

# Open Space

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## Introduction

The Open Space Element of the Monterey County General Plan is intended to comply with State law requirements, and to provide significant protection for the unique and remarkable open space resources of Monterey County. In addition, the Open Space Element supports the development of park and recreational facilities for County residents and visitors alike, and will help protect and preserve the historic, archaeological and paleontological resources of the County.

The Open Space Element directly implements Guiding Objectives #1 and #10:

*Guiding Objective #1*

Preserve the unique character of areas throughout Monterey County as represented by the different Area Land Use Plans.

*Guiding Objective #10*

Protect the visual integrity of ridgelines, designated scenic corridors, and other identified sensitive visual resources throughout Monterey County.

## Open Space – Goal #1

**PROTECT, MAINTAIN AND ENHANCE MONTEREY COUNTY’S OPEN SPACE LANDS FOR FUTURE GENERATIONS.**

## Open Space – Policy #1

Protection of Open Space Lands - It is the policy of Monterey County to protect the County’s open space lands and resources by directing new urban development to existing cities, their Spheres of Influence, and Community Areas, and by limiting rural area development to existing legal lots of record.

## Open Space – Policy #2

Open Space Areas Designated For Permanent Protection - The County shall identify and prioritize for permanent protection those areas of the County illustrated on the Open Space Map, Map 13. Protection for designated Open Space lands shall be provided through the acquisition of an easement or fee title from willing sellers, or through a donation from landowners, or some combination thereof.

## Open Space – Policy #3

Long Term Funding Sources - The County Parks Department and the Board of Supervisors shall work with other open space agencies and non-profits to identify all potential funding sources for the permanent protection of high value open space

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lands, and shall specifically attempt to identify long term and stable funding sources. Such sources may include: federal and state grant funding; private philanthropic funding; private grant and foundation funding; open space impact mitigation fees; and public funding measures such as bonds, sales taxes or benefit assessments, among other mechanisms.

## **Open Space – Policy #4**

Conservation Easements – The County shall support the protection of open space and agricultural lands by working with open space agencies, land trusts, other non-profit organizations, and landowners to establish conservation easements. In areas where development of legal lots of record would result in development that would adversely affect scenic views, agriculture, or have a detrimental effect on natural resources, the County shall solicit and encourage the voluntary donation of conservation easements to the County or to a qualified private non-profit organization in order to preserve the open space, agricultural, or natural resource values of the land. The County shall monitor transactions and map easements to assure consistency with this General Plan policy.

## **Open Space – Policy #5**

Open Space Acquisition - The County Parks Department should work collaboratively with open space agencies and non-profits to prioritize and acquire open space lands identified by the public as important to existing and future generations. This effort may be completed in conjunction with the development of a Strategic Park and Trail Plan.

## **Open Space – Goal #2**

**PROTECT THE SCENIC RESOURCES OF THE COUNTY FOR ENVIRONMENTAL QUALITY AND TO SUPPORT THE ECONOMIC VITALITY OF THE COUNTY’S HOSPITALITY, TOURISM, AND VISITOR-SERVING INDUSTRY.**

## **Open Space – Policy #6**

Protection of Public Views/Mitigation Requirements – Development proposals shall avoid visual disturbance to public viewsheds to the maximum extent feasible. The standard to be used in determining impacts to public viewsheds is whether any portion of the proposed development is visible from a public viewing area.

Where development cannot avoid disturbance to public viewsheds, mitigation measures shall be imposed. Such mitigation measures may include reducing the size

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and/or height of the proposed development, siting the structures so the least disruptive elements face toward the public viewshed, installing and permanently maintaining landscape screening, and acquisition of development rights by a public agency or non-profit land trust. Where artificial berming/mounding or landscape screening are used as a mitigation, such mitigations shall be as natural in character as possible, and shall not be permitted to obscure the view of the coast, oceans, mountains, forests, farmlands and rangelands visible from any public viewing area.

## **Open Space – Policy #7**

**Development Review** – If an applicant proposes new development in a location that is visible from a public viewing area, the applicant shall pay for the County to conduct a visual impact analysis and graphic representation of the proposed development, to be considered as part of the development application, so that the County can determine how the proposed development would impact public viewsheds. Any development permitted shall be designed to avoid any visual impact to public viewing areas, and where it is impossible to avoid any visual impact, to minimize such impact to the maximum extent feasible.

