefore strongly advises that the County refrain from taking any final action on the Pebble Beach Company's CDP application until after it has submitted, and the Coastal Commission has acted on, the proposed Measure A LCP amendments, as required by law. Similarly, the County should not take final CDP action until after the Coastal Commission has acted on any Spanish Bay CDP amendment request. As our staff has advised the County on several previous occasions, the Coastal Commission strongly recommends that the County address proposed LCP amendments before conducting any further deliberations on the CDP application for the project.

In summary, the proposed LCP amendment as well as the amendment to the Spanish Bay CDP need to be processed by the County and the Coastal Commission before the County takes further

**Exhibit 5: Selected Commission Staff  
and Commission Correspondence  
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action on the CDP for the new Pebble Beach Company project. To discuss processing and scheduling options, please contact Deputy Director Charles Lester or Coastal Planner Dan Carl in the Commission's Central Coast District Office.

As always, the Coastal Commission would like to work cooperatively with the County to expeditiously process the County's requests but this will be more difficult to do if the proper processing order is not followed. Acting otherwise will only lead to a needless expenditure of public funds and costly and time-consuming litigation and controversy, which is not in anyone's interest. We look forward to working with you to resolve this situation.

Sincerely,



Meg Caldwell  
Chair, California Coastal Commission  
On behalf of the California Coastal Commission

cc: District 1 Supervisor Fernando Armenta  
District 3 Supervisor W.B. "Butch" Lindley  
District 4 Supervisor Edith Johnsen  
District 5 Supervisor Dave Potter  
Ann Anderson, Clerk to the Board of Supervisors  
Sally Reed, Monterey County Administrative Officer  
Scott Hennessy, Monterey County Planning Director  
Thom McCue, Monterey County Senior Planner  
Mark Stilwell, Pebble Beach Company  
Peter Douglas, Coastal Commission Executive Director

**CALIFORNIA COASTAL COMMISSION**

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November 17, 2004

Thom McCue  
Monterey County Planning and Building Inspection Department, Coastal Office  
2620 First Avenue  
Marina, CA 93933

**Subject: Monterey County Public Hearings on "Pebble Beach Company's Del Monte Forest Preservation and Development Plan" Project (PLN 010254, PLN 010341, and PLN 040160)**

Dear Mr. McCue:

Thank you for forwarding the County Subdivision Committee hearing notice to our office last week regarding the above-referenced project, as well as forwarding the County's staff report for that hearing to our office this week. According to these materials, the County Subdivision Committee intends to have a hearing on the Pebble Beach Company project on November 18, 2004, to be followed by Planning Commission and Board of Supervisor hearings starting in January 2005. The Subdivision Committee is being asked to recommend (to the Planning Commission and Board of Supervisors) that the project, including required changes to the County's Spanish Bay permit, be approved.

**We continue to strongly advise that the project not be heard until after there have been final Coastal Commission decisions on the LCP (Measure A) and coastal permit (Spanish Bay) amendments that would be required for the project to proceed.**

We note that the draft CEQA documents acknowledge these Coastal Commission review requirements, and we further note that the County's staff report also acknowledges these requirements. However, the current staff recommendation then proceeds to identify a portion of the project that could proceed absent any further Commission action on Measure A and Spanish Bay, and a portion of the project that cannot. This is implemented by suggested conditions of approval that are structured to require evidence of Commission certification of Measure A and approval of the Spanish Bay coastal permit amendment (prior to issuance of grading and building permits) for only a segment of the project. Presumably the intent is to allow the rest of the project to proceed without such Commission action. In both cases, such approval appears structured to precede submittal of Measure A.

**Such an approach is problematic and we strongly recommend that project approval not precede required Commission approvals, and not be segmented in this manner.**

It is inappropriate for project approval to be conditioned on future Coastal Commission approvals, and it is inappropriate for an interrelated project of this magnitude to be segmented into a portion that requires Measure A certification and a portion that purportedly does not. We disagree with the analysis that a portion of the project is consistent with the existing LCP. Furthermore, conditioning the project approval in whole or in part in this manner presupposes

that the Commission will certify the Measure A LCP amendment as submitted, and will modify the Spanish Bay coastal permit as proposed. As you are aware from our previous comments, we continue to have serious reservations about the project and the LCP amendment, and it is unwise to presume that LCP and permit amendments would be approved as submitted. In short, the outcomes of a Measure A amendment to the LCP and an associated amendment to the Spanish Bay coastal permit are uncertain, and the specifics of these outcomes will necessarily affect the manner in which all aspects of the project (both those deemed consistent and those not in the staff report's segmentation of the project) can be found consistent with the LCP and past permits. County decision makers at each level need to have the benefit of this information prior to making final decisions on the project. Without it, their understanding of this large and contentious project, and their discussions on the merits of it in relation to the LCP, will be significantly hampered. Because of this, a final County action on the project prior to final Commission action is not appropriate.

Given the inextricable link between the LCP amendment and the proposed project, we understand why the County would want to use the ongoing CEQA review process to help develop information both for the permit review and to support an LCP amendment submittal. To a point, such a combination makes sense as a way to pool scarce County resources on common questions. However, it is now time that these review processes be separated. To do otherwise seems to us to be poor use of time and resources because any series of County hearings on the project now will be without the benefit of knowing what the Coastal Commission will do later. In other words, if the County holds a series of hearings leading to an action now (as is the intended approach according to the notice and staff report that we received), these hearings will not have the benefit of critical information for making coastal permit decisions. Any "final" decisions made after this series of hearings will need to be revisited at additional hearings following Coastal Commission actions, and are thus premature.

Moreover, even the existing "known" body of information is in question, and this also indicates that decisions on the project now would not be prudent. Specifically, the aforementioned CEQA documentation, and the current County staff report analysis that incorporates and relies upon it, is incomplete and has been compromised by an incorrect evaluation foundation. This is particularly the case in terms of the DEIR's identification of environmentally sensitive habitat area (ESHA) and its ESHA impact evaluation methodology (please see our March 22, 2004 letter on the original DEIR and our November 10, 2004 letter on the PRDEIR for specific reasons for this). We continue to highlight that the DEIR's evaluation has not been sufficiently inclusive of Del Monte Forest ESHA, and has not been clearly premised on Coastal Act and LCP requirements that impacts to ESHA be avoided. Likewise, and related to County staff report references to legal lots and certificates of compliance (whether conditional or unconditional), we have not seen supporting documentation for determining the number of legal lots of record that are a part of this application (most recently requested in our DEIR comments), and thus there remains significant uncertainty in this regard. Remember, too, that conditional certificates of compliance require coastal development permits. Any decisions on whether a certificate is conditional or unconditional is also a question of whether a coastal permit is required and subject to Coastal Commission concurrence in this regard. In sum, as we have advised since March of this year, and most recently reiterated in our November 10, 2004 PRDEIR comments, we

continue to recommend that the DEIR be revised and recirculated for public review and comment.

**We strongly recommend that hearings (if there are any at all) at this time at the County level be limited to perfecting supporting information for the LCP amendment (including perfecting project CEQA information), and that any such hearings explicitly not include any decisions on the project in advance of final Commission actions on both the Measure A LCP amendment and the Spanish Bay coastal permit amendment.**

We continue to believe that good planning and public policy require that the review process for the LCP amendment and the Spanish Bay coastal permit amendment conclude and precede any coastal permit decisions on the project itself. To do otherwise appears to us a poor use of scarce staff and decision-maker time and resources, would diminish the value of the project deliberations at each decision-making level leading to a final Board decision, and would only serve to unnecessarily complicate and delay an ultimate decision on the project itself. That said, if the County decides to proceed with the project review schedule and recommendations noted in the hearing notice and staff report despite our recommendation, please note that any ultimate Board approval of the project should be considered tentative and cannot be forwarded to the Commission as a final action. At a minimum, the Board would have to hold at least one additional coastal permit hearing (preceded by at least one hearing on the LCP in the case Measure A is not approved by the Commission as submitted) after Coastal Commission action to take final action on the coastal permits and then send them to the Coastal Commission to start the ten-day appeal period. This needs to be made explicit in any staff report and/or approval documents, and any approval conditions requiring future Coastal Commission actions should be omitted. In the case that the County proceeds with hearings, please provide this letter, and our DEIR and PRDEIR letters, to the Subdivision Committee members, Planning Commissioners, and Supervisors for those hearings.

We hope that this letter has again helped to frame the LCP and coastal permit context for this project. We, like the County and the Pebble Beach Company, are anxious to come to final resolution on the project and on the LCP. As we have said before, the proposed project is one of the largest to be proposed in the Central Coast in recent years, it involves significant impacts to important coastal resources, and it remains the subject of considerable public debate. It would be unfortunate if the final outcome was unnecessarily hindered and complicated by a flawed process. We are optimistic that this can be avoided.

As always, feel free to contact me if you would like to discuss this matter further.

Sincerely,



Dan Carl  
Coastal Planner

cc: Pebble Beach Company



**CALIFORNIA COASTAL COMMISSION**

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November 10, 2004

Thom McCue  
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**Subject: Partial Revision of the Draft Environmental Impact Report titled "Pebble Beach Company's Del Monte Forest Preservation and Development Plan" (SCH Number 2002021130)**

Dear Mr. McCue:

Thank you for forwarding the above-referenced Partial Revision of the Draft Environmental Impact Report (PRDEIR) to our office for review. In sum, please note that we continue to have serious reservations about the Local Coastal Program (LCP) amendment necessary for Pebble Beach Company's proposed project (Measure A), and the project itself (see also our previous correspondence to this effect, including our recent March 22, 2004 letter on the original DEIR). As has only become clearer with the PRDEIR, the proposed project would significantly and adversely affect coastal resources, including significant environmentally sensitive habitat area (ESHA) resources. This PRDEIR, like the DEIR before it, neglects to identify all ESHA as ESHA, and fails to account for the LCP and Coastal Act ESHA requirements in this regard, including continuing a reliance on mitigation as opposed to avoidance. The EIR's utility for LCP amendment and project review is compromised as a result. Nonetheless, we continue to provide comment here with the intent of helping the County in its preparation of the underlying information necessary for further project review and discussion. We hope that these comments prove helpful in this regard.

**CEQA Process**

We were surprised to see a PRDEIR as opposed to a completely revised DEIR as we previously requested. We continue to believe that the CEQA evaluation process has been compromised by an incorrect evaluation foundation - most significantly in terms of the DEIR's identification of ESHA and its ESHA impact evaluation methodology (please see our March 22, 2004 letter on the original DEIR for specific reasons for this). In particular, the DEIR's evaluation has not been sufficiently inclusive of Del Monte Forest ESHA, and has not been clearly premised on Coastal Act and LCP requirements that impacts to ESHA be avoided. We continue to recommend that a complete revised DEIR would be the most appropriate means to rectify these problems. This is particularly the case if, as the County has indicated in the past, the CEQA document is being developed for both the proposed project and the Measure A LCP amendment supporting it. Moreover, due to degree to which the fundamental changes necessary would lead to a substantial increase in the severity of project environmental impacts, CEQA requires recirculation in this case (including but not limited to CEQA guidelines section 15088.5(2) and (4)). Please revise the

DEIR (in response to previous comments received as well as information developed and comments received on this PRDEIR) and recirculate it for public review and comment.

#### **PRDEIR**

We appreciate the depth of additional information developed in the PRDEIR. Other than our basic CEQA objection described above, we found the PRDEIR to be informative and helpful on the limited subset of issues that it evaluated. That said, other than our request for additional water data and our request for additional information regarding potential indirect impacts to Yadon's piperia (on page 5 of our March 22, 2004 letter), the PRDEIR does not otherwise respond to the questions and comments from our March 22, 2004 letter. Accordingly, any subsequent CEQA documents must respond to all other comments in our previous letter, and our comments here are limited accordingly. To the extent that there is any question in this regard, then we incorporate our March 22, 2004 letter in its entirety as a part of this letter by reference, and consider it to have been submitted on this PRDEIR as well. We have the following comments specific to the PRDEIR:

1. The PRDEIR water impact evaluation appears to be premised at least partially on limiting annual Cal-Am Carmel River diversions from the Carmel River to 11,285 AFY per State Water Resource Control Board (SWRCB) Order WR 95-10, and on the effect of the project as related to current withdrawals from the River.
  - (a) The PRDEIR omits a copy of SWRCB Order WR 95-10. Please ensure that any subsequent CEQA documents include a copy of SWRCB Order WR 95-10, and any relevant attachments, amendments, and/or other SWRCB documentation affecting the order.
  - (b) The PRDEIR appears to indicate that Cal-Am has not perfected a legal water right to 11,285 AFY from Carmel River. As the PRDEIR indicates, SWRCB has indicated that Cal-Am has legal rights to only 3,376 AFY (see also SWRCB March 17, 2004 letter commenting on the DEIR). Please provide a clear explanation of, and supporting documentation for, Cal-Am's existing legal water rights pertaining to Carmel River.
  - (c) The PRDEIR does not explain how (including from what source) water will be provided to serve the proposed project in the event Cal-Am cannot perfect a legal right to its existing Carmel River diversions. This information is necessary for understanding water impacts due to the project. Please ensure that subsequent CEQA documents include this information.
  - (d) The PRDEIR does not make a compelling case that existing withdrawals (nor the 11,285 AFY figure) are an appropriate baseline from which to measure project impacts. We note that the PRDEIR appears to acknowledge as much (though the analysis baseline isn't changed in light of this) when it indicates that existing withdrawals both exceed Cal-Am legal rights and have resulted in adverse biological impacts. Rather, we need to understand the effect of the project related to the estimated maximum amount of water

that could be withdrawn from the River without affecting River resource values (fisheries and otherwise). Please provide this information, including any supporting assumptions and information as well as the most current recommendations in this regard from the resource agencies involved (including the California Department of Fish and Game (CDFG), NOAA Fisheries, United States Fish and Wildlife Service (USFWS), SWRCB, etc.).

2. It is clear from the PRDEIR that Cal-Am's withdrawals from the Seaside Basin have increased in recent years, and it appears clear from the PRDEIR that this has had and is continuing to have an adverse impact on this groundwater resource.
  - (a) The PRDEIR briefly touches on the types of problems associated with overpumping of the Basin (such as saltwater intrusion), but does not provide a clear baseline description of the existing condition of the Basin in this regard. Please provide information on the Basin's water quality trends, including at a minimum a clear description/assessment of the effect of historical pumping levels on saltwater intrusion in the Basin, and potential responses being considered (i.e., limits in pumping, importation of water, etc.). Please provide any supporting documentation and maps as well.
  - (b) Similar to Carmel River resources, the PRDEIR does not make a compelling case that existing Seaside Basin withdrawals are an adequate baseline from which to measure project impacts. Rather, as with Carmel River, we need to understand the effect of the project related to the maximum amount of water that could be withdrawn from the Basin without affecting its resource value. If trends indicate this figure to be changing (as indicated in the PRDEIR where "safe yield" estimates have been lowered just this year), then please extrapolate such trends in this regard. Although it is not clear from the PRDEIR whether the Basin's estimated "safe yield" (currently estimated in the PRDEIR at 4,375 AFY) represents this maximum potential withdrawal amount, at a minimum, the project impacts as compared to the basin's safe yield should be evaluated. Please provide this information including any supporting assumptions and information as well as the most current recommendations in this regard from the resource agencies involved (again, CDFG, NOAA Fisheries, USFWS, SWRCB, etc.).
3. The PRDEIR water impact evaluation also appears to be premised at least partially on the Pebble Beach Company's water entitlement agreement with the Monterey Peninsula Water Management District (MPWMD).
  - (a) The PRDEIR omits a copy of the agreement. Please ensure that any subsequent CEQA documents include a copy of the agreement, and any relevant attachments, amendments, and/or other documentation affecting it.
  - (b) It is not clear from the PRDEIR how or why this agreement translates into a right to water; something that is governed by water law and not by agreements made between water management districts and private companies. Please provide clear explanation of how this entitlement translates into a water right.

- (c) It is not clear from the PRDEIR how or why the agreement should be read to allow Pebble Beach Company to use water that is not actually physically available. We note that the agreement is based on two primary suppositions: that the Pebble Beach Company will use less Cal-Am water because it is using reclaimed water instead, and that the entitlement of 365 AFY of Cal-Am water is available. Pebble Beach Company has greatly reduced its reliance on Cal-Am water for irrigation purposes, but in only one year so far reached the target of 800 AFY saved, upon which the agreed upon entitlement was based. If reclamation efforts are not yielding expected water savings, commitments to reserve water based on reclamation may no longer be appropriate; particularly in light of resource impacts to Carmel River and the Seaside Basin due to existing (and proposed) withdrawals. It appears that the agreement needs to be updated to reflect the current impact (from withdrawals) and reclaimed water use realities. This is particularly the case given that the agreement's 365 AFY was apparently developed based on estimates of Del Monte Forest buildout that do not appear to have adequately accounted for the number of legal lots of record and resource constraints on them otherwise (see also March 22, 2004 comments in this regard), and was developed well before the agreement itself. Please provide a clear analysis of how and why the agreement helps demonstrate a long-term water supply to serve the project when even existing withdrawals of water are leading to resource degradation and have not themselves been legally perfected (see also above). Please also provide evidence of input from MPWMD in this regard.
- (d) PRDEIR Table G.2-6 indicates that the Company has used only 9.9 AFY out of an original agreement for 365 AFY. Please provide a breakdown for how the 9.9 AFY has been allocated, including underlying information documenting that amount of use for the projects to which the allotment has been directed.
4. The PRDEIR relies in large part upon Recycled Water Project (RWP) Phase II improvements to offset water use impacts due to the proposed project.
- (a) The PRDEIR omits an analysis of how project impacts will be offset if Phase II: (a) is not developed for whatever reason; or (b) is less successful than estimated. Given the track record with reclaimed water use in the Forest (where use of same has not generally achieved all of the potable water savings predicted, and the PRDEIR indicates that approximately 30% of the RWP water currently supplied is actually potable water), it seems unwise to rely so heavily on such a mitigation without some sort of mechanism for ensuring that expected savings are achieved, and if they aren't, a companion mechanism for offsetting shortfalls. Please perform an expanded analysis and mitigation assessment that is based upon a spectrum from complete success with Phase II in effect down to it not being developed at all (i.e., the current reclaimed water status quo). Such analysis should include rational demarcation points for scenarios in-between (e.g., using success rates of 25%, 50%, 75%, etc), perhaps based on the current track record of success with recycled water in the Forest.

- (b) Except in very dry years, the PRDEIR indicates that all water supplied for irrigation in the Forest would be from recycled water (PRDEIR Table P1-6), and refers to Appendix G for details and assumptions supporting this. It is not clear to us from the PRDEIR discussion how and/or why such irrigation use quantities would be achieved, and we couldn't find a clear explanation of this in Appendix G. Please provide a clear explanation (including maps and figures) as to what constitutes the irrigation use within the Forest to which Table P1-6 corresponds, and please also clarify the Appendix G explanation for why this would be the case. Please also explain and provide a description of the implementing mechanisms that would be used to ensure that only recycled water is used in this regard.
5. Please modify the EIR's overall water supply impact assessment (and mitigation framework), including that relative to cumulative impacts, to address the above comments.
  6. We appreciate the PRDEIR's improved information regarding indirect impacts to Yadon's piperia due to the project, but we continue to disagree with the ESHA identification and impact assessment methodology applied to this federally-listed endangered species. The PRDEIR does not identify Yadon's piperia and its habitat as ESHA. As we have previously indicated, most recently in our March 22, 2004 letter, Yadon's piperia must be evaluated as ESHA and impacts to this species avoided (we note here that all comments regarding ESHA in our March 22, 2004 letter are included in their entirety in this comment by reference). Toward this end we cannot agree that project impacts on piperia can be mitigated to a less than significant level. According to the PRDEIR, the project would directly remove 36 acres of occupied Yadon's piperia habitat (and over 36,000 individual plants). Such project direct impact includes removal of the world's largest known occurrence of piperia at the site of the proposed golf course; an occurrence appropriately recognized by the PRDEIR as "considered important to the recovery of the species." Project direct impacts in this regard represent destruction of over a quarter of the known Yadon's piperia population in the Forest and 21% of the known population in the world. In addition, the PRDEIR indicates that the project would result in indirect adverse impacts to 24 acres of occupied piperia habitat (some 17,000 individual plants), and to 63 acres of other potential piperia habitat. Accordingly, future CEQA documents must be modified: to identify this species and its habitat (see also below) as ESHA; must be premised on avoidance of impacts to it; and must consider impacts to Yadon's piperia to be significant and unmitigatable (please also refer to our March 22, 2004 letter).
  7. The PRDEIR begins to discuss the habitat conditions for Yadon's piperia, including identifying Monterey pine forest areas as potentially suitable habitat, but stops short of providing conclusions or a useable methodology in this regard. Rather, the PRDEIR relies on a methodology that uses a 50-foot "occurrence buffer" around piperia plants and clusters to determine an "occurrence area" for piperia. Although the 50-foot buffer can be used to acknowledge some "habitat" surrounding individuals found above ground, we don't believe it can be used to meaningfully estimate Yadon's piperia habitat areas. Rather, based on the sensitivity of the species, it is incumbent upon the EIR documents to clearly explain its

habitat characteristics, and to delineate the acreage of the area within which such characteristics are present in order to quantify the area of piperia habitat. In this respect, the PRDEIR appears to support applying at least a conservative approach where areas of Monterey pine forest are deemed to provide habitat for piperia. Given the endangered status of the species, and the fact that its known population is almost entirely limited to the Del Monte Forest, such a cautious approach seems appropriate here. Please provide an analysis of Yadon's piperia habitat characteristics, and an evaluation of the Forest areas containing such characteristics, including updated maps and acreage tables. For any Monterey pine forest areas deemed not to exhibit such characteristics, please provide an explanation as to why this is the case.

