



## CARMEL AREA LAND USE PLAN

LOCAL COASTAL PROGRAM  
CERTIFIED APRIL 14, 1983  
MONTEREY COUNTY, CALIFORNIA

## UPDATE INDEX

### CARMEL AREA LAND USE PLAN AMENDMENTS

*As certified by the California Coastal Commission for the following date, with final acceptance by the Board of Supervisors:*

1. **January 22, 1985** - AMEND TEXT - 4.5.H - APN 009-131-20. Single Duplex on one lot in Carmel Woods (PC-5162, Gump, 1-84). Resolution 87-267.
2. **April 9, 1986** - AMEND POLICY - 2.4.4.B.8 - Add language to regulate wastewater runoff (PC-5433, 1-86). Resolution 87-267.
3. **April 9, 1991** - AMEND POLICY - 2.2.5.2 - and MAP CHANGE - Change zoning designation from MDR/2(24) to MDR/2(18). Reduce height in Carmel Meadows from 24 to 18 feet (PC 6780, 1-89, 1-91). Resolution 91-348 and 91-349, Ordinance 3546.
4. **April 9, 1991** - AMEND POLICY - 2.2.5.2 - and MAP CHANGE - Change zoning designation from MDR/2(24) to MDR/2(18). Reduce height in Carmel Point from 24 to 18 feet (PC 7299, Gushman, 1-91). Resolution 91-348 and 91-351.
5. **June 13, 1991** - AMEND POLICY - 4.4.3.F.1.a - and CIP 20.146.120.C.1(a)(1). Allow expansion of visitor serving facilities. (PC 7594, Mission Ranch, 2-91). Resolution 91-348 and 91-352.
6. **June 13, 1991** - MAP CHANGE - APN 009-511-03, fronting on and southerly of 15<sup>th</sup> and Dolores Streets - AND AMEND POLICIES AND TEXT - 4.4.3.F.1.c, 4.5.H and 4.6 - AND AMEND CIP - 20.146.120.1(a)(3). Reduce number of residential units to 31 and change zoning maps from MDR/6/SpTr to MDR/4/SpTr (PC 7698, Mission Ranch, 2-91). Resolution 91-348 and 91-353; Ordinance 3547.
7. **February 16, 1994** - MAP CHANGE - APN 241-021-13 - Fronting on and easterly of Spruce and Fern Canyon Roads. Change land use designation from RC to LDR (1.1 acre portion of property) and change the CIP zoning maps on a 9.3 acre portion from RC/SpTr and LDR/1/SpTr to Low Density Residential/3.5/SpTr (PC 92-243, Garren, 1-94). Resolution 94-122, Ordinance 3755.
8. **March 9, 1995** - AMEND POLICIES - 2.2.5.2 AND 5.3.2.4 - AMEND CIP SECTIONS - 20.140.070.H (now 20.70.120.H) and 20.146.130.E.5.e(3)(c) - MAP CHANGE - Yankee Point area. Change zoning maps to reduce height to 20 and 26 feet, depending on location (PC 94134, 1-95). Ordinance 3805 - April 18, 1995.

Medium-density residential development is the primary use. The density for new subdivision is 2 units per acre, except on the Mission Ranch property where a density of 2-6 units per acre may be allowed subject to section 4.4.3.F.1 and Odello (162 units) subject to section 4.4.3.F.3. Exception is also made for Block 6, Carmel Woods which has historically been zoned Duplex Residential (R-2”). On that block, one unbuilt lot of record existed as of August 8, 1984. That lot may be allowed a single duplex use. Re-use of existing developed lots on that block shall comply with the basic density requirements of this section. Minimum parcel size will be determined upon application review. This designation is applied to the City of Carmel vicinity and to Carmel Meadows. Public/quasi-public uses (5.5.1) and densities of overnight accommodations currently in operation are permitted.

*Add language to regulate wastewater runoff*

8. All new and/or expanding wastewater discharges into the coastal waters of Monterey County shall require a permit from the Health Department. Applicants for such permits shall be required to submit, at a minimum, the following information and studies:
- a) Three years monitoring records identifying the existing characteristics of the proposed wastewater discharge. Particular areas of concern include toxic chemicals, inorganic heavy metals, bacteria, and other indicators prescribed as threats to the health and safety of coastal waters, or
  - b) Provide comprehensive projections of the proposed wastewater discharges; both quantitative and qualitative characteristics must be specifically identified. Specific figures for the indicators identified in a) must be included in the projections.
  - c) Provide complete information on levels of treatment proposed at the treatment facility to remove those indicators mentioned in a). This information shall also include reliability and efficiency data of the proposed treatment.
  - d) Provide a comprehensive monitoring plan for testing of wastewater for indicators identified in a).
  - e) Perform oceanographic studies to determine the most suitable location and methods for discharge into the ocean.
  - f) Perform tests of ocean waters at the proposed discharge site and surrounding waters to establish baseline or background levels of toxic chemicals, heavy metals, bacteria and other water quality indicators. These tests must be performed no more than one year prior to submittal of the proposal. Historical data may not be substituted for this requirement.
  - g) Perform toxicity studies to determine the impacts of the proposed wastewater discharges on marine life, as well as on recreational uses of the coastal waters.
  - h) Identify and analyze alternative methods of wastewater disposal. This shall include hydro-geologic studies of the applicant's groundwater basin to determine the water quality problems in that area and if onsite disposal will have an adverse impact on groundwater quality.

The data and results of requirements a) through h) must be submitted to the County's Chief of Environmental Health for evaluation and approval. A wastewater discharge permit shall be issued only if the above information demonstrates that the proposed

wastewater discharge will not degrade marine habitats; will not create hazardous or dangerous conditions; and will not produce levels of pollutants that exceed any applicable state or federal water quality standards.

2. In order to provide for more visually compatible structures, the County's existing height ordinance for the Carmel Point area should be retained to limit the maximum height of new structure along Scenic Road to 24 feet from the natural grade. ~~This height limit shall also apply to Carmel Meadows, including the Portola Corporation and Williams properties.~~ To ensure protection of the viewshed, the maximum height of structures located in the Carmel Meadows area, including the Portola Corporation and Williams properties, shall be limited to 18 feet measured from natural average grade.

2. In order to provide for more visually compatible structures, ~~the County's existing height ordinance for the Carmel Point area should be retained to limit the maximum height of new structure along Scenic Road to 24 feet from the natural grade.~~ the height limit in the Carmel Point Area should be limited to a maximum height of 18 feet from the natural average grade. This height limit shall also apply to Carmel Meadows, including the Portola Corporation and Williams properties. To ensure protection of the viewshed, the maximum height of structures located in the Carmel Meadows area, including the Portola Corporation and Williams properties, shall be limited to 18 feet measured from natural average grade.

- a. The existing commercial/visitor serving facilities (other than the dance hall), consisting of the 26 visitor serving units, restaurant, tennis club, ~~may be granted a use permit which allows for the continued use, but prohibits expansion or other uses, and for their full refurbishment which shall be limited to painting and internal remodeling without change in outer structures, without enlargement of capacity, and without expansion of present use.~~ and caretaker's unit, may be allowed expansion to a maximum of 31 units subject to securing a Coastal Development Permit and meeting the goals and policies of the Carmel Area Land Use Plan and Coastal Implementation Plan.

The total area of any new Mission Ranch visitor serving unit as defined in Section 5.40.020.F of the Monterey County Code, shall not exceed 500 square feet.

A Historical Resources designation shall be added to protect the important historic buildings.



*Policy 4.4.3.F.1.c:*

- c. If and when the dance hall and all other existing commercial/visitor-serving uses on the property are permanently abandoned, a clustered medium-density (~~2-6~~ 4 units per net developable acre not including wetlands area, but not to exceed a maximum of ~~75~~ 31 units) residential development, which may include a restaurant and tennis club, may be allowed on the site provided that such development conforms to the policies of the plan, particularly the resource protection policies for the protection of coastal wetlands.

Conversion to residential use shall not be permitted until an equal number of new equivalently-priced visitor-serving units have been made available in the unincorporated coastal zone of Monterey County. For the purposes of this paragraph, "equivalently-priced visitor-serving units" shall mean hotel or motel units in a comparable price range, campground and RV spaces, or similar accommodations. Findings that such units have been made available shall be made by the County, based upon substantial evidence, at the time of submission of a permit application.

*Policy 4.5.H:*

**H. Medium-Density Residential**

Medium-density residential development is the primary use. The density for new subdivision is 2 units per acre, except on the Mission Ranch property where a density of ~~2-6~~ 4 units per acre may be allowed subject to section 4.4.3.F.1 and Odello (162 units) subject to section 4.4.3.F.3. Exception is also made for Block 6, Carmel Woods which has historically been zoned Duplex Residential (R-2"). On that block, one unbuilt lot of record existed as of August 8, 1984. That lot may be allowed a single duplex use. Re-use of existing developed lots on that block shall comply with the basic density requirements of this section. Minimum parcel size will be determined upon application review. This designation is applied to the City of Carmel vicinity and to Carmel Meadows. Public/quasi-public uses (5.5.1) and densities of overnight accommodations currently in operation are permitted.

**UPDATE INDEX #6**  
**AMEND POLICY 4.6 (Chart)**

**CARMEL AREA LAND USE PLAN**  
**JUNE 13, 1991**

<i>Land Use Category</i>	<i>Location</i>	<i>Approx. Acreage (Acres)</i>	<i>Density for New Subdivision</i>	<i>Est. Max New Res. Dev. # of units</i>
<b><i>Watershed and Scenic Conservation</i></b>				
- below the 1,000 foot elevation contour	Coastal Hills and ridges east of Highway 1	2,400	1 unit per 40 acres	60
- above the 1,000 foot elevation contour		1,740	1 unit per 80 acres	33 <sup>1</sup>
- Palo Corona Ranch		560	1 unit per 40 acres	14
- Rancho San Carlos		600	1 unit per 40 acres	15
<b><i>Agricultural Conservation</i></b>	Odello property	134	3 units/ac on 54 acres	162
<b><i>Recreation and Visitor-Serving Commercial</i></b>	Lower Area of Point Lobos Ranch ("Flatlands")	343	Riley = 12 units Hudson = 16 units	28
<b><i>Low Density Residential</i></b>	- Carmel Highlands	740	1 unit per acre	218 <sup>2</sup>
<b><i>Medium Density Residential</i></b>	- City of Carmel Vicinity and Carmel Meadows <sup>3</sup>	656	2 units per acre	148
	- Mission Ranch	21	(gross) <del>2-6</del> 4 units per net developable acre (75 <u>31</u> max.)	
<b><i>ESTIMATED TOTAL NEW RESIDENTIAL DEVELOPMENT:</i></b>				<del>753</del> <u>709</u> (units max.) <sup>4</sup>

**Carmel Land Use Plan Update Index**  
**Updated/Printed 11/23/1999**

**11/17/1999**

**UPDATE INDEX #7**  
**MAP CHANGE – APN 241-021-13**

**CARMEL AREA LAND USE PLAN**  
**FEBRUARY 16, 1994**

*Carmel Land Use Plan Update Index*  
*Updated/Printed 11/23/1999*

*11/17/1999*

*Policy 2.2.5.2:*

2. In order to provide for more visually compatible structures, the height limit in the Carmel Point Area should be limited to a maximum height of 18 feet from the natural average grade. To ensure protection of the viewshed, the maximum height of structures located in the Carmel Meadows area, including the Portola Corporation and Williams properties, shall be limited to 18 feet measured from natural average grade.

To ensure that new development in the Yankee Point area remains subordinate to the visual resources of the area, and to ensure that visual access from Highway 1, Yankee Point Drive, and Mal Paso Road is protected, the height limit in the Yankee Point area of Carmel Highlands-Riviera, for all properties seaward of Yankee Point Drive, and for properties with frontage along the east right of way line of Yankee Point Drive that face such properties seaward of Yankee Point Drive, shall be 20 feet. The height limit for all other properties in the area shall be 26 feet.

In addition to such height limits, new development shall be subject to design guidelines to be adopted by the Planning Commission for the Yankee Point area. Such guidelines shall affect the visibility and design of structures in a manner so as to preserve and protect, to the maximum extent feasible, public visual resources and access described herein.

*Policy 5.3.2.4:*

4. Existing visual access from scenic viewing corridors (e.g., Highway 1, Scenic Road, Spindrift Road, Yankee Point Drive) and from major public viewpoints, and future opportunities for visual access from the frontal ridges east of Highway 1 should be permanently protected as an important component of shoreline access and public recreational use.

**MONTEREY COUNTY, CALIFORNIA  
CARMEL AREA LAND USE PLAN  
LOCAL COASTAL PROGRAM**

*Approved by the Monterey County  
Planning Commission March 25, 1981*

*Adopted by the Monterey County Board of Supervisors  
October 19, 1982*

*Amended by the Monterey County Board of Supervisors  
October 23, 1984*

**Certified by the California Coastal Commission\***  
*April 14, 1983*

*Amended and Certified by the Coastal Commission  
January 22, 1985*

*This document was prepared with financial assistance from the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, under the provisions of the Federal Coastal Zone Management Act of 1972 as amended, and from the California Coastal Commission, under the provisions of the California Coastal Act of 1976.*

- \* Two small areas in Carmel Highlands were not certified by the Coastal Commission. These are shown on Figure 1A.

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**ACKNOWLEDGEMENTS**

*We wish to extend our grateful appreciate to the many individuals and organizations who contributed their time and expertise to the development of this plan.*

*Special thanks are given to the members of the Carmel Area Citizens Advisory Committee for their long and patient work in guiding the development of this plan.*

*Harold Seyferth, Chairman; Kenneth Wood, Vice-Chairman; Richard Barrett, Frank Bray, Mary Margaret DeBartolo, Elizabeth Farrar\*, Philip Gray, Rod Holmgren, W.B. Honegger, Dan Hudson, Bobbe Jeffers\*, Barbara Mountry, Barbara Rainer, H. Edwin Ramey, Donna Rico, Nanci Schneider, Richard Stokes, Catherine Woodward\*, R. Wesley Wright\**

\*Resigned

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# 1. INTRODUCTION

## 1.1 THE COASTAL ACT

The Coastal Act was passed by the State Legislature in 1976, and it came into effect on January 1, 1977. The Act replaced Proposition 20, an initiative passed in 1972. In adopting the Coastal Act, the Legislature declared that its basic goals were to:

- (a) Protect, maintain, and where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and man-made resources.
- (b) Assure orderly, balanced utilization and conservation of Coastal Zone resources taking into account the social and economic needs of the people of the State.
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent development over other development on the coast.
- (e) Encourage State and local initiatives and cooperation in preparing procedures to implement coordinated development for mutually beneficial uses, including educational uses, in the Coastal Zone.

The Act established a framework for resolving conflicts among competing uses for limited coastal lands. The highest priority is placed upon the preservation of natural resources, including environmentally sensitive habitat areas, i.e., wetlands, dunes, and other areas with rare, endangered, or threatened plant and animal life. In the case of sensitive habitat areas, only uses dependent on these resources are allowed within such areas. For agricultural land, the intent of the Act is to keep the maximum amount of prime land in production. On lands not suited for agricultural use, coastal-dependent development (i.e., development that requires a site on or adjacent to the sea for its operation) has the highest priority. Public recreational uses have priority on coastal sites which are not habitat areas and not needed for coastal-dependent uses. For sites that are not reserved for habitat preservation, agriculture, coastal-dependent uses, public recreation, or other types of development are permitted. However, commercial visitor-serving recreation has priority over private residential, general industrial and general commercial development. These priorities must be reflected in the land use plans prepared under the Local Coastal Program.

## 1.2 THE LOCAL COASTAL PROGRAM

The Coastal Act provides that its goals and policies are to be carried out by local government through a comprehensive and coordinated planning known Coastal Program (LCP). Each of the 15 counties and 53 cities along the coast are required to prepare an LCP 1981, for that portion of their jurisdiction within the coastal: zone. The LCP is defined in Section 30108.6 of the Act as the local government's land use plans and implementing actions which, when taken together, meet the requirement of, and implement the policies of the-Act at the local level. When completed and approved by the local governing body, the LCP must be submitted to the Regional and State Coastal Commissions for: certification. Once the LCP is certified, the local government will resume full permit authority for development coastal zone.

The State Coastal Commission will continue to exercise permit jurisdiction over developments in the State Tidelands and will continue to hear appeals and review amendments to certified LCPs. Only certain kinds of developments can be appealed after a local government's LCP has been certified; these include:

- (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
- (2) Developments approved by the local government not included within paragraph (1) located on tidelands, submerged lands, public trust lands, within 100 feet of wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.
- (3) Developments approved by the local government not included within paragraph (1) or (2) located in a sensitive coastal resource area if the allegation on appeal is that the development is not in conformity with the implementing actions of the certified local coastal program.
- (4) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map.
- (5) Any development which constitutes a major project or a major public works project or a major energy facility.

The State Commission is also required to review periodically the progress of local governments in carrying out the Coastal Act. This review is to occur at least once every five years.

The Local Coastal Program of Monterey County has been planned for development in three phases as follows:

- Phase I - Identification of coastal planning issues, defined as potential conflicts between Coastal Act policies and existing conditions, plans, and proposed uses. Preparation of a work program that sets forth tasks necessary to resolve issues, and establishment of work schedules and budgets and grant requests.

Phase II - Preparation of the Coastal Land Use Plan.

Phase III- Preparation of Implementing Actions, including zoning ordinances, zoning district maps, and other programs necessary to carry out the Land Use supporting policies.

The coastal zone of Monterey County has been divided into four segments for purposes of preparing plans for these areas distinctly different characters. The segments are North County, Big Sur, Carmel, and Del Monte. The Carmel Coastal Segment extends from Pescadero Canyon in the north to Malpas Creek in the south. Between Pescadero Canyon and the Carmel River, it includes the unincorporated area west of Highway 1; south of the river, it extends inland for a distance of 1 to 3.7 miles.

Phase 1 for the Carmel area was completed and adopted by the County on June 13, 1978, and was approved by the Coastal Commission on April 4, 1979. The Draft Local Coastal Program Land Use Plan has been prepared under Phase II.

Preparation of the draft plan has been preceded by the completion and distribution of numerous background reports on topics addressing coastal planning issues. These have been reviewed by public agencies, interested citizens, and the Carmel Area Local Coastal Program Citizens' Advisory Committee. An implementation program will be undertaken in Phase III, the next step of the Local Coastal Program.

### **1.3 PUBLIC PARTICIPATION**

Public participation in the plan's development was extensive. Throughout the process of developing the Local Coastal Program for the Carmel Segment, local citizens were actively involved in regular public meetings and hearings. The Carmel Area Local Coastal Program Citizens' Advisory Committee (CAC) appointed by the Board of Supervisors, was the main focus of citizen input to the program. From November, 1979, through December, 1980 meetings were regularly held to review and discuss planning issues and background reports prepared by County planning staff and to formulate goals for the community under the Local Coastal Program. Scheduled meetings were advertised in local newspapers, and agendas were sent to interested citizens to encourage public attendance. These meetings were often well attended by residents of the area and the general public. Public agency participation consisted of frequent communication with those agencies having an important role in the Carmel area. In addition, presentations to the CAC and general public were made by various State and local agency personnel.

### **1.4 PAST AND PRESENT PLANNING**

During the past 25 years, several land use plans have been adopted for different areas of the Carmel Coastal Segment. The Monterey Peninsula Area Plan, adopted in 1966, covered the entire Carmel area, while its adopted components - A Conservation Plan for Three Ranches (1966), the Rancho San Carlos Master Plan (1966), the Carmel Valley Master Plan (1980) - covered various sections of the Carmel area.\* These sectional plans were for the greater part, far-reaching for plans of their time.

They espoused a number of development policies and land use recommendations aimed at maintaining the unique scenic and recreational resources of this coastal area. The Three Ranches Plan sought to preserve in perpetuity the visually highly prominent and highly scenic hillsides, ridgetops, and frontal meadows. These scenic areas were to be set aside as permanent greenbelt, parkway, and open space, while less visually sensitive areas were to be developed with a mix of residential, visitor-serving commercial and residential uses. The Carmel Highlands-Riviera Master Plan sought to preserve the scenic, rural character of that community through the use of scenic easements, retention of native vegetation, and maintenance of Highway 1 as a scenic two-lane road. The Carmel Valley Master Plan (1980), like the earlier Three Ranches Plan, sought to preserve the scenic Palo Corona slopes as open space.

The sensitivity of these plans to the natural and scenic environment had their basis in the strong sentiment of the large landowners and community in conserving the significant resources of the Carmel area. Beginning with State acquisition of Point Lobos Reserve in 1933, the protection of key scenic and natural resources through public acquisition and scenic easements has continued with the support and cooperation of local residents and landowners.

This community interest in protecting the area's scenic and natural resources continues today. Though pressures for development have intensified, there remains the same concern that the highly scenic hillsides and ridgelines be retained in their natural state. This concern is perhaps most evident in the following statement prepared by the Carmel Area Citizen's Advisory Committee:

Hardly any portion of the California coast can match the visual beauty of the shoreline from Carmel Point to Malpas Creek. The jewel of the piece is Point Lobos, a small scenic world which attracts worldwide. But the area also embraces Carmel Point, the lagoon, marsh, and bird sanctuary, Carmel River State Beach, the Highlands, and the Riviera. Here is a shoreline of sandy and rock-strewn beaches. Immediately back from the shore are handsome landforms which considerably enhance the shoreline beauty. There are greenbelts and gentle slopes, rock cliffs, heavily wooded sections, and mountains rising sharply with natural ridgelines.

The area's charm includes structural features . . . but the natural grandeur of the area predominates. A superior scenic vista is just as much a national resource as coal in the ground. We must understand the value and obligation of such a scenic place. The preservation of important parts of it is due to landowners -- and we are grateful. What is lost now - and we know some must be - will be lost forever. Growth should be measured in terms of quality -scenic quality. In older times we cut down trees and gave best prominence and space to the structure. Now we want to see the branches above the roof and not the roof above the branches. For this too, is part of visual significance. We are making decisions for today. It is the future that is our constituency. In the viability of our Carmel Area, clean air, clean water, low noise level, and open space are all important factors. But probably most important to most people is quality. It is with them every hour, every day.

The common goal for the Carmel area must be that any future development blend with and be clearly subordinate to the natural scenic character. In considering developments, a standard of "minimal visibility" will subordinate those developments to the existing natural grandeur.

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\* The recently adopted Carmel Valley Master Plan (1980) is not presently in effect due to a court order requiring the preparation of an environmental impact report; the plan's status is thus uncertain.

## 2. RESOURCE MANAGEMENT

### 2.1 INTRODUCTION

The Carmel Coastal Segment supports a rich treasure of natural and cultural resources. Carmel Points magnificent shoreline panoramas and architecturally noteworthy residences, the Carmel Mission Basilica just outside the Carmel area, the Carmelite Monastery, and Point Lobos State Reserve, are just a few of this valuable resources for which this area is renowned. The key to this resource heritage cherished by residents and visitors alike is the area's natural grandeur. To date, the greater Carmel area has been maintained in open space and low-intensity rural uses, thereby affording protection for unparalleled scenic vistas and a biota characterized as extremely diverse and rich. A tradition has been established over the years to reserve the most precious areas for the enjoyment of present and future generations. This tradition continues as a result of efforts by local residents and landowners, private organizations and public agencies.

Development of the Carmel area has been limited by natural constraints and hazards such as rugged terrain and difficult access; limited water; steep, unstable slopes; unsuitable soils; and fire and flood potential. The more accessible locations adjacent to Highway 1 have been the focus of residential and visitor-commercial development and use. As the most suitable areas have been developed, development has extended on to steep slopes and more hazardous areas. As the demand for housing and recreational and visitor-serving facilities in the Monterey Peninsula area has accelerated, pressure for development of less suitable land has been aggravated. The high scenic and recreational values of the area have drawn increasing numbers of visitors each year to the point that existing recreational facilities are overused and sensitive coastal resources have been damaged or degraded. Intensified land use and development will inevitably create and aggravate existing problems: wildfires, floods, landslides, pollution of water and air, depletion of water resources, and further destruction of plant, animal, and marine habitats. In essence, unrestricted or inappropriate development and increasing levels of recreational use may threaten those very amenities which draw both visitors and residents to the Carmel area.

The natural resources and the constraints of the land are the primary considerations in developing guidelines for use and conservation of the land. The existing community is a resource that can help to protect the environment and enhance the visitor experience. The challenge is how to accommodate increasing numbers of visitors and to maximize the use and enjoyment of the Carmel coast without depleting or further degrading its sensitive resources or reducing the vigor and productivity of the natural systems or impairing the scenic values important to residents and visitors alike.

There is a need to establish limits in all areas private and public development in order to prevent degradation or overuse of resources. The long history of stewardship and protection of resources needs to be extended into the future to ensure the continued protection to the land and its high scenic values. The quality of experience offered by the Carmel coast should have precedence over the number or extent of any permitted uses, whether residential, recreational, or commercial. Any new development should complement the area and be compatible with the objective of careful resource protection and

conservation. Conflicting uses should not be introduced. The achievement of these goals must involve restraint and continued responsibility. Both public and private interests will be best served by the continued preservation of the unique natural and cultural resources that make the Carmel coast a scenic jewel.

The policies that follow are intended to guide the use and enjoyment of the coast and to afford a reasonable degree of protection for the natural resources of the area. The policies are based upon numerous background reports, analysis of collected data, and the advice of many agencies and knowledgeable individuals, including the Carmel Citizens Advisory Committee. Much of this material is contained in the background reports. In addition to the text presented here, a series of maps have been prepared that reflect the best available information on the location and extent of natural resource features. Copies of these maps at 1000' scale are available for public study at the Planning Department. Reduced versions of these maps are provided in the map booklet accompanying this text. Maps included cover:

- Viewshed
- Plant Communities
- Environmentally Sensitive Habitat Areas
- Forest and Soils Resources
- Water and Marine Resources
- Geologic, Flood, and Fire Hazards
- Recreation and Visitor-Serving Facilities
- Shoreline Access Conditions

In all cases, the mapped information is presented as the best available information. The County recognizes that inaccuracies may exist in these maps, and no claims are made for their complete accuracy. It will be the County's intention to use these maps as constantly improving tools to be shared with the public as part of the information base for the Carmel area. As new or improved information becomes available, the maps will be revised.