The visual impact analysis shall locate and identify publicly accessible viewpoints within public viewing areas, accurately identify proposed structures as to dimensions, height, and rooflines through use of story poles and netting, and through photographs and graphic simulations taken from the public viewing areas. Access roads shall be delineated by stakes with flags. Story poles, netting and stakes shall remain in place during the duration of the project review and approval process. The location of new access roads and driveways in highly scenic areas shall be reviewed prior to any grading work to ensure safe location and minimum visual and site disturbance. The extent of the proposed development shall be recorded photographically with superimposed representation of the proposed project.

## **Open Space – Policy #8**

**Dedication of Scenic Easements** – Whenever land is proposed for a new subdivision that would diminish the existing scenic quality of a public viewshed, the landowner shall be required to dedicate scenic easements to mitigate the visual impact of the development on the scenic corridor.

## **Open Space – Policy #9**

**Off-site Signs and Outside Storage** – Off-site advertising and outside storage within the public viewshed are prohibited. Direction, access, and business identification signs shall minimize disruption of scenic qualities through appropriate use of materials, scale and location and shall not be internally illuminated. Routine and ongoing agricultural activities and facilities consistent with this General Plan shall be exempt from this policy.

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## **Open Space – Policy #10**

Exterior Lighting – All exterior light sources shall be controlled and/or shielded to the downward direction so as not to glare beyond the limits of the parcel or to be directly visible from public viewing areas. No lights shall be installed that distract motorists. Exterior lighting, for any proposed development within areas required for biological survey review, shall be required to conform to recommendations included by the biologist in the survey. Mobile sources of light and agricultural practices that occur after dark are exempt from these restrictions. Where a local Land Use Advisory Committee (LUAC) supports additional lighting regulations, consideration shall be given for preparation of a special “dark sky” lighting ordinance for their Planning Area.

## **Open Space – Policy #11**

Communications Facilities and Equipment – Satellite dishes, cellular radio or phone towers and similar devices shall be sited to avoid disturbance to public viewsheds. Federal laws regarding communications facilities and equipment shall apply and take precedence if there are conflicting requirements.

## **Open Space – Policy #12**

Solar Collectors and Wind Power Generators – Solar collectors, wind power generators and similar facilities and devices shall be sited to avoid disturbance to the public viewshed.

## **Open Space – Policy #13**

Overhead Utility Lines – Overhead utility lines and facilities shall not be permitted in the public viewshed. Utilities required for commercial agricultural and ranching operations are exempt from this policy.

## **Open Space – Policy #14**

Scenic Route Network – The County shall recognize scenic routes in Monterey County as part of a chain of scenic routes in California to be enjoyed by all travelers.

## **Open Space – Policy #15**

Scenic Corridors – The County shall prepare Scenic Corridor Protection Plans if the County Board of Supervisors, through recommendation of the Planning Commission, determines that there is sufficient public interest in preparing a plan for a qualified road or road segment. A qualified road or road segment shall mean a county roadway meeting the minimum standards for nomination and designated prescribed in the

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CALTRANS Guidelines for the Official Designation of Scenic Highways. Such Plans shall not adversely impact routine and ongoing agricultural operations. Extensive public participation and outreach shall be required as an important part of the preparation of any Scenic Corridor Protection Plan.

## **Open Space – Policy #16**

Vista Points – Vista points shall be incorporated within new public highway and road access projects within public viewsheds where feasible and appropriate. Access to vista points shall be provided by walkways and trails and connect to the nearest public thoroughfare where parking and transit are available.

## **Open Space – Goal #3**

**PROVIDE A FULL RANGE OF PARKS, INCLUDING NATURAL AND ACTIVE PARKS, AND INTERPRETIVE AND RECREATIONAL OPPORTUNITIES FOR CURRENT AND FUTURE MONTEREY COUNTY RESIDENTS.**

## **Open Space – Policy #17**

County Parks Department Role – The County Parks Department shall take an active leadership role in planning, acquiring, and managing existing and future park and public open space areas in unincorporated areas of the County. The County shall collaborate with federal, state and local park and recreation agencies, special districts and other recreation providers to avoid duplication of services and to ensure the acquisition and development of parks and recreation facilities to accommodate current and future needs of Monterey County residents. Parks that meet the needs of persons living within Community Areas, in the unincorporated part of the County, shall be provided as a top priority, as new development occurs in those areas

## **Open Space – Policy #18**

Park and Recreation Inventory – In cooperation with other local park agencies and with the cities, the County shall inventory the existing distribution of parks, public open space and recreation facilities and services and relate the inventory to the population and their needs. As part of the inventory, the County shall survey Monterey County residents to ascertain park and recreation needs.