8. The PRDEIR is equivocal in terms of quantifying indirect impacts to Yadon's piperia. As previously indicated, we believe the most conservative approach would be to analyze such indirect impacts as direct impacts if it is not clear whether indirectly impacted resources will continue to provide habitat/resource value due to the project. In this case, the PRDEIR makes a compelling case that indirect impacts will result in adverse impacts. This is particularly obvious where large areas of habitat would be fragmented by the project (e.g., as is perhaps most obvious with the proposed golf course fragmentation as shown in Appendix E Figure E-9-YP). As such, the more conservative approach is even more compelling in this case. Please supplement the piperia impact analysis with tables (modeled on PRDEIR Tables P2-1, P2-2, and P2-3) that quantify indirect piperia impacts in this regard and that can be used in to an additive manner (avoiding overlap with direct impacts).
9. The PRDEIR indicates that the 2004 Yadon's piperia survey methodology differed from that done in 1996, and that this has resulted in a 2004 estimated acreage of occupied habitat that is roughly 1/10 the size of that estimated in 1996. Please provide documentation indicating that the California Department of Fish and Game and the United States Fish and Wildlife Service concur with the methodology and conclusions documenting Yadon's piperia habitat, including that based upon the requested habitat characterization method above.
10. The PRDEIR identifies two new areas – the Company's Old Capitol and Aguajito (Jack's Peak) sites – where conservation easements would be applied to offset project impacts. The PRDEIR indicates that Yadon's piperia surveys would be done to identify that portion of these sites that would be subject to such easement. Please ensure that any such delineation process also be based upon habitat characterization (as discussed above), and that it be clear in any final documents what portion of these sites would be subject to easement. For example, the PRDEIR indicates that only one acre of the much larger Aguajito site would have such an easement applied to it, though this seems counterintuitive to us given that this area is covered in Monterey pine forest that appears otherwise conducive to Yadon's piperia. Please supplement any subsequent CEQA documents with this information.
11. For any subsequent CEQA documents, please include clear maps, acreage figures, and narrative description of all of the areas to which protective legal instruments (e.g.,

conservation easements, property restrictions, outright dedications, etc.) would be applied, accompanied by the relevant controlling text of any such instruments.

#### **Final CEQA Documents**

The utility of final CEQA documents (for use by decision makers and the interested public) is often compromised by the use of a final EIR document that isn't actually "final" but rather represents acknowledgement of a suite of changes in response to comments received on a draft. Such a "final" EIR necessitates painstaking and difficult cross-referencing between documents to be able to understand a project and its expected impacts. These difficulties are only exacerbated when there are multiple and/or atypical CEQA documents and substantial comments (such as in this case with a DEIR in two parts, a PRDEIR so far, and a significant amount of comments). The value of final CEQA documents for informing public debate on projects is decreased in such cases.

As you know, the proposed project is one of the largest to be proposed in the Central Coast in recent years, it involves significant coastal resources, and it remains very controversial. Because of this, and to provide for the most open and informed public discussion and debate on its merits, we recommend that any final CEQA documents be prepared in such a way that reference back to drafts is not necessary. In other words, the final CEQA document would include the final text and figures within which all changes (in response to comments or otherwise) are reflected. Comments and responses on drafts could be in a companion final appendix document of some sort, but would not require cross-referencing. The revised and recirculated DEIR requested offers an opportunity to begin organizing the document to be finalized in this way.

Thank you for the opportunity to comment. As with our prior DEIR comments, we hope that these comments help to frame the LCP and coastal permit context for this project and future development within the Del Monte Forest. We continue to be available for consultation in this regard. Although the project will no doubt remain controversial, we continue to believe it is important that the County and the Commission maximize the extent to which we are working from a common understanding of the environmental baseline, and potential project impacts, in our reviews. Good planning and public policy require as much, and informed public debate on the merits of LCP amendments and coastal permits is better accomplished when this is the case. As always, feel free to contact me if you'd like to discuss this matter further.

Sincerely,



Dan Carl  
Coastal Planner

cc: Pebble Beach Company  
State Clearinghouse (SCH # 2002021130)



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March 22, 2004

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**Subject: Draft Environmental Impact Report titled "Pebble Beach Company's Del Monte Forest Preservation and Development Plan" (SCH # 2002021130)**

Dear Mr. McCue:

Thank you for forwarding the above-referenced Draft Environmental Impact Report (DEIR) to our office for review. We appreciate the information developed and presented in the DEIR, and the level of complexity and difficulty associated with an evaluation of a project of this magnitude. The Pebble Beach Company's (PBC) project is one of the largest to be proposed in the Central Coast in recent years, it involves significant coastal resources, and it remains very controversial. As you know, it is important that any Local Coastal Program (LCP) and coastal development permit (CDP) decisions in this matter be well-supported with clear and comprehensive evidence and analysis, and the CEQA process plays a critical role in this regard.

In light of this, we are concerned that some of the fundamental coastal resource issues raised by the PBC project are not framed correctly thus far in the DEIR, and that this significantly compromises the utility of the document for purposes of LCP and coastal development permit decision-making. In particular, we don't believe that the DEIR accurately frames the environmentally sensitive habitat area (ESHA) issues associated with the project and Measure A, and has mostly overlooked our previous comments in this regard. Because the EIR will be used by the County and the Commission for LCP and CDP decision making, we believe the process is better served by the County circulating a revised DEIR that is significantly changed as described below. Therefore, our comments here are brief, limited primarily to highlighting what we believe to be the significant DEIR problems in need of correction. For example, the DEIR continues to rely on mitigation for impacts as opposed to avoidance of ESHA as required by the Coastal Act. We have also attached our previous comments on PBC's proposal for development within the forest and its relation to Monterey County LCP requirements (i.e., the PBC Lot Program (predecessor) project and Measure A) and on the protection of the forest's Monterey pine habitat specifically (i.e., our periodic LCP review draft findings) that remain relevant inasmuch as they provide background information, draft discussion of Monterey pine forest habitat issues, and more detail with respect to the concerns summarized in this letter (see attached correspondence and our excerpted LCP periodic review findings). Please include these attachments within the CEQA record as a portion of our input on the DEIR.

Finally and more generally, we are concerned that the DEIR does not correctly identify the extent of ESHA within the forest and the proposed development areas, in part because it fails to

through the Commission. In addition, the DEIR should be corrected to indicate that such amendments are required, and not that they "may" be required.

#### **ESHA and Avoidance**

The DEIR continues to use the interpretation that the LCP's Del Monte Forest Land Use Plan (LUP) Figure 2 and Appendix A define *all* ESHAs within the forest. We continue to disagree with this methodology, and don't believe that it is the correct interpretation of how to identify ESHA within the forest under the certified LCP (please see our previous comments attached in this regard). The Del Monte Forest in general, and the proposed development area specifically, are home to a high number of sensitive species and/or significant habitat resources. Much of this habitat is inter-related understory and overstory (like the Monterey pine-Yadon's piperia association). We do not agree with the DEIR categorization that some of these resources are ESHA and some not based strictly on LUP Figure 2 and Appendix A. There are at least nineteen species of plants in the project area that are considered to be rare or endangered for the purposes of CEQA, and at least seven of these that are state and/or federally listed. Similarly there exists habitat for at least thirteen special-status wildlife species in the project area, and at least four listed species have been documented in the project area. The DEIR clearly shows that severe impacts to these resources would be expected with the proposed project. We cannot agree that only that portion of these species shown on LUP Figure 2 and Appendix A (circa 1984) are ESHA as defined by the LCP and the Coastal Act, and are the only habitats, therefore, to which ESHA protections apply. To take this approach lacks biological common sense. For example, Yadon's piperia, a federally-listed endangered species found almost exclusively on the Monterey peninsula and in the Del Monte Forest, had not yet even been discovered in 1984, and thus is not represented in the 1984 LUP references. Yet, listed endangered species habitat is, almost by definition, typically considered to be ESHA by the Commission. The fact that Federal and California Endangered Species Act "take" authorization would be required for species that would be displaced by the project but that are not listed in LUP Appendix A (like California red-legged frog) is a good indicator that there is more ESHA present than only that in the 1984 LUP references.

We recommend that the DEIR be modified to assess impacts to LCP and CEQA-recognized rare or endangered species habitat, including all listed species habitat, and all wetlands, particularly where associations of various sensitive species exist, as ESHA. This includes undeveloped areas of indigenous Monterey pine forest (identified by the California Native Plant Society as a List 1B species; see also attached letters, and attached LCP periodic review findings on Monterey pine in this regard). Please note that the LCP defines "rare and/or endangered species" in the Del Monte Forest as "those identified as rare, endangered, and/or threatened by the State Department of Fish and Game, United States Department of Interior Fish and Wildlife Service, the California Native Plant Society and/or pursuant to the 1973 convention on International Trade in Endangered Species of Wild Flora and Fauna" (LCP Section 20.147.020(AA)). This LCP definition is clear, and is an appropriate method for defining which species' habitats in the forest are considered ESHA.

corrected in this regard (see our attached correspondence, particularly the letter dated May 19, 1999 for the correct Coastal Act and LCP definitions for ESHA).

- The DEIR does not appear to explicitly quantify indirect impacts to resources, such as to Monterey pine and Yadon's piperia (see, for example, DEIR pages 3.3-22 and 3.3-33). These indirect resource impacts should be explicitly identified in any DEIR impact assessment and tabular counts. The most conservative DEIR approach would be to analyze indirect impacts as direct impacts if it is not clear whether indirectly impacted resources will continue to provide habitat/resource value due to the project. Please supplement the DEIR in this regard.
- The precise number and current legal status of the underlying PBC properties is not totally clear from the DEIR or otherwise (see also our attached comments, and specifically the October 23, 2000 letter on this point). We recommend that the DEIR be supplemented to include a clear description of the individual properties involved, including any chain of title and other information necessary to determine the number and configuration of legal lots. This information is important for understanding the basis from which project evaluation can proceed.
- The DEIR mapping of the Huckleberry Hill Nature Preserve is from the 1984 LUP, and does not include an updated map that includes the Sawmill Gulch restoration areas added to the Preserve by the Spanish Bay permits (see also our attached comments, and specifically the May 19, 1999 letter). The DEIR should include a clear map of the current boundaries of the Preserve.
- We appreciate the complexity of the water supply and demand issues as they relate to PBC's entitlement. This is clearly a complicated issue area, and we appreciate the information and analysis in the DEIR. That said, it is not clear to us from the DEIR information presented that the Carmel River would not be adversely affected by water use due to the proposed project. It is our understanding that existing river withdrawals have already resulted in significant resource degradation. We believe that additional information is necessary to understand the relation of the project to the withdrawals from the Carmel River and the health of the River as a result. Please supplement the DEIR to provide information and analysis regarding the health of the Carmel River, including an analysis of the effect of current withdrawals on listed and other species habitat there, the optimum River levels necessary to support these species' needs, and the effect of additional withdrawals on Carmel River health due to project-related demand. We would suggest that NOAA Fisheries, United States Fish and Wildlife Service, and California Department of Fish and Game (at a minimum) be consulted in this process.
- A portion of the proposed golf course is located on what was apparently historically the Spyglass Quarry. The DEIR does not provide adequate information on the history of the quarry and subsequent development that has resulted in fill and use as a PBC corporation yard/landfill of sorts. Please supplement the DEIR with a history of this portion of the project area that includes, at a minimum, a description of (including dates associated with) past quarrying activities, all subsequent development (including the apparent fill that has created the level portion of this area), and all permits for any development.

review. In terms of process, we recommend that Measure A be submitted and acted on, and that the required CDP amendments be applied for and acted on, before the County further considers or acts on the proposed project.

We hope that these comments help to frame the LCP and CDP context for this project and future development within the Del Monte Forest. In the interest of facilitating the decision processes of the County and the Commission to the maximum degree feasible, we would welcome and invite you to engage in more direct consultation with our planning staff with respect to the various biological and ESHA issues raised by the project. Although the project will no doubt remain controversial, it is important that the County and the Commission maximize the extent to which we are working from a common knowledge base, including biologic expertise, concerning the basic facts and science underlying the various resources at issue. We continue to be available to the County and PBC, within the restrictions of our limited staffing, for such consultation.

Sincerely,



Diane Landry  
District Manager

Attachments: Letters dated May 19, 1999, October 28, 1999, October 23, 2000, November 21, 2000, March 30, 2001, and April 3, 2002; Draft Periodic LCP Review Findings for "Protection of Monterey Pine Forest Habitat"

cc: State Clearinghouse



**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4883  
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December 31, 2003

Scott Hennessey, Director  
Department of Planning and Building Inspection  
Monterey County  
P.O. Box 1208  
Salinas, CA 93902

**Subject: Coordination on Habitat Planning for Del Monte Forest**

*Scott,*  
Dear ~~Mr.~~ Hennessey

I am writing to follow up briefly on our phone conversation of several weeks ago in which we discussed on-going work associated with the Pebble Beach Company "Measure A" project (PBC). I also spoke with Thom McCue. Although there are many issues related to this project that require close coordination between the County and the Commission, I am concerned that we have not coordinated sufficiently on the detailed habitat related planning that has been on-going, and that will eventually be incorporated into the Draft Environmental Impact Report (DEIR) for the project.

As you know, potential habitat impacts of the PBC project, and appropriate mitigation measures where impacts cannot be avoided, will be one of the significant issues that the County and the Commission will need to address in the review of LCP amendments and the project. While we understand that your staff is somewhat constrained in its review given the origins of the project in the voter-approved Measure A, we believe that the decision-making processes of both the County and the Commission can only be improved by early coordination on such critical planning issues. In particular, potential conflicts between the County and the Commission, and thus project delays, may be better avoided by coordinating, before completion of the DEIR, on the biological data collection, field work, evaluation, etc. being conducted by the County. We appreciated the opportunity to do such coordination early in the process, particularly that between our wetlands biologist and consulting biologists for the project. However, we have heard very little from the County about on-going habitat planning in the last year.

I understand from Mr. McCue that the DEIR may be completed as early as next month. If this is the case, it may be too late for the Commission to provide meaningful input into the baseline planning work of the DEIR, although we will certainly provide the County with feedback for the Final EIR. If this is not the case, though, we invite you to meet with us to discuss the current status of habitat planning in Del Monte Forest, so that we may help to maximize the utility of the DEIR for purposes of future public review. In either case, improving our coordination concerning the review of the PBC project can only assist us in our mutual review responsibilities, particularly given the severe financial constraints under which our agencies are operating.

Finally, we have recently completed the background materials and draft findings for the Commission's Periodic Review of the Monterey County LCP. I have enclosed a CD with all of the materials for your review. Although we have been and will continue working closely with the County's General Plan Update staff, we look forward to feedback from the Department of Planning and Building Inspection on the Preliminary Recommendations and our analysis of LCP implementation. We are planning to present the preliminary Periodic Review recommendations and findings to our Commission at the March meeting in Monterey, and we hope to further refine our recommendations prior to that meeting based on review and input from the County and the public. We have tentatively planned on presenting the material to the Monterey County Board of Supervisors at the end of January. Of course, there are a significant number of Periodic Review recommendations related to habitat protection, particularly Monterey pine forest habitat. In terms of the PBC project, short of direct coordination, it may be beneficial for your Department to consider these recommendations and analysis in your on-going Measure A and PBC project review. Please do not hesitate to call Rick Hyman or me if you have questions about the Periodic Review. We look forward to working with your Department in the new year.

Sincerely,



Charles Lester  
District Director

Enclosures: Monterey County Periodic Review CD

cc: Cheryl Burrell, Pebble Beach Company

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(831) 427-4863



October 23, 2000

Monterey County Board of Supervisors  
c/o Lou Calcagno, Chair  
240 Church Street  
Salinas, CA 93901

Subject: *Pebble Beach Company Proposed Initiative: "Del Monte Forest Plan: Forest Preservation and Development Limitations"*

Dear Honorable Supervisors,

Our office would like to take this opportunity to provide initial comments on the "Del Monte Forest Plan: Forest Preservation and Development Limitations" Initiative (the Initiative) proposed by the Pebble Beach Company and placed on the November ballot by your Board. As you know, the Initiative proposes making numerous changes to the Monterey County Local Coastal Program (LCP), including amending the Del Monte Forest Area Land Use Plan (LUP) and the Monterey County Coastal Implementation Plan (IP). If County voters approve the Initiative in November, it will next be submitted by the County as an LCP amendment request to the Coastal Commission. The Commission will then process the submittal in the same manner as any LCP amendment. It is important, therefore, that the changes proposed by the Initiative be understood within the context of both the Coastal Act and the resource protection requirements of the existing LCP. In particular, we note that much of the land in the Del Monte forest that would be affected by the Initiative is constrained by existing natural resources on site, such as environmentally sensitive Monterey pine forest, wetland, riparian and dune habitats, and several rare and endangered sensitive plant species that the LCP protects, regardless of underlying land use designations.

### Proposed Land Use Changes

As we understand it, the Initiative would change the Del Monte Forest Area LUP land use and IP zoning district designations<sup>1</sup> for approximately 35 parcels owned by the Pebble Beach Company (PBCo). These parcels cover approximately 592 acres<sup>2</sup>, the majority of which are currently undeveloped and characterized by large tracts of Monterey pine forest, wetlands, and other sensitive habitats. [Please refer to: (1) Attachment 1 for a figure prepared by PBCo that shows both existing and proposed zoning under the Initiative; (2) Attachment 2, a table prepared by CCC staff showing the existing conditions and changes proposed for each land use area; and (3) Attachment 3, staff analysis of the land use changes proposed for each area.]

<sup>1</sup> Throughout this letter, land use designations are generally spelled out, followed by zoning district in parentheses; for example Open Space Forest (RC) represents the Open Space Forest land use designation and the Resource Conservation zoning district.

<sup>2</sup> All acreages are approximated from those given in the *Pebble Beach Lot Program - Project Applications Summary Handout*, prepared by Monterey County Planning & Building Dept. for Minor Subdivision/Subdivision Committee January 12, 1999.

Approximately 500 acres of the undeveloped area affected by the Initiative is currently designated Residential [zoned medium-density residential (MDR/B8) or low-density residential (LDR/B8)]. About 80 acres of the affected area are currently designated Open Space Forest (zoned Resource Conservation, or (RC)), and about 12 acres are currently designated General Commercial (zoned Coastal General Commercial or (CGC)). Under the proposed Initiative, approximately 198 acres would be redesignated as Open Space Forest (RC), approximately 288 acres would be redesignated Open Space Recreation (also zoned Open Space Recreation or (OR)), and approximately 9 acres would be redesignated Commercial Visitor Serving (zoned Visitor Serving Commercial or (VSC)). Approximately 12 acres would remain General Commercial (CGC), and approximately 85 acres would remain Residential (94% zoned LDR and 6% zoned MDR).

Generally speaking, the Initiative would rezone large tracts of undeveloped, largely forested land in the Spanish Bay, Spyglass/Cypress, Gowen Cypress, Middlefork, and Pescadero planning areas from Residential (MDR/B8 and LDR/B8) to Resource Conservation (RC). Other areas in the Spanish Bay, Spyglass Cypress and Pebble Beach planning areas would be rezoned from Residential to Open Space Recreational (OR). These area changes would modify zoning designations in order to facilitate a new 18-hole golf course and clubhouse (in the Spyglass/Cypress and Pebble Beach planning areas), and a new driving range and golf teaching center (in the Spanish Bay planning area). The Initiative also proposes to rezone the Sawmill Gulch area, located in the Gowen Cypress planning area, from Resource Conservation (RC) to Open Space Recreation (OR), in order to allow for the relocation of the equestrian center from its current site near Peter Hay Hill.