## **2.2 VISUAL RESOURCES**

### **2.2.1 Overview**

The scenic qualities of the Carmel area have long been a cherished part of the Monterey coast. Sweeping vistas of rocky headlands and sandy beaches, architecturally compatible residences and farm buildings, pine and cypress-topped ridges, open grazing lands, and cultivated fields are all interrelated



elements of the natural mosaic that attracts visitors from communities throughout California and the United States as from the Monterey region.

Monterey County has been a leader in the area of scenic protection. During the early 1940s, the County's refusal to approve service station roadside advertising resulted in national attention. A landmark court decision in favor of the County upheld the right of local government to regulate aesthetics through the police power. The County again took a leading role in the 1960's through the designation of Highway 1 as the first scenic highway in California's new State Scenic Highway System. Many other measures have been taken by the County in efforts to preserve the outstanding visual qualities of the Carmel area. These have included, among other things, design and landscaping control, critical review criteria, and a program of visual nuisance abatement.

In spite of present controls, increasing development has gradually encroached into many areas of outstanding natural beauty. In some cases, this scenic encroachment has been caused by poorly sited, or inadequately designed homes which failed to blend with the surrounding natural landscape. In other cases, highly visible roadcuts have been permitted on visually sensitive mountainsides to provide access to future homesites. Many of the Carmel area's visual resources are highly sensitive by virtue of their prominence in the viewshed as well as their unique scenic quality. These include: the rocky promontories, sandy beaches, and bluffs of the immediate shoreline, the open Palo Corona slopes, the Carmelite Monastery and forested slopes, the rural pasturelands south of San Jose Creek Beach, Point Lobos Ridge, and the ridgetop immediately south of Point Lobos Ridge and Gibson Creek. The high visibility of these features from numerous public viewpoints and scenic corridors render them particularly important scenic resources of the Carmel area.

Protection of the Carmel area's visual resources may be one of the most significant issues concerning the future of this area. The strong policies set forth in this plan are intended to safeguard the coast's scenic beauty and natural appearance. A map indicating the general location and extent of visible areas from Highway 1 and other major public use areas are contained in the resource map booklet that accompanies this plan.

In the following policies, the term "viewshed" or "public viewshed" refers to the composite area visible from major public use areas including 17-Mile Drive views of Pescadero Canyon, Scenic Road, Highway 1 and Point Lobos Reserve as shown on Map A.

### **2.2.2 Key Policy**

To protect the scenic resources of the Carmel area perpetuity, all future development within the viewshed must harmonize and be clearly subordinate to the natural scenic character of the area. All categories of public and private land use and development including all structures, the construction of public and private roads, utilities, and, lighting must conform to the basic viewshed policy of minimum visibility except where otherwise stated in the plan.

## MAP A

### 2.2.3 *General Policies*

1. The design and siting of structures, whether residential, commercial, agricultural, or public, and the access roads thereto, shall not detract from the natural beauty of the scenic shoreline and the undeveloped ridgelines and slopes in the public viewshed.
2. New development on the scenic beaches and bluffs of Carmel River State Beach shall be located out of the public viewshed.
3. New development on slopes and ridges within the public viewshed shall be sited within existing forested areas or in areas where existing topography can ensure that structures and roads will not be visible from major public viewpoints and viewing corridors. Structures shall not be sited on non-forested slopes or silhouetted ridgelines. New development in the areas of Carmel Highlands and Carmel Meadows must be carefully sited and designed to minimize visibility. In all cases, the visual continuity and natural appearance of the ridgelines shall be protected.
4. The portion of a parcel least visible from public viewpoints and corridors shall be considered the most appropriate site for the location of new structures. Consistency with other plan policies must be considered in determining appropriate siting.
5. New subdivision which creates commitment to new development of the coastal hills and ridges east of Highway 1 shall be permitted only where every parcel to be created has an adequate building site that cannot be seen from public viewing points and corridors. New lots and access shall also be designed to minimize tree removal and visually intrusive grading.
6. Structures shall be subordinate to and blended into the environment, using appropriate materials that that effect. Where necessary, modification of plans shall be required for siting, structural design, color, texture, building materials, access and screening.
7. Structures shall be located and designed to minimize tree removal and grading for the building site and access road. Where earth movement would result in extensive slope disturbance or scarring visible from public viewing points and corridors, such activity will not be allowed. Extensive landform alteration shall not be permitted.
8. Landscape screening and restoration shall consist of plant and tree species consistent with the surrounding vegetation. Screening on open grassy slopes and ridges should be avoided.
9. Landowners will be encouraged to donate scenic easements to an appropriate agency or nonprofit organization over portions of their land in the viewshed, or, where easements already exist, to continue this protection. Viewshed land protected by scenic easements required pursuant to Coastal Permits shall be permanently free of structural development unless specifically permitted at the time of granting the easement.
10. The County encourages creative public and private efforts to restore the scenic beauty of visually impacted areas of the coast and will assist such efforts where possible.

#### **2.2.4 Specific Policies**

1. All applications for development within the viewshed shall require individual on-site investigations. The dimensions, height, and rooflines of proposed buildings shall be accurately indicated by poles and access roads by stakes with flags.
2. Sites for new structures shall be selected to avoid the construction of visible access roads and reduce the extent of environmental and engineering problems resulting from construction.
3. Residential, recreational and visitor-serving, and agricultural access shall be provided by existing roads and trails, where possible, to minimize further scarring of the landscape, particularly of the visible slopes.
4. New roads will be considered only where it has been demonstrated that the use of existing roads or driveways is not possible or that rights-of-way for use of a common road are demonstrated to be unobtainable.
5. New roads or driveways will not be allowed to damage or intrude upon public views of open frontal slopes or-ridgelines visible from scenic routes and public viewpoints. To this end, new roads or driveways shall be designed to avoid steep slopes and to conform to the natural topography; they should be located along the margins of forested areas, where possible, or where existing vegetation provides natural screening and should be constructed to minimum County standards consistent with the requirements of fire safety and emergency use. Road or driveway construction shall not commence until the entire project has completed the permit and appeal process.
6. The existing forested corridor along Highway 1 shall be maintained as a scenic resource and natural screen for existing and new development. New development along Highway 1 shall be sufficiently set back to preserve the forested corridor effect and minimize visual impact.
7. Continued agricultural uses on the level land and open slopes along the Highway 1 corridor south Carmel River are considered compatible with the area's scenic character and, accordingly, shall be encouraged.
8. To enhance the scenic quality of the Carmel Point area, the County and State Department of Parks and Recreation should control existing bluff erosion by directing to designated paths and restoring degraded areas.
9. To protect both scenic quality and visual access to the shoreline, design review of all new structures or modification of existing structures shall be exercised. "Structures" shall include commercial facilities, homes, garages, fencing, watertanks, solar collectors, utility poles, etc. Where new development or intensification of existing uses is proposed, structures shall be sited to maximize plan policy. Furthermore, landscaping plans shall also be required and approved by the County as a secondary protection.

10. The following siting and design control measures shall be applied to new development to ensure protection of the Carmel area's scenic resources, including shoreline and ocean views:
  - a. On ridges, buildings shall be sufficiently set back from the precipice to avoid silhouetting and to be as visually unobtrusive as possible. Buildings located on slopes shall be sited on existing level areas and sufficiently set back from the frontal face. Buildings should not be located on slopes exceeding 30 percent, except when all other plan guides are met and siting on slopes over 30 percent better achieves siting consistent with the policies of the plan.
  - b. Where clustering of new residential or visitor-serving development will preserve desirable scenic and open space areas or enable structures to be sited out of the viewshed, it shall be preferred to more dispersed building site plans.
  - c. Structures located in the viewshed shall be designed so that they blend into the site and surroundings. The exterior of buildings must give the general appearance of natural materials (e.g., buildings should be of weathered wood or painted in "earth" tones). The height and bulk of buildings shall be modified as necessary to protect the viewshed.
  - d. Exterior lighting shall be adequately shielded or shall be designed at near-ground level and directed downwards to reduce its long-range visibility.
  - e. Existing trees and other native vegetation should be retained to the maximum extent possible both during the construction process and after the development is completed. Landscape screening may be used wherever a moderate extension of native forested and chaparral areas is appropriate. All new landscaping must be compatible with the scenic character of the area and should retain existing shoreline and ocean views.
11. Existing power lines running along Highway 1 between Point Lobos Reserve and Malpaso Creek and along San Jose Creek Beach should be re-routed out of the viewshed or placed underground. New overhead power or telephone lines will be considered only where overriding natural or physical constraints exist. Where permitted, poles will be placed in the least conspicuous locations out of public, and where possible, private view. Television antennas and ham radio facilities shall be unobtrusive. Water lines and drainage pipes should be buried or otherwise obscured by vegetation.
12. Public highway facilities including signs, guardrails, and restrooms shall be of a design complementary to the scenic character of the Carmel area, with preference materials. Private driveway entrances, gates, roadside fences, mailboxes, and signs along Highway 1 should reflect the same design concept. Protective barrier by Caltrans should utilize boulders or walls or rock construction.

13. Signs are generally discouraged. Signs on private property along Highway 1 should be of wood, unpainted except for lettering; nor shall any signs be internally illuminated. No neon or animated advertising signs will be allowed inside windows or outdoors.

### **2.2.5 Recommended Actions**

1. A management plan for the Scenic Road corridor should be prepared by the County and the State Department of Parks and Recreation in cooperation with the City of Carmel and Carmel Point community. This management should address the following items:
  - a. identification of degraded bluff areas requiring restoration and protection from recreational use.
  - b. development of measures for restoring bluff areas.
  - c. identification of degraded or failing sections of road and establishment of design criteria for road repairs.
  - d. improvement of designated accessways according to the policies and standards set forth in the preceding section and in the Shoreline Access Element.
2. In order to provide for more visually compatible structures, the height limit in the Carmel Point Area should be limited to a maximum height of 18 feet from the natural average grade. To ensure protection of the viewshed, the maximum height of structures located in the Carmel Meadows area, including the Portola Corporation and Williams properties, shall be limited to 18 feet measured from natural average grade.

To ensure that new development in the Yankee Point area remains subordinate to the visual resources of the area, and to ensure that visual access from Highway 1, Yankee Point Drive, and Mal Paso Road is protected, the height limit in the Yankee Point area of Carmel Highlands-Riviera, for all properties seaward of Yankee Point Drive, and for properties with frontage along the east right of way line of Yankee Point Drive that face such properties seaward of Yankee Point Drive, shall be 20 feet. The height limit for all other properties in the area shall be 26 feet.

In addition to such height limits, new development shall be subject to design guidelines to be adopted by the Planning Commission for the Yankee Point area. Such guidelines shall affect the visibility and design of structures in a manner so as to preserve and protect, to the maximum extent feasible, public visual resources and access described herein.

3. Property owners in the Highway 1 viewshed between Point Lobos and Malpaso Creek shall be encouraged to find alternative locations for antennas so that they are out of view from Highway 1 and public viewing areas.

## **2.3 ENVIRONMENTALLY SENSITIVE HABITATS**

### **2.3.1 Overview**

Environmentally sensitive habitat areas are areas 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; all coastal wetlands and lagoons; riparian corridors; rocky intertidal areas; near shore reefs and offshore rocks and islets; kelp beds; rookeries and haul-out sites; important roosting sites; Areas of Special Biological Significance (ASBS) as identified by the State Water Resources Control Board. The California Coastal Act provides unprecedented protection for environmentally sensitive habitat areas and, within such areas, permits only resource-dependent uses (e.g., nature education and research, hunting, fishing, and aquaculture). The Coastal Act also requires that any development adjacent to environmentally sensitive areas be properly sited and designed to avoid impacts which would degrade these habitats.

The Carmel Coastal Segment supports a variety of rare, endangered, or sensitive terrestrial species and habitats: riparian corridors, Monterey cypress forest, Gowen cypress woodland, significant stands of Monterey pine, coast redwood forest, north coastal prairie, and dwarf coastal chaparral. These environmentally sensitive habitats should be protected for a variety of reasons: their high scientific and educational values, their scenic values, their high wildlife values ' and/or their importance in watershed protection. Several are in public ownership and are thereby afforded a high degree of protection, though even these may be threatened by overuse or potential development on surrounding lands. Other habitats must be protected from the damaging effects of development activities or inappropriate activities such as off-road vehicle use. Protection of the Carmel River riparian corridor is a particular concern. Sections of the river, both within and outside of the planning area, have experienced extensive modification and damage as a result of continued urban development and related flood control measures and water supply development.

The Carmel area also supports a remarkable abundance and diversity of marine life. Rocky intertidal areas, kelp beds, offshore rocks, bluffs, and cliffs are prominent plant and wildlife habitats along the Carmel coast. A number of species of pelagic birds, shorebirds, and marine animals, including the threatened sea otter, utilize and, to various degrees, depend upon these marine habitats. certain sensitive marine resources already receive protection under policies and laws guiding local, state, and federal agencies. Both the Carmel Bay and the marine waters surrounding Point Lobos Reserve are legally protected through their designation as Areas of Special Biological Significance and Ecologic Reserves.

The only major wetland in the Carmel area is the brackish lagoon and marsh located at the mouth of the Carmel River. Though most of this wetland is in State ownership, it is subject to degradation from water pollution, sedimentation, and recreational use.

### **2.3.2 Key Policy**

The environmentally sensitive habitats of the Carmel Coastal Segment are unique, limited and fragile resources of statewide significance, important to the enrichment of present and future generations of County residents- and visitors; accordingly, they shall be protected, maintained and, where possible, enhanced and restored. All categories of land use, both public and private shall be subordinate to the protection of these critical areas (see Map B).

Plant communities considered as sensitive are categorized as follows:

- Rare, endangered and sensitive plants
- Northern coastal prairie
- Chamise-Monterey Manzanita dwarf coastal chaparral
- Gowen cypress woodland
- Monterey cypress and pine forests
- Redwood forest

Since not all Monterey Pine Forest areas are environmentally sensitive habitat, the restrictions of these policies shall only apply where such forests are determined to be sensitive on a case by case basis.

Rare and Endangered Species are 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, IUCN list, and/or pursuant to the 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora. Sensitive species are those locally rare or unique plants defined as endemic, relict, or distinct. In the Carmel Area, rare, endangered, and sensitive species include Hickman's Onion, Sandmat Manzanita, Monterey Ceanothus, Hutchinson's Delphinium, California Dichondra, Point Lobos Eriogonum, Gardener's Tampah, Rhododendrons and other species that from time to time may be added or deleted from this list.

Only small-scale development necessary to support the resource-dependent uses may be located in sensitive habitat areas if they can not feasibly be located elsewhere.

### **2.3.3 General Policies**

1. Development, including vegetation removal, excavation, grading, filling, and the construction of roads and structures, shall be avoided in critical and sensitive habitat areas, riparian corridors, wetlands, sites of known rare and endangered species of plants and animals, rookeries and major roosting and haul-out sites, and other wildlife breeding or nursery areas identified as critical. Resource-dependent uses, including nature education and research, hunting, fishing, and aquaculture, shall be allowed within environmentally sensitive habitats and only if such uses will not cause significant disruption of habitat values. Only small-scale development necessary to support the resource-dependent uses may be located in sensitive habitat areas if they can not feasibly be located elsewhere.



Wetlands are defined as lands which may be covered periodically or permanently with shallow water and include saltwater marshes, fresh water marshes, open or closed brackish water marshes, swamps, mudflats and fens.

2. Land uses adjacent to locations of environmentally sensitive habitats shall be compatible with the long-term maintenance of the resource. New land uses shall be considered compatible only where they incorporate all site planning and design features needed to prevent habitat impacts and where they do not establish a precedent for continued land development which, on a cumulative basis, could degrade the resource.
3. New development adjacent to environmentally sensitive habitat areas shall be allowed only at densities compatible with the protection and maintenance of the adjoining resources. New subdivisions shall be approved only where potential impacts to environmentally sensitive habitats from development of proposed parcels can be avoided.
4. To protect environmentally sensitive habitats and the high wildlife values associated with large areas of undisturbed habitat, the County shall retain significant and, where possible, contiguous areas of undisturbed land in open space use. To this end, parcels of land totally within sensitive habitat areas shall not be further subdivided. On parcels adjacent to sensitive habitats, or containing sensitive habitats as part of their acreage, development shall be clustered to avoid habitat impacts.
5. Where private or public development is proposed in documented or expected locations of environmentally sensitive habitats - particularly those habitats identified in General Policy No. I - field surveys by qualified individuals or agency shall be required in order to determine precise locations of the habitat and to recommend mitigating measures to ensure its protection. This policy applies to the entire segment except the internal portions of Carmel Woods, Hatton Fields, Carmel Point (Night heron site excluded), Odello, Carmel Meadows, and Carmel Riviera. If any habitats are found on the site or within 100 feet from the site, the required survey shall document how the proposed development complies with all the applicable habitat policies.
6. The County shall require deed restrictions or dedications of permanent conservation easements in environmentally sensitive habitat areas where development is proposed on parcels containing such habitats. Where development has already occurred in areas supporting sensitive habitat, property owners should be encouraged to voluntarily establish conservation easements or deed restrictions.
7. Where development is permitted in or adjacent to environmentally sensitive habitat areas, the County, through the development review process, shall restrict the removal of indigenous vegetation and land disturbance (grading, excavation, paving, etc.) to that needed for the structural improvements themselves.
8. The County shall require the use of appropriate native species in proposed landscaping.

9. Where public access occurs or has been introduced in areas of environmentally sensitive habitats, it shall be limited to low-intensity recreational, scientific, or educational uses such as nature study and observation, education programs in which collecting is restricted, photography, and hiking. Access in such areas shall be controlled and confined to designated trails and paths. No access shall be approved which results in significant disruption of habitat.
10. The County should request advice and guidance from the California Department of Fish and Game in evaluating proposals for new or intensified land uses - including public access, recreation, and associated facilities - in or adjacent to environmentally sensitive habitat areas.
11. The Department of Fish and Game, which has responsibility for listing rare and endangered plants, should provide Monterey County with updated information on plants, locations, and habitat requirements.

### ***2.3.4 Specific Policies***

#### *Terrestrial Plant Habitats*

1. To afford long-term protection from the impacts of existing or potential development, public or private acquisition of sites of rare, endangered, and sensitive plants shall be encouraged by the County.
2. Public access to areas of rare, endangered, and sensitive plants should be actively discouraged and directed to less sensitive areas. Where allowed, public access should be strictly managed. Otherwise, the area should be closed.
3. If existing livestock operations are intensified and concentrated in or near riparian corridors, a management program to protect the riparian resource should be developed.
4. The State Department of Parks and Recreation should restrict uses of northern coastal prairie habitat to educational and scientific activities. Recreational uses and development of structures and trails should be avoided on prairie habitat areas.
5. Development proposed near Gowen cypress habitat shall be set back a minimum of 100 feet to protect this sensitive resource. No development should be allowed in this buffer area, and the natural vegetation should be retained. A maintenance program should be established for the Gowen cypress habitat.
6. The County, in coordination with the State Department of Parks and Recreation, should ensure long-term protection of the remaining Gowen cypress habitat occurring on private land.
7. Recreational access and associated facilities within Monterey cypress habitat in Point Lobos State Reserve should be restricted to existing trails.

**MAP B**

8. The County should work with landowners or other public agencies (such as the Coastal Conservancy), as the need arises, to protect both significant stands of Monterey pine and coast redwood forest through permanent conservation easements, deed restrictions, or, where necessary, fee acquisition.
9. In recognition of its function as riparian habitat and of its important role in watershed protection, redwood forest habitat in the Carmel coastal segment should be retained as open space through encouragement of conservation easement, or, where necessary, fee acquisition.
10. Redwood forest and chaparral habitat on land exceeding 30 percent slope should remain undisturbed due to potential erosion impacts and loss of visual amenities.

#### *Riparian Corridors and Other Terrestrial Wildlife Habitats*

1. Riparian plant communities shall be protected by establishing setbacks consisting of a 150-foot open space buffer zone on each side of the bank of perennial streams and 50 feet on each side of the bank of intermittent streams, or the extent of riparian vegetation, whichever is greater. No new development, including structural flood control projects, shall be allowed within the riparian corridor. However, improvements to existing dikes and levees shall be allowed if riparian vegetation damage can be minimized and at least an equivalent amount and quality of replacement vegetation is planted. In addition, exceptions may be made for carefully sited recreational trails. The setback requirement may be modified if it can be demonstrated that a narrower corridor is sufficient to protect existing riparian vegetation. Riparian vegetation is an association of plant species which typically grows adjacent to freshwater courses and needs or tolerates a higher level of soil moisture than dryer upland vegetation.
2. The State Water Quality Control Board and the California Department of Fish and Game, in coordination with the County of Monterey, should establish and reserve instream flows sufficient to protect and maintain riparian vegetation, fishery resources and adequate recharge levels for Protection of groundwater supplies. Maintenance of instream flows should not preclude control of water levels in the Carmel River lagoon for flood protection purposes; i.e., opening the sandbar at the river mouth shall not be precluded by this policy.
3. The County should encourage a program of riparian woodland restoration as a part of the development and environmental review process. As a condition of approval of projects adjacent to riparian corridors, the County, where appropriate, should require landscaping with native riparian species.
4. To protect important wildlife habitat, all off-road recreational vehicle activity should be discouraged within riparian corridors and public access should be limited to designated areas. Accordingly, roads and trails should be sited to avoid impacts to riparian habitat.

5. Wildlife management considerations shall be included in the evaluation of development proposals, particularly land division proposals. Large, and where possible, contiguous areas of native vegetation should be retained in order to meet the various needs of those wildlife species requiring large areas of undisturbed habitat.
6. Critical wildlife habitat areas (refer to General Policy No. 2) shall be protected through permanent easement or fee acquisition and an adequate distance between such habitat and disturbed areas (e.g., building sites and roads) shall be maintained.
7. To allow for wildlife movement from one open space area to another, adequate corridors (greenbelts) connecting open space areas should be maintained or provided. Such a corridor shall be specifically retained for movement of wildlife to and from uplands east of Point Lobos Reserve and the Reserve itself.
8. Except where necessary to alleviate a hazardous situation, snag removal should be avoided in areas of Monterey pine, coast live oak, or coast redwood which are retained in open space use.
9. The restoration of Northern Coastal Prairie in Point Lobos State Reserve should provide for the retention of snags along the ecotone and within the area to be converted to prairie.

#### *Wetlands and Marine Habitats*

1. A setback of 100 feet from the edge of all coastal wetlands shall be provided and maintained in open space use. No new development shall be allowed in this setback area. The edge of wetlands shall be pursuant to policy 2.3.3.5, based on the wetlands definition in policy 2.3.3.1 and using the U.S. Fish and Wildlife Service's classification of Wetlands and Deep Water Habitats of the United States.
2. The County shall assist the maintenance and protection of the Carmel River lagoon and marsh by encouraging the retention of sufficient instream flows and controlling erosion and sedimentation from surrounding and upstream areas.
3. The County shall seek designation of the Carmel River lagoon and marsh as a natural preserve within the State Park Systems as recommended by the Point Lobos - Carmel River State Beach General Plan. Eventual management by the Department of Parks and Recreation shall include measures to limit public access to this natural preserve and to retain the present character of the marsh and lagoon. Particular attention should be given to the control of sedimentation and "filling-in" of this wetlands area.
4. Alteration of the shoreline, including diking, dredging, and filling, shall not be permitted except where demonstrated as essential for protection of existing residential development or necessary public facilities. Existing dikes and levees can be improved subject to these and other plan policies.

5. Concentration of recreational development or recreational activities near accessible tidepool communities shall not be permitted.
6. The County shall support the continued designation of Carmel Bay as an Area of Special Biological Significance.
7. Permits for dredging and other activities which would substantially modify the substrate of kelp forest communities should be reviewed by the Marine Resources Region of the Department of Fish and Game.
8. Commercial, industrial or recreational uses which have the potential to discharge harmful waste products into the air or water or to generate loud noises or disruptive vibrations should not be permitted in the vicinity of seabird and marine mammal colonies.
9. Development on parcels adjacent to intertidal habitat should be sited and designed to prevent percolation of septic runoff and deposition of sediment.

### ***2.3.5 Recommended Actions***

#### *Land Use Regulation and Management*

1. The County should adopt a Riparian Corridor Ordinance to provide for setbacks from the edge of both banks of perennial and intermittent streams and from the edge of the average high water line of wetlands as specified in the preceding policy section. The ordinance should restrict all new development in the setback area. Except for areas with existing dikes and levees, it should also prohibit the dumping of all spoils into riparian corridors. Enforcement of the Riparian Corridor ordinance should be coordinated with the Department of Fish and Game.
2. The County should cooperate with the Monterey Peninsula Water Management District in drafting a plan for management of the entire Carmel River with preservation and protection of a continuous riparian corridor as one of its main objectives.
3. The County should work with the State Department of Parks and Recreation and the State Coastal Conservancy to explore the reservation of significant coastal resource areas, as provided for in the State Coastal Conservancy Act.
4. The County should encourage the restoration of sensitive plant habitats on public and private lands. A program to control and eliminate noxious non-native vegetation should be developed in conjunction with the State Department of Parks and Recreation and State Department of Fish and Game.
5. The County should work in coordination with the Department of Fish and Game, federal government agencies (e.g., Fish and Wildlife Service), and local botanists to develop effective conservation easements, associated means of implementation and enforcement procedures to protect sensitive plants and critical habitat locations.

6. To provide long-term protection for the Carmel River and marsh and lagoon, the State Department of Parks and Recreation should investigate the feasibility of State acquisition of riparian and wetland habitat remaining in private ownership.
7. To reduce accumulated fuel loads, maintain the health and vigor of the pine and cypress forests, facilitate reproduction of the Gowen and Monterey cypress, and reduce the spread of Monterey pine into certain areas such as Northern Coastal Prairie, the State Department of Parks and Recreation should develop a fuel hazard reduction and prescribed burning program. Such a program should not be executed, however, until it is proven practical and prudent. In the meantime, the California Department of Parks and Recreation should give serious consideration to contracting for manual removal of fuel-hazardous materials.
8. A forest conservation and management program should be developed and implemented by the County and the State Department of Parks and Recreation to maintain those Monterey pine and Coast redwood forest areas retained as open space. The management program should include the following elements:
  - a. The retention of snags for wildlife use
  - b. Control of disease and pests
  - c. Where applicable, measures to minimize alteration of drainage patterns as a result of new development
  - d. Provision and regulation of public access and recreational use.
9. The State Department of Parks and Recreation should monitor disturbed areas such as trail construction sites for the presence of noxious plants and erosion, and such potential problems should be immediately controlled.
10. A fish ladder should be constructed at the diversion dam on San Jose Creek to facilitate migration of steelhead for spawning upstream. Funding for this ladder should be requested from the State Department of Water Resources through its Stream Enhancement Program.
11. To prevent damage or degradation of this sensitive habitat area, public access to the Gibson Creek Annex should be managed through ranger or docent-guided tours as recommended by the Point Lobos State Reserve-Carmel River State Beach General Plan.
12. The State Department of Parks and Recreation's interpretive program should include static displays, guided nature walks and published information which emphasize the values of environmentally sensitive habitats and which are directed toward the general public.
13. The County, in coordination with the State Department of I Parks and Recreation and other concerned agencies or organizations should promote increased public understanding of the importance and values of environmentally sensitive habitats by the following means:

- a. Encouraging and supporting environmental education programs that emphasize understanding of local habitat areas in the public schools and in informal educational programs offered by community organizations.
- b. Providing signs, interpretive displays and/or educational materials at appropriate locations to inform the public of the sensitivity and habitat values of selected local sites.

