

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

In the matter of the application of:

PEBBLE BEACH COMPANY (PLN100138)

RESOLUTION NO. 12-149

Resolution by the Monterey County Board of Supervisors
to:

- a) Approve the Combined Development Permits based on the findings and evidence and subject to the conditions of approval; and
- b) Adopt the Mitigation Monitoring and Reporting Plan.

[PLN100138, Pebble Beach Company, Pebble Beach (Assessor's Parcel Numbers 007-091-028-000, 007-091-033-000, 007-101-041-000, 007-991-001-000, 008-021-009-000, 008-022-024-000, 008-022-031-000, 008-022-032-000, 008-022-035-000, 008-031-014-000, 008-031-015-000, 008-031-019-000, 008-032-004-000, 008-032-005-000, 008-032-006-000, 008-034-001-000, 008-041-009-000, 008-163-001-000, 008-163-003-000, 008-163-005-000, 008-164-001-000, 008-165-001-000, 008-171-009-000, 008-171-022-000, 008-241-008-000, 008-242-007-000, 008-272-010-000, 008-272-011-000, 008-311-011-000, 008-312-002-000, 008-313-002-000, 008-313-003-000, 008-321-006-000, 008-321-007-000, 008-321-008-000, 008-321-009-000, 008-423-002-000, 008-423-019-000, 008-423-029-000, 008-423-030-000, 008-431-009-000, 008-561-020-000, and 008-991-001-000), Greater Monterey Peninsula Area Plan and the Del Monte Forest Land Use Plan, Coastal Zone.]

The Pebble Beach Company application (PLN100138) came on for public hearing before the Monterey County Board of Supervisors on June 19, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS

1. **FINDING:** **PROJECT DESCRIPTION** – The proposed project (PLN100138) consists of Combined Development Permits (CDPs) to allow the phased development and preservation of the remaining undeveloped Pebble Beach Company properties located within the Del Monte Forest. The CDPs consist of 12 vesting tentative maps for the subdivision of approximately 899.6 acres, resulting in the creation of 90 to 100 single-family residential lots, the renovation and expansion of visitor serving uses, and the preservation of 635 acres as forested open space. The

CDPs include multiple Coastal Development Permits, Coastal Administrative Permits, and Design Approvals to allow: new structural development at four primary sites (The Lodge at Pebble Beach, The Inn at Spanish Bay, Spyglass Hill, and the Pebble Beach Equestrian Center); new and amended General Development Plans at five locations; lot line adjustments; structural and hardscape development, including associated grading; development within 100 feet of environmentally sensitive habitat; development on slope exceeding 30 percent; tree removal; and development within 750 feet of a known archaeological resource. Development includes the following: The Lodge at Pebble Beach – Renovation and expansion of visitor-serving and recreational facilities to include the addition of hospitality and meeting space, relocation of the Pebble Beach Golf Links Driving Range, and construction of 60 visitor-serving guestrooms; The Inn at Spanish Bay – Renovation and expansion of visitor-serving and recreational facilities, to include the addition of hospitality and meeting space, construction of 40 visitor-serving guestrooms, and construction of a surface parking lot to provide approximately 285 parking spaces; Spyglass Hill - Construction of a 100-room resort and spa to include the addition of hospitality and meeting space, a restaurant, a 19,700 square foot spa with underground parking for approximately 40 vehicles, construction of a parking facility with a level at grade and two levels below grade to accommodate approximately 301 vehicles and other ancillary facilities, or an alternative option that would result in the subdivision of this area into 10 single-family residential lots; Pebble Beach Equestrian Center - Site redevelopment consisting of demolition of the existing equestrian facilities and construction of new equestrian facilities to include a covered arena, employee housing, barns and stalls, vehicle storage, interior roadway, parking, and accessory structures; the construction of associated infrastructure improvements; relocation of existing trail segments and construction of new trail segments; construction/installation of internal roadway, circulation, and drainage improvements at four intersections (Congress Road and 17-Mile Drive; Congress Road and Lopez Road; Sunridge Road and Lopez Road; and Portola Road and Stevenson Drive); and the reconfiguration of the main entrance/gate to the Pebble Beach/Del Monte Forest area at the Highway 1/Highway 68/17-Mile Drive intersection. A detailed description of the County entitlements (Combined Development Permits) granted by this permit for the project is attached to this resolution as Attachment 1 and incorporated herein by reference. The Conditions of Approval, including the Mitigation Monitoring and Reporting Plan, for the project are attached to this resolution as Attachment 2 and incorporated herein by reference. The General Development Plans for the project are attached to this resolution as Attachment 3 and incorporated herein by reference. The plan set (dated May 2011), which includes the vesting tentative maps, is attached to this resolution as Attachment 4 and incorporated herein by reference. The plan set is distributed to the Board of Supervisors on CD, is on file with the Clerk of the Board, and is on file in the RMA-Planning Department. The applicant is the Pebble Beach Company (hereafter “Applicant”).