Proposed changes to Residential (MDR/B8 and LDR/B8) and General Commercial (CGC) designations would allow up to 60 residential units to be developed in Del Monte Forest for employee housing, including up to 12 employee housing units in the Spanish Bay Planning Area B (zoned MDR), and up to 48 employee housing units in the Gowen Cypress Planning Area (zoned CGC). The Initiative would also remove the B8 Resource Constraint overlay from the residentially zoned areas defined in the Initiative.

In addition, the Initiative would remove the existing 161-unit cap on Commercial Visitor Serving development in the Lodge area, and the similar 270-unit cap in the Spanish Bay Resort area. And, the new Commercial Visitor Serving (zoned VSC) designation in the Spyglass Cypress Planning Area would allow for the potential development of up to 24 "golf-suites."

#### **Coastal Planning Issues Raised by the Initiative**

In general, the Del Monte Forest would certainly benefit from a "down-zoning" meant to clearly limit future potential development in currently undeveloped forest areas, particularly given the extent of sensitive coastal resources present there. For example, some areas currently designated for residential development would be more aptly described by the Open Space Forest land use designation and Resource Conservation zoning district, as proposed in certain instances under the Initiative. We recognize as well that any reduction in future residential development would also be expected to correspondingly decrease the amount of traffic, water use, and other public service requirements associated with such development. (Of course, other potential changes

under the Initiative, such as the increase of visitor serving units, also represent their own corresponding increases of such impacts.)

Nonetheless, as we have indicated previously (see most recently our letters dated May 19, 1999 and October 28, 1999; Attachments 4 and 5, respectively), Commission staff remains concerned about the impacts that any future development may have with respect to the existing native Monterey pine forest and other environmentally sensitive habitats located in the Del Monte Forest. For example, both the golf course and driving range are being proposed for areas that contain some of the most important remaining undeveloped Monterey pine forest, wetland and other sensitive habitats in the Del Monte Forest Land Use Area. Other areas slated by the Initiative for development contain similar resource constraints. The current LCP and the Coastal Act provide an array of policies aimed at protecting sensitive resource areas. As such, we are concerned that the proposed Initiative, read as a whole, is not adequately consistent with existing resource protection policies in light of the significant on-the-ground resources found in the affected areas.

In addition, our limited analysis to date has identified other coastal planning issues raised by the Initiative, including: proposed relocation of the equestrian center to Sawmill Gulch in light of previous permit conditions that require conservation easements and reclamation/restoration of the site; the impacts that increased equestrian use may bring to sensitive habitat areas in and adjacent to the Sawmill Gulch site; and the potential impacts from the proposed increase in visitor-serving uses at various sites.

#### Overall Development Potential in Del Monte Forest

Overall, the Initiative indicates that it would reduce the total number of potential new residential units from 889 single family dwelling to 38 general residential units, 60 employee residential units and 24 visitor-serving units (See Attachment 2). However, it should be understood that the 889 potential residential units cited by the PBCo do not represent any entitlement. There are not currently 889 vacant residential lots owned by PBCo in Del Monte Forest. The 35 residentially zoned parcels owned by PBCo would first have to be subdivided to obtain this number of new residential sites. The 889-unit number appears to have been derived solely by calculating the acreage of the affected area, and applying the maximum allowed density to derive a total of potentially developable units.

The actual current development potential of the land proposed for rezoning, though, is considerably less. This is because development within any of the areas described in the Initiative would be severely constrained by the sensitive coastal resources present there, including wetlands, dunes, riparian corridors, and Monterey pine forest. As shown on previous resource maps prepared by the PBCo (contained in the Pebble Beach Lot Program – Project Applications Summary Handout), almost all of the areas listed in the Initiative are currently occupied by Monterey pine forest. Most of the areas also include some amount of environmentally sensitive dune, wetland and riparian habitats, as well as Yadon's piperia (*Piperia yadonii*), a federally endangered plant species of which nearly the entire remaining population is limited to the Del Monte forest. Other rare, threatened and endangered plant species found in these areas include Gowen Cypress, Bishop Pine, Hookers manzanita, Hickman's onion, and Monterey Clover. As

required by the currently certified LCP, protection of these existing resources (i.e., avoidance and buffers) would restrict the location and size of any potential building envelope, significantly reducing the actual development potential for the undeveloped land that would be affected by the Initiative.

Inasmuch as the effect of the proposed changes to the Del Monte Forest Land Use Plan is being described in relation to an overall development potential, it would appear to be in everyone's interest to have a better understanding of this actual potential. We note that a more accurate representation of current development potential could be calculated by identifying the number of existing legal lots of record in the forest (which appears to be only 35), mapping out the environmental constraints for the affected properties (including necessary buffers), and then identifying the remaining potential building envelopes.

Management of Monterey Pine Forest

The LUP policy guidance for forest and soil resources in Del Monte Forest states

*The natural beauty of the Del Monte Forest is one of its chief assets. The forest resource, in addition to its role in the areas natural environment, is a principal constituent of the scenic attractiveness of the area, which should be preserved for the benefit of both residents and visitors. The Forest is more than an aggregate of trees. It is home to the area's wildlife and serves to moderate climatic extremes. Therefore, long-term preservation of the Forest resource is a paramount concern.*

As noted in Commission staff's previous correspondence on the earlier Pebble Beach Company Lot Program Application, LUP policies regarding preservation of the forest resources require that: the forest be retained "to the maximum feasible degree" (LUP policy 31); projects minimize tree removal (CIP Section 20.147.050(D)(3)) with preference for design concepts which pursue this goal (LUP Policy 34); for all projects proposing tree removal, "preservation of scenic resources shall be a primary objective" (LUP Policy 33); and perhaps most importantly, where LUP objectives conflict, "preference should be given to long-term protection of the forest resource" (LUP Policy 32).

Since certification of the County's LCP in 1984, the status of species that have become rare or especially valuable today have changed from those originally listed in the LCP. Changes associated with the Monterey Pine forest are particularly pertinent to the Del Monte Forest. Within its native range, Monterey Pine is found in just four places in the world—the largest stand being that which mantles the Monterey Peninsula and defines the Del Monte Forest. While native pine forest has generally been threatened in post-European times by habitat conversion, the continued existence of native Monterey Pine forest at all is currently threatened by the pitch canker epidemic. Estimates are that pitch canker disease could result in the death of up to 85% to 90% of the Monterey pine (*Pinus radiata*) trees within the Forest. Because of its limited native range, the threat of ongoing habitat conversion, and now pitch canker, the native Monterey Pine has been listed as a federal Species of Concern and placed on the California Native Plant Society List 1B, making it specifically eligible for recognition under the California Endangered Species Act. [The Native Plant Society has already submitted a petition (in August

1999) to list Monterey Pine as a threatened species, although it was temporarily withdrawn in December 1999 to allow the California Department of Fish and Game time to analyze the volume of information submitted.]

Because of the pitch canker threat, and in light of the special status now associated with the native Monterey pine forest, we recommend that any comprehensive LCP amendment, such as the land use changes proposed by the Initiative, include policies that protect Monterey Pine forest habitat and minimize the risk of native pine forest extinction<sup>3</sup>. Such policies should require designation of the most sensitive forest tracts as ESHA. For those areas not so identified, and not otherwise determined to be ESHA through environmental review, comprehensive tree protection and diseased tree removal protocols should be put in place, including: identification of infected and/or disease resistant/tolerant trees; protection and genetic preservation of disease resistant strains; designation of proper techniques for reducing the spread of the disease (covering removal, handling and disposal of infected materials); and specification of replanting requirements using disease resistant trees.

Along these lines, if the Initiative is submitted as an LCP amendment, the Commission also will have to determine if the proposed Open Space Management Classifications are appropriate, given the existing sensitive resources on each site. As written, the Initiative proposes to manage Open Space Forest under the Open Space Management Classification VI. This classification was originally developed for lands adjoining those planned for development and for permanent forest space that generally consists of even-aged Monterey pine forest. However, it may be more appropriate to manage these areas under Open Space Management Classification II, which was developed for areas such as the SFB Morse Reserve, Crocker Cypress Grove and other areas that consist of "...rare, endangered, or unique plants and their associated communities that have been designated as natural areas of special botanical interest."

We would additionally anticipate that any future amendment to the LCP also will need to provide for the incorporation of potential future technology and/or knowledge that could aid in the long-term protection and preservation of forest resources in the Del Monte Forest (e.g., new cloning, green waste management, and/or pest eradication techniques), as recommended by the Monterey Pine Watch program and experts in this field.

#### Land Use Designations and Zoning for Open Space

Because the Initiative proposes to redesignate large areas of forest from residential to open space zoning, it is important to understand the differences between the different proposed open space land use designations. Overall, open space land use areas are critical to maintaining the natural systems of the Del Monte Forest, including sites of endangered species, riparian areas, wetland areas, and sensitive coastal strand areas (dunes and beaches). The LUP has two land use designations involving such areas: Open Space Forest and Open Space Recreational. Open Space Forest land use areas are implemented by the Resource Conservation (RC) zoning districts; Open Space Recreational land use areas are implemented by the Open Space

<sup>3</sup> That is, whether or not the Initiative passes, we encourage the Board of Supervisors to consider submitting additional LCP amendments to the Coastal Commission aimed at accomplishing this goal.

Recreational (OR) zoning districts. Regulations for RC and OR zoning districts are outlined in the County's Coastal Implementation Plan (IP) Chapters 20.37 and 20.38, respectively.

The purpose of the Resource Conservation (RC) zoning district is to protect, preserve, enhance, and restore sensitive resource areas in Monterey County. Principal permitted uses in a RC zoning district are (a) resource dependent educational and scientific research facilities uses, and low-intensity day use recreation uses such as trails, picnic areas and boardwalks; and (b) restoration and management programs for fish, wildlife, or other physical resources. Currently, Open Space Forest land uses specified in the Del Monte Forest Land Use area are aimed at protecting such resources as the SFB Morse Botanical Reserve, riparian corridors, rare plants and specimen trees, and geological hazard areas. Potential development allowed in Open Space Forest areas include trails, low-intensity recreational facilities, tree cutting, and public works only if consistent with all other plan policies.

The purpose of Open Space Recreation (OR) zoning district is for the establishment, enhancement and maintenance of the outdoor recreation uses in Monterey County. Principle permitted uses in Open Space Recreation zoning districts include hiking and equestrian trails, picnic areas, minimum accessory facilities, such as restrooms, parking accessory to other principal permitted uses and open air recreation facilities, such as parks, athletic fields and swimming pools. Currently, Open Space Recreational land uses in the Del Monte Forest Land Use Area include the golf courses, beach and tennis club, and equestrian center along with the necessary support and maintenance facilities such as pro shops, cart shops, parking areas, stables and barns. As such, the Open Space Recreational land use designation represents a fairly intensive level of use. Thus, these zoning classifications should be understood as a spectrum from most protective (RC) to less protective (OR).

Roughly estimated, the Initiative would rezone approximately 198 acres from Residential (MDR/B8 and LDR/B8) to Open Space Forest (RC). This would be an appropriate strategy in light of the resources present in these areas (as discussed above), in that it would reduce the potential intensity of use and would provide stronger resource protection policies to these areas. New Open Space Forest (RC) areas would include much of the sensitive Pescadero Canyon area and most of the currently undeveloped lands that abut the Huckleberry Hill Nature Preserve and the Samuel F. B. Morse Botanical Reserve.

The Initiative would also rezone approximately 288 acres of land in the forest to Open Space Recreational. While most of this land would change from Residential (R) to Open Space Recreation (OR), approximately 42 acres would be changed from Open Space Forest (RC) to Open Space Recreation (OR). These zoning changes are intended to facilitate development of a new golf course in the Spyglass/Pebble Beach planning areas and relocation of the equestrian center to the Sawmill Gulch area. The Initiative would also rezone approximately 24 acres from Residential (MDR/B8) to Open Space Recreation (OR), to allow for a new driving range and golf teaching center in the Spanish Bay planning area.

In general, the change from Residential (MDR/B8 or LDR/B8) to Open Space Recreation (OR) is welcome inasmuch as it might better protect on-the-ground resources in the designated areas. Still, we expect that the pursuit of any future development activities in those areas necessarily

will follow the required sensitive resource protection policies contained in the existing LCP. The proposed changes from Open Space Forest (RC) to Open Space Recreation (OR) are questionable in that they could allow for an increased level of recreational use and structural development in areas previously considered suitable only for low-intensity uses and facilities. Such activities could have significant impacts on sensitive habitats in and adjacent to these areas. (See, for example, the discussions that follow.)

Proposed Golf Course, Equestrian Center, and Spanish Bay Driving Range

Again, the Initiative proposes, among other changes, land use changes from Residential (MDR/B8, LDR/B8) and Open Space Forest (RC) to Open Space Recreational (OR). This change is intended to facilitate the potential development of a new 18-hole golf course, driving range and golf teaching center, and relocation of the existing equestrian center and polo fields. As indicated in the most recent resource maps prepared by the Pebble Beach Company, the areas proposed for development of the new golf course and driving range, as well as the area proposed for the relocation of the equestrian center are all significantly constrained by environmentally sensitive habitat. The area proposed for development of the golf course (Area MNOUV) is almost entirely occupied by Monterey pine forest, and contains rare and endangered plant species, including Hooker's manzanita, Hickman's onion, and large areas of Yadon's piperia. Wetland and dune habitats also exist scattered throughout this area. The Sawmill Gulch area (marked EQ on Attachment 1) is similarly constrained by Monterey pine forest and sensitive wetland habitat. The area proposed for the new driving range (Area C) has previously been identified as a high priority for preservation due to the rare Monterey pine forest habitat that is located on middle-aged dunes at the site. ESHA and terrestrial resource policies of the LCP protect all wetlands, marshes, seasonal ponds, remnant coastal dunes, riparian corridors, and other sensitive resources such as the Monterey Pine forest. (With respect to wetlands, the County in cooperation with the Pebble Beach Company is currently conducting new delineations. Once these are made available, a thorough review should be conducted to determine what level of recreational use and associated development, if any, may be appropriate in or adjacent to these sensitive wetland habitat areas.)

Additionally, we note that some of the Initiative's proposed changes conflict with provisions of previous coastal permits issued to the Company that required two scenic and conservation easements over the upper and lower Sawmill Gulch quarry sites.<sup>4</sup> As we described in our May

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<sup>4</sup> As part of the Spanish Bay Resort project permitting (CDP PC-5202), a Conservation and Scenic Easement Deed was granted March 10, 1986 for the Sawmill Borrow Site (lower Sawmill Gulch quarry site) that had been mined for sand during project construction. This Deed restricted any development and uses in the area to project activities, restoration and revegetation, construction, maintenance, repair and use of public services (new road, utility lines/pipes, existing fire roads, pedestrian and equestrian trails) and "...use for open space, recreational and scientific study uses." As we have stated in previous correspondence (see letter dated May 19, 1999), facilities required to accommodate an entire equestrian center would be substantially more intense than the limited development contemplated by this easement.

A second Scenic and Conservation Easement was required under the Spanish Bay Coastal Development Permit (CDP 3-84-226), for the protection of natural and scenic resources within the Huckleberry Hill Natural Habitat Area, including the upper Sawmill Gulch quarry site (Area 6). A separate condition of that permit also required

19, 1999 correspondence, amendments to easements and underlying Coastal Commission permits would be needed to pursue relocation of the proposed full-scale equestrian center to the Sawmill Gulch site. Additionally, any such amendment request would need to demonstrate that it would not substantively weaken the effect of the Commission's previous actions, including provision of similar forest open space benefits elsewhere.

On a related note, the Spanish Bay permit (3-84-226) Special Condition 28 also required a mitigation program that included, among other things, rehabilitation of the Upper Sawmill Gulch quarry site, its incorporation into the Huckleberry Hill Natural Habitat Area, and abandonment and reforestation of the existing Haul Road slopes and roadbed. The Pebble Beach Company is not yet in full compliance with this condition.

#### Resource Constraints Overlay

The Initiative proposes to lift development restrictions related to infrastructure constraints by amending the LCP to include language that states that water, sewer and highway capacity are now considered sufficient to serve the level of development proposed by the Initiative. The Commission will need a substantive analysis of these resources, in conjunction with the proposed development potential in the Initiative to determine whether the applicable resource constraints overlay is in fact no longer required.

#### Commercial Visitor Serving Land Use

The Initiative would remove the existing potential development limitations for the Lodge and Spanish Bay Areas, which are presently set in the General Development Plan at 161 and 270-inn units, respectively. As the Initiative does not establish any new limits or restrictions, any new development would be subject to zoning regulations for the Visitor Serving Commercial zoning district, including a requirement that it conform to an approved General Development Plan. Any increase in development in these areas may result in direct, indirect and cumulative impacts that can affect land use, water use, public access, traffic circulation, parking, and other public services within Del Monte Forest. A more detailed analysis of these factors is needed to determine whether or not the proposed zoning changes and anticipated future uses can be found to be consistent with the existing LCP and the Coastal Act.

Related to these issues are the Initiative's proposed zoning changes in the Spyglass Quarry Dune area to allow for "golf suites." The Initiative, however, does not make clear what a "golf suite"

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"...reclamation plans for the upper and lower Sawmill Gulch quarry sites... these locations shall be reclaimed as natural wildlife habitat suitable for addition to the adjacent Huckleberry Hill Natural Habitat Area unless a separate CDP allows an alternative use." The Conservation Easement OTD was recorded October 12, 1987 and added areas within the Sawmill Gulch quarry site to the Huckleberry Hill Open Space area. Development and uses within the easement area are restricted to those that comply with the LCP and are consistent with the primary purpose and intent of preserving and maintaining the natural plant and wildlife habitats found within the Huckleberry Hill Natural Habitat Area. Increased equestrian use in and adjacent to SFB Morse Preserve and Huckleberry Hill Natural Habitat Area could be expected if the equestrian center is relocated nearer to these preserve areas, raising questions of consistency with this 1987 easement.

is, nor how these units would be managed. For proper evaluation, any LCP and/or General Development Plan amendment request would have to detail the size and scale of these units as well as the proposed arrangement for ownership and visitor-serving use.

#### **LCP Amendment Process**

The Initiative proposes a number of changes to the County's current Local Coastal Program for Del Monte Forest. If the initiative passes, the changes proposed by it will not be effective until they are certified by the Coastal Commission as part of the Del Monte Forest LUP and IP. An initiative adopted by the voters has the same legal status as a plan or ordinance adopted by a City Council or County Board of Supervisors. If the initiative amends a certified LCP or affects land use in the coastal zone, the measure must be submitted to the Coastal Commission for review and certification as an LCP amendment.

If the voters pass the Initiative, the County would submit the revisions proposed in the ballot measure to the Coastal Commission for review and certification. The standard of review for an amendment to the Del Monte Forest LUP is conformance with all policies of the California Coastal Act of 1976. The standard of review for the Coastal Implementation Plan (County Zoning Ordinances) is conformance with the policies of the LUP. Regulations for amendments to certified LCPs are generally outlined in Title 14, Article 15 of the California Code of Regulations, although, as discussed in the following paragraphs, the process is somewhat different for LCP amendments proposed through the initiative process.

Unlike LCP amendments proposed by local governments, amendments proposed by the passage of an initiative are submitted directly to the Coastal Commission by the local government after certification of the election results. Thus the usual local public hearings, CEQA review and public notices associated with the preparation of an LCP amendment are not required.

Following submittal of such an amendment, the Commission will set the item for a public hearing and prepare a staff report on the proposal. The Commission hearing will be noticed as required by the regulations and the staff recommendation will be available for public review prior to the hearing. After the close of the public hearing, the Commission may either (1) approve the amendment without modification; (2) approve the amendment with suggested modifications to the proposed amendment; or (3) deny the proposed amendment all together. If the amendment is approved with suggested modifications, the Board of Supervisors may either accept or reject the Commission's proposed revisions in order to complete the process.

In closing, we would like to reiterate the critical importance of analyzing the changes proposed by the Initiative in light of the sensitive resources currently existing within the Del Monte Forest. We are supportive of proposed land use changes that protect the pine forest and other ESHAs present within the areas defined by the Initiative. We remain concerned, however, that a number of the proposed land use changes have the potential to substantially increase the level of intensity of use in areas that contain significant sensitive habitats, specifically with regard to portions of the areas proposed for the new golf course, driving range and relocated equestrian center. Changes to the Del Monte Forest Area plan definitely are in order given the age of the County's

LCP, but any such changes must protect the Monterey pine forest, wetlands, and other sensitive species there if the area is to remain the special coastal resource that it is today.

Thank you for your consideration of these comments. As always, we remain available to answer any questions and to assist with any LCP amendment(s) or related coastal permits that may result from the Initiative.