### *Monitoring and Continuing Research*

1. The State Water Resources Control Board, the State Department of Fish and Game, the State Department of Parks and Recreation, the County of Monterey, the Carmel Sanitary District, and the universities and research stations should develop a coordinated water quality monitoring program for the Areas of Special Biological Significance.
2. The Department of Fish and Game should continue to evaluate the impact of kelp harvesting on other marine resources (e.g., juvenile fish, sea otters) and the uses dependent upon them (e.g., sport fishing, recreational diving, scenic driving, and picnicking). The results of its evaluation should be forwarded to the County and other concerned agencies such as the U. S. Fish and Wildlife Service and the State Department of Parks and Recreation.
3. The Department of Fish and Game should evaluate the adequacy of restrictions on kelp harvesting. The rule which states that a maximum 50 percent of a kelp bed may be cut should be given special scrutiny.
4. The State Department of Fish and Game should work with the U.S. Fish and Wildlife Service to determine those factors currently affecting the growth rate of the otter population. The County should request the Department of Fish and Game to report annually on the status of the sea otter population.
5. The Department of Fish and Game should work with the U.S. Fish and Wildlife Service and the Point Bird Observatory to assess and report on the status of pelagic bird and marine mammal populations off the Carmel coast in relation to West Coast populations. Special attention should be given to threats to food sources and habitat integrity, particularly to potential expansion of the squid fishery which could reduce the available food supply for marine birds and mammals.
6. The County shall continue to monitor the review process of the Outer Continental Shelf (OCS) Lease Sale to express its continuing opposition to lease sales and to coordinate its actions with other affected local coastal governments.
7. The County should work with the OcS Planning Group, the U.S. Coast Guard, and the Department of Fish and Game to ensure that oil transport activities near the Monterey Carmel coast include adequate procedures to protect marine bird and mammal (particularly, sea otters) populations and to clean up oil spills.



8. The County should work with the Federal Office of Coastal Zone Management of the Bureau of Land Management (BLM) and with the National Oceanic and Atmospheric Administration (NOAA) to the Department of Commerce to assure that northbound sea lanes for tanker traffic off this coast are well outside the three-mile limit in order to protect the entire shoreline from possible spills or coincidental pumping of bilges.

## **2.4 WATER AND MARINE RESOURCES**

### ***2.4.1 Overview***

The Carmel coasts' major streams are the Carmel River, San Jose Creek, Gibson Creek, Wildcat Creek, and Malpas Creek. With the exception of the Carmel River, these streams are small, but all directly support riparian wildlife and plant communities. Because many of the streams are small, development of residences, agriculture, and public or private recreation and visitor-serving facilities can place excessive demands on the water available in some watersheds. When overuse is allowed, through unwise approvals of development or use applications, degradation of the natural environment results with loss of plant, wildlife, and fish habitats. Eventually, people dependent on the adequate supply of quality water will suffer too as private and community water systems fail. The drought of 1976-78 emphasized the critical need for a careful and conservative approach to planning and to recognize that drought year flows are the controlling factor for all human and natural uses.

Deterioration of water quality poses a threat to both freshwater and marine communities. Potential point sources of pollution include the Carmel Sanitary District Sewage Treatment plant and existing package treatment plants. Secondarily-treated effluent from the sanitary district's treatment plant is discharged into the Carmel Bay ASBS, (Area of Special Biological Significance) while effluent from the two package treatment plants is discharged into the open ocean south of the Point Lobos ASBS. Nonpoint sources of pollution include: (1) the contaminants and sediments found in urban stormwater runoff entering the Carmel River and Carmel Bay ASBS, and (2) septic system and leachfield failures in the Carmel Highlands area.

In recent years, the Carmel River has experienced extensive erosion and sedimentation while the Carmel Bay has sustained a notable decline in water clarity. Preservation of the remarkable diversity of marine life found in Point Lobos and Carmel Bay ASBS's and protection of those scientific, educational, and recreational values dependent on this marine life will require that a high level of water quality be maintained. Similarly, protection of the coastal streams natural environment will necessitate that both water quality and adequate instream flows be maintained.

All decisions concerning the development of the Carmel area must ensure the protection of water quality through the use of adequate stream setbacks, grading and erosion control measures, and vegetative maintenance.

### **2.4.2 Key Policy**

The water quality of the Carmel area's coastal streams and of the Point Lobos and Carmel Bay Areas of Special Biological Significance shall be protected and maintained. Instream flows should be protected in order to maintain the natural plant community and fish and wildlife. In general, the County will require adherence to the best watershed planning principles, including: stream setbacks, stream flow maintenance, performance controls for development site features, maintenance of safe and good water quality, protection of natural vegetation along streams, and careful control of grading to minimize erosion and sedimentation.

### **2.4.3 General Policies**

1. The effects of all new development proposals or intensification of land use activities or water uses on the natural character and values of the Carmel coasts streams will be specifically considered in all land use decisions. Subjects to be addressed in such evaluations include protection of water quantity and quality, wildlife and fish habitat, and recreational and scenic values. Land use proposals determined to pose unacceptable impacts to the natural integrity of the stream must be modified accordingly. The County should request technical assistance from the State Department of Fish and Game in determining effects on fish and wildlife habitat and appropriate mitigation measures.
2. New development including access roads shall be sited, designed and constructed to minimize runoff, erosion, and resulting sedimentation. Land divisions shall be designed to minimize the need to clear erodable slopes during subsequent development. Runoff volumes and rates should be maintained at pre-development levels, unless provisions to implement this result in greater environmental damage.
3. Point and non-point sources of pollution of Point Lobos and Carmel Bay ASBS's, coastal streams and the Carmel River Lagoon and Marsh shall be controlled and minimized.
4. New development shall be located and developed at densities that will not lead to health hazards on an individual or cumulative basis due to septic system failure or contamination of groundwater. On-site systems should be constructed according to standards that will facilitate long-term operation. Septic systems shall be sited to minimize adverse effects to public health and sensitive resource areas.
5. The use of on-site wastewater management systems that reduce the risk of failure or groundwater contamination and are approved by the County Health Department should be encouraged.

### **2.4.4 Specific Policies**

- A. *Water Availability*

1. New development shall be approved only where it can be demonstrated by the applicant that adequate water is available from a water utility or community system or an acceptable surface water diversion, spring, or well. At the County's discretion, applicants may be required to submit a hydrologic report certifying sustained yield of the water source to serve new development outside of existing water utility service areas.
2. As part of the permit process, the applicant must also demonstrate that the proposed new water use or use intensification will not adversely affect both the natural supply necessary to maintain the environment, including wildlife, fish, and plant communities, and the supply available to meet the minimum needs of existing users during the driest year. At the County's discretion, the applicant may be required to support his application through certification by a consultant deemed qualified by the County to make such determinations. The County will request that the Department of Fish and Game provide a written recommendation on each application.
3. In the development of new water supplies, water shall not be exported out of its principal watershed.
4. Small public water systems and private water systems supplying more than one user shall conform to the requirements developed by the California State Department of Health and administered by the County Health Departments, consistent with other policies of this section.
5. Any diversion of surface sources of water shall be required to submit an approved water appropriation permit from the State Water Resources Control Board prior to approval of any coastal development permit except where such water appropriation permit is not required by applicable State law.
6. Water conservation devices shall be required in conjunction with new development. Drought-tolerant landscaping should be required where appropriate. Construction of roads and driveways with pervious surfaces shall be encouraged where appropriate.

*B. Water Pollution Control*

1. All dumping of spoils (dirt, garbage, refuse, etc.) into riparian corridors and other drainage courses should be prohibited.
2. Urban stormwater runoff entering Carmel River Lagoon and Carmel Bay should be monitored where possible and managed accordingly to reduce potential contamination from pollutants found in urban runoff.
3. Adequate maintenance and repair of septic systems shall be required to limit pollution of surface waters and protect the public health.
4. Where a proposed subdivision of land for development is to be served by on-site waste disposal systems, sufficient representative lots or parcels should be tested and approved by the County Health Department at the expense of the developer for suitability prior to approval of

the tentative map. In the event any parcel in the LCP area is proposed for up-zoning, it should be tested and approved by the County Health Department for suitability for waste disposal systems prior to approval of the new zoning. Such testing shall be at the expense of the applicant.

5. New onsite waste disposal systems shall not be allowed on slopes exceeding 30 percent as required by the Regional Water Quality Control Board (RWQCB).Basin Plan. Slopes in excess of 30 percent shall not be graded to allow use for septic fields.
6. Dual leach fields shall be required for any new development in Carmel Highlands and other areas in the Carmel Coastal Segment which are not expected to be served by sewers or package treatment plants.
7. The Regional Water Quality Control Board shall review the National Pollution Discharge Elimination System permits for existing private commercial sanitary systems (i.e., package treatment plants). At least four times a year, RWQCB shall undertake inspections of discharge effluent from existing and any new private sanitary system in the Carmel area in order to monitor water quality impacts. Expansion of facilities shall be allowed only if pollution levels remain at acceptable standards compatible with protection of public health and sensitive coastal resources. The RWQCB should assist in making such determinations.
8. All new and/or expanding wastewater discharges into the coastal waters of Monterey County shall require a permit from the Health Department. Applicants for such permits shall be required to submit, at a minimum, the following information and studies:
  - a) Three years monitoring records identifying the existing characteristics of the proposed wastewater discharge. Particular areas of concern include toxic chemicals, inorganic heavy metals, bacteria, and other indicators prescribed as threats to the health and safety of coastal waters, or
  - b) Provide comprehensive projections of the proposed wastewater discharges; both quantitative and qualitative characteristics must be specifically identified. specific figures for the indicators identified in a) must be included in the projections.
  - c) Provide complete information on levels of treatment proposed at the treatment facility to remove those indicators mentioned in a). This information shall also include reliability and efficiency data of the proposed treatment.
  - d) Provide a comprehensive monitoring plan for testing of wastewater for indicators identified in a).
  - e) Perform oceanographic studies to determine the most suitable location and methods for discharge into the ocean.

- f) Perform tests of ocean waters at the proposed discharge site and surrounding waters to establish baseline or background levels of toxic chemicals, heavy metals, bacteria and other water quality indicators. These tests must be performed no more than one year prior to submittal of the proposal. Historical data may not be substituted for this requirement.
- g) Perform toxicity studies to determine the impacts of the proposed wastewater discharges on marine life, as well as on recreational uses of the coastal waters.
- h) Identify and analyze alternative methods of wastewater disposal. This shall include hydro-geologic studies of the applicant's groundwater basin to determine the water quality problems in that area and if onsite disposal will have an adverse impact on groundwater quality.

The data and results of requirements a) through h) must be submitted to the County's Chief of Environmental Health for evaluation and approval. A wastewater discharge permit shall be issued only if the above information demonstrates that the proposed wastewater discharge will not degrade marine habitats; will not create hazardous or dangerous conditions; and will not produce levels of pollutants that exceed any applicable state or federal water quality standards.

*C. Erosion and Sedimentation Control*

1. All grading requiring a County permit which would occur on slopes steeper than 15 percent shall be restricted to the dry season of the year.
2. Hillside scarring shall be minimized by restricting cut and fill operations and mass grading. For necessary grading operations, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time.
3. Sediment basins (e.g., debris basins, desilting basins, or silt traps) shall be installed in conjunction with the initial grading operations and maintained through the development process to remove sediment and run-off waters. All sediment should be retained onsite.
4. The native vegetation cover, temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized as soon as possible with planting of native annual grasses and shrubs, appropriate non-native plants, or with approved landscaping practices.
5. Provisions shall be made to conduct, surface water to storm drains or suitable watercourses to prevent erosion. Onsite drainage devices shall be designed to accommodate increased run-off resulting from site modification. Where appropriate, on-site retention of stormwater should be required.

#### **2.4.5 Recommended Actions**

1. The septic tank ordinance and regulations should be amended to require dual leach fields in any new development in Carmel Highlands and other areas which are not expected to be served by sewers in the Carmel area. Other amendments should require a prohibition of new onsite systems on slopes over 30 percent.
2. The County's subdivision ordinance should be amended to require, where a proposed subdivision of land in the Carmel area for development is to be served by onsite waste disposal systems, that sufficient representative lots or parcels be tested and approved by the County Health Department for suitability prior to approval of the tentative map.
3. An onsite wastewater management program should be initiated by the County according to the guidelines of Senate Bill 430 (1977), to provide public or private monitoring, maintenance, repair, and replacement services for septic systems in the Carmel Highlands area. Necessary maintenance and correction for improperly functioning or failing systems should be at the expense of the property owner.
4. The County should request 208 implementation funds through AMBAG to develop a lake maintenance plan for the Carmel River Lagoon. Such a plan would consist of monitoring urban stormwater run-off, developing improved management practices to control non-point sources of pollution, and development of a regular program of vacuum-type street sweeping for urban areas which currently discharge storm run-off to the lagoon. The management plan should be developed jointly with the State Department of Parks and Recreation, City of Carmel and AMBAG, and the Monterey Peninsula Water Management District.
5. The County's Grading Ordinance should be amended to restrict any grading requiring a County permit that is proposed on slopes steeper than 15 percent to the dry season and to incorporate a specific section dealing with management practices for Controlling sediment and erosion in conformance with policy of the Regional Water Quality Control Board's "Water Quality Control Plan, Central Basin" as well as the specific policies of this plan.
6. The County should adopt and implement the policies and development standards listed in the AMBAG 208 Water Quality Management Plan for Erosion and Sedimentation Control. These measures, along with those specified by the specific policies for erosion and sedimentation control, could be incorporated in the County's Grading Ordinance as suggested in Recommended Action No. 5. AMBAG's policies and standards are listed in the Appendix.

## **2.5 FORESTRY AND SOILS RESOURCES**

### **2.5.1 Overview**

The Carmel area supports a diversity of forest resources. Coast redwood grows in thick groves along canyon bottoms and on steep north facing slopes. An extensive forest of Monterey pine occurs along the frontal slopes facing Highway 1. Douglas fir is found with redwood in small areas, and on drier slopes, stands of live oak are found. Many hardwoods grow along the alluvial banks of the Carmel River and San Jose Creek, forming rich riparian forest.

The Carmel Coastal Segment also contains an unusual diversity of plant life associated with the forest environment that are of significant scientific, educational, and aesthetic value. The rare Monterey and Gowen cypresses occur naturally only in Monterey County in a restricted area, most of which is now part of Point Lobos Reserve. The dramatic contrast between the forest and brush-covered mountain slopes accounts for much of Carmel's rugged scenic grandeur. This diversity of plant life and the scenic rocky shoreline were largely responsible for the interest in setting aside Point Lobos as a State Reserve in the 1930s. The scenic beauty of the area has made Point Lobos an ever-popular visitor destination.

In the past, the limited extent of Monterey County's forests and the extremely steep terrain discouraged extensive harvesting. Today, the depletion of the northern California old growth is escalating the demand for timber on the Central Coast, especially old growth and second growth redwoods.

Regulation of the use of forest resources on private lands is the responsibility of Monterey County and the State Department of Forestry. In the past, the County has regulated logging through a use permit process, relying on the Department of Forestry for technical advice. This State agency administers the harvest according to the requirements of the Forest Practices Act of 1973. The California Coastal Commission, as required by the Coastal Act, has designated some of the potential commercial forest area in the Carmel area as Special Treatment Areas. These designations provide for specific objectives and guidelines to be carried out by the Department of Forestry and, consequently, Monterey County, in administering any timber harvests. The rules are aimed generally at protecting public recreation areas, scenic values, soils, streams and wetlands.

The demand for harvesting of commercial timber can be expected to increase. At the same time, there is pressure to preserve the Carmel area environment in its natural state for aesthetic, recreational, scientific, and wildlife habitat values. The concern that commercial harvesting could be highly destructive to the environment raises questions as to whether logging should be permitted at all and if so, under what regulations. Of equal concern are tree and vegetation removal in general, and the need for effective regulation to control such activity.

### **2.5.2 Key Policy**

The primary use of forested land in the Carmel area shall be for recreation, aesthetic enjoyment, educational, scientific, watershed and habitat protection activities. Limited selective logging activities may be allowed provided that all natural resource protection policies of this plan and requirements of the

State Forest Practice Act are met. The protection and conservation of old growth redwood is a primary goal of this plan.

### **2.5.3 General Policies**

1. The regulations adopted by the Board of Forestry for Special Treatment Areas generally provide a high level of resource protection and shall be applied to all commercial harvests in the Carmel area.
2. All cutting or removal of trees shall be in keeping with the broad resource protection objectives of this plan. Specific policies, criteria and standards of other sections of this plan shall govern both commercial and noncommercial tree removal.
3. Restoration of native forest resources is encouraged for public agencies and residents as a means of maintaining and enhancing the Carmel area's natural character. Removal of non-native tree species is encouraged except where such vegetation provides important wildlife habitat.
4. Management of timber within environmentally sensitive habitat areas, defined as Malpas Creek, the lower reaches and headwaters of Gibson Creek Canyon, and any area in which old growth redwood occurs, will be allowed where protection of the habitat is enhanced. Those Monterey Pine stands that are presently designated as Special Treatment Areas shall be subject to limitations on cutting set by design control during the development review process, in order to protect the viewshed.
5. Commercial harvesting of commercial timber species as well as oak and madrone will be regulated by permit by the County and must be in conformance with the policies of this plan and be carried out in compliance with all applicable State and Federal laws, most notably the Forest Practices Act of 1973 with amendments, the California Environmental Quality Act, and the Special Treatment Area Criteria for Monterey County, adopted by the California Coastal Commission and the State Board of Forestry.
6. The County will require that applicants for timber harvest permits first file and receive approval from the California Department of Forestry for a Timber Harvest Plan (THP) . The Timber Harvest Plan will then be reviewed by the County for environmental impacts and consistency with coastal plan policies. If environmental documents are required, they shall be prepared and certified prior to planning commission consideration of the coastal use permit. The Timber Harvest Plan will be required to provide substantive consideration of alternative harvesting systems which have less environmental impact before tractor yarding is allowed.
7. The County will request advice and guidance from the State Department of Fish and Game, Regional Water Quality Control Board, and California Division of Mines and Geology, as appropriate, in reviewing proposed timber harvest plans. The County shall engage the services of a registered professional forester to review THP's as needed. This will be at the applicants' expense.



8. In addition to compliance with forestry and soils resources policies, all developments, forest management activities and tree removal shall specifically conform to the LCP policies regarding water and marine resources, sensitive habitat area and coastal visual resources.
9. Fuel hazard reduction and prescribed burning shall be considered acceptable management techniques for forested areas in private or public ownership where such action will enhance the vigor of the forest habitat or will reduce hazardous fuel loads.

#### ***2.5.4 Specific Policies***

1. Harvests proposed in watersheds which provide domestic water downstream of the proposal shall be limited to removal of no more than 15 percent of the merchantable timber in any 10-year period.
2. Soil or stream disturbance resulting from commercial timber harvest shall not be allowed between October 15 and April 15. Erosion control programs shall be accomplished and certified by the Department of Forestry by September 30 of each year.
3. All salvage or selective logging activities shall take place outside the riparian corridor except the felling of trees. Felling and bucking shall not occur where trees, logs or debris could be deposited in the stream. Where a tree might fall into or across a stream, it shall be cabled so that it falls at a right angle to the stream.
4. Road construction to accommodate salvage or selective logging shall be kept to an absolute minimum. Applicants shall be required to evaluate the expected sediment yield or run-off associated with each project and the secondary impacts on aquatic and marine resources. No road shall be built unless a qualified biologist certifies that any environmentally sensitive habitats present will not be harmed. Roads across slopes greater than 50 percent shall not be permitted, and all roads proposed on slopes greater than 30 percent shall be reviewed by a geologist in order to avoid geologically unstable areas and control erosion. Road construction and timber harvesting should avoid all adverse impacts to the public viewshed.
5. Water quality sampling of suspended sediment and turbidity shall be required for any commercial harvest prior to beginning of the operation and during at least one subsequent winter with average or above rainfall when the proposed harvest area contains a stream or well-defined stream channel. Costs of monitoring are to be borne by the applicant.
6. Sidecasting of earth material shall not be permitted during the construction of roads. All material not used for roadway fill shall be removed from the site.
7. Applicants for use permits shall be required to certify through a qualified biologist that the proposed commercial timber harvesting activity will contribute to the stability and diversity of the forest and will be carried out in a manner that has no effect on environmentally sensitive habitat areas. Applicants shall further demonstrate through site investigation that proposed commercial timber harvesting does not impinge on the public viewshed.

8. A cash deposit, bond or equivalent surety payable to the County in an amount to be set by the Board of Supervisors is required to insure compliance with the State Forest Practices Act and regulations and these policies. Should the timber operator fail to correct any violation or water quality problem due to the harvest within 15 days following receipt of notification to do so, the County may correct the problem and charge all reasonable costs against the timber operator's surety.
9. Development of the large parcels of land east of Highway 1 shall include provision for the perpetual maintenance of the existing forest resources.

### ***2.5.5 Recommended Actions***

1. The County should consider preparing detailed guidelines or a timber harvest ordinance to regulate proposed timber harvest activities in furtherance of the local coastal land use plan.

## **2.6 AGRICULTURE**

### ***2.6.1 Overview***

Since the late 1880's, farming has been a basic activity at the mouth of the Carmel Valley. Agricultural uses still occur on several large parcels in the Carmel area. Row crop production occurs on two parcels immediately south of the Carmel River, while cattle ranching takes place on the grazing lands which are found primarily north of San Jose Creek. The State Department of Parks and Recreation acquired one large parcel of agricultural land to ensure protection of its open space values. The recently adopted Point Lobos-Carmel River State Beach General Plan proposes maintaining the land in agricultural use. Farming has helped preserve the open space character and scenic quality of the coastal landscape.

Increasing costs of operation, including taxes, encroaching development, and many other factors have made the continuation of viable agriculture operations difficult. This points to the need for the County and other agencies to vigorously apply a full range of techniques to preserve existing agriculture and land suitable for food production as well as associated scenic amenities and open space values.

### ***2.6.2 Key Policy***

The County shall support the preservation of prime agricultural land for agricultural use. Development adjacent to prime farmland shall be planned to be compatible with the continued agricultural use of the land. Ranching activities should also be encouraged as a desirable agricultural pursuit and as a traditional use of upland areas.

### **2.6.3 General Policies**

1. Prime agricultural lands, including public lands but excluding Odello east, shall be designated for agricultural use and should be retained in large parcels. Development on these agricultural lands shall be limited to buildings, including the existing amount of farm residences, required for agricultural activities and uses. Prime lands are defined as:
  - a. all land which qualified for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.
  - b. land which qualified for rating 80 through 100 in the Storie Index Rating.
  - c. land which supports livestock used for the produced of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the U.S.D.A.
  - d. land planted with fruit or nut bearing trees, vines, bushes or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200 per acre.
2. Grasslands traditionally in grazing use or capable of supporting grazing should be protected for grazing (see Map C).
3. Subdivision of large ranching properties is generally discouraged. The configuration of new parcels created through land divisions shall be designed in such a way to protect existing agricultural activities and grazing resources (see Map C).

In cases where large ranching properties must be divided to accomplish other policies of this Plan, a binding agreement for the continued management of the entire property shall be required.

4. The County should encourage eligible landowners to secure tax benefits by putting their land under agricultural contracts in accordance with the Williamson Act. Scenic easements should be encouraged as a suitable means for protecting agricultural land of high scenic value and where the land does not qualify for the agricultural preserve program.

### **2.6.4 Specific Policies**

1. Well-defined buffer zones should be established adjacent to agricultural areas to protect agriculture from potential impacts of adjacent development and to mitigate against the effects of agricultural operations on adjacent land uses.
2. The agricultural use of the entire State-owned prime agricultural parcel should be continued. In order to protect the scenic views from Highway 1 to the ocean, the agricultural usage should continue to be a low type of crop such as artichokes.

3. Uses compatible with grazing, including some forms of low intensity recreation, shall be encouraged as a means to assist maintaining land in agricultural use by providing additional income to landowners.
4. New residential and utility buildings and barns associated with ranching uses shall be located to minimize encroachment upon grazing land.

### ***2.6.5 Recommended Actions***

1. The agricultural use of prime agricultural lands and grazing lands shall be encouraged through land use designations, zoning, use permit procedures, tax incentives and other applicable measures.
2. Monterey County should initiate and support legislation to re-establish the inheritance tax provisions of section 13957 of the Revenue and Taxation Code that expired in 1975, which provided that land may be assessed at Williamson Act values for the purposes of establishing inheritance taxes.
3. The County Farm Advisor should continue to assist landowners in developing grazing management plans. Such plans should include rotation schedules, fencing programs and other techniques to enhance grazing activity.

## **2.7 HAZARDS**

### ***2.7.1 Overview***

#### *Geologic Hazards*

The Carmel coast, like many other areas in California, is located in an area of high seismic activity. The western margin of the Coast Range is bordered by two major fault zones. These fault zones, the Palo Colorado-San Gregorio, and the 600-mile long San Andreas, have generated more than 50 significant earthquakes between 1841 and 1975. A maximum earthquake of 8.5 could be expected to occur on the San Andreas in the greater Monterey Bay area. The major known fault within the Carmel area is the Cypress Point Fault which extends from the City of Carmel across the State owned agricultural land to the Palo Corona Ranch.