## **Open Space – Policy #19**

Strategic Plan for Parks – Based on the park and recreation inventory, the County Parks Department shall prepare and the Board of Supervisors shall adopt a Strategic Plan for Parks to guide the acquisition, planning, development, programming, management and funding of regional parks and recreation in Monterey County. The

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Strategic Plan for Parks shall prioritize open space lands for acquisition, and shall set forth appropriate roles for the County and other open space agencies and non-profit land trusts and conservancies to achieve the overall open space goals and policies of this General Plan, including protection of open space lands of all types.

## **Open Space – Policy #20**

Park Acquisition and Development Guidelines – The Strategic Plan for Parks shall include park acquisition and development guidelines based upon acreage, population, parkland ratios, consideration of natural resource values, among other key factors to provide adequate park and recreation facilities to serve the needs of current and future Monterey County residents. Extensive public participation and outreach shall be required as an important part of the preparation of the Strategic Plan for Parks.

## **Open Space – Policy #21**

Joint Utilization of Parks and Recreation Facilities – The County shall encourage full utilization of existing park and recreation facilities owned and/or operated by other agencies including cities, recreation districts and the school districts. The County may utilize appropriate funding sources and make its own park and recreation facilities available through special operating agreements, concession agreements, joint powers agreements and other such arrangements or arrangements that make full use of these facilities for the public benefit.

## **Open Space – Policy #22**

Accessibility – The County shall work to ensure that all County park and recreation facilities are accessible to all Monterey County residents to the maximum extent practicable in terms of affordability, physical access, and hours of operation.

## **Open Space – Policy #23**

New Park Development – In cooperation with other park agencies and as part of the development of the Strategic Plan for Parks, the County shall seek to establish equitable geographic distribution of neighborhood, community and regional park facilities that meet the needs of the surrounding residents. The County shall give priority to acquisition of lands for new parks and development of parks in areas deficient in such facilities. Such areas include, but may not be limited to: Fort Ord, North County and the Central Salinas Valley. The County shall identify specific locations for consideration of acquisition of new parks including:

- Chualar
- Gabilan Creek
- The Arroyo Seco Area
- Arroyo Seco River
- Carr Lake (in collaboration with the City of Salinas)

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- Confluence of the Arroyo Seco River and the Salinas River area

Proposed park and recreation developments shall be evaluated for their potential impacts and shall distinguish clearly between parks for more active use and parks and open space areas rich in biological resources suitable for more passive enjoyment and stewardship of those resources.

## **Open Space – Policy #24**

Park Acquisition Mechanisms – Park and open space lands shall be acquired by the County through a variety of means, including, but not limited to grant funding, land donation, conservation easements, land swaps, public conveyance from other governmental or private land trust agencies and development impact fees. Pursuant to the authority granted by the State of California Subdivision Map Act, the County, as may be recommended by the County Parks Department, shall condition subdivision projects for the purpose of providing additional park and recreation lands and facilities, and open space. New residential developments shall be required to dedicate park land or pay in-lieu development impact fees to acquire, develop, and maintain parklands, in proportion to the extent of need created by the new development. As part of the development of the Strategic Plan for Parks, a stable funding source or sources sufficient to implement the Plan should be identified and secured, including a public funding program, funding partners, revenue generating programs and the like.

## **Open Space – Policy #25**

Park Management Plans – County agencies managing park and recreational facilities shall adopt park management plans for all public recreational areas and facilities. These management plans shall emphasize protection of environmental resources on these lands. New parks and recreational facilities shall not be opened to the public until an adequate management plan is assured.

## **Open Space – Policy #26**

Parks in Community Areas - Development in Community Areas shall include adequate sites for parks and recreational facilities, including trails and trail connections to a regional trail system.