Sincerely,



Tami Grove  
Deputy Director  
California Coastal Commission

Cc: Jim Colangelo, Assistant Admin. Officer, Monterey County Planning and Building Dept.  
Jeff Main, Supervising Planner, Monterey County Planning and Building Dept.  
Adrienne Grover, Esq., Acting County Counsel, Monterey County  
Dave Potter, District 5 Supervisor, Monterey County Board of Supervisors  
Peter Douglas, Executive Director, California Coastal Commission  
Allen Williams, Carmel Development Company (Representative for Pebble Beach Co.)  
Tony Lombardo, Esq., Lombardo & Gilles (Attorney for Pebble Beach Company)

Attachments:

1. Map showing Existing and Proposed Land Use Designations (prepared by Pebble Beach Company)
2. Existing Conditions and Proposed Land Use Changes (Table prepared by CCC staff)
3. Staff Analysis of Proposed Changes to LUP Land Use Designation and CIP Zoning Districts Described in Pebble Beach Company Proposed Initiative (prepared by CCC staff)
4. May 19, 1999 Correspondence from Tami Grove to Bill Phillips, Monterey County Planning Director on Pebble Beach Lot Program
5. October 28, 1999 Correspondence from Tami Grove to Bill Phillips, Monterey County Planning Director on Pebble Beach Lot Program

DEL MONTE FOREST PLAN:  
FOREST PRESERVATION AND  
DEVELOPMENT LIMITATION INITIATIVE

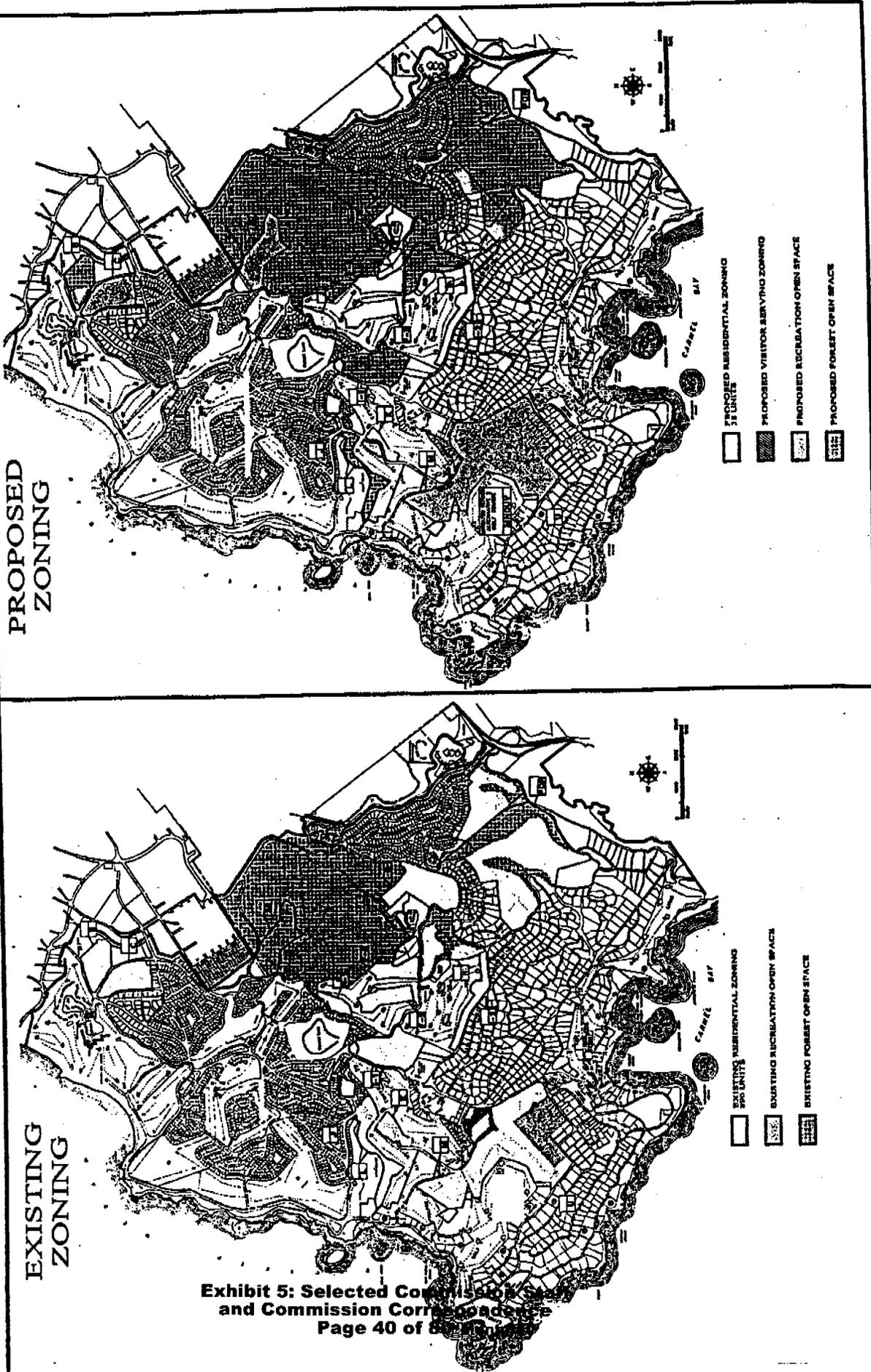


Exhibit 5: Selected Commission Staff  
and Commission Correspondence  
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Attachment 2. Existing Conditions and Proposed Land Use Changes to Del Monte Land Use Plan

| Planning Area    | Area (Acreage) | Current LUP Designation (Zoning District) and Maximum Number of Potential Development Units | Proposed LUP Designation (Zoning District) and Maximum Number of Potential Development Units | Proposed Changes to "New Land Uses"   | Existing Resources On-Site      | Approximate % Constrained by Existing Resources |
|------------------|----------------|---|--|---|---------------------------------|---|
| Spanish Bay      | B (29 acres)   | R (MDR/B8) 63   | OF & R (RC) & (MDR) 12 Employee Units  | Adds up to 12 employee residences and additional employee parking<br>Replaces senior citizen with employee use for affordable housing | MPP, YP, RIPARIAN               | 100% MPF<br>25% other                           |
|                  | C (29 acres)   | R (MDR/B8) 56   | OR (OR) 0  | Driving range, golf teaching center, and parking to complement existing golf course   | MPP, WETLANDS                   | 100% MPF<br>10% other                           |
| Gowen Cypress    | F-1 (10 acres) | R (MDR/B8) 17   | R (LDR) 2  |   | MPP, YP, HM(MD), GC             | 100 % MPF<br>60% other                          |
|                  | F-2 (20 acres) | R (MDR/B8) 39   | R (LDR) 10   | Removes golf course in western part   | MPP, YP, HM(MD), GC, BP         | 100% MPF<br>25% other                           |
|                  | F-3 (17 acres) | R (MDR/B8) 30   | R (LDR) 4  |   | MPP, YP, HM(MD), HO, GC/BP ESHA | 100% MPF<br>90% other                           |
| Huckleberry Hill | G (48 acres)   | R (MDR/B8) 78   | OF (RC) 0  |   | MPP, HM(MD), MC, HO             | 100% MPF<br>60% other                           |
| Middle Fork      | H (54 acres)   | R & OF (MDR/B8) & (RC) 48   | OF (RC) 0  |   | MPP, YP, HM(HD), HO             | 100% MPF<br>50% other                           |
|                  | I-1 (40 acres) | R (LDR/B8) 46   | OF (RC) 11   | Removes golf course as principle proposed land use  | MPP, YP, HM (HD), HO, RIPARIAN  | 100% MPF<br>50% other                           |
|                  | I-2 (12 acres) | R (MDR/B8) 37   | R (LDR) 3  |   | MPP, YP                         | 100% MPF<br>10% other                           |

| Planning Area          | Area (Acreage)                  | Current LUP Designation (Zoning District) and Maximum Number of Potential Development Units | Proposed LUP Designation (Zoning District) and Maximum Number of Potential Development Units | Proposed Changes to "New Land Uses"   | Existing Resources On-Site               | Approximate % Constrained by Existing Resources |
|------------------------|---------------------------------|---|--|---|--|---|
| Spyglass Cypress       | J (9 acres)                     | R (MDR/B8) 22   | R & OF (LDR) & (RC) 1  |   | MPF, YP, WETLANDS, RIPARIAN              | 100% MPF<br>50% other                           |
|                        | K (11 acres)                    | R (LDR/B8) 22   | R & OR (LDR) & (OR) 0  |   | MPF, YP, WETLANDS                        | 100% MPF<br>75% other                           |
|                        | L (18 acres)                    | R (MDR/B8) 46   | OF (RC) 0  |   | MPF, YP, WETLANDS, RIPARIAN, DUNES       | 100% MPF<br>10% other                           |
| Spyglass/ Pebble Beach | M/N (9 acres)                   | R (MDR/B8) 24   | CVS (VSC) 24   | Removes Residential Units<br>Adds up to 24 future Golf Suites   | MPF, DUNES                               | 100% MPF<br>60% other                           |
|                        | MNOUV (211 acres)               | R & OF (MDR/B8, LDR/B8) & (RC) & (OR) 207   | OR (OR) 0  | Adds New Golf Course<br>Removes existing Equestrian Center near Peter Hay Hill<br>Removes limitation on amount of development in Lodge area | MPF, YP, HM(HD), HO, PC, WETLANDS, DUNES | 80% MPF<br>40% other                            |
| Pescadero              | PQR (14 acres)                  | R (LDR/B8) 154  | R & OF (LDR) & (RC) 7  |   | MPF, YP, HM(MD), HO, RIPARIAN            | 100% MPF<br>25% other                           |
| Huckleberry Hill       | Corp Area (12 acres)            | CG (CGC/B8) 0   | CG (CGC) 48 Employee Units   | Adds Employee Units as allowable use  | MPF                                      | 5% MPF  |
| Gowen Cypress          | EQ Equestrian Center (42 acres) | OF (RC) 0   | OR (OR) 0  | Adds Equestrian Center in Sawmill Gulch and adds Open Space Recreational as allowable land use  | WETLANDS                                 | 10% other                                       |

Land Use Designations: R = Residential; OR = Open Space/Recreation; OF = Open Space/Forest; CG = Commercial General; CVS = Commercial Visitor Serving  
Zoning Designations: RC = Resource Conservation; OR = Open Space Recreational; LDR = Low Density Residential; MDR = Medium Density Residential; VSC = Visitor Serving Commercial; CGC = Coastal General Commercial  
Existing Resources: MPF = Monterey pine forest; YP = Yacdon's piperita; HM = Hooker's manzanita; (HD) = High Density; (MD) = Medium Density; GC = Gowen Cypress; BP = Bishop pine; HO = Hickman's onion; MC = Monterey clover; PC = Pacific Grove clover

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**Attachment 3.****STAFF ANALYSIS OF PROPOSED CHANGES TO LUP LAND USE DESIGNATION  
AND CIP ZONING DISTRICTS DESCRIBED IN  
PEBBLE BEACH COMPANY PROPOSED INITIATIVE: "DEL MONTE FOREST  
PLAN: FOREST PRESERVATION AND DEVELOPMENT LIMITATIONS."**

The following information provides the Commission staff's analysis of the zoning and land use designation changes proposed by the "Del Monte Forest Plan: Forest Preservation and Development Limitations" initiative ("the Initiative"). Comments are given for each area described in the initiative, organized within each of the different planning areas outlined in the LUP.

**Spanish Bay Planning Area:****Area B*****Proposed under the Initiative***

- The LUP land use designation for a portion of Area B would be changed from Residential (R) to Open Space Forest (RC). The LUP land use designation for the rest of Area B would remain Residential (MDR), and would allow the potential development of up to 12 Employee housing units. Language in the LUP would also be amended to remove the restrictions for additional employee housing units to "dormitory/bunkhouse or temporary (ie, former mobile homes)," thereby allowing permanent rather than temporary affordable housing units to be built consistent with all other plan policies. LUP language would also be amended to accommodate employee, rather than senior citizen, housing.

***Staff Comments***

- The existing Residential (MDR/B8) zoning in Area B allows a maximum of 63 potential residential development units. However, any potential development in Area B would be constrained by existing ESHA and other sensitive resources<sup>1</sup>, including environmentally sensitive riparian habitat areas, Monterey pine forest habitat, and Yadon's piperia. According to the previous resource maps prepared by the Company, Area B is almost entirely covered with Monterey pine forest, and approximately 20% of the area contains environmentally sensitive riparian habitat areas and Yadon's piperia.
- Commission staff conducted a site visit to Area B on October 3, 2000, and observed that the site contains two cleared and graded areas, and a fairly wide, unpaved roadway. These disturbed areas appear to be appropriately zoned for residential development, as designated in the current LCP and as proposed in the Initiative. The area surrounding these two disturbed areas, however, is densely forested and would seem to be more appropriately zoned Open Space Forest (RC). Although the Initiative proposes doing just that for a

<sup>1</sup> References made to mapped ESHA and other mapped sensitive resources in this attachment are based on 1) *Pebble Beach Lot Program Project Applications Summary Handout for the Monterey County Minor Subdivision / Subdivision Committee* (January 12, 1999, for hearing January 14, 1999); 2) CCC staff field visits; and 3) CDP permit history for Del Monte Forest.

portion of the site (see Attachment 1) it is not clear that the proposed residential areas would be located only within the disturbed areas in Area B.

#### **Area C**

##### ***Proposed under the Initiative***

- The LUP land use designation for Area C would be changed from Residential (R) to Open Space Recreational (OR) and would allow for the development of a new driving range, golf teaching center, and parking areas to compliment the existing Spanish Bay golf course.

##### ***Staff Comments***

- The existing Residential (MDR/B8) zoning in Area C allows a maximum of 56 potential residential development units. However, any potential development in Area C would be constrained by existing ESHA and other sensitive resources, including environmentally sensitive wetlands, and Monterey pine forest habitat. According to the previous resource maps prepared by the Company, Area C is almost entirely covered with Monterey pine forest, and approximately 10% of the area contains environmentally sensitive wetlands.
- Commission staff conducted a site visit to Area C on October 3, 2000, and observed that the site is densely forested with both Monterey pine and oak woodland habitats, and contains a dense, well developed brushy understory. Based on existing site conditions, Commission staff believe that Area C would be more appropriately zoned Open Space Forest (RC) than Open Space Recreational as proposed by the Initiative. Please note Area C has been identified by the California Department of Fish and Game as a high priority area for preservation due to the rare Monterey pine forest habitat located on middle aged dunes according to the *Monterey Pine Forest Conservation Strategy Report* (Jones & Stokes, 1996).

#### **Gowen Cypress Planning Area:**

##### **Areas F-1, F-2, F-3**

##### ***Proposed under the Initiative***

- The LUP land use designations for Areas F-1, F-2, and F-3 would remain Residential but the zoning would be changed from MDR/B8 to LDR, and would allow a maximum of 16 potential residential development units, when combined.

##### ***Staff Comments***

- The existing Residential (MDR/B8) zoning in Areas F-1, F-2, and F-3 allows a maximum of 86 potential residential development units when combined. However, any potential development in these areas would be constrained by existing ESHA and other sensitive resources, including environmentally sensitive Gowen cypress/Bishop pine forest habitat, Monterey pine forest habitat, Yadon's piperia, Hooker's manzanita and Hickman's onion. According to the previous resource maps prepared by the Company, each of these three areas is almost entirely covered with Monterey pine forest habitat. Additionally, nearly 50% of Area F-1 contains Yadon's piperia and 30% contains Hooker's Manzanita. Area F-2 contains about 25% Hooker's manzanita, 10% Yadon's piperia, and some number of Bishop pine and Gowen cypress trees, and Area F-3 contains about 80% Hooker's manzanita, 5%

Yadon's piperia, and 20% environmentally sensitive Bishop pine/Gowen cypress forest habitat.

- Commission staff conducted a site visit to Area F-1 on October 3. Areas F-2 and F-3 have not yet been visited by staff. Additional research is necessary to analyze the proposed changes here. However, previous resource mapping indicate that Areas F-1, F-2 and F-3 are heavily constrained, irregardless of the land use and zoning designations.

### **Huckleberry Hill Planning Area:**

#### **Area G**

##### ***Proposed under the Initiative***

- The LUP land use designation for Area G would be changed from Residential (MDR/B8) to Open Space Forest (RC).

##### ***Staff Comments***

- The existing Residential (MDR/B8) zoning in Area G allows a maximum of 78 potential residential development units. However, any potential development in Area G would be constrained by existing ESHA and other sensitive resources on site. These include Monterey pine forest habitat, Yadon's piperia, Hookers Manzanita, Monterey clover, and Hickman's onion. According to the previous resource maps prepared by the Company, Area G is almost entirely covered with Monterey pine forest habitat, nearly 60% of Area G contains Hooker's manzanita, approximately 30% contains Yadon's piperia, and approximately 15% contains Monterey clover.
- Commission staff has not yet conducted a site visit to Area G. Given the coverage suggested by the previous mapping and the proximity of Area G to the rest of the Huckleberry Hill Natural Habitat Area, however, Commission staff believe that the appropriate zoning designation for Area G would be Open Space Forest (RC), as proposed by the Initiative, rather than the current Residential (MDR/B8) zoning designation.

### **Middle Fork Planning Area:**

#### **Area H**

##### ***Proposed under the Initiative***

- The LUP land use designation for a portion of Area H would be changed from Residential (MDR/B8) to Open Space Forest (RC). The rest of Area H would remain Open Space Forest (RC).

##### ***Staff Comments***

- The existing Residential (MDR/B8) zoning district for Area H allows a maximum of 48 potential residential development units. However any potential development in Area H would be constrained by existing ESHA and other sensitive resources on site. These include Monterey pine forest habitat, Yadon's piperia, Hookers Manzanita, and Hickman's onion. According to the previous resource maps prepared by the Company, Area H is

almost entirely covered with Monterey pine forest habitat, approximately 25% of the site contains Yadon's piperia, and approximately 25% contains Hooker's manzanita.

- Commission staff has not yet conducted a site visit to Area H. Given the coverage suggested by the previous mapping and the proximity of Area G to the rest of the Huckleberry Hill Natural Habitat Area, however, Commission staff believe that the appropriate zoning designation for all of Area H would be Open Space Forest (RC), as proposed by the Initiative.

#### **Areas I-1 and I-2**

##### ***Proposed under the Initiative***

- According to Attachment 1 and Attachment 2, the LUP land use designation for Area I-1 would be changed from Residential (LDR/B8) to Open Space Forest (RC). As shown on Attachment 2, however, Area I-1 would also include 11 lots for residential development. This is not indicated on Attachment 1, nor is it shown on Exhibit 1 of the Initiative (Revised Figure 5 Land Use Plan). Exhibit 1 of the Initiative, shows the proposed land use changes in Area I-1 as all Open Space Forest (RC). However, the text of the Initiative states that "Open space and 11 lots for residential dwellings in Area I are the principal proposed land uses in this planning area." The text does not further define how many of the 11 lots would be in Area I-1 or Area I-2.

##### ***Staff Comments***

- Any residential development in an Open Space Forest (RC) zone would conflict with the limited uses allowed in a (RC) zoning district. Attachment 2 states that 11 residential lots are proposed in Area I-1 and 3 residential units are proposed in Area I-2. Thus there is an apparent conflict between the Initiative text and Exhibit 1, as well as between Attachment 1 and Attachment 2 for the land use and zoning designations proposed for Areas I-1 and I-2.
- The existing Residential (LDR/B8) zoning in Area I-1 allows a maximum of 46 potential residential development units. However, any potential development in Area I-1 would be constrained by existing ESHA and other sensitive resources, including environmentally sensitive riparian corridor habitat, Monterey pine forest habitat, Yadon's piperia, Hooker's manzanita, and Hickman's onion. Area I-1 is almost entirely covered with Monterey pine forest, approximately 40% of the site contains Yadon's piperia, 20% of the site contains Hooker's manzanita, and two environmentally sensitive riparian corridors traverse the area.
- The existing Residential (MDR/B8) zoning in Area I-2 allows a maximum of 37 potential residential development units. However, any potential development in Area I-2 would be constrained by existing ESHA and other sensitive resources, including Monterey pine forest habitat and Yadon's piperia. According to the previous resource maps prepared by the Company, Area I-2 is almost entirely covered with Monterey pine forest, and approximately 10% of the area contains Yadon's piperia.
- Commission staff has not conducted a site visit of Area I-1.
- Commission staff conducted a site visit to Area I-2 on October 3, and observed that the area contains both mature Monterey pine trees as well as numerous pine saplings. Many of the mature pines appeared to be infected by pine pitch canker. Additional research would be

necessary to understand the relation of Areas I-1 and I-2 to future development. However, previous resource mapping suggests that these areas are constrained by environmentally sensitive habitat regardless of land use and zoning designations.