In addition to seismic activity, various human activities can create or aggravate geologic hazards. Road construction and site excavation are leading causes of erosion. Vegetation removal, improper grading, cut and fill operations, and inadequate drainage are all factors which trigger landslides.

*MAP C*

### *Fire Hazards*

The Carmel area is characterized by a moderate to very high fire hazard. Areas of moderate and high fire hazard include the urbanized area around the City of Carmel, the mouth of the Carmel Valley, grassland areas, and most areas of coastal scrub. A high fire hazard prevails in most areas of Monterey pine and redwood forest. Where slopes or ridges are dominated by dense, old growth chaparral, a high to extreme fire hazard prevails. The northeasterly fringes of the Carmel coastal area and the uppermost reaches of the coastal canyons are characterized by high to extreme fire hazard due primarily to the warmer weather conditions experienced during the dry season.

The extent and adequacy of fire protection and control in various areas must also be considered. Poor roads and limited accessibility in areas of rugged terrain such as steep mountain slopes and canyons increase the response time for firefighting equipment and may hinder escape. The risk of damage to life and property, therefore, is more severe and fire control more difficult. In contrast, roads constructed to current County standards near Highway 1 in the more urbanized areas of the Carmel coast afford relatively quick response times. Fire control and protection of property from fire damage is thus more readily assured.

### *Flood Hazards*

Flood dangers are greatest in the 100-year floodplain areas along the Carmel River and the lower reaches of San Jose Creek. Flooding has historically occurred along the Carmel River and large areas of the lower Carmel Valley are subject to inundation from a 100-year flood. The flood hazard problem in the lower Carmel Valley is considered critical at the present time due to extensive encroachment of development upon the floodplain. The existing levees are expected to be breached during a major flood, resulting in inundation of areas within the 100-year floodplain. The exact locations of levee breachment, however, have not been determined but would be an important factor in determining the severity of flooding and flood damage in the lower valley. Flooding of Mission Fields or the Carmel Rancho Shopping Center, for example, would result in substantially greater damage and risk to life- and property than would flooding of the agricultural lands on the south side of the river. A complicating factor is the concern as to whether the 100-year flood flow could be passed under the Highway 1 Bridge.

While the federal Flood Insurance guidelines generally permit development within the fringe areas of floodplains, whether or not the lower Carmel Valley floodplain should be further developed, is an important policy issue. Any new development within the floodplain, including the improvement of existing dikes or the construction of new ones to protect individual properties, could significantly aggravate flooding of and damage to adjacent properties and should thus be carefully controlled. A floodplain management study of the lower Carmel Valley should be undertaken to determine feasible and environmentally acceptable solutions to the flood hazard problem.

### *High Hazard*

For the purpose of applying the hazard protection policies of this plan, the following areas are defined as high hazard areas:

### *Seismic and Geologic Hazards*

- zones 1/8 mile each side of active or potentially active faults
- areas of tsunami hazard
- areas indicated as "Underlain by Recent Alluvium" and "Relatively Unstable Upland Areas" in the County Seismic Safety Element
- Geotechnical Evaluation Zones IV, V, and VI on the County Seismic Safety Element maps
- Geotechnical Evaluation Zones V and VI on the Monterey Peninsula Map of the County Seismic Safety Element
- existing landslides

### *Flood Hazard*

- the 100-year floodplain

### *Fire Hazard*

- areas classified as having a high to very extreme hazard through application of the Department of Forestry criteria and the Fire Hazard Severity Scale.

## **2.7.2 Key Policy**

Land uses and development in areas of high geologic, flood, and fire hazard shall be carefully regulated through the best available planning practices in order to minimize risks to life and property and damage to the natural environment. (see Map D).

## **2.7.3 General Policies**

1. All development shall be - sited and designed to minimize risk from geologic, flood, or fire hazards. Areas of a parcel which are subject to high hazard(s) shall generally be considered unsuitable for development. For any development proposed in high hazard areas, an environmental or geotechnical report shall be required prior to County review of the project. These reports must include a demonstration that all the criteria in the applicable following policies are complied with and recommendations for mitigation measures (if mitigation is possible) consistent with the following policies. All recommended mitigation measures contained in the reports are to be County requirements (i.e., conditions of Coastal permits).
2. In high hazard areas, low-intensity or open space uses will be encouraged as the most appropriate land uses. Critical facilities (fire, police hospitals, emergency communication facilities, bridges and overpasses, public utilities, dams), heavy industry involving the manufacture or storage of explosive or toxic materials, and high occupancy structures (high-rise apartments, schools, hotels, etc.) shall not be permitted in high hazard areas unless consistent with all other Plan policies. Critical facilities may be allowed in floodplains if part of a flood management program per policy 2.7.4. Flood 3. Development may be permitted in areas by

recent alluvium so long as appropriate engineering standards are employed to mitigate any adverse effects.

3. New land divisions which create commitment to new or intensified development shall be approved only where it can be demonstrated that development of each proposed parcel and construction of the proposed access roads will neither create nor significantly contribute to erosion, geologic instability, flooding, or fire hazard, nor require construction of new protective devices which would substantially alter natural landforms.
4. In locations determined to have significant hazards, I development permits shall include a special condition requiring the owner to record a deed restriction describing the nature of the hazard(s), geotechnical, and/or fire suppression mitigations and, where appropriate, long-term maintenance requirements.

#### ***2.7.4 Specific Policies***

##### *Geologic Hazards*

1. All development shall be sited and designed to conform to site topography and to minimize grading and other site preparation activities. Applications for grading and building permits and applications for subdivisions shall be reviewed for potential impacts to onsite and offsite development arising from geologic and seismic hazards and erosion. Mitigation measures shall be required as necessary.
2. All structures shall be sited a minimum of 50 feet from an identified active fault or potentially active fault. Greater setbacks may be required where it is warranted by local geologic conditions.
3. Any proposed development within 50 feet of the face of a cliff or bluff or within the area of a 20 degree angle from the toe of a cliff, which ever is greater, shall require the preparation of a geologic report prior to consideration of the proposed project.
4. New roads across slopes of 30 percent or greater shall be allowed only where potential erosion impacts can be adequately mitigated (i.e., the proposed road construction will not induce landsliding or significant soil creep, nor increase existing erosion rates). Mitigation measures shall not include massive grading or excavation or the construction of protective devices that would substantially alter natural landforms.
5. Soils and geologic reports shall be required for all new land divisions and for the construction of roads and structures, excluding minor structures not occupied by people, on slopes exceeding 30 percent or in areas of known or suspected geologic hazards. Both potential onsite and offsite impacts shall be evaluated in the report.



**MAP D**

6. Where geotechnical evaluation determines that the hazard is unlikely to lead to property damage or injury, construction is permissible if certified by a registered geologist/soils engineer that the proposed development will not result in an unacceptable risk of injury or structural damage and the County building official and Environmental Review Section concurs. Such certification will be recorded with a copy of the deed at the County Recorder's Office.
7. Where soils and geologic reports are required, they should include a description and analysis of the following items:

***For development proposed in all areas***

- a. geologic conditions, including soil, sediment, and rock types and characteristics, in addition to structural features, such as bedding, joints and faults;
- b. evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development on landslide activity;
- c. impact of construction activity on the stability of the site and adjacent area;
- d. ground and surface water conditions and variations, including hydrologic changes caused by the development. (i.e., introduction of sewage effluent and irrigation water to the ground water system; alterations in surface drainage);
- e. potential erodibility of site and mitigating measures to be used to minimize erosion problems during and after construction (i.e., landscaping and drainage design);
- f. potential effects of seismic forces resulting from a maximum credible earthquake;
- g. any other factors that might affect slope stability.

***For bluff top development***

- a. cliff, geometry and site topography, extending the surveying work beyond the site as needed to determine unusual geomorphic conditions that might affect the site;
- b. historic, current, and foreseeable cliff erosion, including investigations of recorded land surveys and tax assessment records, in addition to the use of historic maps and photographs where available and possible changes in shore configuration and sand transport.

8. Where there is a dispute over the adequacy of a geotechnical report, the County will request that the report be reviewed by a registered geologist from either the U. S. Geological Survey or the California Division of Mines and Geology. The costs of such review are to be borne by the applicant.
9. As new soils and geologic investigations are completed and received by the County, the information contained therein shall be recorded and become part of the public record. Where appropriate, the results of such studies will be incorporated into the environmental review or planning process, as supplements or supercedes to the more general information found in the Seismic Safety Element.
10. Revetments, groins, seawalls, or retaining walls, and other such construction that alters natural shoreline processes shall be permitted only where required for the protection of existing development. These structures shall not impede lateral beach access and shall respect, to the greatest degree possible, natural landform and visual appearance. Such facilities shall be designed to eliminate or mitigate adverse impacts on local shoreline supply (e.g. incorporate sand by-pass; import replacement sand) and shall be subject to certification of a coastal engineer or engineering geologist with expertise in coastal processes.
11. Land disturbance shall be restricted to building site areas and roads and the native vegetation cover shall be maintained in areas prone to rapid run-off and unstable soils. These include the following soil types as recognized and described by the Soil Conservation Service (1978):
  - a. Cieneba fine gravely sandy loam 30-73% slopes (CcG)
  - b. Junipero-Sur complex 30-85% slopes (Jc)
  - c. Junipero sandy loam 30-75% slopes (JbG)
  - d. San Andreas fine sandy loam 30-70% slopes (ScG)
  - e. Santa Lucia shaly clay loam 30-75% slopes (SfF)
  - f. Santa Lucia-Reliz Association 30-75% slopes (Sg)
  - g. Gazos silt loam 30-50% slopes (GfF)
  - h. Sheridan coarse sandy loam 30-75% slopes (SoG)
  - i. Arnold-San Andreas Complex 50-75% slopes (Am)
  - j. Gamboa-Sur Complex 50-100% slopes (Ga)
  - k. Santa Ynez fine sandy loam 15-30% slopes (ShE)
  - l. tinne-Shedd silty clay loam 50-75% slopes (LcG2)
  - m. Xerorthents, dissected 35-90% slopes (Xd)
  - n. Rock outcrop-Xerorthents Association (Rc)
12. Steep (30 percent and greater) slopes of Santa Lucia shale shall be maintained in open space due to the high risk of erosion and landslides associated with the soil type.

*Flood Hazards*

1. The County's primary means of minimizing risk from flood hazards shall be through land use planning. Open space uses such as agriculture, passive to low intensity recreation, and wildlife habitat are considered acceptable land uses in the 100-year floodplain.
  
2. It is recognized that certain areas of the lower Carmel River Valley are substantially developed with commercial and residential structures. Certain actions, consisting primarily of the construction of levees, were approved and accomplished in the past to protect these properties from flood hazards, based on the then available knowledge. To the extent that more recent studies determine that the existing protective devices are not adequate to provide the level of flood protection deemed necessary on the basis of the most recent information available, the property owners shall be permitted to upgrade existing protective devices or take other action to provide adequate flood protection pursuant to plans approved by the Monterey County Flood Control District consistent with the criteria of policies 2.7.4 Flood 3 and 4.
  
3. The development of a flood-plain management program for the lower Carmel River Valley shall emphasize the use of nonstructural methods of flood protection which do not involve substantial alterations of the river and shall seek to preserve the river's natural plant and wildlife habitat and aesthetic values. If, after thorough study, it is concluded that structural means of flood control are necessary to protect the lower valley, then such structural means shall be allowed only if the following criteria are met:
  - facilities would be located outside the zone of riparian vegetation.
  - erosion and sedimentation from construction would be adequately minimized and controlled.
  - plant and wildlife habitat, including steelhead trout habitat, would be maintained and protected both along the river and in the marsh and lagoon.
  - the aesthetic and scenic values of the lower river would be maintained.

Excavation; dredging and vegetation removal would be allowed only within the scope of the flood management program and only if no other method of protecting existing structures in the floodplain is, feasible and where such protection is necessary for public safety or to protect existing development and only if the best mitigation measures are incorporated into the program including protection of the fish habitat. Maintenance of the river channel would be allowed, including removal of fallen trees and other such obstruction, in order to allow free flow of the river.
  
4. New or more intensive development, including major flood control measures, shall conform to the policies established by the County Board of Supervisors, with the advise of the Monterey County Flood Control Office. New or more intensive development, including Flood Control structures, permitted in the 100-Year Floodplain shall conform to the following policies:

- a. The lowest finished floor of new habitable structures must be at least one foot above the 100-Year Flood level projected to exist after development. Areas adequately protected by structural flood protection devices shall not be subject to the policies pertaining to the 100-year flood plain;
  - b. Impacts of the development (in combination with all other existing and anticipated development) on the water surface elevation of the projected 100-Year Flood shall be minimized, and shall be mitigated to the County's satisfaction for all adjacent and downstream properties; and
  - c. Additional standards may be required by the County of Flood Control District, such as the requirements of the Carmel River Flood Control ordinance.
5. Where development is allowed or structural flood control measures are required, restoration of waterway banks and disturbed areas to a natural vegetated appearance shall be required. Landscaping themes shall emphasize the use of native plants which are appropriate to riparian corridors. Revegetation of disturbed riparian corridors by planting of native trees shall be encouraged due to their role in absorbing and channeling the force of floods away from adjacent banks.

#### *Fire Hazards*

1. The fire hazard policies contained in the Safety Element of the Monterey County General Plan shall be regularly and consistently applied. The critical fire hazard map should be updated continually by the State Department of Forestry as new and more specific information becomes available from the required written assessments.
2. New subdivisions shall be avoided in extreme wildfire hazard areas as determined by site-specific assessment.
3. Roads serving new residential development, other than infill of existing developed areas, shall be adequate to allow access by emergency vehicles. The County Public Works Department roadway standards should be applied to all new developments (other than infill); however, these standards shall be adjusted to allow maximum avoidance of hillside scarring and cut and fill operations while at the same time providing for adequate access for emergency vehicles.
4. Where development is approved within or adjacent to areas of high to extreme fire hazard, the County should require the use of fire-resistant materials in the construction of exterior walls and fire-retardant (tile, asphalt, treated fire-retardant shingles) materials in the construction of roofs.
5. Monterey County should support and assist the efforts of the various fire protection agencies and districts to identify and minimize fire safety hazards to the public.

6. The County shall require all new development to have adequate water available for fire suppression. The Fire Districts and the Planning and Building Inspection Department shall determine the adequacy and location of individual water storage to be provided.
7. House numbers or residents' names shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the house numbers shall be set adjacent to the driveway or access road to the property. House numbers shall be posted when construction begins.

### **2.7.5 Recommended Actions**

1. Monterey County should continue to update and develop a more accurate and adequate database for use in a regional geologic hazard plan. This study should include an investigation of existing critical facilities in moderate to high hazard areas and identify appropriate means for mitigating the level of risk involved.
2. The County shall review and periodically revise the Countywide Disaster Contingency Plan. All appropriate county and public agencies shall be included in all phases of disaster contingency planning.
3. The guidelines contained in the cooperative federal/state FIRE SAFE GUIDE FOR RESIDENTIAL DEVELOPMENT IN CALIFORNIA, especially those pertaining to water supply, fire hydrants, and other fire prevention and control features, should be considered by the County for adoption as the basis for building standards in areas of moderate to high wildland fire hazard potential.
4. Fire protection agencies are encouraged to establish educational programs in order to improve public recognition of citizens' responsibilities in fire prevention.
5. Monterey County should consider adoption of a floodplain ordinance to implement National Flood Insurance regulations or guidelines at a local level.
6. The County should establish floodplain zoning for all designated floodplain areas.
7. The County or appropriate local jurisdictions should seek funding for a detailed floodplain management study of the lower Carmel River Valley floodplain. The feasibility and effects of breaching the dike along the northern boundary of the State-owned agricultural lands should be investigated as part of this study. The adequacy of the Carmel River Bridge to allow passage of 100-year flood flows should also be investigated; the following concerns should be specifically addressed: (1) the effect of and the increased flood potential, if any, caused by the Carmel River Bridge and its approaches; (2) the safety of the bridge and its approaches under conditions of 100-year flood with (a) current development in the floodplain and (b) any new development in the floodplain; and (3) recommended alternatives or temporary measures to avoid a detour if the bridge should be lost.

## **2.8 ARCHAEOLOGICAL RESOURCES**

### **2.8.1 Overview**

The Carmel area experienced intensive prehistoric use. The aboriginal peoples of this area were called Costanoans, so named by the Spanish because of their coastal habitat. It appears that these people established few permanent coastal villages. Rather, they probably set up temporary villages that were shifted seasonally according to food availability.

The Carmel area shoreline from Carmel Point to Point Lobos Reserve contains one of the densest remaining concentrations of shellfish gathering activities in central California. Point Lobos Reserve supports one site considered to be a permanent village. These archaeological deposits have been identified as a highly significant and sensitive resource.

### **2.8.2 Key Policy**

Carmel is archaeological resources, including those areas considered to be archaeologically sensitive but not yet surveyed and mapped, shall be maintained and protected for their scientific and cultural heritage values. New land uses, both public and private, should be considered compatible with this objective only where they incorporate all site planning and design features necessary to minimize or avoid impacts to archaeological resources.

### **2.8.3 General Policies**

1. Monterey County shall encourage the timely identification and evaluation of archaeological, historical and paleontological resources in order that these resources be given consideration during the conceptual design phase of land-use planning or project development.
2. Whenever development is to occur in the coastal zone, the Archaeological Site Survey Office or other appropriate authority shall be contacted to determine whether the property has received an archaeological survey. If not and the parcel are in an area of high archaeological sensitivity, such a survey shall be conducted to determine if an archaeological site exists. The Archaeological Survey should describe the sensitivity of the site and recommend appropriate levels of development and mitigation consistent with the site's need for protection.
3. All available measures, including purchase of archaeological easements, dedication to the County, tax relief, purchase of development rights, etc., shall be explored to avoid development on sensitive prehistoric or archaeological sites.
4. When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids or substantially minimizes impacts to such cultural sites. To this end, emphasis should be placed on preserving the entire site rather than on excavation of the resource, particularly where the site has potential religious significance.

5. Archaeological surveys shall be required for all new subdivisions and for all other development within close proximity of known sites. Such surveys shall be performed by qualified individuals.

#### **2.8.4**     *Specific Policies*

5. No development proposals in archaeologically sensitive areas shall be categorically exempt from environmental review.
6. When other site planning constraints do not permit avoidance of construction on archaeological or other types of a cultural sites, adequate preservation measures shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.
7. Off-road vehicle use unauthorized collecting of artifacts, and other activities which could destroy or damage archaeological or cultural sites shall be prohibited.
8. Public access to or over known archaeological or paleontological sites should be limited, and concentrated in areas where supervision and interpretive facilities are available.



## 3. PUBLIC SERVICE SYSTEM

### 3.1 TRANSPORTATION

#### 3.1.1 Overview

Designated as the first State Scenic Highway in California, Highway 1 along the Carmel coast is the basic access route to the area. It traverses the length of the Carmel Segment connecting the Monterey Peninsula with Big Sur.

Ten million people visit the Monterey Peninsula annually, whereas, visitors to Big Sur are estimated at 2.9 million people annually. Both areas are projected to have significant increases in visitor use over the next ten years. These uses have a major impact on traffic congestion on Highway 1.

The traffic on Highway 1 south of the Carmel River is predominantly recreational in origin. Traffic between Rio Road and San Luis Avenue is much more varied consisting of a mix of commuter traffic and recreation traffic.

At the present time, Highway 1 north of the Carmel River serves peak hour traffic volumes at Caltrans Levels of Service E and F, while south of the Carmel River the Level of Service is D to E during peak hours. To date, there has been adequate highway capacity to accommodate peak traffic flows, but only at very low levels of service characterized by congested and undesirable driving conditions which detract from the visitor's enjoyment of the Carmel area.

Public transit to destination points in the Carmel segment is available. Scheduling of bus service in the past, however, has not fully satisfied resident needs and has not provided the number of trips necessary to meet the needs of visitors. Bus service needs to be expanded in order to become a viable transportation alternative.

Bicycling along Highway 1 with its narrow lanes, blind curves, and heavy traffic is considered hazardous. Congested traffic conditions combined with steep grades and strong winds are factors that discourage bicycling along the coast. Caltrans is working on improvements which will provide paved shoulders along the highway. These improvements should provide for a safer and more enjoyable recreational experience.

Coastal Act policy requires that State Highway 1 be maintained as a scenic two-lane road in rural areas such as the portion of the Carmel area south of the Carmel River. The Coastal Act also requires that remaining highway capacity be reserved for priority uses. The limited capacity of Highway 1 to accommodate local and recreation traffic at a level that affords reasonable service and emergency use as well as an enjoyable scenic recreational experience is a major concern. Traffic volumes along sections of Highway 1 are at or approaching capacity during peak use periods, and future demand is expected to exceed the capacity of Highway 1. The ultimate capacity will be a major constraint on the long-range development of the Carmel area south of the Carmel River. Highway capacity north of the

river may be increased through improvements or alternate alignments such as the proposed Hatton Canyon Freeway.

The management objective of Highway 1 should be to optimize visitor use levels rather than maximize them. Future decisions pertaining to Highway 1 in the Carmel area must consider current recreational and residential use patterns and future demands for recreational use.

### **3.1.2 Key Policy**

Monterey County will take a strong and active role in guiding future use and development of Highway 1 and all categories of land use related to and dependent on the highway. State Route One south of the Carmel River will remain a two-lane highway.

### **3.1.3 Highway 1 and Transportation Policies**

1. To conform to the Coastal Act, most remaining highway capacity should be reserved for coastal priority uses: recreation and visitor-serving facilities, agriculture, and coastal-dependent industry. Commitment to further residential development through subdivision should be extremely limited. Traffic shall be monitored in order to provide a basis for decision-making.
2. In order to afford reasonable traveling speeds for residents and visitors, protect emergency use of the highway, and enhance the quality and enjoyment of the scenic driving experience, reductions in peak use period traffic should be sought. A combination of measures, including public education and regulation of highway use during peak periods should be considered to achieve an improved service level.
3. Studies of Highway 1 capacity and means to improve the highway's level of service along the Big Sur Coast should be expanded to include the section of Highway 1 in the Carmel area. Caltrans should conduct origin and Destination Studies of traffic on Highway 1 in the Carmel area on a regular basis in order to provide up to date information on trends in recreational and residential use of the highway.
4. Appropriate areas of Highway 1 should be designated for construction of paved turnoffs for slow-moving vehicles. The unpaved turnoffs south of Point Lobos Reserve may be appropriate for such improvement. The turnoffs should be signed to notify approaching vehicles in time to pull over.
5. All highway improvements shall be consistent with the retention of Highway 1 as a scenic two-lane road south of the Carmel River. This policy is not intended to preclude widening of the Carmel River bridge, if necessary, or providing adequate access to properties in the vicinity of Point Lobos. The overall objective for Highway 1 should be to maintain the highest possible standard of scenic quality in management and maintenance activities carried on within the State right-of-way. Bike lanes and left turn lanes are permitted.

6. Parking along the highway shoulders in the vicinity of major recreational areas shall be discouraged due to pedestrian and traffic hazards and conflicts. Especially hazardous in the Carmel area is the uncontrolled, haphazard parking on the west side of Highway 1 at San Jose Creek Beach. The State Department of Parks and Recreation shall provide improved parking at San Jose Creek Beach according to the standards and criteria set forth in the Public Access Element of this plan. These standards shall supersede those in the Point Lobos State Reserve General Plan (October 1979) regarding beach parking on page 88. This parking shall be of highest priority, and the County is prepared to offer technical planning assistance to expedite this project. Immediately upon completion of adequate new off-street parking, as provided for in this plan, parking along the highway shoulder shall be prohibited. The parking prohibition shall be rigorously enforced, and appropriate structural barriers are permitted if necessary to deter illegal parking.

If State Parks and CALTRANS cannot make the necessary improvements, the County will seek appropriate legislative mandate to resolve the issue.

Parking may be considered as an allowable use on the Polo Field area inland of Highway 1.

7. The number of private roads and recreational access road entrances off Highway 1 should be limited whenever possible for traffic safety and management purposes.
8. Development or expansion of visitor-serving facilities should be planned to maximize opportunities for use and/or development of public transportation systems and development of private shuttles.
9. Major development projects - both residential and recreation and visitor-serving, including significant expansion of existing facilities - should be required to contribute their "fair-share" towards improvements of Highway 1 required as a result of traffic generated by the particular project.

#### **3.1.4 Recommended Actions**

1. A program should be initiated by Monterey Peninsula Transit or other public carriers, in cooperation with appropriate recreational agencies, the County, and community representatives, to provide bus stops at appropriate access points and to expand bus service to recreation areas and visitor-serving facilities. Bus routes should be scheduled to serve residents' needs as well as the needs of visitors.
2. An expanded education and promotion program should be implemented in cooperation with other appropriate recreation agencies to provide information on bus service and recreational areas that are accessible by bus.

## **3.2 WATER SUPPLY**

### **3.2.1 Overview**

With the exception of Carmel Riviera, the residential areas of the Carmel area have domestic water supplied by the California American Water Company (Cal-Am). This utility also serves the six cities and other unincorporated portions of the Monterey Peninsula area. At the present time, the principal sources of water are reservoirs on the Carmel River. When Cal-Am develops four new wells along the Carmel River east of Highway 1, it will then have an assured supply of 20,000 acre-feet per year. Water usage by the seven jurisdictions for 1979 is estimated at 14,000 acre-feet; of this approximately 5,000 acre-feet was consumed by the unincorporated portion. Under a "fair-share" water allocation system, the County will be allocated a specific proportion' of the total available supply to be used to serve growth in the unincorporated portions of the Cal-Am service area. A proposed wastewater reclamation project by the Carmel Sanitary District would make available an additional 900 acre feet of potable water now used for irrigation of golf courses. It has not yet been determined as to how this potential additional supply will be distributed within the unincorporated area.

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

The Carmel-Riviera Mutual Water Company serves approximately 100 connections now and has potential to serve an additional 125 connection. Water is collected in wells and a weir in Malpasos Creek. Storage consists of a 50,000 gallon redwood tank and a 120,000 gallon concrete reservoir. Policies affecting future expansion of this community system and development of other smaller systems in the Carmel area are set forth in Section 2.4.

### **3.2.2 Key Policy**

The County should reserve from its allotted water supply a sufficient quantity to accommodate coastal priority land uses proposed in this plan.