## **Open Space – Goal #4**

**PROVIDE A NETWORK OF PUBLICLY ACCESSIBLE TRAILS ON OPEN SPACE AND PARKLANDS, AND ON PRIVATE PROPERTY WHERE THERE ARE WILLING PARTICIPANTS, AS WELL AS TRAILS LINKING EXISTING AND FUTURE PUBLIC PARK AND OPEN SPACE LANDS AND**

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## PROVIDING AN ALTERNATIVE MEANS OF TRAVEL TO THE AUTOMOBILE.

### **Open Space – Policy #27**

County Parks Department Role – The County Parks Department shall take an active leadership role in planning for a system of publicly accessible trails that link public park and open space lands and provide an alternative means of travel to the automobile.

### **Open Space – Policy #28**

Multi-Jurisdictional Trails Planning – The County shall encourage park and recreation and open space agencies, including adjacent counties, to collaborate with the County in planning for, acquiring, and managing a multi-jurisdictional system of trails.

### **Open Space – Policy #29**

Trail Inventory – In cooperation with other local park agencies and with the cities, the County shall inventory the existing distribution of trails and adopted trails plans, and relate the inventory to the population and their needs. As part of the inventory, the County shall survey Monterey County residents to ascertain trail needs.

### **Open Space – Policy #30**

Strategic Trails Plan – Based on the trail inventory, and in cooperation with other agencies, the County Parks Department shall prepare and the Board of Supervisors shall adopt a Strategic Trails Plan to guide the acquisition, planning, development, management and funding of the trail system in Monterey County. Extensive public participation and outreach shall be required as an important part of the preparation of the Strategic Trails Plan, which may be done in conjunction with preparation of the Strategic Plan for Parks. The Strategic Trails Plan shall define the appropriate uses of existing and planned trails (e.g. multi-use; bike path only equestrian only; pedestrian only; etc.) as well as their hours of operation, staging areas and the like. The Strategic Trails Plan shall include all existing adopted trails plans as of the effective date of this General Plan. The Plan should also integrate interpretive and other elements to provide educational values in addition to other public benefits of the trail system. All new trails shall be evaluated to ensure that they do not impact SEAs, disturb the topography or disturb a public viewshed. When a trail is acquired adjacent to a federal, state or local park, the County may offer the trail easement to the appropriate public open space agency.

### **Open Space – Policy #31**



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**Accessibility** – The County shall work to ensure that all County trails are accessible to all Monterey County residents to the maximum extent practicable in terms of affordability, physical access, and hours of operation.

## **Open Space – Policy #32**

**Trail Acquisition Mechanisms** – New trails and trail connections shall be acquired by the County through a variety of means, including, but not limited to grant funding, land donation, conservation easements, land swaps, public conveyance from other governmental or private land trust agencies, road and railroad abandonment and development impact fees. As part of the development of the Strategic Trails Plan, a stable funding source or sources sufficient to implement the strategic plan should be identified and secured, including a public funding program, funding partners, revenue generating programs and the like.

## **Open Space – Policy #33**

**Trail Management Plans** – The County shall develop a comprehensive trails management plan for all County trails, which should be incorporated in the trail strategic plan. These management plans shall emphasize protection of environmental resources on proposed trail routes. New trails shall not be opened to the public until an adequate management plan is assured.

## **Open Space – Goal #5**

**PRESERVE, PROTECT, AND WHERE FEASIBLE, ENHANCE AND RESTORE THE HISTORIC RESOURCES, FEATURES AND PLACES THAT CONTRIBUTE TO THE HERITAGE OF MONTEREY COUNTY AND ITS MAN-MADE RESOURCES AND TRADITIONS.**

## **Open Space – Policy #34**

**Historic Review Process** – The County shall encourage historic preservation by improving the County planning and review process for rehabilitation of individual historic structures and/or for new development within historic districts. The County shall review all present and future zoning, land use plans and regulations to ensure that these are consistent with the guidelines and requirements of state and federal historic preservation goals.

## **Open Space – Policy #35**

**Historic Resources Review Board** – The County shall establish and maintain a Historic Resources Review Board, and shall require the Historic Resources Review Board to review proposed projects that involve historic resources on the National or

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California Register of Historic Resources, or that are listed within the County historic resources database, including County-owned historic resources. The Historic Resources Review Board shall make recommendations to the Board of Supervisors with respect to any proposed development that might affect historic resources, specifically including any proposed development within 200 feet of a historic resource listed on the National or California Register of Historic Resources, or listed within the County historic resources database, and these recommendations shall be incorporated into the development project to protect significant historical buildings, structures, landmarks, and districts within the County, and to insure that all decisions relating to developments that might affect historic resources take into account and are consistent with good preservation practices.

