

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT



MEMORANDUM

Date: July 17, 2008

To: Planning Division

From: Laura Lawrence, R.E.H.S., Planning Services Manager

Subject: Projects within the Del Monte Forest Land Use Plan

The Policies 13, 16, 17, and 52 in the Del Monte Forest Land Use Plan (“DMFLUP”) state that during the development review process, scenic, conservation, or negative easements shall be required to the fullest extent possible for environmentally sensitive habitats, remnant native sand dune habitats, habitats of rare, endangered and sensitive native plants and animals, and visually prominent areas. These easements shall be granted to the Del Monte Forest Foundation (“Foundation”). This does not include conservation and scenic easements for cultural resources. Except in the case of voluntary easements or properties not subject to the permit process, these instruments shall be subject to approval by the County as to form and content, shall provide for enforcement, if need be, by the County or other appropriate agency, and name the County as beneficiary in event the Foundation is unable to adequately manage these easements for the intended purpose of scenic and visual resource protection.

The Foundation has requested to be notified of projects proposed on property where an easement exists or where an easement is proposed. Properties with conservation and scenic easements dedicated to the Del Monte Forest Foundation (list attached) are flagged in Permits Plus under “Locks/Holds/Notices” on the Assessor’s Parcel Number with the following notice:

“The Del Monte Forest Foundation (DMFF) would like to receive notice of any and all applications affecting property on which it holds easements. The DMFF office address is 3101 Forest Lake Road, Suite 1, Pebble Beach, CA 93953.”

Notification shall occur as follows:

- If a property within the Del Monte Forest has the above-mentioned notice attached in Permits Plus, the planner shall send an IDR application packet for the proposed project to the Foundation for review and comment. The Foundation, as an interested party, shall receive all staff reports and notices.
- If a project within the Del Monte Forest has been determined to require scenic, conservation, or negative easements for environmentally sensitive habitats, remnant native sand dune habitats, habitats of rare, endangered and sensitive native plants and animals, or visually prominent areas on the project site (per DMFLUP Policies 13, 16, 17, and 52), the Foundation shall be notified as soon as a determination has been made or at the end of the 30 day review period, whichever occurs first. The Foundation, as an interested party, shall receive all staff reports and notices.

In addition, Standard Condition PD022(B) will need to be applied to projects requiring these easements (per DMFLUP Policies 13 and 52) as follows:

<p>PD022(B) – CONSERVATION AND SCENIC EASEMENT IN THE DEL MONTE FOREST</p> <p>A conservation and scenic easement shall be conveyed to the Del Monte Forest Foundation over those portions of the property where environmentally sensitive habitats, remnant native sand dune habitats, habitats of rare, endangered and sensitive native plants and animals, and visually prominent areas exist. The easement shall be developed in consultation with a certified professional and the Del Monte Forest Foundation. These instruments shall be subject to approval by the County as to form and content, shall provide for enforcement, if need be, by the County or other appropriate agency, and name the County as beneficiary in event the Foundation is unable to adequately manage these easements for the intended purpose of scenic and visual resource protection. An easement deed shall be submitted to the Director of the RMA - Planning Department for review and approval prior to issuance of grading and building permits. (RMA – Planning Department)</p>	<p>Submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to the RMA - Planning Department for review and approval.</p> <p>Record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to the RMA – Planning Department.</p>
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Attachment

DEL MONTE FOREST FOUNDATION CONSERVATION AND SCENIC EASEMENTS

The Del Monte Forest Foundation (“DMFF”) has easements of several different types:

- 1) On open space parcels owned by Pebble Beach Company, such as Huckleberry Hill (008-041-009), the undeveloped areas of Shepherds Knoll (008-131-014, 008-131-015, 008-1331-023, 008-131-024, 008-251-001-a portion), and a portion of Seal Rock Creek adjacent to DMFF’s Indian Village parcel (007-381-009, 007-391-021, and the front dune portion +/- 3 acres of the large Spyglass parcel 008-021-007);
- 2) Public access easements required by the Coastal Commission for trails access on Poppy Hills (008-031-016 and 008-032-003 trails portions only) and to the wharf and beach at Stillwater Cove at Pebble Beach next to the Beach and Tennis Club; and
- 3) Scenic and/or conservation easements on portions of residential properties. The list below is the listing of APNs of residential parcels on which DMFF has easements.

008-012-001-000	008-282-008-000
008-012-005-000	008-293-006-000
008-012-011-000	008-341-026-000
008-012-014-000	008-361-036-000
008-231-004-000	008-371-020-000
008-231-015-000	008-423-011-000
008-231-018-000	008-471-008-000
008-231-019-000	008-471-010-000
008-261-002-000	008-471-027-000
008-261-004-000	008-472-004-000
008-263-003-000	008-481-001-000
008-263-005-000	008-481-006-000
008-281-018-000	008-481-007-000
008-282-003-000	008-481-010-000
008-282-006-000	008-481-015-000
008-282-007-000	008-491-019-000