### **3.2.3 Water Supply Policies**

1. The County shall reserve adequate water supply from its fair share allotment of Cal-Am water as approved by the Monterey Peninsula Water Management District to supply expansion of existing and development of new visitor-serving facilities permitted by the plan. Water must be first assured for coastal-priority visitor-serving facilities before allowing any new residential development other than infilling of existing vacant lots. In addition, 0.056 acre-feet/year of water is reserved for each visitor-serving unit permissible under this Plan.
2. The County should reserve from its allotment an additional supply through 1988 to serve residential development of existing vacant lots affected by the water connection moratorium of 1975-78.

3. The County should require new development in the Cal-Am service area to employ water conservation techniques to the greatest possible extent. This would include, among other things, use of water-saving fixtures, retention of native vegetation, and use of drought-tolerant landscaping.
4. Wells or other measures for monitoring salt-water intrusion are permitted. If salt-water intrusion is found to adversely affect agricultural irrigation, an additional amount of Cal-Am water or reclaimed water equal to that necessary to maintain irrigation shall be allocated to agriculture.
5. These policies shall be implemented in conformance with Coastal Act sections 30241 and 30254.

### **3.3 WASTEWATER TREATMENT FACILITIES**

#### ***3.3.1 Overview***

Wastewater treatment facilities in the Carmel area include septic tank/leach field on-site systems, package wastewater treatment plants, and sanitary district sewer service within the coastal zone between and including Del Monte Forest and Carmel Meadows. The Carmel Sanitary District plant, located at the mouth of the Carmel River, discharges into Carmel Bay. In 1975, the State Water Resources Control Board (SWRCB) designated a portion of Carmel Bay an Area of-Special Biological Significance (ASBS). The SWRCB subsequently ordered the Carmel Sanitary District to terminate discharges between the months of May and October into the Carmel Bay ASBS as of July 1, 1983. Compliance with the SWRCB order has been proposed through the Early Start Reclamation Project which is currently proceeding through the various approval stages. This project will entail the development of additional facilities to provide the advanced treatment level necessary for reclamation of wastewater.

Septic tanks with soil absorption systems are the most common form of on-site waste treatment and disposal systems found in Carmel Highlands. There are also two package treatment plants which serve the Highlands Inn and Tickle Pink Motor Inn. Because of steep slopes, shallow granitic soils, design, and maintenance factors, septic system failures are a chronic problem. A number of the undeveloped parcels may be unable to meet environmental health standards. Approximately 20 sites have been denied building permits due to constraints on septic tank installation as determined by the County Health Department.

Failure of sewage disposal systems may result in hazards to public health. Hazards to public health occur when inadequately treated wastewater effluent contaminates surface waters or groundwater or when the effluent accumulates on the ground surface. Installation of sewers to serve Carmel Highlands Riviera would, be considered only to eliminate a public health hazard.

Policies pertaining to proper location, design, and maintenance of on-site waste disposal systems are found in Section 2.4 Water and Marine Resources.

### **3.3.2 Key Policy**

The County should support wastewater disposal systems and the establishment of water quality management and monitoring programs intended to protect and maintain a high level of water quality in the ASBS and in the Carmel area's coastal streams.

### **3.3.3 Wastewater Treatment Policies**

1. The County should support the wastewater reclamation project proposed by the Carmel Sanitary District. The development of new facilities shall avoid damage of riparian habitat and conversion of prime agricultural land.
2. The County Department of Environmental Health should continue the surveillance of septic systems in Carmel Highlands-Riviera to determine the extent of the present and future public health problem. If such a survey indicates the need for corrective action, then the County should first evaluate whether the problem can be adequately resolved through measures other than sewerage (e.g., monitoring and maintenance program).
3. Installation of sewage treatment facilities to serve the developments south of the Carmel River shall be considered only to eliminate a public health hazard and shall be sized to serve only the projected build-out of this area as allowed by this plan.
4. The County shall cease issuing coastal development permits for developments which would generate wastewater within sewer service area, when the treatment plant reaches its capacity threshold.
5. If so requested by Carmel Sanitary District, the County shall permit treatment plant expansion beyond 2.4 Million Gallons/day average daily capacity to serve planned level of development within the service area or expanded service area per policy 3.3.3.3 (if consistent with State Water Quality Control Board standards). In conjunction with issuing such a permit, reservation of a portion of the increased capacity for new or expanded priority uses shown in the certified Carmel City, Carmel Area, and Del Monte Forest Area land use plans shall be required.
6. In conjunction with any permit request to extend main wastewater collection pipelines in the segment, the County shall require that (1) any accompanying service district formation and/or expansion within the segment be within the urban boundary or rural enclaves and (2) the permittee agree not to assess for or guarantee sewer service in areas outside sewer districts within the segments (application of reclaimed wastewater outside sewer districts is permitted).

## 4. LAND USE AND DEVELOPMENT

### 4.1 INTRODUCTION

Current land uses in the Carmel Coastal Segment are primarily residential, commercial, recreational, resource conservation, and agricultural. The major portion of land within the Carmel area is presently open and undeveloped, either as privately owned land used for agriculture, grazing, and other low intensity uses or as publicly owned land used primarily for passive to low-intensity recreation and for protection of rare and sensitive natural resources. Public recreation and private residential development are perhaps the strongest land use trends at the present time.

Public uses in the Carmel area include a State reserve and State beaches, elementary schools, day-care school, church, and a sewage treatment plant. Approximately 1200 acres or 14 percent of the Carmel area are administered by the State Department of Parks and Recreation. This includes both the portion of the recent Garrapata acquisition lying within the planning area and the even more recent acquisition of the parcel immediately south of Carmel Meadows. Another 2,280 acres of subterrain are classified as ecological reserves and Areas of Special Biological significance. Point Lobos Ecological Reserve is owned and administered by the State Department of Parks and Recreation, while Carmel Bay Ecological Reserve is administered by the California Department of Fish and Game.

In addition to State lands, approximately 500 acres of privately owned land are in scenic easement; another 95 acres have been dedicated as permanent open space or greenbelt; and approximately 110 acres are under agricultural preserve contract.

Agricultural uses in the Carmel area consist of row crop production and livestock grazing. Row crop production occurs on approximately 240 acres of largely prime agricultural soils immediately south of the Carmel River. Livestock grazing occurs on the grassland and pastureland areas within the large landholdings east of Highway 1. The greater portion of existing grazing land lies north of San Jose Creek.

Single-family residences comprise a major developed land use on private land. Residential use is presently concentrated within three distinct subdivided areas comprising a total of 1,290 acres: the City of Carmel vicinity, Carmel Meadows, and Carmel Highlands-Carmel Riviera. Within these three subdivided areas there are 2,470 parcels of which approximately 2,184 or 88 percent are presently developed.

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\*This includes the deAmaral Preserve, the permanent easement dedicated to the State along Highway 1 and the recent land dedication around the Carmelite Monastery.

Commercial uses in the Carmel area are located within or at the periphery of existing residential areas. With the exception of a contractor's yard, these uses are all visitor-serving accommodations, i.e., motels, inns, restaurants, and gas station.

#### ***4.1.1 Residential Land Use***

There are approximately 2,290 single-family residences in the Carmel area of which 98 percent are located in the three subdivided areas previously identified. These subdivided areas have generally been developed to the extent that the natural environment has been significantly altered and that the residential use is perceived as the primary use of the land. The size, density, and even character of these residential areas vary, but in all cases they are more densely developed than surrounding lands. The following discussion provides a more detailed description of each area.

Carmel Highlands-Riviera is a residential enclave occupying both sides of Highway 1 between Point Lobos Reserve and Malpaso Creek. Parcels are one-half to one acre. Of the three residential areas, Carmel Highlands is the most rural in character. It is characterized by the largest average parcel size and lowest density and lacks certain public services and facilities. The roads providing internal circulation are generally narrow, steep, and winding. Carmel Highlands is presently 70 percent built-out; that is, approximately 70 percent of the total number of existing lots have been developed. Further residential development of this area is constrained by steep slopes and shallow soils which may preclude establishment of on-site waste disposal facilities on certain lots.

In contrast to the Highlands, both Carmel Meadows and the City of Carmel vicinity -- Carmel Woods, Hatton Fields, Mission Fields, Mission Tract, and Carmel Point -- are more urbanized in character. Both have substantially higher densities and smaller average parcel sizes. In general both areas have adequate public services and facilities and have ready access to important commercial services located in the City of Carmel or at the mouth of Carmel Valley. Carmel Meadows is distinctly separated from the Carmel urban area by the Carmel River and agricultural land and, like Carmel Highlands, should be considered a residential enclave.

All three residential areas have some capacity, to varying extent, to accommodate additional residential demand. There are approximately 290 vacant lots remaining within the three subdivided areas of which some 80 to 90 percent may be suitable for development based on resource protection and on-site waste disposal criteria.

#### ***4.1.2 Housing***

The mid-decade census provided considerable information concerning the need for low and moderate-income housing on the Carmel coast. Of the total number of housing units in the area at the time, 4 percent were vacant second homes. About 2.8 percent were vacant and available for sale or for rent. The census revealed that 79 percent of the occupied units were owner-occupied and that of all the units, 98 percent were single-family residences. The 1970 housing condition survey identified 14 percent of the existing units as "Substandard". For 1970, Building Inspections Department records show that the average cost-of-construction for a single-family unit on the Big Sur Coast, the unincorporated Peninsula area, and the Carmel Valley was \$36,000; by 1979, this figure had risen to \$107,000.



The 1970 census also estimated a medium household income of \$17,566, with over one-third of the responding households classified as low-to-moderate income. The relatively high percentage of low and moderate household incomes is likely related to the relatively high number of retired persons living in the Carmel area. Compared to the profile of the entire County, the Carmel area has twice as many persons over 65 and about half as many persons under the age of 18.

A transportation inventory in 1978 revealed that 375 persons are employed in the Carmel area, with two-thirds employed in eating, drinking, and lodging places, 14 percent in government, and 8 percent in agriculture.

A low vacancy rate, high housing costs, and lack of rentals appear to be the key factors in reducing the accessibility of the Carmel coastal area to low and moderate-income persons. Two groups especially affected are employees of the visitor-serving sector and persons employed as domestic service personnel. There are two major constraints, however, to providing adequate low and moderate-income housing in the Carmel area:

- the high costs of land and housing which preclude the general use of traditional housing assistance programs.
- the lack of suitable locations for accommodating single and multiple-housing projects.

These constraints indicate that, for the foreseeable future, employee housing provided by an employer may be the major source of affordable housing in the area.

#### ***4.1.3 Recreational Uses***

As a recreation area of regional and national importance, the greater Monterey Peninsula area attracts millions of visitors annually. Visitors come to the Monterey Peninsula for a variety of recreation experiences, including sightseeing, scenic driving, fishing, diving, surfing, and golfing. In 1978, the Peninsula area attracted 9.7 million visitors. An annual increase in visitation of three to five percent is forecast, resulting in 16 to 22.3 million annual visitors to the Monterey Peninsula by 1995.

Within the Carmel area, recreational activity is concentrated along the coastal strip. Point Lobos State Reserve, Carmel River State Beach, and the Scenic Road corridor along Carmel Point are the major recreation destinations. Both Point Lobos Reserve and Carmel River State Beach possess outstanding recreational values. These areas are used primarily for passive and low-intensity recreational pursuits including: sightseeing, photography, painting, nature study, picnicking, sunbathing, hiking, bicycling, swimming, scuba diving, and fishing. Scenic Road is used mainly for pleasure driving and sightseeing as part of the tourist route from the City of Carmel to the Carmel Mission Babilica and Highway 1. It is also popular for walking, jogging, and bicycling. The near shore rocks and pocket beaches are used for scuba diving and beach and tidepool exploration.

Visitor statistics for Point Lobos Reserve and the State beaches show a total average annual demand of over 500,000 visitors from 1970 to 1977. This represents a 122 percent increase in user demand over a seven-year period, or an average annual increase of more than 17 percent. Current visitor demand

for Point Lobos State Reserve exceeds its carrying capacity during peak use periods. In 1978, an estimated 19,000 visitors were turned away at the entrance station to the reserve. Since an entrance station does not exist at Carmel River State Beach, it is more difficult to compile accurate visitation data. Combined visitor use, however, at Carmel River and San Jose Creek beaches has been estimated to exceed 1,000 persons per day on weekends (State Department of Parks and Recreation, 1979).

There is presently little data on visitor use levels at Carmel Point. However, the average daily traffic volume of more than 1,900 vehicles per day along this narrow, residential road indicates both the high-use levels it receives as well as its primary use by visitors, i.e., scenic driving.

The primary planning concern for all three recreation destinations relates to the large increase in the number of visitors and associated damage to sensitive natural resources. At San Jose Creek Beach, the lack of a visitor parking lot has resulted in excessive parking along the shoulder of Highway 1, posing both a visual blight and hazardous condition for beach users. Another issue is how to improve distribution of visitors within the State beach itself.

There are several planning issues relating to public recreation at Carmel Point: heavy traffic volumes along a narrow, residential road; lack of suitable parking sites; conflicts among pedestrians, bicyclists and motorists; conflicts between the recreational and residential use of the area.

A county-wide issue that must be considered is the increasing demand for recreation and visitor-serving facilities. The demand for overnight facilities in Monterey County, particularly overnight camping, exceeds available supply. The demand for day use recreation facilities such as picnic facilities and hiking trails is expected to far exceed available supply by 1990. Meeting the demand for lower cost facilities will require a concerted effort by both the County and the State.

Both Point Lobos State Reserve and Carmel River State Beach are limited to day use. There are no low-cost overnight facilities within the Carmel area at the present time. There are also few potentially suitable areas to accommodate such facilities. Recent acquisitions by the State Department of Parks and Recreation have the potential for accommodating some of the increasing recreational demand in the coastal area, at least with respect to day use recreation. Day use recreation facilities and lower cost overnight facilities could also be provided as part of private developments.

#### ***4.1.4 Commercial Use and Private Visitor-Serving Facilities***

There is little current demand by either residents or visitors for development of commercial retail facilities. Residents and visitors alike do most of their shopping at the mouth of the Valley, in the City of Carmel, or in the Monterey area.

Privately owned visitor-serving facilities constitute the major commercial activity within the Carmel area. At present there are seven motels or inns within the planning area providing a total of 231 units: the Sandpiper Inn (16 units), the Mission Ranch Cottage Motel (26 units), the Carmel River Inn (40 units), the Highlands Inn (105 units), and the Tickle Pink Motor Inn (29 units). Grosvenor's Inn (11 units) and Lincoln Green (4 units). Current prices range from \$34.00 to \$86.00 a night for single occupancy and \$34.00 to \$118.00 for double occupancy.

Commercial facilities associated with the lodging accommodations include two restaurants and two art galleries. A gas station on Highway 1 is the one other type of visitor-serving facility within the Carmel area.

Expansion of several of the lodging facilities has been proposed. The addition of six units to the Tickle Pink Motor Inn recently received final approval. The proposed expansions of the Carmel River Inn and the Highlands Inn are currently being reviewed by the County. The Mission Ranch complex changed ownership in 1979. No formal proposals for expansion have been advanced.

In recent years there have been various proposals for development of new visitor-serving facilities within the Carmel area. A proposal for the Point Lobos Ranch calls for the development of a 220 - unit inn. The project is not approved, but the applicant apparently intends to pursue the project if possible.

## ***4.2 LAND USE PLANNING ISSUES***

Several key land use issues directly affect planning for the Carmel area. Perhaps the first and foremost concern is the potential that future development within the planning area would create additional recreational demands on the already over-crowded and over-used State reserve and beaches. By significantly increasing the number of visitors to the reserve and beaches, new development would contribute to the degradation of sensitive resources, reduce the availability of these areas to others seeking coastal access, and accelerate the need for a reservation system to regulate the overall number of visitors to Point Lobos.

Of equal concern is the potential for new development on private lands east of Highway 1 to degrade the visual quality of what is presently a highly scenic stretch of California's coastline. Though the rocky promontory of Point Lobos and the sparkling strip of white sand are the focus of scenic vistas, the pasturelands, the forested ridges and open hills rising abruptly from the shoreline are also prominent features of the viewshed. Development on these highly scenic landforms which disrupts or intrudes into the viewshed will significantly degrade the area's scenic quality as surely as would improper recreational development at Point Lobos Reserve or Carmel River State Beach.

A third issue is the threat to the character and integrity of existing communities posed by continued development south of the Carmel River. Intensive development will inevitably lead to a gradual change in community character and resident lifestyles. This will be felt as traffic increases on Highway 1 and on residential roads, as the general level of human activity increases and as the visual quality of the area is diminished.

The Carmel area is also affected to varying degrees by current levels of recreation activity. As recreational use of the shoreline increases and as public access is provided to the uplands area the need for increased management and supervision will become more critical. Not only must the privacy of residents of the area be protected, but the quality of local water supplies must be maintained for residents and visitors alike, and the fire hazard during the summer months must be minimized.

A final issue to be resolved is the adequacy and capacity of water supplies, wastewater disposal facilities, and transportation facilities. The Coastal Act states that where remaining capacity of existing or planned public works facilities is limited, such capacity shall be reserved for coastal-dependent land uses such as agriculture and coastal recreation and shall not be precluded by residential development. This mandate has direct bearing on the potential for continued residential development and subdivision within the Carmel area. The capacity of existing water supplies and wastewater disposal facilities is limited, while Highway 1 is at or near capacity during peak use periods.

### ***4.3 GOALS AND OBJECTIVES***

At the heart of the California Coastal Act is a basic theme which the Carmel Area Local Coastal Program must address. This theme is to provide and encourage public recreational use and enjoyment of the California coast, while, at the same time, ensuring that such use does not damage or degrade the very resources which render the coast so valuable for human enjoyment.

In response to this directive, the Citizens Advisory Committee has set forth the following statement that serves as the overall goal for the Local Coastal Program for the Carmel area:

Few areas of the California coastline can match the scenic beauty from Carmel Point to Malpas Creek. Because it is so scenic and in some cases so fragile, it must not be overused by an indifferent multitude, marred by excessive building, or degraded by urban activities. Here -- visual recreation is the greatest recreation in which all ages and levels participate. Carmel's visual beauty is also indicative of its clean air, clean water, and sufficient open space for protecting plant and wildlife values. This visual quality must not be diminished. The common goal for the Carmel area must be that any future development blend with and be clearly subordinate to the area's natural scenic character.

This overall goal has been translated into specific land use objectives for the different sections of the Carmel area. These objectives have been established through the cooperative efforts of the Carmel area CAC.

### ***4.3.1 Objectives for Different Planning Units of Carmel Area***

#### *Existing Developed Areas*

The subdivided areas within the segment are concentrated primarily along the west side of Highway 1, except within Carmel Highlands, where the subdivided area lies also on the east side.

It is the County's objective to promote the continued "infilling" of vacant parcels of record in all subdivided areas, namely, Carmel Woods, Hatton Fields, Carmel Point, Mission Fields, Mission Tract, Carmel Meadows, Carmel Highlands, and the Riviera. Existing recreational and visitor-serving facilities located within the residential communities are considered desirable uses and should be continued where potential or existing conflicts with the surrounding residential community can be adequately mitigated.

#### *River Corridor/Agricultural Lands*

The Carmel River and lagoon and marsh are areas of special biological importance and have been designated as "environmentally sensitive habitat areas" in this plan. Accordingly, it shall be the County's objective to protect and maintain these significant coastal resources.

The agricultural fields south of the river are valued as prime agricultural land. They are also an important scenic resource and a critical factor in the flood hazard problem in the lower Carmel Valley. The continuance-of the greater portion of these lands in agricultural usage is compatible with their scenic resource and floodplain values. The field west of the highway is publicly owned, and its open space values are protected; the agricultural values should be protected as well through the State I s management of the land and its permanent retention in agriculture. Crops should be low in profile, such as artichokes, to preserve the scenic ocean views. The field east of the highway is privately owned and its future less certain.

It shall be the County's objective to preserve the greater portion of this agricultural land to ensure the continued viability of agricultural operations and to protect related scenic resource and floodplain values.

#### *North of San Jose Creek*

Dominating the northern entrance to the Big Sur Country is a coastal mountain of arresting beauty, known today as the Palo Corona Ranch. This handsome landform enhances the coastal beauty of the Carmel area with its greenbelts and gentle slopes, rocky areas, wooded sections, and natural ridgelines. The northerly and westerly sides of the mountain slope gradually to the Carmel River flatland on the north and to Highway 1 on the west. Because of their visual prominence and scenic beauty, it is essential that the present use or at least the openness of the northerly, and westerly slopes remain undisturbed.

Also of importance is the grazing of cattle that takes place on the Palo Corona Ranch. The grassland hills north of San Jose Creek are the major ranching resource of the Carmel area.

The overall planning objective for this 2,040-acre area is, consequently, to guide future land development in a way that preserves both the open scenic qualities as well as the viability of the traditional ranching activities. Development should be sited out of view from major public viewpoints and corridors in locations that will not result in conversion of grazing lands or interference with ranch operations.

### *Flatlands*

The "Flatlands" extends from the east side of Highway 1 for a depth of approximately 2,500 feet to the 400-foot elevation line. It is bounded on the north by San Jose Creek and on the south by Gibson Creek. This area of approximately 300 acres lies opposite Point Lobos State Reserve and includes the "Polo Field" and scenic pasturelands.

Development of the "Flatlands" is constrained by the proximity of sensitive coastal resources - the rare and endangered Gowen cypress woodland on the east side of Highway 1 (this is part of Point Lobos State Reserve) and the greater portion of Point Lobos Reserve on the highway's west side. An adequate setback area should be created around the Gowen Cypress Annex to protect this resource from potential adverse impacts. All development should be coordinated with State Department of Parks and Recreation's planning for the area.

The objective for the Flatlands is to preserve the scenic character of the open and highly visible pasturelands by concentrating all development within the forested area. At the same time, the forested character must be retained - thus the area east of the highway should appear no different from the wooded area west of the highway in Point Lobos State Reserve. Limited access to any development from Highway 1 should be provided with the road system screened by the forest cover to the greatest extent possible.

Development suitable for the "Flatlands" area would consist of a mix of residential and visitor-serving and day use recreation uses such as a lodge, walking and riding trails, a stable, etc. Preference shall be given to visitor-serving and recreation uses. For the Polo Field, an extension of the existing church usage from the north may be appropriate.

### *Intermediate Terrain*

Between San Jose Creek and Malpaso Creek lies the "Intermediate Terrain." It lies immediately east of the "Flatlands," rising rather abruptly from an elevation of approximately 400 feet to 1,000 feet. This heavily forested terrain is characterized by steep slopes of 40 to 80 percent. The very steep canyons of San Jose, Gibson, Wildcat, and Malpaso Creeks essentially preclude development, thereby protecting the area's watersheds and riparian habitat. There are some 1,450 acres in this planning unit, but only 100 acres may be suitable for development, based only on consideration of slope.

It is the planning objective for this area to preserve the Monterey pine and coast redwood forest resources, the water quality of the coastal streams, and the rural character of the area. Low-density rural residential development should be clustered on those few buildable areas of 30 percent slope and less. Building sites and access roads should not intrude into the public viewshed. As previously

mentioned, the Flatlands are designated for a mix of residential and visitor-serving uses. An alternative location for a lodge-type visitor serving facility is the forested ridge of Huckleberry Hill. The visual prominence of this ridge from Highway 1, public lands and other major public use areas is a constraint to any development located here. Development should not be visible from major public viewpoints and viewing corridors. Proper siting and design and maximum retention of the existing tree cover will be essential in order to hide structures and access roads from public views.

### *The Uplands*

Continuing to the east and rising from an elevation of 1000 feet to the crests at 1,800 to 2,000 foot elevations is the terrain that is called the Uplands. This land is essentially above the tree line, although clusters of pines have survived at this elevation. As in the intermediate terrain, this land rises abruptly, but here too, at the crest of the hill, there are plateaus of relatively flat land. Of some 2,100 acres - of which 364 acres are now in public ownership - there are approximately 450 acres of relatively level land (i.e., areas less than 30 percent slope). It is possible that some development could occur on these plateaus. However, these areas are remote; water supply to accommodate development is limited; and access is difficult. The cutting of new roads or improvement of existing roads to serve additional development of this area is a particular concern as such activity could permanently mar the open, scenic ridges.

The planning objective for this area shall be to preserve its open space and scenic recreational values. Low-intensity uses shall be allowed, and the land shall be retained in the largest possible parcels. Residential development of the Lobos Ridge Subdivision (located on Point Lobos Ridge) is considered appropriate if such development can be sited, designed, or screened to be effectively hidden from public view.

### *Shoreline*

From the south end of Carmel Point to Gibson Creek, the entire shoreline is publicly-owned. The long strip of sandy beach backed by bluffs, the lagoon and marsh, and the agricultural land west of Highway 1 comprise the State Department of Parks and Recreation planning unit known as Carmel River State Beach. Immediately south is the open bluff and rocky promontory comprising Point Lobos State Reserve. The Reserve boundaries extend beyond the east side of Highway 1 to encompass the greater portion of the rare and endangered Gowen Cypress woodland.

Both Carmel River State Beach and Point Lobos State Reserve are areas of outstanding scenic beauty and visual prominence. However, in addition to the Reserve's high scenic quality, nearly every aspect of the area's resources is of high scientific and educational value -- there are rare plant communities, numerous archaeological sites, unique geologic formations, and an incredibly rich flora and fauna of both land and sea (State Department of Parks and Recreation, 1979). Within Carmel River State Beach, the Carmel River, lagoon and marsh are resources of major biological significance and high sensitivity to human disturbance. Other wildlife and plant habitats, most notably the San Jose creek riparian corridor and the rocky intertidal areas, are also environmentally sensitive.

The planning objective for Point Lobos State Reserve and Carmel River State Beach must be to preserve in perpetuity for the enjoyment and enlightenment of the public the area's unique natural, scenic, and cultural values. Accordingly, only passive to low-intensity recreational uses shall be allowed and shall be adequately managed. The development of associated facilities to accommodate basic user needs (e.g., access roads, trails, minimum picnic and sanitary facilities, and parking areas) shall be concentrated in the least environmentally sensitive areas and shall not degrade the areas scenic character. Similarly, land use activities on private lands shall not be allowed to damage or degrade the scenic and natural resource values of the public lands.

### *Ecologic Reserves*

The submarine lands and marine waters adjacent to Point Lobos State Reserve and Carmel River State Beach are classified both as ecologic reserves and Areas of Special Biological significance. The special significance of these underwater areas lies in the high diversity and richness of the marine plant and animal life found here and in their subtidal topography, particularly the scenic submarine canyon and pinnacles. They are of high scientific, educational and aesthetic value.