### **Spyglass Cypress Planning Area:**

#### **Area J**

##### ***Proposed under the Initiative***

- The LUP land use designation for a portion of Area J would be changed from Residential to Open Space Forest. The rest of area J would remain Residential, but would be down-zoned from MDR/B8 to LDR to allow one (1) potential residential development unit.

##### ***Staff Comments***

- The existing Residential (MDR/B8) zoning in Area J allows a maximum of 22 potential residential development units. However, any potential development in Area J would be constrained by existing ESHA and other sensitive resources, including environmentally sensitive wetlands and riparian habitat areas, Monterey pine forest habitat, and Yadon's piperia. According to the previous resource maps prepared by the Company, Area J is almost entirely covered with Monterey pine forest, approximately 40% of the area is constrained by Yadon's piperia, and approximately 10% of the area contains environmentally sensitive wetlands and riparian corridor habitat.
- Commission staff conducted a site visit of Area J on October 3, and observed a small remnant of native pine forest, with numerous mature Monterey pine trees. Area J is generally surrounded by residential development. Commission staff agree that the majority of Area J should be zoned Open Space Forest (RC) as proposed by the Initiative as it contains riparian habitat located adjacent to Seal Rock Creek. Commission staff also agree that it is possible that one residential unit could be developed in this area, as proposed by the Initiative. However, any residential development here would need to be found consistent with all other plan policies.

#### **Area K**

##### ***Proposed under the Initiative***

- The LUP land use designation for a portion of Area K would be changed from Residential to Open Space Recreational. The rest of Area K would remain Residential, but would be down-zoned from MDR/B8 to LDR. No additional residential development would be allowed in this area.

##### ***Staff Comments***

- The existing Residential (MDR/B8) zoning in Area K allows a maximum of 22 potential residential development units. However, any potential development in Area K would be constrained by existing ESHA and other sensitive resources, including environmentally sensitive wetland areas, Monterey pine forest habitat, and Yadon's piperia. According to the previous resource maps prepared by the Company, Area K is almost entirely covered with Monterey pine forest, approximately 60% of the area contains Yadon's piperia, and

approximately 10% of the area contains environmentally sensitive wetlands and riparian habitat.

- Commission staff conducted a site visit to Area K on October 3, and observed that the area east of Stevenson Drive contains both mature Monterey pine trees as well as numerous pine saplings. Many of the mature pines appeared to be infected by pine pitch canker. This eastern area lies between the existing Spyglass Hill Golf Course and Stevenson Drive. The portion of Area K west of Stevenson Drive, proposed by the Initiative to be zoned Open Space Recreation (OR) (for the potential development of a clubhouse) appeared to be densely forested, with slopes steeply sloping away from Stevenson Drive. According to the previous resource maps prepared by the Company, this portion of Area K also contains environmentally sensitive freshwater wetlands and riparian habitat. Based on our current understanding, Commission staff believe that this western portion of Area K would be more appropriately zoned Open Space Forest (RC) rather than Open Space Recreational (OR) as proposed by the Initiative. Additional research is necessary to understand the relationship of the forested strip adjacent to the existing golf course (portion of Area K east of Stevenson Drive) to surrounding habitat areas.

#### **Area L**

##### ***Proposed under the Initiative***

- The LUP land use designation for Area L would be changed from Residential (MDR/B8) to Open Space Forest (RC).

##### ***Staff Comments***

- The existing Residential (MDR/B8) zoning in Area L allows a maximum of 46 potential residential development units. However, any potential development in Area L would be constrained by existing ESHA and other sensitive resources, including environmentally sensitive dune, wetland, and riparian corridor habitat areas, Monterey pine forest habitat, and Yadon's piperia. According to the previous resource maps prepared by the Company, Area L is almost entirely covered with Monterey pine forest, approximately 5% of the area contains Yadon's piperia, and approximately 5% of the area contains environmentally sensitive dune, wetland and riparian corridor habitat.
- Commission staff conducted a site visit to Area L on October 3, and observed that the area contains riparian habitat adjacent to Seal Rock Creek. Commission staff agree that Area L would be more appropriately zoned Open Space Forest (RC), as proposed by the Initiative rather than Residential as currently zoned.

#### **Area M/N**

##### ***Proposed under the Initiative***

- The LUP land use designation for a portion of Area M/N would be changed from Residential (MDR/B8) to Commercial Visitor Serving (VSC), and would allow for the potential development of up to 24 "golf suites." The Initiative does not further describe the size, layout or planned use of these units. Language in the LUP would be changed to add the future golf suites as a new visitor serving commercial area to those areas currently listed in the LUP.

**Staff Comments**

- The existing Residential (MDR/B8) zoning in this portion of Area M/N allows a maximum of 24 potential residential development units. However, any potential development in this area would be constrained by existing ESHA and other sensitive resources on site, which include environmentally sensitive dune habitat areas and Monterey pine forest habitat. According to the previous resource maps prepared by the Company, Area M/N is almost entirely covered with Monterey pine forest, approximately 50% of the area contains Yadon's piperia, and approximately 10% of the area contains environmentally sensitive dune habitat.
- Commission staff conducted a site visit to Area M/N on October 3, and observed that the area contains the old Spyglass quarry site, which has been used for some time as a dumping and fill site for the Pebble Beach Company. This site originally included a coastal dune complex that was quarried during the development of the Spyglass Golf Course. The area surrounding the fill includes both intact dunes, stabilized by Monterey pine, as well as degraded dunes (due to previous quarrying activities) that are regenerating. Remnants of the original dune complex could be observed along the edge of Stevenson Drive, indicating that the dune complex originally extended at least this far inland. The history of the quarry and fill in relation to the Coastal Act at this location need to be better understood. It is not clear when quarrying stopped, when fill began, and what Coastal Act requirements applied (and apply) here. Further research along these lines is necessary before a determination on the appropriateness of the zoning changes proposed by the Initiative for this area can be made.

**Spyglass / Pebble Beach Planning Area:**

**Area MNOUV**

***Proposed under the Initiative***

- The LUP land use designation for Area MNOUV would be changed from Residential (MDR/B8, LDR/B8), and Open Space Forest (RC) to Open Space Recreational (OR). Existing recreational facilities adjacent to Area MNOUV include the Pebble Beach Equestrian Center and Collins Field, both of which are currently zoned Open Space Recreational (OR). This land use change would allow the potential development of a new 18-hole golf course, which would require the relocation of the existing equestrian center and Polo Fields located near Peter Hay Hill to the Sawmill Gulch area (see below).

**Staff Comments**

- The existing Residential (MDR/B8 and LDR/B8) zoning in Areas MNOUV could possibly allow a maximum of 207 potential residential development units when combined. However, any potential development in these areas would be heavily constrained by existing ESHA and other sensitive resources on site, which include environmentally sensitive dune and wetland habitat areas and Monterey pine forest habitat. These areas also contain several rare and endangered plant species, including Yadon's piperia, Hooker's manzanita, Tidestrom's lupine, Monterey spineflower, Layia carnososa, Pacific Grove clover and Hickman's onion. According to the previous resource maps prepared by the Company, Area MNOUV is almost entirely covered with Monterey pine forest habitat, 40% of the area

contains Yadon's piperia and approximately 10-15% of the area contains environmentally sensitive wetlands.

- Commission staff conducted a brief site visit to Area MNOUV on October 3, and observed that the undeveloped areas here are densely forested with Monterey pine with a well developed understory. Recent wetland habitat mapping of the area also shows numerous wetland habitats in the area. Commission staff will have to conduct further field investigations of these areas before a determination can be reached as to the extent of wetlands. This area appears highly constrained by Monterey pine and other ESHA. Based on our current understanding, a traditional 18-hole golf course appears to be overly ambitious in light of these constraints. In any case, while golf course development is already an allowed use within areas zoned Residential in the Del Monte Forest, any development in these areas must be consistent with the resource protection policies of the LCP.

#### **Area O**

##### ***Proposed under the Initiative***

- The LUP land use designation for a portion of Area O would be changed from Open Space Forest (RC) to Open Space Recreational (OR).

##### ***Staff Comments***

- This land use change would increase the type and intensity of recreational use from that currently allowed. According to the previous resource maps prepared by the Company, Area O is almost entirely covered by Monterey pine forest habitat, Yadon's piperia, and Hooker's manzanita.
- Commission staff are concerned that because Area O is nearly 100% sensitive habitat, changing zoning from Open Space Forest (RC) to Open Space Recreational (OR), as proposed by the Initiative, is not appropriate in that it would weaken the resource protections currently provided for the sensitive coastal resources in this area.

#### **Pescadero Planning Area**

##### **Area PQR**

##### ***Proposed under the Initiative***

- The LUP land use designations for a portion of Area P would be changed from Residential to Open Space Forest (RC). A portion of area P would remain Residential (LDR) to allow a maximum of 7 potential residential development units.
- The LUP land use designations for Areas Q and R would be changed from Residential (LDR/B8) to Open Space Forest (RC).

##### ***Staff Comments***

- The existing Residential (LDR/B8) zoning in Areas PQR allows a maximum of 154 potential residential development units, when combined. However, any potential development in these areas would be constrained by existing ESHA and other sensitive resources, including

environmentally sensitive riparian habitat areas, Monterey pine forest habitat, and other rare and endangered plant species. According to the previous resource maps prepared by the Company, Area PQR is almost entirely covered with Monterey pine forest, and 25% of the area is constrained by wetlands, riparian corridor habitat, Yadon's piperia, Hooker's manzanita, Hickman's onion and Sandmat manzanita. The portion of Area P that would remain Residential (LDR) is almost entirely constrained by Monterey pine forest habitat, Yadon's piperia and Hooker's manzanita.

- Commission staff conducted a site visit of Areas PQR on October 3, and observed that much of this area is steeply sloped and densely forested with both mature Monterey pine and young Monterey pine saplings. Rezoning the majority of these areas from Residential (LDR/B8) to Open Space Forest (RC) is appropriate, as these areas lie adjacent to lands of the Pescadero Canyon Open Space, which is one of the largest remaining tracts of Monterey pine forest habitat in the Del Monte Forest. Any residential development within this area must be consistent with the resource protection policies of the LCP.

#### **Huckleberry Hill – Corporation Yard**

##### ***Proposed under the Initiative***

- The General Commercial LUP zoning designation for the Corporation Yard would remain unchanged and would allow development of up to 48 employee residential units.

##### ***Staff Comments***

- This land use would seem appropriate, as this site is located in a barren or disturbed area that is not apparently constrained by on-site ESHA or sensitive plant species. The Corporation Yard area is located adjacent to Monterey pine forest habitat, however, so any potential development will still have to comply with resource protection policies of the LCP.
- Commission staff has not yet conducted a site visit to the Corporation Yard Area. Given the amount of disturbed land and developed facilities currently on site (i.e., existing Pebble Beach Offices and Corporation Yard facilities), additional employee housing in this area, as proposed by the Initiative, appears to be an appropriate use of the site. It should be noted, however, that under the current zoning ordinance, the General Commercial (CGC/B8) zoning district allows for residential development only as long as the gross square footage for residential use does not exceed the gross square footage of commercial use.

#### **Gowen Cypress Planning Area - Equestrian Center**

##### ***Proposed under the Initiative***

- The LUP land use designation for the area designated EQ (Equestrian Center) would be changed from Open Space Forest (RC) to Open Space Recreational (OR). This change in zoning would increase the amount and type of recreational uses from those currently allowed in Open Space Forest.

##### ***Staff Comments***

- This area, known locally as Sawmill Gulch, was mined in the past to provide sand for the Spanish Bay Development, and as part of previous permit conditions is subject to scenic and conservation easements that require restoration, revegetation and reclamation for

wildlife habitat. A portion of this area (approximately 17 acres) is a part of the Huckleberry Hill Natural Habitat Area. The level of use and facilities required to accommodate an entire equestrian center in the Sawmill Gulch site would be substantially more intense than the limited development contemplated by the current Open Space Forest (RC) zoning, the Spanish Bay CDP, and the applicable easements. Any potential development in the Sawmill Gulch area, regardless of the Initiative, would either have to be found consistent with the land use restrictions provided for in the easements, or would require amending the Spanish Bay Permit and the associated easements. Any such amendment would have to demonstrate that it would not weaken resource protection efforts of the Commission's previous actions. (See also Attachment 3 for previous correspondence on this topic.)

- Commission staff conducted a site visit of the Sawmill Gulch area on October 3, and observed that restoration efforts in both the Upper and Lower Borrow Site areas have so far produced large areas occupied by wetland, Monterey pine and Gowen cypress forest habitats. While the restoration of these areas is not yet completely successful, it is clear that this area is becoming a part of the surrounding Huckleberry Hill Natural Habitat Area in resource value. What is more, it is clear that with some minor efforts, slope erosion in the upper quarry could be reduced to improve soil development and accumulation that would greatly improve growing conditions in these areas. The intensive recreational use that would occur if the equestrian center were to be relocated to the Sawmill Gulch area and the amount of structural facilities that would be necessary to support such activities would have significant impacts on the largely undisturbed habitats that currently exist in that area. Based on our site visit and observations of existing conditions, Commission staff believe that the Sawmill Gulch area should continue to be zoned Open Space Forest (RC), rather than be changed to Open Space Recreational (OR) as proposed by the Initiative.

Additional changes to the LUP include the following:

- **Initiative:** Table A, Summary of Planned Development, would be deleted without a replacement, and would thereby delete the numbers established as maximums for new development (residential and visitor accommodations) in Del Monte Forest.  
**Staff comments:** Without limitations on maximum development allowed in each area, future development will be regulated based on the ordinances for each zoning district (e.g., height restrictions, setback restrictions and parking requirements), and the resource protection policies of the LUP.
- **Initiative:** LUP Figure 5 would be replaced with a revised Figure 5 showing all proposed Land Use designation changes. Figures 6A, 7A, 8A, 9A, 10A, 11A, 12A, and 13A (maps showing land use designations within each Planning Area) would be removed without replacement. **Staff Comments:** Such a modification is only supportable to the extent that (1) the revised Figure 5 reflects on the ground resources as discussed in this attachment and the letter it accompanies; and (2) Figure 5 is replaced with a revised figure such that the sub-maps (i.e., 6A, 7A, 8A, etc) are no longer necessary for planning purposes. Because it is difficult for a single 11x17" map to provide adequate detail for such a large land use area, we believe that the sub-maps for each planning area are still necessary and should continue to be included in the LUP. Obviously, any sub-maps should also be revised to reflect those land use changes shown on the revised Figure 5.

- **Initiative:** The Initiative would remove the existing 161-unit limitation on potential development for visitor serving use in the Lodge area and 270-unit limit on potential development for visitor serving use in the Spanish Bay area. **Staff Comments:** The Initiative does not propose any new limits or restrictions for further development or expansion of existing visitor serving facilities in the Del Monte Forest, therefore any new development would be subject to zoning regulations for the Visitor Serving Commercial zoning district. Any increase in development in these areas may result in direct, indirect and cumulative impacts that can affect land use, water use, public access, traffic circulation, parking, and other public services within Del Monte Forest.
- **Initiative:** The "New Land Uses" subsection of the Spanish Bay planning area would be updated to describe existing development in the area, including the Spanish Bay hotel complex and the Spanish Bay Golf Course. The Spanish Bay hotel complex currently includes retail, restaurants, tennis courts, swimming pools, and 80 residential units. New language would be added to indicate that a driving range, golf teaching center, and parking area are expected to be constructed in Area C to compliment the existing Spanish Bay Golf Course. **Staff Comments:** LCP changes that update the fact that the Spanish Bay Resort is now built are supportable. However, changes to language that allow for conversion of native pine on middle aged dune at Area C (as proposed by the Initiative) do not appear consistent with protecting the valuable coastal resources at this location.
- **Initiative:** New language would be added to the "New Land Uses" subsection for each planning area to reflect the new proposed land use designations shown in Attachment 2. **Staff Comments:** As discussed above, some of those changes do not appear consistent with protecting valuable coastal resources located within particular areas of the Del Monte Forest.
- **Initiative:** The initiative would remove the Resource Constraints overlay (for water, sewer, highway capacity and traffic circulation), which presently exists over Areas B, C, F, G, H, I, J, K, L, M, N, O U, V, P, Q, and R. **Staff Comments:** The Commission will require a substantive analysis of these resources, in conjunction with the proposed development potential in the Initiative to determine whether the applicable resource constraints overlay is in fact no longer required.
- **Initiative:** The Initiative would amend the CIP to allow up to 24 "golf suites", to be located in Areas M and N, as a Visitor-Service Commercial use. **Staff Comments:** As the initiative does not make clear what a "golf suite" is, and how these units would be managed, any LCP and General Development Plan amendment would have to describe the size and scale of these units as well as the proposed arrangement for ownership and visitor-serving use.

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
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May 19, 1999

William L. Phillips  
Planning Director  
Monterey County Planning and Building Inspection Department  
P.O. Box 1208  
Salinas, CA 93902

**Subject: Pebble Beach Lot Program Application**

Dear Mr. Phillips,

We would like to take this opportunity to offer our views on some of the important Local Coastal Program (LCP) issues associated with the proposed Pebble Beach Lot Program which your Planning Commission will soon be reviewing. We understand that the Lot Program is still subject to several levels of review at the County level and that, as such, the final disposition of the project is some months away. Accordingly, the purpose of this letter is to clearly frame some of the larger coastal concerns early enough in the County's process to allow County decision-makers to proceed with knowledge of these important issues. Of course, this letter only reflects the major issues that have surfaced during our review thus far, with recognition that other concerns may arise as we continue our analysis of the proposal as it moves through the review process.

First, we want to thank your staff, specifically Jeff Main and Kate McKenna of the County Planning Department's Coastal Team, for contributing their time and energy to the Del Monte Forest field trip visit on Tuesday, March 30, 1999. This field trip allowed Commission staff, including the Commission's Executive Director, to meet and discuss Lot Program issues with County Planning staff as well as representatives of the Pebble Beach Company, California Department of Fish and Game, California Native Plant Society, Del Monte Forest Open Space Advisory Committee, Del Monte Forest Property Owner's Association, Concerned Residents of Pebble Beach, and several other individuals interested in the project. I understand from the participants from our office that the site visits to proposed development nodes were very informative and that a number of opposing points of view were heard.

This letter is meant to document and elaborate for the record the comments that Commission staff members made during the March 30 field trip, and to further clarify several Lot Program issues that have otherwise come to our attention. Specifically, we want to be certain that the definition and application of LCP policies regarding Environmentally Sensitive Habitat Areas with respect to the Lot Program are proceeding correctly. As part of this issue, we are especially concerned about the County's treatment of native Monterey pine forest and wetland resources. And finally, we would like to provide guidance on the effect of the Commission's requirement to record a conservation easement covering the Upper Sawmill Gulch borrow site, as well as the need for LCP amendments for the Lot Program as it is currently envisioned.

**Environmentally Sensitive Habitat Areas**

*Issue: All Environmentally Sensitive Habitat Areas (ESHAs), including wetlands, need to be properly delineated and then all applicable LCP policies need to be applied.*

Commission staff is concerned that County staff's interpretation of what constitutes an ESHA within the Del Monte Forest is not sufficiently inclusive. Our understanding is that County staff

**Exhibit 5: Selected Commission Staff  
and Commission Correspondence**

H:\Regulatory\Del Monte Forest\Pebble Beach Lot Program\LCP Issue

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Attachment 4 - pg 1

has recognized certain species and habitats (such as Yadon's piperia) in the CEQA and Ecological Management Implementation Plan processes, but has interpreted the LCP's ESHA policies to apply only to those habitats that are listed in Appendix A ("List of Environmentally Sensitive Habitats of Del Monte Forest Area") of the 1984 Del Monte Forest Area Land Use Plan (LUP). LUP Figure 2 schematically identifies the locations of these Appendix A habitats. However, this method relies on a list created 15 years ago as opposed to the reality of the resources present on the ground today. As a result, a number of rare and sensitive habitat areas are not being considered ESHA for the purposes of Lot Program planning. This ESHA interpretation, in our opinion, is inconsistent with the certified LCP and the effect of such an interpretation is that rare and sensitive habitat areas would not be protected consistent with the protections provided for them by the certified LCP.