- EVIDENCE:** a) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100138.
- b) Draft Environmental Impact Report, Volume I, Chapter 2 and FEIR for the Pebble Beach Company Project.

2. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 1982 Monterey County General Plan;
- the 2010 Monterey County General Plan;
- Greater Monterey Peninsula Area Plan;
- Del Monte Forest Land Use Plan (LUP);
- Monterey County Coastal Implementation Plan Part 5;
- Monterey County Zoning Ordinance (Title 20);
- Monterey County Zoning Ordinance (Title 21);
- Monterey County Subdivision Ordinance (Title 19 – Inland);
- Monterey County Subdivision Ordinance (Title 19 – Coastal, included within Part 6 of the Coastal Implementation Plan)

No conflicts were found to exist, based on an associated Local Coastal Program Amendment (LCPA), which established the regulatory framework for the development proposal. The LCPA added the Pebble Beach Company Concept Plan (i.e., the subject development proposal) as a specifically allowed development (subject to entitlements) in the Del Monte Forest. On January 24, 2012, the Monterey County Board of Supervisors adopted a resolution of intent to approve the LCPA. On May 9, 2012, the California Coastal Commission (CCC) certified the LCPA. On May 22, 2012, the Monterey County Board of Supervisors acknowledged receipt of the CCC resolution certifying the LCPA and adopted the LCPA by adopting a resolution to amend the Del Monte Forest Land Use Plan and adopting an ordinance to amend the Monterey County Coastal Implementation Plan. Per state law, the LCPA is to take effect on the 31st day following adoption, which is June 22, 2012. The project is consistent with the Del Monte Forest Land Use Plan and Coastal Implementation Plan after the amendment takes effect¹.

- b) The entitlements for the Pebble Beach Company project granted by this permit will take effect only after the LCPA takes effect. See Condition No. 1.
- c) The Project properties are located at numerous sites throughout the Del Monte Forest Land Use Plan area. A complete listing of the Assessor's Parcel Numbers is attached to this resolution as Attachment 1 and incorporated herein by reference. The LCPA redesignated land uses in the Del Monte Forest Land Use Plan and rezoned properties to establish the general plan and zoning necessary for the subject development proposal, which primarily involves Open Space, Visitor-Serving

¹ References in this resolution to the Del Monte Forest Land Use Plan and Coastal Implementation Plan (Title 20) are to the plans as amended by the adopted LCPA. The findings are predicated on the LCPA taking effect.