The planning objective for these underwater reserves shall be to protect their natural and scenic values in perpetuity and to preserve their relatively undisturbed and pristine character. Recreational and commercial uses shall be further limited if deemed necessary by future monitoring and studies. Likewise, all land use activities with the potential to degrade the quality of these marine waters should be closely managed and regulated.

## **4.4 DEVELOPMENT POLICIES**

### **4.4.1 Key Policy**

All future development within the Carmel Coastal Segment must be clearly consistent with and subordinate to the foremost priority of protecting the area's scenic beauty and natural resource values.

### **4.4.2 General Policies**

1. The Carmel River shall be considered the dividing line between the urban and rural areas of the Monterey Peninsula. The river shall provide the natural boundary between urban and higher intensity uses to the north and rural, lower intensity uses to the south.
2. Agricultural activities, passive and low-intensity recreation and rural residential use of the Carmel area's large private landholdings are the most appropriate land uses for these areas.
3. To protect the rural character and scenic and natural resource values of the coastal hills and ridges east of Highway 1, further commitment to residential development shall be discouraged by requiring very low densities for new subdivisions. However, on the frontal slopes of the Palo Corona Ranch, no development shall be allowed. The density credited on this portion of the ranch shall be one unit per 40 acres. The density allowed on this portion of the ranch may be



transferred elsewhere on the ranch outside of the public views, and further, it may be transferred outside the coastal zone. In addition, the portion of the Rancho San Carlos Ranch contained within the Coastal Zone relates to Carmel Valley and not to the coast. Its density shall also be one unit per 40 acres and access shall be through Carmel Valley.

4. Because there is limited suitable land or water to support new development and because the capacity of public facilities is limited, coastal-dependent recreation and visitor-serving uses shall have priority over residential and other non-coastal dependent uses.
5. The provision of recreational opportunities and facilities shall be compatible with the preservation of sensitive coastal resources. Passive to low-intensity outdoor recreational uses shall be emphasized within the State beaches, park and reserve.
6. New subdivision and development of undeveloped parcels south of the Carmel River shall be permitted only if the following principal criteria can be fully met in addition to other applicable policies of this plan:
  - Structures, can be located, designed, or screened to be outside of the public viewshed.
  - Narrow roads which can be sited to minimize impact upon the viewshed and require a minimum of grading.
  - Roads and structures can be sited to avoid disruption or degradation of riparian corridors and other sensitive plant and wildlife habitats.
  - Access roads for new development can be constructed to meet minimum County standards as well as the resource protection standards of this plan.
  - Development would be in keeping with the present rural character of the area.
  - Development of roads and houses would be avoided on slopes exceeding 30 percent, unless this siting enhances the overall objectives and policies of this plan for individual parcels.
  - Adequate sewer service or adequate sewage disposal area that qualifies under County standards is available.
  - Adequate water supply is available.

Exceptions may be made for the Carmel Meadows subdivision (including Portola and Williams properties), Carmel Highlands, Point Lobos Ranch, and Carmel Riviera which cannot fully comply with this policy.

Exceptions are permitted to this (and all other policies limiting subdivisions such as 2.3.3.4) for parcels to be created for and permanently restricted to resource protection with no residential or major structural development.

7. All development and use of the land, whether public or private, must conform to the policies of this plan and must meet the same resource protection standards set forth in the plan. Where conflicts occur between one or more provisions of the plan, such conflicts shall be resolved in a manner which on the whole is the most protective of significant coastal resources.
8. Development within the Carmel area shall be consistent with the land uses shown on the plan map or as otherwise described in the text of this plan.
9. Many types of land uses found in other locations in the County are inappropriate to the Carmel area and are in conflict with protection of the rural character and the scenic and natural resources of the area and are therefore not provided for in the plan. Among these uses are intensive recreational uses such as golf, cinemas, mechanized recreation other than non-motorized bicycling and scenic driving, boating facilities; industrial and energy development - offshore or onshore; large-scale mineral extraction and commercial timber harvesting; and manufacturing other than cottage industry or art production. In general, only land uses of a character, scale or level consistent with the goal of preserving the coast's natural beauty and tranquility will be permitted in the Carmel area.
10. Notwithstanding other requirements, any building destroyed as a result of a natural disaster - can be rebuilt to its original dimensions on its original location on the site, providing replacement structure meets County building code requirements at the time of rebuilding.

#### **4.4.3 Specific Policies**

##### **A. Resource Conservation**

1. Only the minimum level of facilities essential to the support of recreational, educational, or scientific use of Resource Conservation areas shall be permitted. Facilities shall be sited so as to avoid adverse impacts to environmentally sensitive habitats and wildlife.
2. Development that would threaten rare and endangered plant and animal species in the Resource Conservation areas shall not be allowed.

##### **B. Agriculture**

1. The agricultural resource policies presented in Chapter 2 provide the basic criteria to protect agriculture and guide agricultural activities. These will be considered in all development applications.
2. The agricultural land west of Highway 1 in public ownership shall be designated "Agricultural Preservation" in order to conserve the land for exclusive agricultural use. The agricultural land

east of Highway 1 shall be designated "Agricultural Conservation" in order to protect the greater portion of the land for long-term agricultural use while allowing conversion of a 54 acre area to other uses which will promote the owner's ability to support continued agricultural operations.

**C. Recreation**

1. Use of areas designated as Resource Conservation and Scenic and Natural Resource Recreation on the plan map shall be limited to passive and low-intensity day-use recreational and educational activities. These areas include the Carmel Point shoreline, Carmel River State Beach, the marsh and lagoon, Point Lobos State Reserve, and the Garrapata acquisition. Areas designated as Resource conservation are suitable for conditional development of recreational facilities defined in the Scenic and Natural Resource Recreation category of the plan. Use and development shall be consistent with the policies and recommendations of the Point Lobos-Carmel River State Beach General Plan (October 1979) and with the policies set forth in this plan.
2. Use of the Gowen cypress and Monterey cypress areas of Point Lobos State Reserve and of the Carmel River lagoon and marsh shall be limited to very low-intensity recreational and educational uses such as walking, nature study, photography and scenic viewing. Facilities shall be limited to properly sited and designed trails, access points and interpretive and directional signs. There shall be no public access into the marsh.
3. Recreation development within the portion of the Garrapata acquisition east of Highway 1 should be compatible with its designation as a Scenic and Natural Resource Recreation area. Only low-intensity recreational development should be allowed. No trails or campsites should be developed within the Malpaso Creek watershed except within the state owned Doud acquisition; trails may be permissible only where it can be satisfactorily demonstrated that such facilities and the use thereof will in no way threaten the community's water supply provided by Malpaso Creek. Protection of the viewshed and scenic character should be the major consideration in the State Department of Parks and Recreation's planning for the area.
4. Upland areas shown on the plan map as Watershed and Scenic Conservation may be suitable locations for conditional development of recreational uses permitted in the Scenic and Natural Resource Recreation category of the plan. The Watershed and Scenic conservation designation will not preclude other uses of the area such as agriculture or residential development.
5. Agencies managing public recreation areas should study and develop a system of recreational trails which provides appropriate linkage between existing and proposed trails. Trail use should be limited to pedestrian, equestrian and non-motorized bicycles.
6. Overnight camping facilities should be located where they do not conflict with surrounding land uses or in areas where a buffer can be provided to adequately minimize potential land use conflicts.

7. Educational displays alerting visitors to the fragile nature of the Carmel River wetlands should be posted at major access points.
8. The State Department of Parks and Recreation should develop a management plan for the former Briggs property and the northern 48 acres of Point-Lobos Reserve based on the policies and standards and site-specific recommendations set forth in the Public Access Element of this plan. Management of both areas should provide for retention of the area's scenic character and visual access from Highway 1.

***D. Recordation and Visitor-Serving Commercial***

1. Visitor-serving facilities are presently located in existing developed areas. Expansion of existing facilities or the location of new facilities within existing developed areas is preferred over development elsewhere.
2. Where feasible, retention of existing moderate-cost recreation and visitor-serving facilities should be encouraged.
3. Where significant expansion of existing high-cost visitor-serving facilities or development of new high-cost facilities is proposed, low to moderate-cost facilities or land suitable for such use should be provided, where feasible, as part of the development project. The development of low to moderate-cost facilities could include: hostels, overnight camping, motel units, picnic facilities, or recreational trails where appropriate.
4. Proposals for development of new or expansion of existing recreation and visitor-serving facilities should be evaluated on an individual basis. All proposals must demonstrate consistency with the land use plan, maximum site and parcel densities, and environmental, visual, design and traffic safety constraints. The expansion and development of recreation and visitor-serving facilities should be of a scale and nature that is compatible with the natural and scenic character of the area.

Maximum intensity for "Recreation and Visitor-Serving" sites not specified elsewhere in the Plan are as follows:

86 visitor units and 12 employee units for Carmel River Inn  
 150 visitor units and 12 employee units for Highlands Inn  
 35 visitor units and 4 employee units for Tickle Pink  
 16 visitor units and 2 employee units for Sandpiper Inn

The maximum intensity specified here or elsewhere in the plan for visitor-serving sites shall not be required to be reduced because of a finding inadequate traffic capacity on Highway 1, unless maximum permitted intensity in this plan of residential use is correspondingly reduced.

5. A mix of recreational uses is considered appropriate in areas designated for high-intensity recreation and visitor-serving uses, including low-cost facilities such as hostels or fee camping.

Recreational vehicle campgrounds, grocery stores, and new service stations are generally not appropriate in the Carmel area.

6. Development of intensive recreation and visitor-serving facilities except for recreational vehicle campgrounds, gas stations and grocery stores, may be permissible on the Point Lobos Ranch in the "Flatlands" areas. The development of lodge or inn facilities must be of a scale and nature that is compatible with the natural scenic character of the area. Development shall provide for low-intensity public recreation and/or low-cost visitor-serving facilities. More specific requirements and provisions are set forth in Section F. *Special Treatment*.
7. In the Flatlands area of Point Lobos Ranch, conversion of existing ranch buildings not essential to ranch operations to visitor-serving units may be appropriate. Conversion to a hostel for hikers and cyclists is encouraged. The hostel units if low cost should be considered as an additional increment to the maximum number of lodge units allowed by the plan. However, if higher cost facilities are proposed, the number of units converted to visitor-serving uses shall be considered as part of the allowable maximum number of visitor-serving units for Point Lobos Ranch.
8. Recreation and visitor-serving commercial development on the Odello parcel may be permitted. Allowable uses consist of a recreational complex, and/or a farmers market and restaurant. Specific provisions are set forth in Section F. *Special Treatment*.
9. The Carmel River Inn should not use extensive fill material or disturb existing riparian vegetation. If any existing vegetation must be disturbed during construction, it shall be replaced with equivalent materials on a five to one basis.

#### ***E. Residential***

1. Infilling of existing residential areas according to the resource and scenic protection standards set forth in this plan is preferred over new residential development elsewhere.
2. Medium-density residential development shall be directed to existing residential areas where urban services -- water, sewers, roads, public transit fire protection, etc. -- are available. The density for new subdivision is two units per acre except for the Portola Corporation property in Carmel Meadows. As a condition of development, covenants must be recorded acknowledging agricultural use on the adjacent parcel and holding the owner (State) harmless for any nuisance due to the agricultural use.
3. Subdivision and development of the vacant parcel at the northeast corner of Carmel Meadows shall be allowed upon dedication of a minimum 50-foot building setback from existing agricultural land and a 100-foot building setback from Highway 1. Access to development shall be provided from Ribera Road. Access from Highway 1 shall not be allowed.
4. Up to three building sites may be permitted on the Williams parcel provided they are located adjacent to the existing developed area of Carmel Meadows and avoid adverse impacts on the

wetland area or established drainage patterns unless it is to significantly improve the existing drainage.

5. Low-density residential development shall generally be located in rural areas where an essentially residential character exists--i.e., the Carmel Highlands-Riviera. Vacant lots in this area should continue to be developed to the extent that site and resource protection constraints allow. Housing densities and lot sizes shall be consistent with the ability of septic systems to dispose of waste without contamination of coastal streams or creation of hazards to public health. Accordingly, with the exception of Behavioral Science Institute property, the density and minimum parcel size for new land divisions shall be one acre unless waste disposal constraints dictate otherwise.
6. The BSI property may be developed for residential use. A maximum of 25 units may be approved; all units shall be sited outside of the view from Highway 1. These units may be used in conjunction with the institutional use. The upper steeper portion shall remain in open space.
7. Residential development is permitted on the portion of the Rancho San Carlos within the Coastal Zone, comprising approximately 600 acres, with the allowable density for new subdivision to be based on one unit per 40 acres.
8. Rural residential development is appropriate for the "Flatlands" area, the lower area of Point Lobos Ranch presently characterized by rural residential use. New land divisions within this area shall result in a maximum of 28 additional units permissible if conversion of visitor serving commercial to residential units is carried out pursuant to the provisions of policy 4.4.3.F.4.C. Preference should also be given to transferring 8 units of residential development for the Riley holdings to the Flatlands pursuant to policies 2.2.4.10.b and 4.4.3.G.3. New development in this area shall be located within the forest cover and shall not be allowed on the open, scenic pasturelands.
9. Residential development of Point Lobos Ranch shall only be considered within the context of an overall development and management plan(s) for the entire ranch that provide for recreation and visitor-serving uses provided, however, that no individual owner shall be prevented from making and proceeding with a separate application for residential development, if full notice is given to other owners of such proceeding so that overall development and management may be discussed during the consideration of any such application.

Also required is residential (if any) clustering and substantial open space available for on-site recreational use by hotel patrons and the public and to require protection of adjacent State Parks land.

10. To protect the rural character and scenic natural resources of the coastal hills and ridges east of Highway 1 designated as Watershed and Scenic Conservation, parcels shall be retained in the largest possible size. With the exception of the Sawyer property and the frontal slopes of the Palo Corona Ranch, the density for new land divisions shall be 1 unit per 40 acres below the 1,000-foot elevation contour and 1 unit per 80 acres above the 1,000-foot contour, clustering

of the allowable number of residential units is preferred in order to retain the area's scenic character and open space values. The Sawyer property and the frontal Palo Corona slopes are designated for "Special Treatment" with specific provisions for the density and location of new residential development. Evaluation is required for any upland recreational opportunities to protect them and any adjacent State Park uses when permitting non-recreational development.

11. Existing parcels less than the minimum parcel size required for new subdivisions are considered legal parcels and are suitable for development of those uses consistent with the land use plan designation, provided that all resource protection policies can be fully satisfied.
12. Detached or attached guestrooms are not to be equipped for permanent living and are not considered residences. They should be permitted only upon a showing of hardship before the Board of Supervisors at the rate of one per parcel or one for each principal residence providing the constraints of the parcel and other plan policies permit. Furthermore, detached guest rooms shall be located in close proximity to the principal residence; share the same utilities except where prohibited by public health requirements; contain no kitchen or cooking facilities; be limited to 425 square feet. Conditions shall be enforced by CC&Rs or other legal restrictions, including revocation provision for nonconformance. The above criteria shall also apply to permitted accessory structures.
13. Studios and other small non-residential and non-commercial accessory structures such as tool sheds, workshops, or barns may be permitted on any size parcel based on reasonable justification and provided the constraints of the parcel and other plan policies permit.
14. Existing units which are intended for use as a guesthouse or caretakers residence upon development of a larger principal residence are exempt from applicable policies of this plan, provided that a use permit for the designation of the existing unit as a guesthouse or caretakers residence has been applied for prior to March 1, 1982.

#### ***F. Special Treatment***

The "Special Treatment" overlay is intended to be used in conjunction with the underlying land use designation. Its purpose is to facilitate a comprehensive planned approach for specifically designated properties where a mix of uses are permitted and/or where there are unique natural and scenic resources or significant recreational/visitor-serving opportunities. Particular attention is to be given towards siting and planning development to be compatible with existing resources and adjacent land uses. Properties designated for "Special Treatment" are shown on the map following the proposed land use map. These are the Mission Ranch property, the Odello property, the frontal slopes of the Palo Corona Ranch comprising 388 acres, the Sawyer property consisting of 466 acres, and the Point Lobos Ranch which covers roughly 1,600 acres. Policies governing the type and intensity of uses and the location of development for each property are contained in preceding sections of this chapter, but are provided in greater detail as follows:

## **1. MISSION RANCH**

The Mission Ranch shall be designated on the land use map as "Special Treatment". The following specific policies shall regulate uses within the Mission Ranch Special Treatment area. Development shall be subject to the preservation of wetlands (policy 2.3.3.1).

- a. The existing commercial/visitor serving facilities (other than the dance hall), consisting of the 26 visitor serving units, restaurant, tennis club and caretaker's unit, may be allowed expansion to a maximum of 31 units subject to securing a Coastal Development Permit and meeting the goals and policies of the Carmel Area Land Use Plan and Coastal Implementation Plan.

The total area of any new Mission Ranch visitor serving unit as defined in Section 5.4.020.F of the Monterey County Code, shall not exceed 500 square feet.

A Historical Resources designation shall be added to protect the important historic buildings.

- b. The dance hall may be granted a use permit which allows for its continued use, but subject to reasonable conditions restricting hours of operation and providing for parking and traffic control, noise controls, and similar controls, as appropriate, to reasonably mitigate adverse impacts on the surrounding residential neighborhood.
- c. If and when the dance hall and all other existing commercial/visitor-serving uses on the property are permanently abandoned, a clustered medium-density (4 units per net developable acre not including wetland area, but not to exceed a maximum of 31 units) residential development, which may include a restaurant and tennis club, may be allowed on the site provided that such development conforms to the policies of the plan, particularly the resource protection policies for the protection of coastal wetlands.

Conversion to residential use shall not be permitted until an equal number of new equivalently-priced visitor-serving units have been made available in the unincorporated coastal zone of Monterey County. For the purposes of this paragraph, "equivalently-priced visitor-serving units" shall mean hotel or motel units in a comparable price range, campground and RV spaces, or similar accommodations. Findings that such units have been made available shall be made by the County, based upon substantial evidence, at the time of submission of a permit application.

## **2. ODELLO PROPERTY**

The Odello parcel shall be designated for "Special Treatment" on the land use map. The following policies, when used with those applicable policies in Section 2.6.2, shall specifically govern the type, intensity and location of uses within this Special Treatment Area.

- a. Residential use (162 units at a density of 3 units per acre) is allowed on 54 acres of the property against the Palo Corona frontal slopes.



- b. Development of a farmers market and restaurant adjacent to Highway 1 may be permissible. Parking facilities must be screened and must comply to the greatest extent possible to the viewshed policies of the plan.
- c. Sufficient low-income employee housing must be provided to replace existing units which may be demolished and to serve new employees required by new development on the property.
- d. Development of a recreational complex consisting of tennis and/or racquetball courts, swimming pool, etc. to serve the general public and residents of new residential development may be permitted against the Palo Corona frontal slopes.
- e. Public access along the existing levee shall be provided.

### **3. *PALO CORONA RANCH***

In order to protect the high scenic values of the Palo Corona frontal slopes, these slopes shall be designated for "Special Treatment". As specified by General Policy 4.4.2, 3, no development shall be allowed on these scenic slopes. - The density credited on this portion of the ranch, consisting of approximately 560 acres shall be one unit per 40 acres and may be transferred elsewhere on the ranch outside of the public viewshed.

### **4. *POINT LOBOS RANCH***

The entire Point Lobos Ranch, consisting of the Hudson and Riley properties, shall be designated for "Special Treatment" in order to facilitate a comprehensive planned development as described in policy 4.4.3.E.9, capitalize upon the significant recreational and visitor-serving opportunities offered by the ranch, and protect its unique scenic and natural resource values. The following policies, in addition to applicable policies in Section 4.4.3, D. Commercial, and E. Residential, shall govern the types and intensities of allowable uses on the ranch:

- a. Visitor-serving facilities shall be allowed on both the Hudson and Riley properties. Each property may be permitted up to 120 visitor-serving units, for a total of 240 units.
- b. The existing residential density on the Flatlands portion of the Ranch is permitted to remain (10 units on 143 Riley acres; 4 units on 200 Hudson acres).
- c. An overall density of 1 unit per 10 acres (i.e., 16 additional residences) may be permitted on the portion of the Hudson property within the Flatlands area and one unit per 5 acres (i.e. 12 additional residences) may be permitted on the portion of the Riley property as an alternative to the permitted visitor-serving facilities.
- d. The density credit for new residential development for the upper portions of the ranch ("Intermediate Terrain" and "Uplands") shall be as specified per policy 4.4.3.E.10 (i.e. 1 unit per 40 or 80 acres, which equates to 8 units for the Riley holdings and 20 units for the Hudson

holdings). Preference should be given to clustering this development and/or transferring it to the Flatlands pursuant to policies 2.2.4.10.b and 4.4.3.G.3.

If clustering of this development and/or a transfer of density from either the Riley or Hudson Intermediate Terrain or Uplands is provided and the completion of overall development and management plans for both properties is coordinated to the greatest extent possible, residential development and visitor-serving facilities shall both be permitted on the Flatlands areas of the Riley holdings and the Hudson holdings, however not to exceed a total visitor-serving units of 276 and a total new residential units as herein permitted for the entire Point Lobos Ranch.

- e. The maximum residential density for the Riley property if developed exclusively as residential units shall be a total of 30 units (i.e. 8 units on the Uplands, 10 existing residential units, and 12-units on the Flatlands). The maximum residential density for the Hudson property if developed exclusively as residential units shall be 40 (i.e. 20 units from the intermediate and Uplands areas, 16 units on the Flatlands, and 4 existing family residential units).
- f. Employee housing shall be required as an addition to the permitted number of residential units and shall conform to policy 4.4.3.H.2.b, but not to exceed a maximum of 36 employees.
- 9. Shared access to serve new development on both properties shall be required and located and designed so as to have least impact on Point Lobos Reserve and on through traffic on Highway one.
- h. Trails for public access shall be required to connect the Gowen Cypress annex, Huckleberry Hill and Point Lobos Ridge areas.
- i. If both lodge facilities are developed in the flatlands area of the ranch, a joint-use conference center for functions associated with the hotel(s) may be constructed. Ancillary facilities shall be in scale with the lodge facility.
- j. Completion of overall development and management plans for both properties shall be required and shall be coordinated to the greatest extent possible.
- k. Lower cost visitor serving facilities shall be provided in the ratio of at least one unit (e.g. hostel bed, campground space) for every five average or high-cost hotel units pursuant to policies 4.4.3.D.3, 4.4.3.D.5 and 4.4.3.D.7, however, not to exceed a total of 276 visitor-serving units.

## 5. ***SAWYER PROPERTY***

The Sawyer property shall be designated for "Special Treatment" in order to maximize available recreational opportunities. Accordingly, an increase in the number of residential units over the basic 1 unit per 40/80 acre density shall be allowed. A maximum of 16 dwelling units may be permitted. All development shall be confined to the lower (westerly) 30 acres on the property to ensure that houses and roads will be outside of the public viewshed.

***G. Development of Large Properties and Ranches***

1. The development of large properties (over 50 acres) and ranches should be guided by an overall management plan. The plan should reflect the long-range open space values, and low-intensity recreation, and how development of the property will be phased over time.
2. The County will assist large property owners in securing agricultural, conservation and scenic easements on their properties to reflect the low-intensity development appropriate in such rural areas.
3. The County will assist large property owners in determining and planning for appropriate land uses which will sustain the property in an undivided state over the long term. On large parcels, clustering is encouraged to preserve open space and recreational use opportunities, especially adjacent to existing parkland.
4. Owners of large properties should carefully consider tax benefits available through working with non-profit conservation agencies or trusts, such as the California Coastal Conservancy, the Big Sur Land Trust, the Trust for Public Lands, and the Nature Conservancy.
5. These policies also apply to Special Treatment areas.

***H. Low and Moderate Income Housing***

1. The County shall protect existing affordable housing in the Carmel area from loss due to deterioration and demolition. The County will:
  - a) Require replacement, on a one-for-one basis, of all demolished units which were affordable to or occupied by low and moderate-income persons.
  - b) Adopt minimum building code regulations for the rehabilitation of older housing units.
  - c) Promote rehabilitation and weatherization of housing units owned or rented by low and moderate income households.
2. The County shall encourage the expansion of housing opportunities in the Carmel area for low and moderate-income households. The County will:
  - a) Adopt an updated housing element with appropriate incentives which will help attain affordable units. This element will be the adopted standard for low and moderate income housing in the Carmel area.
  - b) Require employee housing, as a condition of all permits related to expansion of existing visitor facilities or the construction of new facilities, to be constructed onsite, or in the immediate vicinity, and made available to low and moderate income employees.

- c) Encourage the use of caretaker's accommodations as an appropriate means of providing affordable housing for caretakers, ranch hands, convalescent help, and domestic employees. It is preferred that these accommodations be attached to the principal residence. Detached caretaker's houses shall not exceed 850 square feet in size and shall be limited to parcels of 40 acres or greater. Subdivisions shall not be permitted to divide a principal residence from a caretaker's house. Additional employee housing is permitted for priority uses (i.e., ranching) in one dormitory/bunkhouse or in temporary structures (i.e., mobile homes) consistent with all other plan policies. Only one caretakers' unit shall be allowed on a parcel.

#### ***I. Commercial***

1. Commercial land use in the Carmel Coastal Segment shall be restricted to those locations of existing and proposed visitor-serving accommodations shown on the land use plan map or described in the text. Additional commercial designation of property is not compatible with the intent of this land use plan to preserve the natural and scenic character of the area.
2. Expansion of existing commercial visitor-serving facilities or development of new facilities shall be approved only where requirements for adequate parking and wastewater disposal and for protection of natural resources can be fully satisfied. Adequate parking shall include all uses on the subject site (e.g. hotel units, restaurant, employees, day use facilities).
3. Renewal of use permits for existing commercial uses or the establishment of new uses will require careful consideration of the impact of the use on the surrounding community. Particularly where commercial activities are in proximity to residences, care must be taken to ensure that noise or visual modification do not affect the peace and tranquillity of existing neighbors.
4. Similarly, new commercial uses or expansion of existing uses will be evaluated for their impact on traffic safety and highway capacity in the area. Parking should be screened from public views from Highway 1 as far as possible and should in no event create traffic hazards or danger for pedestrians. However, commercial uses of a recreational or visitor-serving nature shall not have their maximum permitted intensity required to be reduced because of a finding of inadequate traffic capacity on Highway 1, unless maximum permitted intensity in this plan of residential use is correspondingly reduced.