The California Coastal Act defines ESHA as follows:

*"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.*

The certified Monterey County LCP definition for ESHA is essentially the same as the Coastal Act definition, Zoning Code Section 20.06.440 defining ESHA as follows:

*Environmentally sensitive habitat means an area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. (See individual land use plan segments definitions for specific examples.)*

The Lot Program project is located within the Del Monte Forest Area Segment of the LCP which is governed by Chapter 20.147 of the Zoning Code. Section 20.147.020(H) of Chapter 20.147 further defines ESHA in the Del Monte Forest as follows:

*Environmentally sensitive habitats: Environmentally sensitive habitat areas are those in which plant or animal life or their habitats are rare or especially valuable due to their special role in an ecosystem. These include rare, endangered, or threatened species and their habitats; other sensitive species and habitats such as species of restricted occurrence and unique or especially valuable examples of coastal habitats; riparian corridors; rocky intertidal areas; nearshore reefs; offshore rocks and islets; kelp beds; rookeries and haul-out sites; important roosting sites; and Areas of Special Biological Significance (ASBS).*

*In the Del Monte Forest area, examples of terrestrial, aquatic, and riparian habitats which have been determined to be entirely or in part environmentally sensitive include: the rare Monterey cypress and endangered Gowen cypress forest communities, the endemic Monterey pine/Bishop pine association, remnants of the indigenous coastal sand dunes, riparian corridors, wetlands, and sites of rare and endangered plants and animals associated with these and other habitats.*

This ESHA definition mirrors and implements the definition in the Del Monte Forest LUP, where it states that "environmentally sensitive habitat areas are those in which plant or animal life or their habitats are rare or especially valuable due to their special role in an ecosystem." The LUP goes on to describe "examples" of ESHAs in the Forest (such as sites of rare and endangered plants and animals) and states that a complete listing of these examples is shown in LUP Appendix A. LUP Appendix A states that "the environmentally sensitive habitats of the Del

Monte Forest Area *include* the following" (emphasis added) and then proceeds to provide a categorical and species listing. As such, we believe that Appendix A is not meant to be the definitive list of Forest ESHAs for all time, but rather a listing of ESHA examples known in 1984.

In fact, much has changed in the Forest since 1984 and the LUP ESHA maps and listings have never been updated to reflect these changes. Since 1984, new sensitive species have been discovered and listed (e.g., Yadon's piperia, listed as a federal endangered species), other species have become more endangered and given new listing status (e.g., Tidestrom's lupine, state and federal endangered species), and yet others are threatened in ways not imagined in 1984 (e.g., pitch canker and the native Monterey pine; Monterey pine is now listed as a federal species of concern and a petition is being prepared to propose Monterey pine for state threatened list status).

Irrespective of the LUP's maps and lists, the LCP specifically requires a biological survey for all proposed development in or near ESHAs whether the ESHA is shown on the LUP's ESHA map (LUP Figure 2), or the ESHA is determined through the evaluation of "other current available resource information" and/or on-site investigation (Zoning Code Section 20.147.040(A)(2)). The LCP-required biological survey includes the requirement that all projects in or adjacent to such ESHAs be referred to the California Department of Fish and Game (CDFG) and that "recommendations from the California Department of Fish and Game shall be included as conditions of project approval" (see Zoning Code Attachment 2, Botanical/Biological Report Format). It is our understanding that CDFG has pointed out that certain sensitive habitats would be impacted by the Lot Program, but that these areas were not being treated as ESHAs. We further understand that CDFG has consistently recommended to the County that all such ESHAs be recognized in the planning process. To date, these recommendations have been embraced only within the context of identifying CEQA impacts and mitigations, as opposed to pursuing relevant *avoidance* strategies as required by the LCP.

Consistent with County Zoning Code Sections 20.06.440 and 20.147.020(H) defining ESHA within the Del Monte Forest, and Section 20.147.040(A) defining biological survey requirements, the ESHA designation applies not only to resources known and mapped at the time of LUP certification (i.e., 1984), but also to sensitive habitat areas as they exist today. As such, the ESHA designation applies to: LUP Appendix A habitats, LUP Figure 2 habitats, newly identified habitat areas associated with species known and LUP mapped/listed in 1984, newly identified habitat areas for sensitive species which were not identified or listed as ESHA in 1984, and newly identified habitat areas for sensitive species which were not even known in 1984. In sum, the LCP requires resources on the ground to dictate the presence or absence of ESHA. If biological analysis indicates that an area in which plant or animal life or their habitats are "rare or especially valuable" today, those species and habitats must be treated as ESHAs today. As a general rule, State and Federally listed species, California Native Plant Society List 1B species, other species which have been formally so designated, and their habitats fall into the category of ESHA to which the LCP's ESHA policies apply. Likewise, all wetlands, marshes, seasonal ponds, remnant coastal dunes, and riparian corridors, among other sensitive resources, are protected by the ESHA policies of the LCP.

Please note that Monterey pine (*Pinus radiata*), though not yet currently state or federally listed as threatened or endangered, has been listed on the California Native Plant Society's List 1B ("Plants Rare, Threatened, or Endangered in California and elsewhere"); according to CDFG's Natural Diversity Data Base, List 1B species are specifically eligible for state listing. Due to the threat of pitch canker disease, it has been predicted that 85% to 90% (or more) of the native pine stock constituting the Forest in the Del Monte Forest will eventually die. Because the native

range for Monterey pine is limited only to the Monterey Peninsula (main) stand and three other isolated places on the globe, the primary hope for the survival of the Monterey pine worldwide is that there will be enough natural diversity within the native stands so that at least some trees will have genetic disease resistance and/or tolerance, that these trees can be used to propagate new trees for urban repopulation, and that larger tracts of native Monterey pine forest habitat can be preserved and managed so that natural regeneration can take place to repopulate pine forest habitats. As such, the native pine stands in the Del Monte Forest represent a global resource for native forest management efforts and for breeding programs to develop disease-resistant and/or tolerant stock. The Pebble Beach Company has been active in developing disease resistant stock and thus far has identified 60 individual trees which exhibit resistance to pitch canker. It is not clear at this time whether or not these efforts alone will eventually be enough to ensure the continued survival of the species. In fact, because uncombined native pine genetic materials may as yet lead to resistance and/or tolerance unmanifested to date in any one individual specimen, propagation of individual trees must be complemented by preservation of large, manageable tracts of native pine forest habitat.

Although pitch canker had yet to be identified when the LUP was certified in 1984, the LCP is very protective of Monterey pine in the Del Monte Forest. In fact, in addition to its List 1B and Federal Species of Concern status, the native pine forest making up the Del Monte Forest is to be preserved as a matter of "paramount concern" (LUP Policy Guidance Statement); the natural forest is to be retained "to the maximum feasible degree" (LUP Policy 31); projects are required to minimize tree removal (IP Section 20.147.050(D)(3)) with preference for design concepts which pursue this goal (LUP Policy 34); for all projects proposing tree removal, "preservation of scenic resources shall be a primary objective" (LUP Policy 33); and, perhaps most importantly, "where LUP objectives conflict, preference should be given to long-term protection of the forest resource" (LUP Policy 32).

Because of the pitch canker threat and in light of the special status now associated with the native pine forest in the Del Monte Forest, the LCP's ESHA policies will also come into play, as discussed above. Extinction, or merely extinction in the wild – however remote the possibility – is not acceptable. Therefore, we recommend that until the pitch canker threat is clearly resolved, that the most cautious approach is warranted. The County's treatment should distinguish between Monterey pine forest habitat and individual pine specimens, including ascribing greater sensitivity to those individual specimens which thus far exhibit disease resistance and/or tolerance (regardless of size), and should identify how Monterey pine are to be treated in a planning context. We should note too that the Monterey pine forest in the Del Monte Forest must be understood and treated as a complex, interdependent web of living organisms rather than just a collective noun for a group of trees in the landscaping sense. Given the severity of the threat, the dawning realization of the importance of any disease resistant and/or tolerant trees, the significance of larger manageable forest tracts available for natural genetic recombination and regeneration, and our belief that there is no acceptable risk when the possibility of extinction exists, the County must demonstrate that the environmental sensitivity of Monterey pine in the Del Monte Forest has been thoroughly analyzed in a manner befitting its importance to the species as a whole, as well as its current threatened status.

Accordingly, we recommend that to achieve LCP compliance with respect to Monterey pine forest, the County must identify the different levels of sensitivity associated with the different areas of Monterey pine forest involved in the Lot Program. An illustrative example of this type of differentiation is provided in the LUP for the adjacent Carmel Area LCP segment which distinguishes between ESHA pine forest and non-ESHA pine forest as follows (Zoning Code Section 20.146.040):

*The sensitivity of Monterey Pine habitats in the Carmel area shall be determined on a case-by-case basis through the completion of a biological/botanical report for the project. Examples of sensitive Monterey pine forest include naturally-occurring groves which:*

- a. function as habitat for rare or endemic plant or animal species;*
- b. have special value for wildlife due to the presence of snags suitable for cavity-dwelling species, or occurrence with Coast live oak, or native shrub understory;*
- c. have high aesthetic value due to their location within the public viewshed.*

Under this methodology, rather than categorically describing all Monterey pine forest as ESHA, some Monterey pine habitat areas may meet the ESHA criteria while others may not. And while this Carmel Area LCP policy doesn't address the pitch canker threat either, it does suggest a more sophisticated planning basis for reviewing proposed development which could acknowledge the current threat to the species, and protect those areas that are sensitive while allowing for development as appropriate, and otherwise LCP-consistent, in those areas determined to not be sensitive. The Carmel LUP method would need additional pitch canker-related sensitivity indicators (for example, 'naturally occurring groves which lend themselves to active management, including prescribed burning' may be an appropriate indicator of ESHA pine). In any event, it would appear very useful for such a delineation to take place prior to any further review of the Lot Program. Pursuant to the LCP's biological survey requirements, CDFG should take part in any such effort.

In any event, please be aware that in a manner similar to the Coastal Act, the certified LCP provides substantial protection for ESHAs. In fact, the LUP's ESHA policy guidance statement states that "all categories of land uses, both public and private, shall be subordinate to the protection of these [ESHA] areas." LUP Policies 8 through 30 provide the policy direction for protection of these areas. Of particular note, and mirroring the requirements of Coastal Act Section 30240, LUP Policy 8 states:

*Environmentally sensitive habitat areas that are not designated as rehabilitation 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 immediately adjacent to environmentally sensitive habitat areas shall be compatible with long-term maintenance of the resource; development shall be sited and designed to prevent impacts which would significantly degrade the protected habitat. In designated open space areas, conformance to the applicable OSAC Plan maintenance standards shall be considered the test of consistency with this policy. (Emphasis added.)*

LUP Policy 8 is implemented through Zoning Code Section 20.147.040(B)(4) which likewise states "new land uses within environmentally sensitive habitat shall be limited to resource-dependent uses...." The effect of these policies is that ESHAs are protected against any significant disruption and only uses dependent on the ESHA resource are allowed within these areas.

Of note for the Lot Program's proposed subdivisions, LUP Policy 10 states:

*New subdivisions which create commitment to development immediately adjacent to environmentally sensitive habitat areas shall be allowed only at densities compatible with protection and maintenance of these resources. New subdivisions may be approved only where potential adverse impacts to environmentally sensitive habitats can be prevented. Conformance to the applicable OSAC maintenance standards shall be*

*required wherever open space lands would be affected. 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 damage to any environmentally sensitive habitat. (Emphasis added.)*

LUP Policy 10 is implemented by Zoning Code Section 20.147.040(A)(1) which only allows new residential lots where the eventual residential development would be "feasible without damage to any environmentally sensitive habitat." Furthermore, the LCP's development standards require a 100-foot buffer around ESHAs within which "no new residential parcels shall be created whose only building site is in the buffer area" (Zoning Code Section 20.147.040(B)(1)). Whenever "rare/ endangered and/or threatened species are encountered on the site of a proposed development...performance standards...are intended to isolate building sites from identified locations of rare and endangered plants or other environmentally sensitive habitats" (Zoning Code Section 20.147.040(B)(3)). These are but a few of the many ESHA-protective policies of the LCP. Please further consult LUP Policies 8 through 30 and Zoning Code Section 20.147.040 for a better understanding of the limitations on development in or near these areas.

Finally, it is our understanding that the Lot Program was submitted without explicit delineations of each of the wetland areas within the project boundaries. Final wetland delineation would take place as a condition of project approval. If this is accurate, such an approach would not conform with LCP policies which require the precise location of these sensitive areas to be mapped, buffered (with 100 foot setbacks from the edge of the wetland) and avoided (Zoning Code Section 20.147.040). It is incumbent upon the project applicant to explicitly delineate all wetland areas prior to any permit decisions being rendered on the project. Accordingly, we would recommend that all wetland delineations, and any other outstanding ESHA delineations, be completed prior to any further debate on the merits of the project.

#### **Upper Sawmill Gulch Easement**

*Issue: If the proposed full-scale equestrian center is to be constructed at the Upper Sawmill Gulch site, the existing easement (and the underlying permit) needs to be amended.*

On December 8, 1998, Monterey County Planning staff requested from Coastal Commission staff clarification of the terms and conditions of the Huckleberry Hill Open Space Area Conservation Easement required by the Commission in 1985 as a condition of approval of the Spanish Bay project. As part of this 1985 Commission approval, the Upper Sawmill Gulch site was to be rehabilitated and incorporated into the Huckleberry Hill Open Space Area if the Applicant (Pebble Beach Company) elected to build a new fifth entrance gate and road in Del Monte Forest (which it did). Accordingly, pursuant to the recorded and accepted Easement, the entire Upper Sawmill Gulch site is within the Huckleberry Hill Open Space Area and is subject to the terms of the easement. Among other things, development and uses permitted in the Huckleberry Hill Open Space Area include "...facilities for active recreational pursuits (such as parks and picnic areas, but excluding tennis courts, off road vehicle use or similar activities inconsistent with the primary purpose of this Offer)." "The primary purpose of this offer is the permanent preservation of natural plant and wildlife habitat within the Huckleberry Hill Open Space."

Although "facilities for active recreational pursuits" could be interpreted to include facilities to accommodate equestrian trail use, Commission staff believe that an entire equestrian center (buildings, stables, rings, etc.) stretches the limit of such an interpretation. Such an equestrian center would be substantially more intense than the limited development to facilitate active

recreational pursuits that is contemplated by the easement. This is not consistent with the primary purpose of Huckleberry Hill Open Space Area of preserving the natural habitat therein.

Although relocation of the equestrian center may be consistent with the Coastal Act, it is our opinion that prior to the County approving an equestrian center at the Upper Sawmill Gulch location (at or near the intensity currently proposed), the Huckleberry Hill Open Space Conservation Easement would need to be amended to allow for this use. Pursuant to the terms of the Easement, such an amendment would take the form of a written agreement between the Pebble Beach Company, the Del Monte Forest Foundation (the Grantee), the County and the Executive Director of the Coastal Commission.

In addition, the Upper Sawmill Gulch area was dedicated open space to offset the impacts of development of the new fifth gate and entrance road (which has been completed) associated with the Spanish Bay Resort project. As such, if the equestrian center is to be relocated to this protected open space area, we would need to process an amendment to the Spanish Bay coastal development permit (CDP 3-84-226) to provide for this alteration; specifically, Special Condition 28 would need to be amended. Such an amendment request would need to demonstrate that it would not substantively weaken the effect of the Commission's previous action and should be predicated on the provision of similar forest open space benefits elsewhere. It would appear that a range of suitable alternative preservation sites, including, but not limited to the Pescadero Canyon Watershed, are available.

#### **Resource Constraint Overlay/B-8 Zoning**

*Issue: All LCP amendments necessary for the proposed development to proceed must be identified, forwarded to the Coastal Commission, and approved by the Commission before coastal permits are approved.*

In order to allow for the proposed Lot Program development, the LUP's Resource Constraint Overlay must be removed and the overlay zoning for the underlying parcels must be changed from B-8 to B-6. The Resource Constraint designation on LUP Figure 5 appears to be a good candidate for removal. LUP Policy 113 states in applicable part:

*The Resource Constraint Area designation shall be removed only when water and sewer capacity sufficient to serve such development becomes available and that highway capacity and circulation solutions have been agreed upon and adopted.*

The implementing zoning classification can likewise be altered. Zoning Code Section 20.42.030(H)(4) states:

*Reclassification of an area from "B-8" zoning may be considered when the constraints existing at the time of placing "B-8" zoning on the area zoned "B-8" no longer exist and additional development and/or intensification of land use will not be detrimental to the health, safety, and welfare of the residents of the area, or the County as a whole.*

However, the County has thus far categorized these changes as "determination[s] that measurable public facility constraints no longer exist resulting in amendment to the LUP (removal of resource constraint overlay on LUP Figure 5 and reclassification of Title 20 - CIP Section Maps 10 & 16 from MDR/B-8 to MDR/B-6)." From recent conversations between Commission staff and County staff, we now understand that the County intends to process LCP amendments to accomplish these changes. Be that as it may, please note that it is not clear from the materials we have seen to date that such LCP amendments are included as part of the current Lot Program package. The County can determine that measurable public facility

constraints no longer exist, but these determinations do not of themselves "result in amendment" to the LUP and the Zoning Code. Rather, these discretionary decisions on the part of the County must be reflected in adopted amendments to the LUP and the Zoning Code.

LUP Policy 113 and Zoning Code Section 20.42.030(H)(4) allow for the resource constraint designation to be removed and for property to be reclassified from B-8, but the LCP does not provide a self-implementing procedure for this to occur. In fact, the only zoning changes not requiring Coastal Commission approval as an LCP amendment are described by Zoning Code Section 20.94.042 ("Zoning Changes And Amendments Not Subject To California Coastal Commission Certification"):

*Zoning designation reclassifications constituting an amendment to this Title and initiated for the purpose of preserving or enhancing the coastal resources including adding any "B", "A", "HR", "Z" overlay zoning designations shall not require certification by the California Coastal Commission.*

In other words, the Commission has to approve the removal (but not the addition) of such designations. Because both the LUP and Zoning Code would be changed, and lacking any previously certified means for so changing the LCP without an amendment, the Lot Program as it is currently constituted requires an LCP amendment to modify the Resource Constraint overlay/B-8 zoning. As such, the County decision-making body would need to make the determination that the applicable resource constraints no longer exist and forward to the Commission an LCP amendment package for these changes, as well as any other LCP changes otherwise necessary or contemplated for the Lot Program (e.g., re-zoning for the Sawmill Gulch Borrow Site).

#### Other LCP Issues

*Issue: Findings are needed to establish the appropriateness of a golf course and any accessory facilities within a residentially zoned area.*

At the outset, we believe that we should be clear that the Lot Program golf course may or may not be viable due to a number of factors, including the ESHA issues highlighted above. Notwithstanding the question of viability, the proposed golf course would be located on lands partially zoned residential and on lands partially zoned open space recreational (i.e., Collins Field and the existing equestrian center).

The LCP's Del Monte Forest open space recreational land use definition specifically encompasses golf courses and golf course support facilities, such as pro shops, cart shops, and parking areas (Zoning Code Section 20.147.020(N)(3)(a)); all existing golf courses in the Del Monte Forest are zoned Open Space Recreational. This derives from the LUP's land use categories which prescribe golf courses for open space recreational lands. In contrast, the LCP's Del Monte Forest residential land use definition does not include golf courses or golf course support facilities (Zoning Code Section 20.147.020(N)(1)). Nonetheless, golf courses are allowed as conditional uses in the subject residential and open space recreation zoning districts.

Golf courses as a conditional use in residential districts derive from LUP Policy 86 which states in part that "golf courses may be permissible in areas shown for residential development." Based upon this LUP Policy, golf courses were added as a conditional use to the medium and low density residential zoning districts by LCP amendment in 1995 (Zoning Code Sections 20.12.050(Z) and 20.14.050(D)).

In light of this conditional nature of the golf course use, it will be important for the County to make findings that a golf course facility is or is not compatible with the land use category within which it is eventually placed. Moreover, it is clear that some amount of accessory "facilities" and/or "structures" to support golf course use are allowed in the subject residential and open space recreation zoning districts (Zoning Code Sections 20.12.050(R), 20.14.040(R), and 20.38.050(B)). The issue to be analyzed is what level of intensity and what types of uses can be appropriately characterized as "accessory to the main golf course use." The LCP defines Accessory Use as follows (Zoning Code Section 20.06.1330):

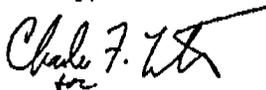
*Accessory use means a use accessory to and customarily a part of the permitted use, clearly incidental and secondary to the permitted use and which does not change the character of the permitted use.*

It is our understanding that the proposed Lot Program golf course clubhouse building is approximately 40 feet tall and approximately 125 feet wide by 200 feet long, and includes a 2,600 square foot restaurant, a 3,100 square foot meeting room facility, and a 2,300 square foot retail area. It will be incumbent on the County to make the requisite findings that all aspects of such a facility are "accessory to," "customarily a part of," and "incidental to" any golf course that may eventually be approved. If such findings cannot be made for any particular component of the clubhouse or other structural development proposed as accessory to the golf course, then it must be deleted or reduced in size to comply with the LCP. In the alternative, an LCP amendment to redesignate a portion of the site to a commercial use could be pursued.