## **Open Space – Policy #36**

Historic Resource Features – In addition to historic structures, the County shall protect historic resource features important to the setting of historic resources such as mature trees and vegetation, walls and fences within historic neighborhoods, districts and heritage corridors.

## **Open Space – Policy #37**

Heritage Corridors – The County shall designate appropriate areas as Heritage Corridors in each Planning Area, and these Heritage Corridors may be specified in the Planning Area sections of this General Plan. Extensive public participation and outreach shall be required as an important part of the planning and designation of Heritage Corridors. Designation of Heritage Corridors shall require involvement and review by the Historic Resources Review Board as well as by appropriate Land Use Advisory Committees, affected property owners, other interested parties, and the Planning Commission.

## **Open Space – Policy #38**

Historic Listings – The County shall encourage and support appropriate nominations to the National Register of Historic Places, to the California Register of Historic Resources and to the Monterey County Inventory of Historic Resources. Property owners shall be provided notification of consideration of any listing prior to official designation.

## **Open Space – Policy #39**

Update of Historic Resources Inventory – The County's Inventory of Historic Resources database shall be updated regularly to include archeological, ethnographic and ethno-historic resources. Listed structures must be 50 years old, or older. Survey documentation shall be accessible to County staff, Historic Resources Review Board members, and scholarly research. This data, with the exception of sensitive

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archeological, paleontological and other cultural resource information and mapping, shall also be available to the general public.

## **Open Space – Policy #40**

County an Interested Party – The County shall continue as an “Interested Party” under Section 106 of the National Historic Preservation Act process and maintain active involvement in mechanisms for the Historic Resources Review Board historic resources management programs. The County shall support the efforts of the Monterey County’s historical organizations to preserve the County’s historical resources.

## **Open Space – Policy #41**

Historical Resource Protection Regulations – Historical resources and sites shall be protected through appropriate zoning regulations, and by other suitable regulatory means, to ensure that new development is compatible with existing historical resources and will maintain the special values and unique character of the historic properties. Repair or rehabilitation of historic structures may be permitted upon a determination that the proposed repair or rehabilitation will not preclude the structure’s continued designation as a historic structure or that appropriate mitigation measures have been taken to avoid an impact associated with the repair or rehabilitation.

## **Open Space – Policy #42**

Retention, Reuse and Restoration of Historic Structures – Monterey County shall initiate, adopt, and promote the availability of monetary and other incentive programs to encourage the retention, reuse and restoration of historic structures. Exceptions may be provided as necessary to permit the retention, reuse, restoration and rehabilitation of historic structures and resources. Such exceptions may include parking, yards, height and coverage. These exceptions shall not include approval of uses not otherwise allowed. As part of the implementation of this policy, historic preservation shall be integrated into governmental programs and agencies such as Community Development Block Grant, Redevelopment and Housing programs, Public Works, Planning and Building Inspection, and Facilities and Construction.

## **Open Space – Policy #43**

Retain Character of Historic Districts – The County shall assist in retaining the special character of historic districts and neighborhoods by the use of special development standards within designated historic districts.

## **Open Space – Policy #44**

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Public Information Programs – The County shall inform the public of the availability of opportunities and programs to preserve historic resources, including educating owners of historic properties about use of deed restrictions as a preservation tool and formation of historic districts. Information regarding potential restrictions associated with historic structures shall also be provided.

## **Open Space – Policy #45**

Promote Heritage Tourism – The County shall promote heritage tourism by highlighting Monterey County's historic resources through support for programs emphasizing the recognition and/or use of historic resources for the enjoyment, education and recreational use of visitors to Monterey County.

## **Open Space – Policy #46**

Historic Resources Education – The County shall foster public and academic education to increase the appreciation and understanding of historic resources and to encourage support for historic preservation in Monterey County.

## **Open Space – Goal #6**

**IDENTIFY AND CONSERVE MONTEREY COUNTY'S  
ARCHAEOLOGICAL RESOURCES.**

## **Open Space – Policy #47**

Archeological Review in Community Areas – In Community Areas where a Redevelopment Plan has been adopted with a full CEQA Environmental Impact Report and with implementation of community wide mitigation measures, and to the extent consistent with CEQA requirements, no further archaeological surveys shall be required. During project grading, if archaeological resources are found, work shall be stopped for resource evaluation, and appropriate steps shall be taken to mitigate any impact to the archaeological resource.