#### ***J. Public/Quasi-Public***

1. A number of public and quasi-public services are present in the Carmel area and serve primarily the local community but also visitors. These include schools, fire protection, a continuing education institute, a sanitary treatment plant, and the Carmelite Monastery. These uses should be maintained and upgraded as needed.
2. The Hodges property on the north side of the Carmel River is designated for residential use on the plan map. If at some point the property is publicly acquired, appropriate uses may include a

park, corporation yard, administrative facilities, or sanitary treatment plant facilities. These uses should be adequately separated and screened from adjoining recreational and visitor-serving and residential development.

3. Alternative uses for schools, which have been closed, should be allowed where compatible with the surrounding community and consistent with the other policies of this plan.
4. The Carmel Sanitary District, in using its land between the Mission and the river, shall not intrude on the integrity of the Mission grounds because of the significance of this historical resource. Access to its land must be over the existing roadway.

## **4.5 LAND USE CATEGORIES AND LAND USE MAP**

The capabilities and constraints of the various areas of the Carmel area to support various types and densities of land uses are reflected in the land use map. Land uses have been designated based on an evaluation of existing uses, appropriate levels of use to protect coastal resources, and levels of development that can be accommodated by public works systems such as water supplies and coastal access roads. Final determinations of densities and land use locations will be made during the project review process.

Land uses recommended for the Carmel area are listed below. These reflect both existing and traditional land uses and the priorities of the Coastal Act.

Public works projects, private utility projects, and noncommercial tree-cutting are permitted uses throughout the Coastal Zone subject to all other plan policies and following use limitations in Resource Conservation zones.

### **A. *Resource Conservation***

Protection of sensitive resources, plant communities, and animal habitats is emphasized. Only very low intensity uses and supporting facilities compatible with protection of the resource are allowed. Appropriate uses can include carefully controlled low-intensity day-use recreation, education and research and beach sand replenishment. Two types of Resources Conservation areas are shown on the plan map.

*Coastal Wetlands* - This designation includes shoreline, intertidal areas, coastal wetlands, the lower reaches of major riparian corridors, and flood-prone areas. These categories of land are usually visually sensitive and, in the Carmel area, frequently contain archaeological sites.

*Forest and Upland Habitats* - This designation applies to environmentally sensitive forest habitat, grassland, scrub, or chaparral habitat and to upland riparian habitats. It also applies to public or private reserves or open space areas set aside for resource preservation or research. The resource maps supplement provides specific information regarding the various resources. This designation is applied to Point Lobos Reserve and the DeAmaral Preserve.

***B. Scenic and Natural Resource Recreation***

Low-intensity - recreational and educational uses that are compatible with protection of the area's natural resources which require a minimum level of development to accommodate basic user needs and which necessitate minimal alteration of the natural environment are appropriate. Uses may include hiking, fishing, picnicking, nature study, backpacking, horse riding, and walk-in camping, beach sand replenishment and grazing. Improvements in areas under this category are limited to picnic sites, hiking trails, restrooms, and parking areas. This designation is applied to Carmel River State Beach, the former Briggs property, and the former Doud property (Garrapata acquisition).

***C. Recreation and Visitor-Serving Commercial***

Moderate to high-intensity uses providing basic support services and accommodations to meet visitor needs associated with coastal recreation and travel are appropriate. Major hotel or inn accommodations are principal uses. Such uses shall be subject to the policies of section 4.4.3-D.

***D. Agricultural Preservation***

Preservation of agricultural land for exclusive agricultural use is required. The designation is applied to the State-owned prime agricultural land west of Highway 1 currently in agricultural production. Major importance is given to the preservation of large, contiguous areas of agricultural land capable of long-term productivity in order to protect its agricultural use from conflicting land uses. Development of accessory buildings and uses required for agricultural activities on the parcel is allowed. The use of agricultural lands for flood overflow is permitted.

***E. Agricultural Conservation***

Conservation of viable agricultural land is emphasized. This designation is applied to the Odello parcel where there are both prime agricultural soils in agricultural production and less or non-productive soils. Emphasis is given to the protection of agricultural land capable of long-term productivity.

***F. Watershed and Scenic Conservation***

Protection of the watershed, streams, plant communities, and scenic values is the primary objective. This land use category applies to the upland and mountainous areas east of Highway 1. This is a multiple-use category in which several types of low intensity uses are appropriate. These include: ranching and grazing of animals, recreational uses permitted in the Undeveloped and Scenic Outdoor Recreation category, rural residences, and related employee housing. Except where otherwise indicated in the text, a density of 1 unit per 40 acres is required for new subdivisions below 1000-foot elevation, while for areas above 1000-foot elevation, a density of 1 unit per 80 acres is required.

***G. Low-Density Residential***

Low-density residential development is the primary use of this category. Agricultural land uses are limited in order to decrease cumulative erosion and water quality impacts. The establishment of impervious surface will be limited to a set percentage of the parcel size. Maximum densities ranging from 1 unit per 2.5 acres to 1 unit per acre would be allowed according to site evaluation of slope and natural resource, septic system and public facility constraints. This land use designation is applied to Carmel Highlands-Riviera. Public/quasi-public uses (5.5.1) and densities of overnight accommodations currently in operation are permitted.

#### ***H. Medium-Density Residential***

Medium-density residential development is the primary use. The density for new subdivision is 2 units per acre, except on the Mission Ranch property where a density of 4 units per acre may be allowed subject to section 4.4.3.F.1 and Odello (162 units) subject to section 4.4.3.F.3. Minimum parcel size will be determined upon application review. This designation is applied to the City of Carmel vicinity and to Carmel Meadows. Public/quasi-public uses (5.5.1) and densities of overnight accommodations currently in operation are permitted.

#### ***I. Public/Quasi-Public***

A range of uses, including administrative, management and maintenance facilities for public agencies, churches, schools, and educational institutes are -allowed. Many of these uses are appropriate in areas designated for residential use. Secondary uses shall be compatible with the surrounding community.

## 4.6 RESIDENTIAL DEVELOPMENT DENSITY

Allowed densities for different types of land uses and residential development are shown on the chart below. In all cases, these represent maximum intensities; natural resource limitations or constraints may further reduce these densities for any individual parcel.

<i>Land Use Category</i>	<i>Location</i>	<i>Approx. Acreage (Acres)</i>	<i>Density for New Subdivision</i>	<i>Est. Max New Res. Dev. # of units</i>
<b><i>Watershed and Scenic Conservation</i></b>				
- below the 1,000 foot elevation contour	Coastal Hills and ridges east of Highway 1	2,400	1 unit per 40 acres	60
- above the 1,000 foot elevation contour		1,740	1 unit per 80 acres	33 <sup>1</sup>
- Palo Corona Ranch		560	1 unit per 40 acres	14
- Rancho San Carlos		600	1 unit per 40 acres	15
<b><i>Agricultural Conservation</i></b>	Odello property	134	3 units/ac on 54 acres	162
<b><i>Recreation and Visitor-Serving Commercial</i></b>	Lower Area of Point Lobos Ranch ("Flatlands")	343	Riley = 12 units Hudson = 16 units	28
<b><i>Low Density Residential</i></b>	- Carmel Highlands	740	1 unit per acre	218 <sup>2</sup>
<b><i>Medium Density Residential</i></b>	- City of Carmel Vicinity and Carmel Meadows <sup>3</sup>	656	2 units per acre	148
	- Mission Ranch	21	(gross) 4 units per net developable acre (31 max.)	
<b><i>ESTIMATED TOTAL NEW RESIDENTIAL DEVELOPMENT:</i></b>			709 (units max.) <sup>4</sup>	

<sup>1</sup>Includes the 16 units on the Sawyer property

<sup>2</sup>Assumes further subdivision of approximately 18 parcels, including Behavioral Sciences Institute Property, to create an add 50 lots

<sup>3</sup>Excludes Mission Ranch property

<sup>4</sup>Does not include employee housing



## **5. PUBLIC ACCESS**

### **5.1 INTRODUCTION**

The right of the public to all coastal tidelands is ensured by both the California Constitution and the California Coastal Act of 1976. The Coastal Act requires the provision of maximum access and recreational opportunities consistent with the need to protect public safety, public rights, private property owners, and natural resources. It requires that new development provide public access from the nearest public roadway to the shoreline. New development is also required to maintain and enhance public access by minimizing local residential use of coastal access roads and recreation areas.

Efforts to provide public access to the shoreline can be complicated by environmental, land use, or management constraints. Shoreline areas may be subject to topographic, tidal, or seasonal fire hazards. The Carmel coast also supports sensitive marine, plant, and wildlife habitats which may be damaged to varying degrees by unmanaged and excessive public access. Agricultural and residential land uses and a shortage of suitable parking areas pose a significant constraint to increasing public access to the shoreline. Finally, the lack of both state and local agency funds to finance acquisition, development, and maintenance of access areas is a major obstacle to improving shoreline access.

This plan sets forth policies and actions to protect, provide, and manage access that will enhance the visitor experience while assuring protection of the area's scenic and natural resource values. It addresses a number of additional concerns, including the need to ensure public safety and protect the rights of residents and landowners. Cooperation among the County, public management agencies, and the community is considered essential to the effective implementation of the Shoreline Access Element.

### **5.2 EXISTING-SHORELINE ACCESS CONDITIONS**

Within the Carmel segment, most shoreline destinations of suitable size and safety are already in public ownership. With the exception of several lots west of Scenic Road at Carmel Point, essentially the entire shoreline from Carmel Point to Point Lobos State Reserve is publicly owned as holdings of the State Department of Parks and Recreation. This section of shoreline contains the majority of accessways and has an established history of regular use by large numbers of visitors. It is also served by such support facilities as restrooms, developed parking, and trash receptacles. For planning purposes, this shoreline section has been divided into and considered as six separate shoreline destinations based upon the use levels or type(s) of user group each accommodates and identified access and recreation issues: Carmel Point, Carmel River Beach - north portion, Carmel River Beach - south portion, San Jose Creek Beach, Point Lobos Reserve - the northern addition and the main reserve.

The specific issues and planning considerations for each of these major shoreline destinations have been identified as follows:

#### **1. Carmel Point**

*Poor traffic conditions and large traffic volumes along Scenic Road.* Varying and inadequate road width and configuration restricts two-way vehicle movement. When combined with high traffic volumes and the lack of a separated pedestrian path, the resulting situation is one of conflicts among motorists and between motorists and pedestrians. A major point of conflict between Pedestrian and motorists and pedestrians. A major point of conflict between pedestrian and motorist exists in the vicinity of the hairpin curve and Scenic Road.

*Inadequate parking capacity and lack of suitable -parking sites.* Existing parking facilities do not satisfy the demand during peak use periods. The need for additional parking areas is indicated by the illegal though short-term parking that continually occurs at points along Scenic Road where the pavement is wider, where anything resembling a shoulder can be found, and in front of private residences. This illegal parking results in conflicts between residential and recreational uses, in damage to natural vegetation and erosion of the shoreline, and in accidents and congestion along the roadway. However, any substantial increase in parking capacity would likely be precluded by the constraints posed by the lack of suitable land, the presence of sensitive habitats, and surrounding residential use.

*Lack of improved accessways.* Approximately 33 informal trails have been identified between the Carmel River State Beach parking lot and the Carmel city limits on Scenic Road. All extend from the ocean side of Scenic Road to a rocky terrace or beach. This proliferation of trails has resulted in safety hazards and resource degradation, specifically, extensive bluff erosion, vegetation damage, and degradation of scenic values.

*Lack of facilities for divers.* An increasing number of divers -- apparently the result of increased use by schools -- are using the rocks off the Point and the cove near the Butterfly House for access to the water. This increased use has resulted in conflicts with surrounding residential use due to the lack of parking and other support facilities. One means of alleviating this problem would be to restrict diver and boater unloading, parking, access, and reloading to the north section of Scenic Road and to the State parking lot at the south end.

*Conflicts with residential use.* The high recreational use levels along the Scenic Road corridor, the lack of parking and other support facilities, and the lack of separation between public lands and private property on the ocean-side of Scenic Road conflicts with the area's residential use. An augmented level of recreation management and regulation enforcement is needed if such conflict is to be alleviated.

## **2. Carmel River Beach - North Portion**

*Protection of marsh wildlife values.* Trails are being worn into the eastern fringe of the marsh. The currently unrestricted access into the marsh conflicts with its primary value as critical wildlife habitat.

*Lack of improved accessways.* The lack of developed access to the beach has led to the proliferation of footpaths from Scenic Road. This, in turn, has resulted in extensive damage to vegetation, soil compaction, and bluff erosion.

*Inadequate parking facilities.* The existing 40-space parking lot does not satisfy demand during peak use periods. However, expansion of this facility would encroach upon either critical wildlife habitat (the marsh) or the shoreline destination (the beach).

### **3. Carmel River Beach - South Portion**

*Public use levels.* Compared to the north portion of Carmel River Beach, the south segment is characterized by relatively moderate use levels during peak use periods. Several factors may contribute to this difference in use intensity: (1) distance from available developed parking and facilities -- the user may be unwilling to walk the greater distance to the south beach area; (2) obstruction of access from the north beach -- access across the Carmel River mouth is difficult and potentially hazardous during the winter and spring months when the sandbar is breached; (3) the difference in terrain and microclimate -- the south half of Carmel River Beach is more exposed to the offshore winds and is thus perhaps a less desirable location for sunbathing and other shoreline recreational uses; (4) lack of awareness of alternative accessways -- the public may be generally unaware that access to the south beach is available from two locations on Ribera Road.

*Protection of marsh and wildlife values.* The marsh along the southwest side of the artichoke field is relatively undisturbed at the present time. Increased use levels and/or development of facilities to accommodate increased uses could result in disturbance of the marsh and reduction of wildlife values.

*Retention of viable agricultural use on Odello West.* Any revision, of the existing access pattern must be designed to be compatible with continued agricultural use of the State-owned land to the north.

### **4. San Jose Creek Beach**

*Absence of developed parking.* Parking along the west shoulder of Highway 1 results in hazards of pedestrians and motorists and creates a visual blight and limits effective access to the beach. The Point Lobos -- Carmel River State Beach General Plan designates the north end of the beach (in the vicinity of the Eucalyptus grove) as the preferred location for development of a parking facility. Alternatively, it recommends the use of the polo field directly east of the beach and property north of the beach recently acquired by the State. Any potential parking area should adequately provide for the needs of divers.

### **5. Point Lobos State Reserve - Northern 48 Acres**

*Public access and use.* This former Point Lobos Ranch property has been traditionally used for agricultural purposes (grazing) and a substantial portion has been converted to irrigated pastureland. The State General Plan recommends that the existing structures be temporarily utilized as an interpretive facility and staff residence. Public access would be provided by a proposed trail link from the reserve. As the northern coastal prairie is identified as a resource of high sensitivity, only low recreational use would be allowed in this area. Low recreation use levels requiring minimum development of facilities would also be in keeping with the scenic character of the area.

*Retention of rural character and visual access.* The pasturelands and agricultural structures along the Highway 1 corridor between San Jose Creek Beach and Point Lobos State Reserve create a rural

character that enhances the scenic value of the Carmel Coastal Segment. Elimination of all grazing from the Hudson addition would result in the invasion of coastal scrub, and Monterey pine. This successional change will both modify the area's visual quality and rural agricultural character and reduce visual access to the coastline.

## **6. Point Lobos State Reserve**

*Protection of sensitive natural resources.* Substantial increases in visitation over the past ten years has resulted in serious impacts upon the natural environment, particularly, damage to vegetation and soil compaction. The General Plan proposes to limit the number of visitors to 1,350 persons per day primarily by restricting the amount parking available at any one time to 150 spaces. Visitor control and distribution would also be improved through development of a visitor orientation area at the park entrance, a shuttle bus system, and a public trail to the Hudson House addition north of the main reserve. Private motor vehicle use within the reserve would be restricted. An ecological monitoring program would be implemented to assess environmental damage and, if deemed necessary, further limit visitor numbers and/or access to certain areas.

Public access to the Gowen cypress area east of Highway 1 would be allowed on a guided tour basis only in order to protect this sensitive resource.

In contrast to the north section of the Carmel area shoreline, the south section is privately owned, supports very few accessways, and receives minimal public use. The terrain, characterized by steep cliffs and rocky shoreline, generally precludes the potential for much public access. The two notable shoreline destinations within this section -- Malpaso and Yankee Point Beaches -- are served by improved and maintained accessways. However, their potential for public access and use is limited by small size, private ownership, and location in a strictly residential community. A significant increase in public access and recreational use would conflict with the residential use of the area and could damage or degrade existing sensitive' habitats. In general, visual rather than physical access should be emphasized, and improvements should be limited to those affording blufftop and visual access. However, a substantial increase in use levels is not considered desirable and should not be encouraged.

## **5.3 PUBLIC ACCESS POLICIES AND RECOMMENDATIONS**

### **5.3.1 Key Policy**

Public access shall be protected and provided where consistent with public safety needs and the need to protect the rights of private property owners and natural resource areas from overuse.

### **5.3.2 General Policies**

1. Existing major access areas shall be permanently protected for long-term public use. They shall be improved where necessary and managed properly by designated public agencies. Improvements specified in Policy 5.3.4 and pursuant to management plans (Policy 5.3.2.6) shall

be required as conditions of any coastal permits (except for developments listed in Section 30212b of the Coastal Act) issued for the site containing the access.

2. Other coastal areas suitable for public access shall also be protected for such use. When new access is provided, or existing access is formalized or expanded, an appropriate public agency must assume management responsibility for public use or agreements concerning such responsibility must be reached with landowners.

Where it is needed to implement the access plan, access easements, deed restrictions or offers of dedication shall be required as conditions of any coastal permits (except for developments listed in Section 30212b of the Coastal Act) issued for the site containing the potential access.

Easements of dedications shall be free of prior liens or encumbrances except for tax liens. Easements, deed restrictions or dedications may contain use limitations permitting pedestrian access only, and new accessways may not be opened until a public agency or private association agrees to accept responsibility for maintenance and liability.

Where proposed trail corridors encompass adjacent properties or where alternative trail locations are possible, access easements or offers thereof may be terminated on properties other than those which contain the access, once it is developed and opened to the public.

3. For areas not appropriate or planned for public access, such access should be discouraged. Where such areas are located on private land, the County and other public agencies should cooperate with landowners to develop effective methods for directing access to appropriate locations.
4. Existing visual access from scenic viewing corridors (e.g., Highway 1, Scenic Road, Spindrift Road, Yankee Point Drive) and from major public viewpoints, and future opportunities for visual access from the frontal ridges east of Highway 1 should be permanently protected as an important component of shoreline access and public recreational use.
5. Bluff-top access and lateral access along or near the shoreline is appropriate along the coast. These types of access shall be protected for long-term public use, subject to adequate management programs.
6. Shoreline access should be guided by detailed management plans. These plans shall incorporate community ideas and desires to guarantee quality preservation of the coast. The County should work closely with local citizen advisors, property owners and public agencies in planning for management of access. The public's right to reasonable access is guaranteed subject to all Plan policies.
7. Public access to and within Point Lobos Reserve and Carmel River State Beach should be improved and managed according to the management policies set forth in the Point Lobos - Carmel River State Beach General Plan and in this plan.

8. In encouraging public access the County desires to insure that the privacy, safety, health, and property of residents are protected. The visiting public (which is generally unaware of the hazards presented by surf and tide) should not be directed into hazardous locations unless professional supervision is provided.

### **5.3.3 Specific Policies**

#### *1. Access Priorities*

- a. The most important major access areas to be retained for long-term public use are: The Scenic Road corridor along Carmel Point, Carmel River State Beach and Point Lobos State Reserve.
- b. Access to the Carmel Highlands-Riviera area shall be provided by vehicular access on Highway One, Yankee Point Drive and Spindrifft Road.

#### *2. Public Safety*

- a. Public safety should be considered wherever shoreline access is provided. Hand rails, stairways, bridges, warning signs, and other improvements should be used to reduce risks. Closure of access areas during periods of extreme fire hazard or high seas may also be appropriate.
- b. In hazardous areas where safe access to the shoreline is not feasible, visual access should be emphasized as an appropriate response to the needs of the public.

#### *3. Scenic and Natural Resource Protection*

- a. In areas of existing or potential access where habitat and resource protection are identified as a major concern, studies should be conducted by qualified individuals or agencies to determine maximum acceptable levels of public use and methods by which resource values can best be protected. The conclusions of these studies should guide management of access at such locations. To this end, the State' Department of Parks and Recreation should give priority to the implementation of the resource-monitoring program for Point Lobos Reserve as recommended by the State's General Plan for the area.
- b. Where highly sensitive plant or wildlife habitat is present, access may be inappropriate and should not be permitted.
- c. The State Parks and Recreation Commission should expedite designation of the Carmel River Lagoon/Marsh as a Natural Preserve as provided by the General Plan. Public access should be restricted to this sensitive wildlife habitat and should not be allowed within the marsh.
- d. The water quality of Carmel River, other riparian corridors, and Carmel Bay should be protected by siting and designing improvements to public access areas in a manner compatible

with these sensitive resources. Similarly, private water supplies should be protected by locating accessways an adequate distance from surface water, springs, and wells.

- e. Improvements to accessways should be compatible with the character of the natural scenic environment and should be limited to those necessary to ensure public safety, protect natural resources or minimize land use conflicts. Parking, restrooms and other facilities should be sited, designed and, where appropriate, screened so as not to be visible from major public viewpoints and viewing corridors. Exceptions may be made for facilities provided for in this Plan.
- f. Stairways, ramps, rails, walks, and signs should be constructed of natural materials, if possible, and must be vandal proof.

#### 4. *Visual Access*

- a. Future land use planning should be compatible with the goal of retaining visual access. Visual access to the shoreline from major public viewing corridors and residential roads in Carmel Highlands-Riviera should be protected for visitors and residents alike.
- b. Visual access should, where appropriate, be enhanced through the development of scenic overlooks in conjunction with improvement of existing roads, development of new roads, or development of a recreation trails system on the frontal ridges and slopes east of Highway 1.
- c. Structures and landscaping hereafter placed upon land on the west side of Highway 1 shall be sited and designed to retain public views of the shoreline from Highway 1 and roads seaward of the Highway.

#### 5. *Land Use Compatibility*

- a. New development shall not encroach on well-established accessways nor preclude future provision of access. New structures shall be set back and buffered from access paths to prevent use conflicts.
- b. Where public agencies develop accessways through or adjacent to land in agricultural uses, these uses should be fully protected from disturbance from human activities. A full range of mitigation measures should be used including buffer strips, berms, fences, and periodic closures.

6. *Management of Shoreline Recreation*

- a. Detailed management plans for Carmel River State Beach and the Scenic Road corridor on Carmel Point should be prepared by the State Department of Parks and Recreation and County of Monterey. At a minimum, these plans should formulate measures to:
- control trampling of vegetation or bluffs and beaches,
  - restore degraded areas,
  - restrict fires to fire pits or other established areas,
  - resolve parking problems along Scenic Road and along Highway 1 at San Jose Creek Beach,
  - control noise and trespass onto private property.
- b. Active management of all public access areas should be intensified in order in order to control and mitigate the impacts of increasing public use.
- c. The Department of Parks and Recreation should develop a time frame for implementation of the Point Lobos Reserve - Carmel River State Beach General Plan. The County should evaluate proposed improvements for State Park lands based upon both the General Plan and this plan.

7. *Trails*

- a. All plans to improve existing trails or create new ones should ensure that environmentally sensitive habitats are protected from overuse. Measures to prevent or reduce impacts will be used, including:
- routing or re-routing of trails to avoid these habitats.
  - design features to screen or separate trails and destination points from sensitive resources. revegetation projects, sediment basins, and other site features.
  - restriction of the number of access points into an area.
  - 10 foot wide easements or dedications.
- b. Trails along stream corridors should be sited and designed to avoid disturbance to riparian vegetation and wildlife and degradation of water quality. Measures include, but are not limited to, control or runoff and erosion, contouring and siting trails to conform to the natural topography, and separation and screening from important areas.

8. *Parking and Facilities*

- a. A site is considered potentially suitable for parking if all of the following criteria are met:
1. The provision of parking, including the access road to the parking site, would not encroach upon the shoreline destination or access area.



2. Improvement for parking would entail minimum land disturbance and would have minimal impact upon environmentally sensitive habitats and other sensitive resources.
  3. Parking improvements would not degrade the public viewshed or obstruct public views to the shoreline.
  4. The proposed parking site is of adequate size to accommodate those use levels deemed compatible with the carrying capacity of the shoreline destination or access area.
  5. The preferred parking areas should reflect the requirements of specific major user groups.
  6. Adequate and safe pedestrian access should be possible from the proposed parking areas to the destination point.
  7. Safe ingress to and egress from Highway 1 should be possible.
  8. The proposed parking area should entail minimum conflicts with surrounding land uses.
  9. Parking usable by shoreline visitors along county roads shall remain available to the public.
- b. The number of parking spaces provided should correspond to the capacity of the shoreline destination point as determined by its size, sensitivity of the resources, and by the type (s) and intensity of uses appropriate for the area.
  - c. Parking sites and turnouts should be located in geologically stable areas, where they would not cause or contribute to slope failure or excessive erosion. Potential degradation of water quality should be reduced through the use of non-impervious materials and through onsite control of storm runoff.
  - d. The State Department of Parks and Recreation should investigate the potential of providing a restroom with shower near the proposed new parking lot for San Jose Beach. The County should require that both the parking area and restrooms be sited and designed to protect the visual amenities of the area.

9. *Signs and Maps*

- a. A uniform system of signs should be developed that is appropriate for the character of the Carmel coast. Signs should identify public accessways, shoreline destinations, and areas where access is hazardous or restricted. Natural or visually compatible materials should be used, and signs should be of a non-obtrusive size.
- b. An information booklet describing shoreline access sites, resources, and restrictions should be developed by the State Department of Parks and Recreation and other appropriate agencies

and should be available to the public. Public and private visitor-serving facilities should be encouraged to help fund - and distribute these booklets. This booklet should not call undue attention to areas capable of accommodating only a limited number of people, but, rather, should alert the public to appropriate access sites.