Thank you for the opportunity to help frame these important Lot Program LCP issues. In closing, I would like to reiterate that the certified LCP requires the County to identify and analyze all ESHAs based upon the reality of the resources on the ground. Furthermore, the LCP requires that this identification and analysis be done prior to a discretionary body making a decision on the project so that these areas can be avoided and protected. Finally, for the project to be approved as it is currently constituted, amendments to the LCP and to the Huckleberry Hill Open Space Area Conservation Easement would be appropriate. We hope that you take these very important LCP issues into consideration before preparing your recommendation(s) on the Lot Program applications. In any event, please note that any coastal permits approved for the Lot Program are appealable to the Coastal Commission.

If you should have any questions about these issues, please feel free to contact Lee Otter, District Chief Planner, at the address and phone number above.

Sincerely,



Tami Grove  
Deputy Director  
California Coastal Commission

cc: Dave Potter, District 5 Supervisor, Monterey County Board of Supervisors  
Ed Brown, Vice President, Planning, Pebble Beach Company  
Brian Hunter, Central Coast Regional Manager, California Department of Fish and Game  
Kate McKenna, Coastal Team Supervising Planner, Monterey County Planning and Building Inspection Department

**CALIFORNIA COASTAL COMMISSION**

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October 28, 1999

William L. Phillips, Director  
Monterey County Planning and Building Inspection Dept.  
P.O. Box 1208  
Salinas, CA 93902

Subject: *Pebble Beach Lot Program*

Dear Bill:

We appreciate your thoughtful letter of June 3, 1999, responding to various Local Coastal Program (LCP) issues raised by the Pebble Beach Company's application for the subject "Lot Program." Specifically, our reading of your response is that we have reached agreement on how to resolve several issues raised in our earlier correspondence. However, there remain at least four important topics where we have not reached closure: 1) the definition of environmentally sensitive habitat area (ESHA); 2) impact avoidance, rather than mitigation, as the appropriate response to development proposed in an ESHA; 3) adoption of a protocol for development projects that would impact native Monterey pine forest; and, 4) the need to delineate wetlands according to State and Federal standards, prior to the decision on the application. The purpose of this letter is to emphasize the Commission's continued focus on the need to rigorously protect all ESHAs, and to reiterate the recommendations in our May 19, 1999 letter.

**Definition of ESHA.** We cannot agree that the Appendix A list of ESHAs in the Del Monte Forest Land Use (LUP) can be relied upon as the sole criteria for whether or not an ESHA exists on a property where development is proposed. In fact, as we detailed in our May 19 letter, the LCP requires resources on the ground to dictate the presence or absence of ESHA; if biological analysis indicates that an area in which plant or animal life or their habitats are "rare or especially valuable" today, those habitats and species must be treated as ESHAs today. This ESHA determination is critical because it tells the County (or, upon appeal, the Coastal Commission) whether a development is (or is not) subject to the LCP policies that are designed to protect ESHAs.

We acknowledge the history of Land Use Plan (LUP) Appendix A as an effort to produce a list of ESHAs that could be relied upon for making land use decisions. However, circumstances have changed since the appendix was developed in the early 1980's. Obviously such mapping approaches can have utility only if they are frequently updated. In this case, changes since the Del Monte Forest Area LUP was certified include the listing of additional species' habitat, and a better understanding of forest resources. Again, the LCP requires that the ESHA protection policies must be applied to all environmentally sensitive habitat areas - whether explicitly listed in the LCP or not. The facts on the ground have priority over dated inventories.

**Avoidance of ESHAs, rather than mitigation.** We recognize that the County has considered impacts to non-LUP listed species within the context of CEQA. However, CEQA mitigation and LCP/Coastal Act avoidance requirements are not the same thing. The Coastal Act and LCP do not allow for mitigated "take." Rather, development must avoid ESHA unless it is both resource

**Exhibit 5: Selected Commission Staff  
and Commission Correspondence**

G:\Central Coast\P&R\MCO\DMF\Pebble Beach Lot\Page 03 of 80

Attachment 5 - pg 1

dependent and does not significantly disrupt habitat values. We understand that these LCP requirements create difficulties with respect to the Lot Program (including Refined Alternative 2). For example, based on what we know to date, it appears that the proposed golf course and many (if not all) of the proposed subdivisions, are especially constrained by the presence of substantial areas of Yadon's piperia habitat. In any case, we believe the only LCP-consistent course is to pursue a strategy that begins with avoidance of impacts rather than mitigation of impacts.

**Measures to protect Monterey Pine forest.** We agree that the cornerstone of any effort to preserve native forest habitat is to set aside extensive tracts of intact natural forest and provide for active management that replicates the effects of natural processes. However, as noted in our correspondence of May 19, 1999, such habitat conservation measures need to be supplemented with genetic preservation measures. Otherwise, the saving of habitat could potentially become meaningless.

Therefore, as recommended in our May 19<sup>th</sup> letter, different areas of Monterey pine forest need to be distinguished according to their varying degrees of biologic importance and sensitivity. In particular, the importance of those large, intact tracts which lend themselves to active management and represent major reserves of genetic diversity, needs to be recognized and formally identified. The Del Monte Forest LUP already identifies two broad forest habitat areas as ESHAs: the Huckleberry Hill Natural Habitat Area, and the original range of the Monterey cypress. Accordingly, based on new information and better ecological insights, we would expect that additional ESHAs would be designated for the most sensitive portions of Monterey pine forest. Once identified, recognition of these areas as ESHAs, along with appropriate long term management policies, should be confirmed through the LCP amendment process.

There may also be smaller, more fragmented stands of native pine which qualify as ESHA. The sensitivity of these smaller Monterey Pine habitats should be determined on a case-by-case basis through the completion of biological/botanical reports as development is proposed. Examples of such smaller stands which might be identified as ESHA include naturally-occurring groves: that function as habitat for rare or endemic plant or animal species; that have special value for wildlife (e.g., due to the presence of snags suitable for cavity-dwelling species, or occurrence with Coast live oak, or native shrub understory); or that lend themselves to active management, including prescribed burning. Smaller tracts that so qualify as ESHA must likewise be avoided and buffered consistent with the LCP's ESHA protection policies.

A companion effort to protect the Monterey pine genetic resource should also be undertaken in those projects that impact Monterey pine not determined to be ESHA (as described above). This effort should reflect current understandings of Monterey pine forest biology and the pine pitch canker disease epidemic. The County should apply a site-specific avoidance and mitigation strategy as you have already begun to do for other sites in Del Monte Forest and the Carmel area containing Monterey pine.

We are encouraging the formal adoption of such a strategy, including a consistent set of tree removal criteria, by each City and County having native stands of Monterey pine forest. This

Attachment 5 - pg 2

standardized protocol could be written into the County's Forest Maintenance Standards and Forest Management Plan requirements. Although the details are still evolving, the following general measures summarize what we believe at this time to be an appropriate protocol. These steps would apply for any new development that would require removal of non-ESHA native pines within the indigenous range of the Monterey pine forest:

1. Each affected tree would be identified and evaluated for possible resistance or tolerance to pitch canker, by a qualified licensed arborist or Registered Professional Forester; within infected groves, only a relatively small number of trees are expected to so qualify.
2. Based on this evaluation, the project would be modified as necessary (including consideration of feasible project alternatives) to avoid impacting those trees that are healthy and/or disease tolerant specimens.
3. Where such avoidance is infeasible, the lot-specific Forest Management Plan (already required by the LCP) would identify appropriate mitigation measures to insure that the genetic characteristics of all resistant and disease tolerant trees flagged for removal are perpetuated (all healthy and disease tolerant trees would be so treated unless through innoculum testing they were demonstrated to be susceptible to pitch canker). Such measures may include transplanting resistant young trees, salvage of cones/seeds/tip cuttings from other resistant trees, support for genetic conservatorship programs, legal preservation for retained on-site and/or off-site habitat, and care and maintenance of transplanted or regenerated resistant stock.
4. Removed trees would be subject to handling and disposal requirements that would not exacerbate the spread of pine pitch canker disease.
5. Replacement trees (LCP-required) should be of transplanted natural stock, from within the original Monterey pine range (possibly limited to the particular lot or adjacent lots) and showing no evidence of pitch canker infection. Disease resistant nursery stock could be used if no suitable transplants are available.

**Wetland delineation standards.** We are encouraged that County staff recognizes the need to perform wetland delineation prior to consideration by decision makers. And, we especially applaud the recognition of the need to develop more specific criteria to refine the definition of wetlands in the Del Monte Forest area.

We note that Coastal Act and LCP wetland definitions are quite broad. Further detail is found in Section 13577(b)(1) of the Commission's regulations. Namely, that "[a] wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes...." We interpret this to mean that if the site is wet enough long enough to support a preponderance of wetland plants, or to result in the formation of hydric soils, it is a wetland. Although hydrology is obviously important, soils or hydrophytes are sufficient indicators. In general, we rely on the federal procedures as contained in the Corps of Engineers 1987 Wetland Delineation Manual to make the determinations regarding soils and wetland vegetation. However, we note that we will consider all relevant data that are available to delineate wetlands.

Attachment 5

William L. Phillips, Director, Monterey County Planning Department  
Pebble Beach Lot Program  
October 28, 1999  
Page 4

Accordingly, we are concerned about the County's reliance on Federal wetland standards, without mention of State standards, for the Lot Program wetland delineations. According to the California Department of Fish and Game (CDFG), wetlands can be delineated in terms of standing water, hydric soils, or the presence of obligate and facultative vegetation. As described above and based on this CDFG methodology, only one of the three criteria is necessary to qualify an area as a wetland. As such, the lack of one or more of these factors does not rule out a particular feature being protected as a wetland; the strict application of the Federal rules alone may have this undesirable result.

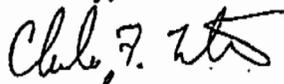
Therefore, we recommend that the County require that the delineations be done in a manner that reflects both Federal and State standards. And, these delineations need to be completed prior to any decision on a project's design, layout, or configuration that could affect the wetland.

Contrary to the indication in your letter, the most recent draft Lot Program wetland mapping that we have seen to date would appear to require more than "minor changes to project design" in order to avoid and buffer wetland resources consistent with the LCP. In fact, it appears that the refined Alternative 2 golf course site is home to a number of wetland sites that, in tandem with the Yadon's piperia habitat, would appear to require major project reevaluation of this component. We are particularly interested in reviewing any additional wetland delineation materials that have been developed for the development areas.

In closing, we would like to re-emphasize that avoidance of impacts to ESHAs (including wetlands) is required by the LCP. This includes provision of sufficient buffers to assure protection of wetland and other ESHA resources. Allowing impacts and then mitigating for them is not consistent with the LCP. Any variances that may be pursued to the LCP's 100-ft. ESHA setback standard will need to be very carefully justified, on a case-by-case basis, so that the decision makers can be certain that development will in fact meet the LCP standard (i.e., "will not adversely affect the long term maintenance of the environmentally-sensitive habitat" (Zoning Code Section 20.147.040(B)(1))).

With this letter, I would like to invite you to call or meet with me personally in order to insure that we have not missed signals. Similarly, I am asking my staff to be available to you for any necessary clarifications, and to assist in shaping the anticipated LCP amendments.

Sincerely,



Tami Grove  
Deputy Director

cc: Dave Potter, District 5 Supervisor, Monterey County Board of Supervisors  
Brian Hunter, Central Coast Regional Manager, California Department of Fish & Game  
Ed Brown, Vice President, Planning, Pebble Beach Company  
John Dixon, Senior Biologist, California Coastal Commission

Attachment 5 - pg **EXHIBIT 5: Selected Commission Staff  
and Commission Correspondence**  
Page 66 of 80

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(831) 427-4863



October 26, 2000

Monterey County Board of Supervisors  
c/o Lou Calcagno, Chair  
240 Church Street  
Salinas, CA 93901

Subject: *Pebble Beach Company Proposed Initiative: "Del Monte Forest Plan: Forest Preservation and Development Limitations" - Addendum*

Dear Honorable Supervisors,

The Coastal Commission recently commented on the "Del Monte Forest Plan: Forest Preservation and Development Limitations" Initiative (the Initiative). It has come to our attention that the acreages given in our letter for lands being proposed for rezoning may be inaccurate. These areas were calculated using acreages given in the Pebble Beach Lot Program - Project Applications Summary Handout for the Minor Subdivision/Subdivision Committee dated January 12, 1999. The current information available to us is not adequate to determine the accurate acreage for each area being changed by the Initiative.

While we acknowledge these inaccuracies, it does not substantively change any of the comments or conclusions made in our previous letter of October 23, 2000.

In addition, some copies of our comments may be missing Page 3 of Attachment 3. Please find this page attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Tami Grove".

Tami Grove  
Deputy Director  
California Coastal Commission

Cc: Jim Colangelo, Assistant Admin. Officer, Monterey County Planning and Building Dept.  
Jeff Main, Supervising Planner, Monterey County Planning and Building Dept.  
Adrienne Grover, Esq., Acting County Counsel, Monterey County  
Dave Potter, District 5 Supervisor, Monterey County Board of Supervisors  
Peter Douglas, Executive Director, California Coastal Commission  
Allen Williams, Carmel Development Company (Representative for Pebble Beach Co.)  
Tony Lombardo, Esq., Lombardo & Gilles (Attorney for Pebble Beach Company)

**Exhibit 5: Selected Commission Staff  
and Commission Correspondence  
Page 67 of 80**

**CALIFORNIA COASTAL COMMISSION**

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725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877



October 28, 1999

William L. Phillips, Director  
Monterey County Planning and Building Inspection Dept.  
P.O. Box 1208  
Salinas, CA 93902

Subject: *Pebble Beach Lot Program*

Dear Bill:

We appreciate your thoughtful letter of June 3, 1999, responding to various Local Coastal Program (LCP) issues raised by the Pebble Beach Company's application for the subject "Lot Program." Specifically, our reading of your response is that we have reached agreement on how to resolve several issues raised in our earlier correspondence. However, there remain at least four important topics where we have not reached closure: 1) the definition of environmentally sensitive habitat area (ESHA); 2) impact avoidance, rather than mitigation, as the appropriate response to development proposed in an ESHA; 3) adoption of a protocol for development projects that would impact native Monterey pine forest; and, 4) the need to delineate wetlands according to State and Federal standards, prior to the decision on the application. The purpose of this letter is to emphasize the Commission's continued focus on the need to rigorously protect all ESHAs, and to reiterate the recommendations in our May 19, 1999 letter.

**Definition of ESHA.** We cannot agree that the Appendix A list of ESHAs in the Del Monte Forest Land Use (LUP) can be relied upon as the sole criteria for whether or not an ESHA exists on a property where development is proposed. In fact, as we detailed in our May 19 letter, the LCP requires resources on the ground to dictate the presence or absence of ESHA; if biological analysis indicates that an area in which plant or animal life or their habitats are "rare or especially valuable" today, those habitats and species must be treated as ESHAs today. This ESHA determination is critical because it tells the County (or, upon appeal, the Coastal Commission) whether a development is (or is not) subject to the LCP policies that are designed to protect ESHAs.

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William L. Phillips, Director, Monterey County Planning Department  
Pebble Beach Lot Program  
October 28, 1999  
Page 4

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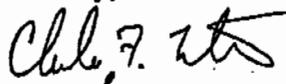
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With this letter, I would like to invite you to call or meet with me personally in order to insure that we have not missed signals. Similarly, I am asking my staff to be available to you for any necessary clarifications, and to assist in shaping the anticipated LCP amendments.

Sincerely,

  
for  
Tami Grove  
Deputy Director

cc: Dave Potter, District 5 Supervisor, Monterey County Board of Supervisors  
Brian Hunter, Central Coast Regional Manager, California Department of Fish & Game  
Ed Brown, Vice President, Planning, Pebble Beach Company  
John Dixon, Senior Biologist, California Coastal Commission

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(831) 427-4863



May 19, 1999

William L. Phillips  
Planning Director  
Monterey County Planning and Building Inspection Department  
P.O. Box 1208  
Salinas, CA 93902

**Subject: Pebble Beach Lot Program Application**

Dear Mr. Phillips,

We would like to take this opportunity to offer our views on some of the important Local Coastal Program (LCP) issues associated with the proposed Pebble Beach Lot Program which your Planning Commission will soon be reviewing. We understand that the Lot Program is still subject to several levels of review at the County level and that, as such, the final disposition of the project is some months away. Accordingly, the purpose of this letter is to clearly frame some of the larger coastal concerns early enough in the County's process to allow County decision-makers to proceed with knowledge of these important issues. Of course, this letter only reflects the major issues that have surfaced during our review thus far, with recognition that other concerns may arise as we continue our analysis of the proposal as it moves through the review process.

First, we want to thank your staff, specifically Jeff Main and Kate McKenna of the County Planning Department's Coastal Team, for contributing their time and energy to the Del Monte Forest field trip visit on Tuesday, March 30, 1999. This field trip allowed Commission staff, including the Commission's Executive Director, to meet and discuss Lot Program issues with County Planning staff as well as representatives of the Pebble Beach Company, California Department of Fish and Game, California Native Plant Society, Del Monte Forest Open Space Advisory Committee, Del Monte Forest Property Owner's Association, Concerned Residents of Pebble Beach, and several other individuals interested in the project. I understand from the participants from our office that the site visits to proposed development nodes were very informative and that a number of opposing points of view were heard.

This letter is meant to document and elaborate for the record the comments that Commission staff members made during the March 30 field trip, and to further clarify several Lot Program issues that have otherwise come to our attention. Specifically, we want to be certain that the definition and application of LCP policies regarding Environmentally Sensitive Habitat Areas with respect to the Lot Program are proceeding correctly. As part of this issue, we are especially concerned about the County's treatment of native Monterey pine forest and wetland resources. And finally, we would like to provide guidance on the effect of the Commission's requirement to record a conservation easement covering the Upper Sawmill Gulch borrow site, as well as the need for LCP amendments for the Lot Program as it is currently envisioned.

**Environmentally Sensitive Habitat Areas**

*Issue: All Environmentally Sensitive Habitat Areas (ESHAs), including wetlands, need to be properly delineated and then all applicable LCP policies need to be applied.*

Commission staff is concerned that County staff's interpretation of what constitutes an ESHA within the Del Monte Forest is not sufficiently inclusive. Our understanding is that County staff

**Exhibit 5: Selected Commission Staff  
and Commission Correspondence**

has recognized certain species and habitats (such as Yadon's piperia) in the CEQA and Ecological Management Implementation Plan processes, but has interpreted the LCP's ESHA policies to apply only to those habitats that are listed in Appendix A ("List of Environmentally Sensitive Habitats of Del Monte Forest Area") of the 1984 Del Monte Forest Area Land Use Plan (LUP). LUP Figure 2 schematically identifies the locations of these Appendix A habitats. However, this method relies on a list created 15 years ago as opposed to the reality of the resources present on the ground today. As a result, a number of rare and sensitive habitat areas are not being considered ESHA for the purposes of Lot Program planning. This ESHA interpretation, in our opinion, is inconsistent with the certified LCP and the effect of such an interpretation is that rare and sensitive habitat areas would not be protected consistent with the protections provided for them by the certified LCP.

The California Coastal Act defines ESHA as follows:

*"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.*

The certified Monterey County LCP definition for ESHA is essentially the same as the Coastal Act definition, Zoning Code Section 20.06.440 defining ESHA as follows:

*Environmentally sensitive habitat means an area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. (See individual land use plan segments definitions for specific examples.)*

The Lot Program project is located within the Del Monte Forest Area Segment of the LCP which is governed by Chapter 20.147 of the Zoning Code. Section 20.147.020(H) of Chapter 20.147 further defines ESHA in the Del Monte Forest as follows:

*Environmentally sensitive habitats: Environmentally sensitive habitat areas are those in which plant or animal life or their habitats are rare or especially valuable due to their special role in an ecosystem. These include rare, endangered, or threatened species and their habitats; other sensitive species and habitats such as species of restricted occurrence and unique or especially valuable examples of coastal habitats; riparian corridors; rocky intertidal areas; nearshore reefs; offshore rocks and islets; kelp beds; rookeries and haul-out sites; important roosting sites; and Areas of Special Biological Significance (ASBS).*

*In the Del Monte Forest area, examples of terrestrial, aquatic, and riparian habitats which have been determined to be entirely or in part environmentally sensitive include: the rare Monterey cypress and endangered Gowen cypress forest communities, the endemic Monterey pine/Bishop pine association, remnants of the indigenous coastal sand dunes, riparian corridors, wetlands, and sites of rare and endangered plants and animals associated with these and other habitats.*

This ESHA definition mirrors and implements the definition in the Del Monte Forest LUP, where it states that "environmentally sensitive habitat areas are those in which plant or animal life or their habitats are rare or especially valuable due to their special role in an ecosystem." The LUP goes on to describe "examples" of ESHAs in the Forest (such as sites of rare and endangered plants and animals) and states that a complete listing of these examples is shown in LUP Appendix A. LUP Appendix A states that "the environmentally sensitive habitats of the Del

Monte Forest Area *include* the following" (emphasis added) and then proceeds to provide a categorical and species listing. As such, we believe that Appendix A is not meant to be the definitive list of Forest ESHAs for all time, but rather a listing of ESHA examples known in 1984.