## **Open Space – Policy #48**

Archaeological Sensitivity Zones – The Archaeological Sensitivity Zones map prepared by the County Planning and Building Inspection Department shall be used, along with any other pertinent data that may be available, to evaluate whether archaeological resources are threatened by proposed development projects. The Archaeological Sensitivity Zones map shall be updated as new data becomes available, and shall be subjected to scientific peer review every five years, in connection with the required five-year review of the General Plan.

## **Open Space – Policy #49**

High Sensitivity Area Review – All proposed development, including land divisions, within high sensitivity zones shall require an archaeological field inspection prior to project approval.

## **Open Space – Policy #50**

Major Project Review – All major projects (i.e., projects on 2.5 acres or more) that are proposed within moderate sensitivity zones, including land divisions, shall require an archaeological field inspection prior to project approval.

## **Open Space – Policy #51**

Low Sensitivity Area Review – Projects proposed within low sensitivity zones shall not be required to have an archaeological survey taken unless specific additional information has been obtained to suggest that archaeological resources are present.

## **Open Space – Policy #52**

Protection Measures – All available measures, including purchase of archaeological easements, dedication to the County, tax relief, purchase of development rights, consideration of project alternatives, etc., shall be explored prior to development approval to avoid development on sensitive archaeological sites. Where impacts of development on or adjacent to an identified archaeological site cannot be avoided, a mitigation plan that complies with state law and CEQA Guidelines Section 15064.5 shall be required.

## **Open Space – Policy #53**

Mitigation Upon Discovery of a Resource – On discovery of archaeological or historic sites, or upon identification of ethnographic or ethnohistoric sites, procedures shall be followed that employ project modification, relocation or on-site mitigation measures appropriate to the location, significance of the find and potential impacts of the development.

## **Open Space – Policy #54**

Destructive Activities – Off-road vehicle use, unauthorized collecting of artifacts, and other activities that could destroy or damage archaeological or cultural sites is prohibited.

## **Open Space – Policy #55**

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Public Access – Public access to or over known archaeological sites shall be limited to scientific study with landowner consent, consistent with State law. Public disclosure of detailed archaeological and other resource maps and documentation shall not be permitted, except for scientific study consistent with State law. Any agency or group requesting site specific maps or data of archaeological site information must have written approval from the Director of the Planning and Building Inspection Department.

## **Open Space – Goal #7**

**MAINTAIN, PROTECT AND ENHANCE THE PALEONTOLOGICAL RESOURCES OF THE COUNTY BECAUSE OF THEIR SCARCITY AND SCIENTIFIC AND EDUCATIONAL VALUE.**

## **Open Space – Policy #56**

Paleontological Review in Community Areas – In Community Areas where a Redevelopment Plan has been adopted with a full CEQA Environmental Impact Report and with implementation of community wide mitigation measures, and to the extent consistent with CEQA requirements, no further paleontological surveys shall be required. During project grading, if paleontological resources are found, work shall be stopped for resource evaluation, and appropriate steps shall be taken to mitigate any impact to the paleontological resource.

## **Open Space – Policy #57**

Significant Paleontological Localities – The Significant Paleontological Localities Map shall be used, along with any other pertinent available data, to evaluate whether paleontological resources are threatened by proposed development projects. The Paleontological Localities Map shall be updated as new data becomes available, and shall be subjected to scientific peer review every five years, in connection with the required five-year review of the General Plan.

## **Open Space – Policy #58**

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Mitigation of Impacts on Paleontological Resources – Where development could affect paleontological resources, a mitigation plan to reduce potential impacts to a level below significance shall be required prior to project approval.

## **Open Space – Policy #59**

Discovery of Paleontological Resources – If paleontological resources are discovered during the course of development and land altering activities, a paleontologist (in conjunction with a registered geologist, as necessary to comply with State requirements) shall be consulted to determine appropriate protection and mitigation measures, and such measures shall be implemented by the County, to protect the paleontological resources to the maximum extent feasible. Measures may include project modification or on-site mitigation measures appropriate to the location, significance of the find and potential impacts of development.