### 5.3.4 SITE SPECIFIC RECOMMENDATIONS\*

<b>ACCESS DESTINATIONS</b>	<b>PROVISION/ACQUISITION</b>	<b>MANAGEMENT</b>	<b>IMPROVEMENTS</b>	<b>CONSTRAINTS/RESTRICT</b>
Carmel Point	<ul style="list-style-type: none"> <li>- Acquire remaining privately owned, vacant parcels on the oceanside of Scenic Road</li> <li>- Provide formalized bluff top and lateral access.</li> </ul>	<ul style="list-style-type: none"> <li>- Develop the Scenic Road corridor for pedestrian use.</li> <li>- Discourage informal trails or use of private lands consistent with Improvement provisions.</li> <li>- Enforce no parking regulations. Increase frequency of Sheriff patrol on weekends.</li> <li>- Install and maintain trash cans at entries to improved accessways.</li> </ul>	<ul style="list-style-type: none"> <li>- Provide separated pedes-path along the oceanside of Scenic Road.</li> <li>- Retain unimproved accessways in the area and provide one formal improved accessway at the north end of Ocean View.</li> <li>- Construct low fences to delineate private property and prevent further use of eroded trails consistent with the above.</li> <li>- Replant disturbed areas with quick-growing ground covers compatible with the natural character of Carmel Point.</li> <li>- Permit parking along Scenic Road if possible.</li> </ul>	<ul style="list-style-type: none"> <li>- Bluffs are highly erodible; informal trail activity on bluff faces shall be restricted subject to Improvement provisions.</li> <li>- Restrict access on private developed parcels along the seaward side of Scenic Drive.</li> <li>- Significant archaeological sites occur along Scenic Road; further degradation shall be prevented.</li> </ul>

\*Site - Specific recommendations can only be subject to reasonable conditions, and may not be completely negated by policies which place limits on access.

<b>ACCESS DESTINATIONS</b>	<b>PROVISION/ACQUISITION</b>	<b>MANAGEMENT</b>	<b>IMPROVEMENTS</b>	<b>CONSTRAINTS/RESTRICT</b>
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Carmel River State Beach - North Segment	<ul style="list-style-type: none"> <li>- Provide formalized lateral and vertical access subject to necessary limitations to protect habitats.</li> </ul>	<ul style="list-style-type: none"> <li>- Designate marsh/lagoon as Natural Preserve.</li> <li>- Increase level of supervision and enforcement during peak use periods.</li> <li>- Install vehicle-proof barricade at each dead-end street bordering the easterly fringe of the marsh.</li> <li>- Restrict access to the marsh on a seasonal basis if deemed necessary.</li> <li>- Control bonfire activity by restricting it to designated areas of the beach with low fire hazard ratings.</li> </ul>	<ul style="list-style-type: none"> <li>- Maintain but do not enlarge existing parking lot.</li> <li>- Restrip parking lot to increase number of spaces.</li> <li>- Redesign and improve existing stairway.</li> <li>- Provide one new improved formal accessway from Scenic Road to the beach at the end of Valley View.</li> <li>- Plant disturbed areas with quick-growing ground covers which are aesthetically compatible with present vegetation.</li> <li>- Close all unimproved accessways by fencing or other means as necessary to protect the habitat from degradation especially erosion.</li> </ul>	<ul style="list-style-type: none"> <li>- Sensitive habitat; marsh and lagoon. Important wildlife habitat. Restrict access to these areas.</li> <li>- Discourage informal trails, fires, camping, dogs, and trespass onto surrounding private properties.</li> </ul>
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<b>ACCESS DESTINATIONS</b>	<b>PROVISION/ACQUISITION</b>	<b>MANAGEMENT</b>	<b>IMPROVEMENTS</b>	<b>CONSTRAINTS/RESTRICT</b>
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Carmel River Beach - South Segment

- Provide bluff top access to Knoll
- Restrict off-road vehicle activity on Knoll through structural or vegetational means.
- Protect bluff from further erosion through replanting where necessary.
- Provide for periodic maintenance and inspection to ensure adequacy of resource protection.
- Restrict bonfire activity to beach area.
- Increase level of supervision and regulatory enforcement during peak use periods.
- Restore disturbed area at north end of beach.
- Restructure bluff top access to Knoll through structural or vegetational means.
- Improve and designate pathways from the bluff to the beach.
- Provide formalized pathway to the top of the knoll.
- Maintain existing access along bluff.
- Sensitive habitat: wetlands and wildlife. Access to and development adjacent to these areas should be restricted.
- Agricultural and residential use conflicts: separate any new access area from agricultural and private lands.
- Discourage informal trails and trespass onto private properties.
- Fire hazard: mowing of coastal scrub on bluff may be necessary if parking area or picnic facilities are provided.

<b>ACCESS DESTINATIONS</b>	<b>PROVISION/ACQUISITION</b>	<b>MANAGEMENT</b>	<b>IMPROVEMENTS</b>	<b>CONSTRAINTS/RESTRICT</b>
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San Jose Creek Beach	<ul style="list-style-type: none"> <li>- Parking may be allowed on the former Briggs property to provide access north to Carmel River Beach and south to San Jose Creek Ranch; however, approval will be contingent upon the provision of additional facilities at the south end of San Jose Creek Beach, to consist of a drop-off and limited parking.</li> </ul>	<ul style="list-style-type: none"> <li>- Monitor recreation uses and use level and resource impacts.</li> <li>- Increase management/regulatory levels to reduce diving risks and potential resource impacts.</li> <li>- Prevent further erosion of bluff at Rocky Point separating San Jose Creek Beach from Carmel River Beach.</li> </ul>	<ul style="list-style-type: none"> <li>- Develop parking area to serve no more than 100 vehicles.</li> <li>- Improve selected trails from highway to beach; eliminate others.</li> <li>- Improve trail from north end of beach to bluff.</li> <li>- Develop formal trails, provide picnic facilities, etc. on former Briggs property.</li> <li>- Post no parking signs along highway shoulder at such time when developed parking is provided.</li> <li>- Provide safe pedestrian walkway over San Jose Creek.</li> </ul>	<ul style="list-style-type: none"> <li>- Restrict public access to bluff at south end of beach.</li> <li>- Sensitive habitats; riparian and marine. Restrict access to and development near riparian habitat.</li> <li>- Discourage trespass on private property along north side of beach.</li> </ul>
Northern Portion of Point Lobos Reserve	<ul style="list-style-type: none"> <li>- Provide pedestrian (lateral) access.</li> </ul>	<ul style="list-style-type: none"> <li>- Retain existing structures for use as an interpretive educational facility.</li> <li>- Manage for low-intensity recreational and educational uses; prevent uncontrolled access through existing service road.</li> <li>- Allow public parking on reservation basis only.</li> </ul>	<ul style="list-style-type: none"> <li>- Provide trail link from access area to Point Lobos Reserve proper.</li> <li>- Convert existing structure to interpretive educational facility.</li> <li>- Develop scenic overlook on bluff.</li> </ul>	<ul style="list-style-type: none"> <li>- Highly erodible bluff; restrict access along edge and face of bluff.</li> <li>- Sensitive habitat: northern coastal prairie; rare and endangered plant and wildlife habitat. Access through or adjacent to these areas should be restricted.</li> </ul>

<i>ACCESS DESTINATIONS</i>	<i>PROVISION/ACQUISITION</i>	<i>MANAGEMENT</i>	<i>IMPROVEMENTS</i>	<i>CONSTRAINTS/RESTRICT</i>
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Northern Portion of Point Lobos Reserve (continued)

- Emphasize the marine resources of Carmel Bay-Point Lobos Ecological Reserves in interpretive themes.
- Maintain and protect existing coastal prairie.
- Maintain visual access and scenic character through continued grazing periodic mowing and/or manual removal of seedling shrubs and trees.
- Access along the proposed trail link should be restricted seasonally to protect wildlife use of the pond.
- Visual resource: area is highly visible from Highway One and public lands. Developed parking should be limited.
- Discourage informal trail activity.

Point Lobos State Reserve

- Management should be provided as set forth by the State General Plan.
- Increased supervision and enforcement should be implemented.
- Recommended instantaneous carrying capacity should be immediately enforced.
- Improvements should be provided as set forth by the State General Plan.
- Access to environmentally sensitive habitats and hazardous areas should be restricted as set forth by the General Plan.

Malpaso Creek Beach

- Manage for relatively low use intensities.
- Maintain partial site use as a viewpoint-scenic area (by requiring substantial setbacks for development of remaining vacant lots).
- Sensitive habitat: riparian habitat along mouth of Malpaso Creek and small pocket beach. Discourage informal trails and heavy usage.

<b>ACCESS DESTINATIONS</b>	<b>PROVISION/ACQUISITION</b>	<b>MANAGEMENT</b>	<b>IMPROVEMENTS</b>	<b>CONSTRAINTS/RESTRICT</b>
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Carmel Highlands - Riviera  
(remaining shoreline)

N/A

- Manage for visual access.
- Manage for relatively low use intensities.
- Maintain existing visual and lateral access (pedestrian and bicycle) along Highway #1 and Spindrift and Yankee Point roads.
- Maintain and permit improvements to bluff top overlooks at Highlands Inn, north of Wildeat Creek and Spindrift Road.
- Maintain existing provisions for public access to Yankee Beach (access available to local residents and their guests and to visitors to Behavioral Sciences Institute, Highlands Inn, and Pickle Pine Inn).

- Develop scenic turnouts and overlooks on roads east of Highway One at such time when large landholdings are privately developed or public acquired.
- Residential area with a history of low public use. Trespass on private property should be discouraged and low use levels maintained.
- Sensitive habitat: relatively undisturbed rocky intertidal area.
- Steep cliffs and rocky shoreline pose hazards to shoreline users.
- High fire hazard in area east of Highway One.



## **6. ADMINISTRATION AND IMPLEMENTATION**

### **6.1 PLAN ADMINISTRATION**

The Carmel Area General Plan is the long-range guide to the County and all State agencies in all decisions relating to conservation, management, and development on the coast. The plan will be administered by the County, and, also, by State agencies with jurisdiction in Carmel. The Federal Government as well will have an important role in helping to administer the plan through the Federal Coastal Zone Management Act's consistency provisions.

The County assumes primary responsibility for administering the plan as it affects private land use. On a day-to-day basis the County will use the plan as the standard for evaluating and making decisions on land use proposals on the coast.

#### ***6.1.1 Development Permit Process***

Permits will be required from the County for all categories of development proposed on private or State land. To be approved, permit applicants will be required to demonstrate conformance to the plan. Consistency requires three basic tests.

1. The proposal must be in conformance with the kinds of uses and use intensities permitted for the specific geographical area concerned. If a proposal does not meet this basic requirement, it will not be processed further.
2. The area of review concerns conformance to the policies of the plan contained in the Development and Land Use and Resource Management sections. In particular, the proposed project must fully meet the objectives, policies, and standards for natural resource protection. If the proposal is not consistent with these policies, it shall not be approved even though it may be consistent with land use designations for the area.
3. All proposals must fully meet any specific zoning provisions adopted to implement the plan.

Applicants are expected to show a good faith effort to make only those proposals that are consistent with the plan. Applicants are responsible for providing all necessary information to support proposals as described in the policies concerning development and resources. Where information is questioned or contested by the County, the burden of proof rests with the applicant. Where additional information is requested by the County, applicants are required to provide such information before further consideration by the County will be given to the proposal.

The County will make a good faith effort to work cooperatively with landowners in the evaluation and processing of development applications as expeditiously as possible. County staff will provide advice and guidance to the public concerning interpretation of all provisions of the plan.

County staff will prepare written reports supporting all their permit recommendations. These reports will summarize the development proposal, pertinent issues and information, and will describe how the proposal meets or does not meet all relevant provisions of the plan. The report will contain a specific recommendation on whether the proposal should be approved, approved with conditions, or denied. Permit reports shall be made a permanent part of the record and copies shall be available for public review.

### ***6.1.2 Plan Revisions***

The General Plan will be updated over time, as need dictates. Formal General Plan amendment procedures will be used to accomplish changes to the plan or its implementation ordinances. Because the Plan is a Local Coastal Program prepared under the California Coastal Act, any changes made must be consistent with the Act. The California Coastal Commission must approve future changes or amendments to the plan.

### ***6.1.3 Appeals***

Appeals to the Coastal Commission may be made, consistent with provisions of the Coastal Act, when individual or group believes the County is not acting in conformance with the plan. The appeals procedure is described in the California Coastal Act.

### ***6.1.4 Public and Agency Participation and Coordination***

The County will cooperate with all other government agencies on matters of mutual interest concerning the Carmel area. The format for coordination is described in the implementation section. The County will provide technical or policy advice to other agencies as requested and will seek advice on technical or policy matters from appropriate agencies as the need arises.

The County will provide a mechanism for advice and comment from appointed community representatives on permit matters and on all long-range decisions affecting planning and management of the coast. The general public is encouraged to attend and participate in County public meetings and hearings concerning administration of the plan or processing of development applications.

## **6.2 IMPLEMENTATION**

Implementation of the Plan will require the County, and in some cases other jurisdictions, to develop and adopt a series of ordinances, procedures, or agreements in addition to the land use plan itself in order to carry out the Land Use Plan map and policies. The major implementation measures that the County should adopt are described herein.

**6.2.1 Zoning Ordinance Changes**

*A. Rezoning*

Rezoning of the Carmel area will be necessary to reflect the land use plan. The uses, densities, and locations of zoning revisions must be consistent with Land Use Plan Map and policies as closely as possible in accordance with State laws. Zoning should be adequately flexible to permit. The range of uses and densities provided for in the plan.

The Monterey County Zoning Ordinance (Ord. No. 911) should be amended to delete use of the combining Coastal Zone (CZ) district, and to add general coastal zone regulations and separate coastal zone districts as set out above. The general regulations will incorporate and refer to Coastal Act (Public Resources Code Section 30000 et. seq.) policies. They will also incorporate provisions of the Monterey County Zoning Ordinance for Design Control Districts (Section 25) and Scenic Conservation Districts (Section 23.3c), for appeal (Section 32), and enforcement (Section 36), and provisions of the Subdivision Ordinance (Ord. No. 1713) for appeal and for enforcement (Section 10).

Some suggested zoning districts include:

- CZ-WSC Coastal Zone - Watershed and Scenic Conservation District: Includes low-density residential development, low-intensity recreation, agriculture, and forest and watershed management.
- CZ-SNRR Coastal Zone - Scenic and Natural Resource Recreation District: Includes low-intensity recreational uses.
- CZ-ST Special Treatment: Includes areas where concentration of development may be permitted subject to resource protection measures of the land use plan.

*B. Development Permits*

All development in the coastal zone will be required to obtain a development permit from the County that will be approved based on demonstrated compliance with the plan and all its provisions. Some forms of development, similar to that exempted in the Coastal Act, may also be exempted from obtaining a coastal permit from the County. Final action on coastal permits will be taken by the Board of Supervisors for standard subdivisions; all other development will be considered by the Planning Commission subject to Board appeals.

*C. Site Plan Review*

Projects applying for a coastal permit will undergo a comprehensive site plan review to determine the consistency of the proposed project with the plan. The applicant will be permitted flexibility to develop in any manner which is consistent with any of the variety of uses and densities included in the particular zoning district and which meets the performance standards set forth in the land use plan.

*D. Performance Standards*

Environmental performance standards are incorporated in the Carmel Area Land Use Plan in the form of specific policies designed to protect riparian and forest areas, wildlife habitats, and forest areas, wildlife habitats, and other sensitive environmental concerns. As the carrying capacity of the coastal areas are determined through improvements in the database and available information, the policies will be refined to include quantified performance standards.

*E. Minimum Size of Parcels*

The minimum size of parcels permitted in land subdivision will be based upon the need to prevent damage to and degradation of the existing scenic character and natural uses of the land.

The Watershed and Scenic Conservation District will permit subdivision into parcels of 40 and 80 acres as a means of deterring further commitment to residential development. In addition to one residential unit permitted on such parcels, certain other coastal priority uses will be permitted in accordance with the land use plan.

Existing legal lots of record which are smaller than the stated optimum size in the new zoning district will be permitted to develop in a use consistent with those included in the new zoning district as long as the proposed project meets the performance standards of the land use plan.

Parcels will be permitted to be subdivided on the basis of uses and intensities permitted in the CZ-WSC district. Review of the land according to local coastal program performance standards may demonstrate that a lesser intensity of development is appropriate.

**6.2.2 Growth Management**

A growth management program regulating the rate of recreational and residential development should be instituted in Carmel based upon natural resource protection constraints, the limited road capacity of Highway 1, and limited water systems capacity. Residential growth should be permitted to continue at the historic rate in order to permit adequate time for the County and other interested agencies to perform review of applications including detailed site analysis in cooperation with applicants. A sufficient volume of the County's allotment of Cal-Am water will be reserved for coastal priority uses. The County will request the Carmel Sanitary District to reserve a sufficient proportion of its remaining wastewater treatment capacity for coastal priority uses. In addition, the issue of highway capacity will be reviewed during the implementation phase, and capacity will be reserved for coastal priority uses.

**6.2.3 Government Coordination and Local Participation Framework**

A framework or structure for improved coordination between the government agencies and private organizations and interests involved in the Carmel area shall be developed, and a means of providing continuing and enhanced participation in decisions about the area's future shall be made available to the residents.

The Memorandum of Understanding is an example of a form of agreement which can bring the various management entities together to coordinate planning and implementation efforts. The Memorandum of Understanding may be more desirable than a joint powers agreement because it does not mandate the financial responsibility legislatively required in the joint powers agreement.

#### ***6.2.4 Carmel Area Data Base***

Following 'adoption of the plan, the County will use all available information about the natural and cultural resources of the Carmel area developed in the planning process in its review of development applications and in other actions relating to the management of the coast. This body of information will be supplemented or updated from time to time as new information is available to the County.

The background reports and written responses to them are the foundation of the database. This can be supplemented by information provided by property owners during the course of development applications or by other agencies in their individual activities.

The information will be maintained in the County Planning Department and in the County Branch libraries. Maintained as a collection of information in a central location, the data will be readily available to the public, other agencies, and County officials. During review of any projects or activities on the Carmel area, the County staff is required to review available and pertinent information and include it in recommendations about proposed projects or activities.

All existing information will be integrated with the Planning Department's present database and included in the department's information. At least once a year, and prior to consideration of applications under growth management, the County staff shall prepare a summary and bibliography of new information received during the preceding year.

#### ***6.2.5 Merger***

Merger of contiguous substandard size lots held by the same owner is an appropriate mechanism in certain selected areas designated as restoration areas in which development of individual legal lots of record would harm the existing natural uses. The County should create a combining zone which, when applied to the selected areas, will cause such undersized lots, when contiguous and held by the same owner, to merge to the minimum size permitted by the existing zone.

#### ***6.2.6 Conservation Easements***

Conservation and scenic easements and Williamson Act Contracts provide tax benefits when such enforceable restrictions on the use of land extinguish the amount of development on a parcel.

While conservation and scenic easements are in use now in the County to protect scenic and significant resource areas, the County should adopt a clear policy directing the establishment of these easements for the varied resource protection uses encouraged in the plan. County land use regulations such as zoning and subdivision ordinances should contain these easement requirements as well as others authorized as State legislation, such as restrictions on future use, and length of the term (at least 10

years) with automatic renewal. Each deed dedicating open space should include the particular findings upon which the open space easement is based. Easements should be in perpetuity. Conservation easements should be requested to be granted in coastal permit applications in areas containing wildlife habitats, wetlands, and other resource areas, particularly in scenic areas.

The County should also consider having the Coastal Conservancy, because of its legislated resource protection role on the coast, named as grantee of the open space easement. Alternative could include continuing the County as grantee but contracting out enforcement to a nonprofit agency such as the Coastal Conservancy or giving the grantor a choice of grantees from a list of non-profit organizations appropriate for such enforcement.

State legislation permits Williamson Act Contracts to be executed for reasons very similar to the ones for which conservation or scenic easements are permitted. While it is generally thought that property tax advantages of Williamson Act contracts have been lost in the passage of Proposition 13, the contracts remain a viable enforceable restriction along with open space easements.

### ***6.2.7 Restoration/Acquisition***

Restoration projects refer to those activities that the County, in cooperation with coastal residents and other agencies, can undertake in an effort to mitigate undesirable impacts of existing development or of recreational use of the coastal environment and its resources. An example of an area that requires restoration in order to meet the environmental standards of this plan is the Carmel Point shoreline where unmanaged recreational use and access has damaged the existing vegetation and sensitive resources. Restoration of the shoreline area will require the cooperative efforts of the County and State Department of Recreation.

From time to time, other resource areas may require restoration. A variety of restoration techniques are available, and the County should support and encourage these. These methods of restoration include:

#### ***A. Private Voluntary Action***

Individual landowners are encouraged to voluntarily undertake those activities on their property which can help mitigate environmental problems. In many cases, simple landscape screening or repainting of a structure would do much to restore scenic beauty in highly visible areas. Screening of private roads as needed is also encouraged. Private efforts are needed in some riparian areas to alleviate impacts to streams. In other area, improved control of erosion or soil loss from sites during rainstorms would help protect water quality in coastal streams.

#### ***B. Action by Other Government Agencies***

All other government agencies are requested to undertake needed coastal restoration work in their areas of jurisdiction in order to realize the objectives of this plan. State Parks and Recreation and Caltrans, in particular, are requested to work towards the restoration of environmental and scenic qualities of lands they manage.

*C. Site Planning*

The County can achieve necessary restoration on private and State lands by requiring such work as a condition of permit approval. This technique should be used within reason whenever possible.

*D. Acquisition*

Acquisition by a public agency of privately held land may be beneficial as a restoration project where it reduces the commitment to development. In certain instances, acquisition may be the only reasonably effective tool for avoiding problems relating to development. Acquisition can be carried out by Monterey County or by various State agencies, such as Parks and Recreation or the California Coastal Conservancy. The County should invite purchase of these parcels by State agencies.

*E. Enforcement Program*

Monterey County's Local Coastal Program will be only as effective as its enforcement. Several recommendations for a more effective enforcement program will follow.

All County departments engaged in activities in the coastal area should be informed about the Local Coastal Program and should refer any possible violations to the Planning Department for investigation.

Planning staff should be increased in order to provide more onsite review of proposed development and more explanation to applicants about permit restrictions. Extra planning staff is also needed to perform regular inspection of continuing coastal permit conditions.

Because of the County Counsel's role as advisor in planning matters, violations of the subdivision or planning ordinances will be referred to the County Counsel's Office rather than to that of the District Attorney when such follow up is deemed necessary by the Planning Department. In addition, land use violations in the coastal areas should be punished by imposition of civil penalties provided for in the Coastal Act, rather than by current misdemeanor prosecution.

The County also has a duty to pursue legal remedies against persons who illegally use open space or similar easements granted to the County. The County must not only enjoin such misuse, but must also seek recovery of damages for such misuse.

Jurisdiction problems which may arise when the County attempts to enforce the Local Coastal Program on State lands can be precluded by requiring State consent to County inspection as a condition of approval for coastal permits granted to State agencies. Federal agencies will be requested to submit an enforcement program as part of a memorandum of understanding among agencies involved in the Carmel area.

# APPENDIX

## AMBAG 208 WATER QUALITY PLAN 91978

### *Policies and Standards Pertaining to Erosion and Sedimentation Control*

#### *A. Erosion and Sedimentation Control*

1. Require a review of all proposals for grading and land leveling activity for urban and agricultural purposes to ensure that they minimize the effects of modifications to the land surface which might render it susceptible to erosion or adversely affect runoff patterns.
2. Require the enactment of a separate ordinance dealing with maintenance of erosion control measures, authorizing public corrective measures and corresponding property liens.
3. Provide detailed grading standards which cover construction and agricultural land grading operations, cut and fill activities, vegetative preservation, storm runoff control, and watercourse protection.
4. In all ordinances, include provisions to ensure temporary erosion control measures are applied prior to maturation of permanent vegetation and prior to installation of permanent structural measures.
5. Ensure that facilities requiring land disturbance are completed prior to the rainy season.
6. Consider the adoption of the technical standards of the USDA, Soil Conservation Service as the administrative guidelines for all erosion and sediment control ordinances.
7. Provide for the issuance of a grading permit based in part on a Grading/Erosion/Sedimentation Control Plan, subject to administrative review and approval with appeal to the governing body.
8. Secure the advice of the Soil Conservation Service and/or Resource Conservation in matters concerning runoff, erosion, and sediment control, and request their review and comment on grading proposals and on erosion and sediment control plans upon which grading permits will be based.
9. Require the enactment of a new or revision of an existing ordinance dealing with the keeping of livestock on small parcels of land that are not farms or ranches, focusing on areas likely to be subject to overgrazing and accelerated erosion; and require the granting of a livestock permit before livestock may be maintained in certain circumstances.
10. Ensure that lands are developed in reasonable increments which can be completed during a single construction season with scheduling to minimize exposure of soil. (For purposes of



simplified administration, a separate grading and construction practices ordinance might be enacted, distinct from agricultural practices.)

11. Specify the provision of temporary control measures, both vegetative and structural, to be applied concurrently with the development/construction process, after land-disturbing activity occurs.
12. Require that personnel concerned with the review, approval, and/or enforcement of any erosion and sediment control provisions or conditions of any ordinance or permit, or of any erosion and sediment control plans, be trained and experienced in the field of runoff, erosion, and sediment control.

*B. Development Standards and Controls*

1. Require in areas near environmentally and hydrologically significant waterways, the clustering of previously allowable densities into an appropriately located and stable portion of the site, using traditional planned unit development procedures.
2. Limit roadway widths and other impervious surfaces to that size which can accommodate public traffic and other public needs, but balance any increase in such limits against adverse effects associated with increased erosion, sedimentation, and reduced aquifer recharge when other overriding considerations such as public safety do not preclude this.
3. Amend subdivision ordinances to require a finding that no subdivision proposal be approved (under the authorization in the subdivision Map Act that there be no finding of "substantial environmental damage") where the subdivision will be located within an area identified as a highly erodible site.\*
4. Amend local guidelines under the California Environmental Quality Act for Environmental Impact Reports to ensure that secondary impacts on water quality of all developments are identified and adequate mitigation measures, structural and siting, are included.
5. Require that subdivision ordinances mandate the provision of an adequate drainageway system and its public dedication, and broaden the definition of "drainage" and "drainageways" to include allowance for on-site retention and percolation of stormwater for purposes of protection/enhancement of aquifer recharge.
6. In sensitive water quality impacting areas, institute provisions in local zoning ordinances which control site coverage and limitations of impervious surface.

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\*Highly Erodible" sites will be determined during the implementation phase.