In fact, much has changed in the Forest since 1984 and the LUP ESHA maps and listings have never been updated to reflect these changes. Since 1984, new sensitive species have been discovered and listed (e.g., Yadon's piperia, listed as a federal endangered species), other species have become more endangered and given new listing status (e.g., Tidestrom's lupine, state and federal endangered species), and yet others are threatened in ways not imagined in 1984 (e.g., pitch canker and the native Monterey pine; Monterey pine is now listed as a federal species of concern and a petition is being prepared to propose Monterey pine for state threatened list status).

Irrespective of the LUP's maps and lists, the LCP specifically requires a biological survey for all proposed development in or near ESHAs whether the ESHA is shown on the LUP's ESHA map (LUP Figure 2), or the ESHA is determined through the evaluation of "other current available resource information" and/or on-site investigation (Zoning Code Section 20.147.040(A)(2)). The LCP-required biological survey includes the requirement that all projects in or adjacent to such ESHAs be referred to the California Department of Fish and Game (CDFG) and that "recommendations from the California Department of Fish and Game shall be included as conditions of project approval" (see Zoning Code Attachment 2, Botanical/Biological Report Format). It is our understanding that CDFG has pointed out that certain sensitive habitats would be impacted by the Lot Program, but that these areas were not being treated as ESHAs. We further understand that CDFG has consistently recommended to the County that all such ESHAs be recognized in the planning process. To date, these recommendations have been embraced only within the context of identifying CEQA impacts and mitigations, as opposed to pursuing relevant *avoidance* strategies as required by the LCP.

Consistent with County Zoning Code Sections 20.06.440 and 20.147.020(H) defining ESHA within the Del Monte Forest, and Section 20.147.040(A) defining biological survey requirements, the ESHA designation applies not only to resources known and mapped at the time of LUP certification (i.e., 1984), but also to sensitive habitat areas as they exist today. As such, the ESHA designation applies to: LUP Appendix A habitats, LUP Figure 2 habitats, newly identified habitat areas associated with species known and LUP mapped/listed in 1984, newly identified habitat areas for sensitive species which were not identified or listed as ESHA in 1984, and newly identified habitat areas for sensitive species which were not even known in 1984. In sum, the LCP requires resources on the ground to dictate the presence or absence of ESHA. If biological analysis indicates that an area in which plant or animal life or their habitats are "rare or especially valuable" today, those species and habitats must be treated as ESHAs today. As a general rule, State and Federally listed species, California Native Plant Society List 1B species, other species which have been formally so designated, and their habitats fall into the category of ESHA to which the LCP's ESHA policies apply. Likewise, all wetlands, marshes, seasonal ponds, remnant coastal dunes, and riparian corridors, among other sensitive resources, are protected by the ESHA policies of the LCP.

Please note that Monterey pine (*Pinus radiata*), though not yet currently state or federally listed as threatened or endangered, has been listed on the California Native Plant Society's List 1B ("Plants Rare, Threatened, or Endangered in California and elsewhere"); according to CDFG's Natural Diversity Data Base, List 1B species are specifically eligible for state listing. Due to the threat of pitch canker disease, it has been predicted that 85% to 90% (or more) of the native pine stock constituting the Forest in the Del Monte Forest will eventually die. Because the native

range for Monterey pine is limited only to the Monterey Peninsula (main) stand and three other isolated places on the globe, the primary hope for the survival of the Monterey pine worldwide is that there will be enough natural diversity within the native stands so that at least some trees will have genetic disease resistance and/or tolerance, that these trees can be used to propagate new trees for urban repopulation, and that larger tracts of native Monterey pine forest habitat can be preserved and managed so that natural regeneration can take place to repopulate pine forest habitats. As such, the native pine stands in the Del Monte Forest represent a global resource for native forest management efforts and for breeding programs to develop disease-resistant and/or tolerant stock. The Pebble Beach Company has been active in developing disease resistant stock and thus far has identified 60 individual trees which exhibit resistance to pitch canker. It is not clear at this time whether or not these efforts alone will eventually be enough to ensure the continued survival of the species. In fact, because uncombined native pine genetic materials may as yet lead to resistance and/or tolerance unmanifested to date in any one individual specimen, propagation of individual trees must be complemented by preservation of large, manageable tracts of native pine forest habitat.

Although pitch canker had yet to be identified when the LUP was certified in 1984, the LCP is very protective of Monterey pine in the Del Monte Forest. In fact, in addition to its List 1B and Federal Species of Concern status, the native pine forest making up the Del Monte Forest is to be preserved as a matter of "paramount concern" (LUP Policy Guidance Statement); the natural forest is to be retained "to the maximum feasible degree" (LUP Policy 31); projects are required to minimize tree removal (IP Section 20.147.050(D)(3)) with preference for design concepts which pursue this goal (LUP Policy 34); for all projects proposing tree removal, "preservation of scenic resources shall be a primary objective" (LUP Policy 33); and, perhaps most importantly, "where LUP objectives conflict, preference should be given to long-term protection of the forest resource" (LUP Policy 32).

Because of the pitch canker threat and in light of the special status now associated with the native pine forest in the Del Monte Forest, the LCP's ESHA policies will also come into play, as discussed above. Extinction, or merely extinction in the wild - however remote the possibility - is not acceptable. Therefore, we recommend that until the pitch canker threat is clearly resolved, that the most cautious approach is warranted. The County's treatment should distinguish between Monterey pine forest habitat and individual pine specimens, including ascribing greater sensitivity to those individual specimens which thus far exhibit disease resistance and/or tolerance (regardless of size), and should identify how Monterey pine are to be treated in a planning context. We should note too that the Monterey pine forest in the Del Monte Forest must be understood and treated as a complex, interdependent web of living organisms rather than just a collective noun for a group of trees in the landscaping sense. Given the severity of the threat, the dawning realization of the importance of any disease resistant and/or tolerant trees, the significance of larger manageable forest tracts available for natural genetic recombination and regeneration, and our belief that there is no acceptable risk when the possibility of extinction exists, the County must demonstrate that the environmental sensitivity of Monterey pine in the Del Monte Forest has been thoroughly analyzed in a manner befitting its importance to the species as a whole, as well as its current threatened status.

Accordingly, we recommend that to achieve LCP compliance with respect to Monterey pine forest, the County must identify the different levels of sensitivity associated with the different areas of Monterey pine forest involved in the Lot Program. An illustrative example of this type of differentiation is provided in the LUP for the adjacent Carmel Area LCP segment which distinguishes between ESHA pine forest and non-ESHA pine forest as follows (Zoning Code Section 20.146.040):

*The sensitivity of Monterey Pine habitats in the Carmel area shall be determined on a case-by-case basis through the completion of a biological/botanical report for the project. Examples of sensitive Monterey pine forest include naturally-occurring groves which:*

- a. function as habitat for rare or endemic plant or animal species;*
- b. have special value for wildlife due to the presence of snags suitable for cavity-dwelling species, or occurrence with Coast live oak, or native shrub understory;*
- c. have high aesthetic value due to their location within the public viewshed.*

Under this methodology, rather than categorically describing all Monterey pine forest as ESHA, some Monterey pine habitat areas may meet the ESHA criteria while others may not. And while this Carmel Area LCP policy doesn't address the pitch canker threat either, it does suggest a more sophisticated planning basis for reviewing proposed development which could acknowledge the current threat to the species, and protect those areas that are sensitive while allowing for development as appropriate, and otherwise LCP-consistent, in those areas determined to not be sensitive. The Carmel LUP method would need additional pitch canker-related sensitivity indicators (for example, 'naturally occurring groves which lend themselves to active management, including prescribed burning' may be an appropriate indicator of ESHA pine). In any event, it would appear very useful for such a delineation to take place prior to any further review of the Lot Program. Pursuant to the LCP's biological survey requirements, CDFG should take part in any such effort.

In any event, please be aware that in a manner similar to the Coastal Act, the certified LCP provides substantial protection for ESHAs. In fact, the LUP's ESHA policy guidance statement states that "all categories of land uses, both public and private, shall be subordinate to the protection of these [ESHA] areas." LUP Policies 8 through 30 provide the policy direction for protection of these areas. Of particular note, and mirroring the requirements of Coastal Act Section 30240, LUP Policy 8 states:

***Environmentally sensitive habitat areas that are not designated as rehabilitation 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 immediately adjacent to environmentally sensitive habitat areas shall be compatible with long-term maintenance of the resource; development shall be sited and designed to prevent impacts which would significantly degrade the protected habitat. In designated open space areas, conformance to the applicable OSAC Plan maintenance standards shall be considered the test of consistency with this policy. (Emphasis added.)***

LUP Policy 8 is implemented through Zoning Code Section 20.147.040(B)(4) which likewise states "new land uses within environmentally sensitive habitat shall be limited to resource-dependent uses...." The effect of these policies is that ESHAs are protected against any significant disruption and only uses dependent on the ESHA resource are allowed within these areas.

Of note for the Lot Program's proposed subdivisions, LUP Policy 10 states:

***New subdivisions which create commitment to development immediately adjacent to environmentally sensitive habitat areas shall be allowed only at densities compatible with protection and maintenance of these resources. New subdivisions may be approved only where potential adverse impacts to environmentally sensitive habitats can be prevented. Conformance to the applicable OSAC maintenance standards shall be***

*required wherever open space lands would be affected. 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 damage to any environmentally sensitive habitat. (Emphasis added.)*

LUP Policy 10 is implemented by Zoning Code Section 20.147.040(A)(1) which only allows new residential lots where the eventual residential development would be "feasible without damage to any environmentally sensitive habitat." Furthermore, the LCP's development standards require a 100-foot buffer around ESHAs within which "no new residential parcels shall be created whose only building site is in the buffer area" (Zoning Code Section 20.147.040(B)(1)). Whenever "rare/endangered and/or threatened species are encountered on the site of a proposed development...performance standards...are intended to isolate building sites from identified locations of rare and endangered plants or other environmentally sensitive habitats" (Zoning Code Section 20.147.040(B)(3)). These are but a few of the many ESHA-protective policies of the LCP. Please further consult LUP Policies 8 through 30 and Zoning Code Section 20.147.040 for a better understanding of the limitations on development in or near these areas.

Finally, it is our understanding that the Lot Program was submitted without explicit delineations of each of the wetland areas within the project boundaries. Final wetland delineation would take place as a condition of project approval. If this is accurate, such an approach would not conform with LCP policies which require the precise location of these sensitive areas to be mapped, buffered (with 100 foot setbacks from the edge of the wetland) and avoided (Zoning Code Section 20.147.040). It is incumbent upon the project applicant to explicitly delineate all wetland areas prior to any permit decisions being rendered on the project. Accordingly, we would recommend that all wetland delineations, and any other outstanding ESHA delineations, be completed prior to any further debate on the merits of the project.

#### **Upper Sawmill Gulch Easement**

*Issue: If the proposed full-scale equestrian center is to be constructed at the Upper Sawmill Gulch site, the existing easement (and the underlying permit) needs to be amended.*

On December 8, 1998, Monterey County Planning staff requested from Coastal Commission staff clarification of the terms and conditions of the Huckleberry Hill Open Space Area Conservation Easement required by the Commission in 1985 as a condition of approval of the Spanish Bay project. As part of this 1985 Commission approval, the Upper Sawmill Gulch site was to be rehabilitated and incorporated into the Huckleberry Hill Open Space Area if the Applicant (Pebble Beach Company) elected to build a new fifth entrance gate and road in Del Monte Forest (which it did). Accordingly, pursuant to the recorded and accepted Easement, the entire Upper Sawmill Gulch site is within the Huckleberry Hill Open Space Area and is subject to the terms of the easement. Among other things, development and uses permitted in the Huckleberry Hill Open Space Area include "...facilities for active recreational pursuits (such as parks and picnic areas, but excluding tennis courts, off road vehicle use or similar activities inconsistent with the primary purpose of this Offer)." "The primary purpose of this offer is the permanent preservation of natural plant and wildlife habitat within the Huckleberry Hill Open Space."

Although "facilities for active recreational pursuits" could be interpreted to include facilities to accommodate equestrian trail use, Commission staff believe that an entire equestrian center (buildings, stables, rings, etc.) stretches the limit of such an interpretation. Such an equestrian center would be substantially more intense than the limited development to facilitate active

recreational pursuits that is contemplated by the easement. This is not consistent with the primary purpose of Huckleberry Hill Open Space Area of preserving the natural habitat therein.

Although relocation of the equestrian center may be consistent with the Coastal Act, it is our opinion that prior to the County approving an equestrian center at the Upper Sawmill Gulch location (at or near the intensity currently proposed), the Huckleberry Hill Open Space Conservation Easement would need to be amended to allow for this use. Pursuant to the terms of the Easement, such an amendment would take the form of a written agreement between the Pebble Beach Company, the Del Monte Forest Foundation (the Grantee), the County and the Executive Director of the Coastal Commission.

In addition, the Upper Sawmill Gulch area was dedicated open space to offset the impacts of development of the new fifth gate and entrance road (which has been completed) associated with the Spanish Bay Resort project. As such, if the equestrian center is to be relocated to this protected open space area, we would need to process an amendment to the Spanish Bay coastal development permit (CDP 3-84-226) to provide for this alteration; specifically, Special Condition 28 would need to be amended. Such an amendment request would need to demonstrate that it would not substantively weaken the effect of the Commission's previous action and should be predicated on the provision of similar forest open space benefits elsewhere. It would appear that a range of suitable alternative preservation sites, including, but not limited to the Pescadero Canyon Watershed, are available.

#### **Resource Constraint Overlay/B-8 Zoning**

*Issue: All LCP amendments necessary for the proposed development to proceed must be identified, forwarded to the Coastal Commission, and approved by the Commission before coastal permits are approved.*

In order to allow for the proposed Lot Program development, the LUP's Resource Constraint Overlay must be removed and the overlay zoning for the underlying parcels must be changed from B-8 to B-6. The Resource Constraint designation on LUP Figure 5 appears to be a good candidate for removal. LUP Policy 113 states in applicable part:

*The Resource Constraint Area designation shall be removed only when water and sewer capacity sufficient to serve such development becomes available and that highway capacity and circulation solutions have been agreed upon and adopted.*

The implementing zoning classification can likewise be altered. Zoning Code Section 20.42.030(H)(4) states:

*Reclassification of an area from "B-8" zoning may be considered when the constraints existing at the time of placing "B-8" zoning on the area zoned "B-8" no longer exist and additional development and/or intensification of land use will not be detrimental to the health, safety, and welfare of the residents of the area, or the County as a whole.*

However, the County has thus far categorized these changes as "determination[s] that measurable public facility constraints no longer exist resulting in amendment to the LUP (removal of resource constraint overlay on LUP Figure 5 and reclassification of Title 20 – CIP Section Maps 10 & 16 from MDR/B-8 to MDR/B-6)." From recent conversations between Commission staff and County staff, we now understand that the County intends to process LCP amendments to accomplish these changes. Be that as it may, please note that it is not clear from the materials we have seen to date that such LCP amendments are included as part of the current Lot Program package. The County can determine that measurable public facility

constraints no longer exist, but these determinations do not of themselves "result in amendment" to the LUP and the Zoning Code. Rather, these discretionary decisions on the part of the County must be reflected in adopted amendments to the LUP and the Zoning Code.

LUP Policy 113 and Zoning Code Section 20.42.030(H)(4) allow for the resource constraint designation to be removed and for property to be reclassified from B-8, but the LCP does not provide a self-implementing procedure for this to occur. In fact, the only zoning changes not requiring Coastal Commission approval as an LCP amendment are described by Zoning Code Section 20.94.042 ("Zoning Changes And Amendments Not Subject To California Coastal Commission Certification"):

*Zoning designation reclassifications constituting an amendment to this Title and initiated for the purpose of preserving or enhancing the coastal resources including adding any "B", "A", "HR", "Z" overlay zoning designations shall not require certification by the California Coastal Commission.*

In other words, the Commission has to approve the removal (but not the addition) of such designations. Because both the LUP and Zoning Code would be changed, and lacking any previously certified means for so changing the LCP without an amendment, the Lot Program as it is currently constituted requires an LCP amendment to modify the Resource Constraint overlay/B-8 zoning. As such, the County decision-making body would need to make the determination that the applicable resource constraints no longer exist and forward to the Commission an LCP amendment package for these changes, as well as any other LCP changes otherwise necessary or contemplated for the Lot Program (e.g., re-zoning for the Sawmill Gulch Borrow Site).

#### **Other LCP Issues**

*Issue: Findings are needed to establish the appropriateness of a golf course and any accessory facilities within a residentially zoned area.*

At the outset, we believe that we should be clear that the Lot Program golf course may or may not be viable due to a number of factors, including the ESHA issues highlighted above. Notwithstanding the question of viability, the proposed golf course would be located on lands partially zoned residential and on lands partially zoned open space recreational (i.e., Collins Field and the existing equestrian center).

The LCP's Del Monte Forest open space recreational land use definition specifically encompasses golf courses and golf course support facilities, such as pro shops, cart shops, and parking areas (Zoning Code Section 20.147.020(N)(3)(a)); all existing golf courses in the Del Monte Forest are zoned Open Space Recreational. This derives from the LUP's land use categories which prescribe golf courses for open space recreational lands. In contrast, the LCP's Del Monte Forest residential land use definition does not include golf courses or golf course support facilities (Zoning Code Section 20.147.020(N)(1)). Nonetheless, golf courses are allowed as conditional uses in the subject residential and open space recreation zoning districts.

Golf courses as a conditional use in residential districts derive from LUP Policy 86 which states in part that "golf courses may be permissible in areas shown for residential development." Based upon this LUP Policy, golf courses were added as a conditional use to the medium and low density residential zoning districts by LCP amendment in 1995 (Zoning Code Sections 20.12.050(Z) and 20.14.050(D)).

In light of this conditional nature of the golf course use, it will be important for the County to make findings that a golf course facility is or is not compatible with the land use category within which it is eventually placed. Moreover, it is clear that some amount of accessory "facilities" and/or "structures" to support golf course use are allowed in the subject residential and open space recreation zoning districts (Zoning Code Sections 20.12.050(R), 20.14.040(R), and 20.38.050(B)). The issue to be analyzed is what level of intensity and what types of uses can be appropriately characterized as "accessory to the main golf course use." The LCP defines Accessory Use as follows (Zoning Code Section 20.06.1330):

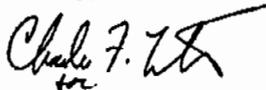
*Accessory use means a use accessory to and customarily a part of the permitted use, clearly incidental and secondary to the permitted use and which does not change the character of the permitted use.*

It is our understanding that the proposed Lot Program golf course clubhouse building is approximately 40 feet tall and approximately 125 feet wide by 200 feet long, and includes a 2,600 square foot restaurant, a 3,100 square foot meeting room facility, and a 2,300 square foot retail area. It will be incumbent on the County to make the requisite findings that all aspects of such a facility are "accessory to," "customarily a part of," and "incidental to" any golf course that may eventually be approved. If such findings cannot be made for any particular component of the clubhouse or other structural development proposed as accessory to the golf course, then it must be deleted or reduced in size to comply with the LCP. In the alternative, an LCP amendment to redesignate a portion of the site to a commercial use could be pursued.

Thank you for the opportunity to help frame these important Lot Program LCP issues. In closing, I would like to reiterate that the certified LCP requires the County to identify and analyze all ESHAs based upon the reality of the resources on the ground. Furthermore, the LCP requires that this identification and analysis be done prior to a discretionary body making a decision on the project so that these areas can be avoided and protected. Finally, for the project to be approved as it is currently constituted, amendments to the LCP and to the Huckleberry Hill Open Space Area Conservation Easement would be appropriate. We hope that you take these very important LCP issues into consideration before preparing your recommendation(s) on the Lot Program applications. In any event, please note that any coastal permits approved for the Lot Program are appealable to the Coastal Commission.

If you should have any questions about these issues, please feel free to contact Lee Otter, District Chief Planner, at the address and phone number above.

Sincerely,



Tami Grove  
Deputy Director  
California Coastal Commission

cc: Dave Potter, District 5 Supervisor, Monterey County Board of Supervisors  
Ed Brown, Vice President, Planning, Pebble Beach Company  
Brian Hunter, Central Coast Regional Manager, California Department of Fish and Game  
Kate McKenna, Coastal Team Supervising Planner, Monterey County Planning and Building Inspection Department