## **Open Space – Policy #60**

Paleontological Resource Protection Program – The County shall develop a program to protect paleontological resources through the negotiation of open space easements, other deed restrictions, tax relief, and purchase as necessary.

## **Open Space – Policy #61**

Public Access to Resource Sites and Data – Public access to or over known paleontological sites shall be limited to scientific study with landowner consent. Public disclosure of detailed paleontological and other cultural resources maps and documentation shall not be permitted, except for scientific study consistent with State law. Any agency or group requesting site specific maps or data of archaeological site information must have written approval from the Director of the Planning and Building Inspection Department.

## **Open Space – Goal #8**

**ENSURE SHORELINE ACCESS CONSISTENT WITH THE REQUIREMENTS OF THE CALIFORNIA COASTAL ACT.**

## **Open Space – Policy #62**

Shoreline Access and Recreational Opportunities – Maximum shoreline access and recreational opportunities shall be provided for public use, consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

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## **Open Space – Policy #63**

Dedication of Access Easements - Existing major public access areas shall be permanently protected for long-term public use. Other coastal areas suitable for public access shall also be protected for such use. Dedication of public access easements may be made by the property owner to the County or a responsible state or federal agency or a non-profit public interest group that agrees to be responsible for improving, managing and maintaining the access.

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

## **Open Space – Policy #64**

Protection of Private Property in Public Access Areas - In providing for both accessways and trails, the County seeks to ensure that the peace, privacy, safety, health and property of residents and property owners are not jeopardized by unmanaged, inappropriate, or irresponsible public use. The County and other public agencies shall cooperate with landowners to develop effective methods for directing public access to the appropriate locations designated in this plan.

## **Open Space – Policy #65**

Inappropriate Access Areas - Shoreline access shall be discouraged as inappropriate where it would be inconsistent with public safety, military security or the protection of fragile coastal resources. The County and other public agencies shall work with landowners to develop effective methods to direct access to appropriate locations.

## **Open Space – Policy #66**

Public Access in Residential Areas – Shoreline access shall be provided through or adjacent to existing or new residential areas upon completion of a management plan that adequately resolves problems of noise, visual buffering, trespass, general maintenance, minimization of fire hazards, protection of private water supplies, parking and liability.

## **Open Space – Policy #67**

Public Access in Agricultural Areas - Public accessways shall be designed to avoid conflicts with agricultural uses. Where public access or trails cross actively grazed areas or are located adjacent to crop lands, a range of measures including buffer strips, signs, fences, berms, vegetation screens, periodic closures and prescribed burning to eliminate hazardous accumulation of brush, shall be applied, as appropriate, to reduce conflicts to acceptable levels. Such measures must be



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consistent with applicable design criteria or other regulations for the coastal planning area.

## **Open Space – Policy #68**

Public Access and Military Uses – Access to the shoreline shall be provided, improved, and managed at military and government facilities where there are suitable destination areas, except in those cases where maximum military security is required. When high security requirements cease, access shall then be provided.

## **Open Space – Policy #69**

Public Access in Environmentally Sensitive Habitat Areas – Public access in areas of environmentally sensitive habitats shall be limited to low-intensity recreational, scientific, or educational uses. Access shall be controlled and confined to the designated trails and paths. No access shall be approved which results in significant disruption of the habitat. In locations where highly sensitive plant or wildlife habitats are found and conflicts between habitat protection and public access cannot be adequately resolved, public access will not be permitted. Plans to improve existing trails or create new trails shall ensure as a condition of approval that environmentally sensitive habitats are protected from over-use. Recreational access to environmentally sensitive marine habitats, including rookeries, roosting and haul-out sites, intertidal areas and kelp beds, may be restricted, consistent with the site-specific access recommendations for these areas.

## **Open Space – Policy #70**

Scenic Beaches, Dunes, Estuaries And Wetlands - In scenic beaches, dunes, estuaries and wetlands areas, only structures associated with the recreational, educational and aquacultural use of the areas shall be allowed. Where major access routes are available or desirable through the dunes to the coast, boardwalks or other appropriate pathways constructed of permeable materials should be provided to protect the vegetation stabilizing the dunes. Other access routes through the dunes should be controlled and only allowed in limited circumstances.

## **Open Space – Policy #71**

Public Safety and Access – Public safety shall be considered wherever shoreline access is provided. Improvements shall improve safety when possible. In extremely hazardous areas where safe physical access to the shoreline is not feasible, visual access should be emphasized.

## **Open Space – Policy #72**

Access Management Plans and Programs - The provision of new accessways or trails, or formalization of existing accessways or trails, shall require a coastal development permit or coastal administrative permit and shall be guided by detailed

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management plans prepared by the agency or entity agreeing to be responsible for improving, managing and maintaining the access. These should incorporate community ideas and desires to guarantee preservation of the coast's natural resources and agriculture. The County shall work closely with the local Land Use Advisory Committees and other agencies in planning for the provision and management of access. Funding and initial implementation of the management plans should precede the opening of new accessways or trails or intensified use of existing accessways or trails.

## **Open Space – Policy #73**

Access Management Plan Components – Access management plans or programs shall be prepared by the agency or entity to be responsible for the accessway, and approved by the County prior to improvement of existing accessways or trails or intensification of their use, or provision of new accessways. These plans and proposals shall be coordinated, where applicable, with the improvement and management of shoreline destination areas or recreation areas. Management plans and programs shall address the following points as well as site-specific shoreline access recommendations contained in this Plan:

- a. Types of uses to be encouraged, allowed, discouraged, and prohibited, consistent with the protection of coastal resources, agriculture and other considerations;
- b. Need for restrictions on the number of visitors, restricted hours and seasonal restrictions, if any;
- c. The improvements needed for trails, including boardwalks, signs, and gates and sanitary facilities; and
- d. Proposed location, construction and capacity of parking facilities.

## **Open Space – Policy #74**

Access Management Controls - The managing agency shall limit the level of public access to that which can be adequately managed and controlled consistent with the objectives of an approved access plan, or consistent with the levels of impact that can be sustained by the natural resources of the site without damage over the long-term. This may require reductions in current levels of access at some locations.

## **Open Space – Policy #75**

Parking Guidelines for Shoreline Access - Access management plans shall consider the following guidelines for parking and access roads:

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- a. The provision of parking, including the access road to the parking site, shall not encroach upon the shoreline destination. Consistent with other policies of this Plan, shoreline parking should be located on the inland side of the access road, where feasible.
- b. Improvements for parking shall entail minimum land disturbance and shall not impact upon environmentally sensitive habitat areas and other resources.
- c. Parking improvements shall not degrade or obstruct the public viewshed.
- d. Adequate, safe, and controlled pedestrian access shall be possible from the parking area to the destination point.
- e. Safe ingress to and egress from the access roadway shall be provided.
- f. Parking areas shall be designed to minimize conflicts with surrounding land uses.
- g. The number of parking spaces provided shall correspond to the capacity of the shoreline destination point as determined by its size, sensitivity of its resources, and the intensity of uses appropriate for the area as indicated in the site specific access recommendations.
- h. Parking sites and turnouts shall be located in geologically stable areas, where they would not cause or contribute to slope failure or excessive erosion. Potential degradation of water quality shall be reduced through the use of impervious materials such as block pavement and gravel, and through onsite control of storm runoff.

## **Open Space – Policy #76**

Access Improvements – Improvements to accessways shall be compatible with the character of the natural scenic environment and shall be limited to those necessary to ensure public safety, protect natural resources, and minimize land use conflicts.

## **Open Space – Policy #77**

Bicycle Access Improvements – Improvements for bicyclists along Highway 1 shall be completed where feasible and the route shall be properly marked to alert drivers and provide bicyclists extra protection.

## **Open Space – Policy #78**

Protection of Water Supplies from Public Access - Private water supplies shall be protected by locating public access at an appropriate distance from surface, spring, and well water sources based on consultation with County health officials.

## **Open Space – Policy #79**

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Shoreline Access for People with Disabilities – In all areas where the topography and character of the natural environment permits, shoreline access management plans shall provide for the disabled by building paths and ramps for wheelchairs if this can be done without significant alterations to major landforms or damage to sensitive habitats.

## **Open Space – Policy #80**

Public Access Signage – A uniform system of signs that identify public access ways, vista points, bicycle paths, specific shoreline destinations and areas where access is hazardous or restricted should be provided by the appropriate managing agency. Natural or visually compatible materials should be used and signs should be compatible with the scenic quality of the area. All unimproved access ways available to the public should have signs posted regarding possible safety risks. Hazardous areas that are closed to the public should be appropriately signed to prohibit access.