- Commercial, and Residential uses. Therefore, the project is consistent with the land use designations and zoning after the LCPA takes effect.
- d) Building Site 8 (B-8) Overlay: The LCPA also removed the resource constraint overlays for the proposed development areas due to changes in circumstances from the time period in which the overlays were applied to the zoning and land use maps. The B-8 overlay was applied at a time in which water supply and sewer capacity were constraints to development and when highway capacity and circulation solutions had not been agreed upon and adopted. The Applicant subsequently financed the construction of a water reclamation facility and is currently in possession of a water entitlement sufficient to supply the project (see also Finding No. 10, Evidence g, and Finding No. 14). The wastewater collection and treatment system subsequently was expanded, resulting in adequate capacity for sewage disposal. Traffic solutions, both inside Del Monte Forest and for adjacent portions of Highway 68 have been agreed upon and adopted.
 - e) A portion (approximately 17.14 acres) of Assessor's Parcel Number 008-041-009-000 is located in the Country Club Planning Area, which is in the inland unincorporated area of the County, not the Coastal Zone. Said property is part of the standard subdivision vesting tentative map to allow division of the 472.12 acre parcel which includes the Huckleberry Hill Natural Habitat Area, Area G, and the Pebble Beach Company Corporation Yard. Said property includes the proposed Parcel F (9.19 acres), Parcel G (3.95 acres), and an approximately 4.0 acre area of Parcel H (405.23 acres), and is currently designated for residential and open space forest uses. The proposed project does not change the land use designations or zoning, and no construction is proposed in these areas under the Pebble Beach Company Project. Said property is subject to Title 21 (zoning), the Greater Monterey Peninsula Area Plan (GMPAP), and the 2010 Monterey County General Plan. No conflicts were found to exist with the text, policies, and regulations in these documents. Therefore, this portion of the Project is consistent with the 2010 General Plan, the GMPAP, and Title 21.
 - f) The project planner conducted numerous site inspections between September 2010 and March 2012 to verify that the project sites conform to the plans listed above.
 - g) Public Access: See Finding No. 6.
 - h) Development on Slope Exceeding 30%: See Finding No. 7.
 - i) Environmentally Sensitive Habitat Area (ESHA): See Finding No. 8.
 - j) Subdivision: See Finding No. 10.
 - k) Tree Removal: See Finding No. 11.
 - l) Viewshed: See Finding No. 12.
 - m) General Development Plans: See Finding No. 13.
 - n) Water Supply: See Finding No. 14.
 - o) Inclusionary Housing: See Finding No. 15.
 - p) Recreational Requirements: See Finding No. 16.
 - q) The Project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the

LUAC because it involves development requiring CEQA environmental review, a lot line adjustment in the Coastal Zone, and Design Approvals subject to review by the Planning Commission. The DMF LUAC considered the project on December 2, 2010, and voted unanimously to support the project as proposed.

- r) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100138.

3. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The Project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Pebble Beach Community Services District (Fire Protection District), Parks Department, RMA - Public Works Department, Environmental Health Bureau, Economic Development Department, Sheriff's Office, and Water Resources Agency. There has been no indication from these departments/agencies that the sites are not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) The Applicant and the California Coastal Commission (CCC) staff discussed feasible development alternatives within the Del Monte Forest (DMF) that would be consistent with the Coastal Act. These discussions resulted in the DMF Agreement, which is the basis for the development proposal and the associated Local Coastal Program Amendment (LCPA). The LCPA established the regulatory framework for the development proposal, consisting of the build-out development and preservation of the remaining undeveloped Pebble Beach Company properties located within the DMF. The LCPA has been certified by the CCC and adopted by the Board, and is to take effect on June 22, 2012. The project is consistent with the Del Monte Forest Land Use Plan and Coastal Implementation Plan after the amendment takes effect (see Finding No. 2).
 - c) A Draft Environmental Impact Report (DEIR) was prepared for the project by the RMA – Planning Department, with the assistance of ICF International (ICF), and distributed for public comment in November 2011. A Final EIR was prepared and distributed in April 2012. An Errata to the EIR was prepared and distributed in May 2012. The EIR was based on the technical expertise of ICF as well as technical reports prepared by outside experts in the areas of archaeology, biology, geology, geotechnical engineering, historical evaluation, hydrology, noise, paleontology, and traffic. See Finding No. 18.
 - d) The EIR prepared for the project determined that most significant impacts could be mitigated to a level of less than significant, although some Air Quality, Water Supply and Demand, and Transportation and Circulation impacts have been determined to be significant and unavoidable. Mitigation has been identified to reduce these impacts, but not to a less than significant level. While significant and unavoidable, these three issues are either temporary, such as during construction, or apply to more regional issues not affecting the physical site suitability of

the Pebble Beach Company Project components.

- e) Staff conducted numerous site inspections between September 2010 and March 2012 to verify that the project sites are suitable for the uses proposed.
- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100138.

4. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the RMA - Planning Department, Pebble Beach Community Services District (Fire Protection District), Parks Department, RMA - Public Works Department, Environmental Health Bureau, Economic Development Department, Sheriff's Office, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities are either available or will be provided. Development sites would be served by existing and new water, sewer, stormdrain, and reclaimed water lines. The Applicant is in possession of a water entitlement sufficient to serve the project, and will be serviced by Cal Am. The wastewater collection and treatment system also has adequate capacity for sewage disposal, and will be serviced by the Pebble Beach Community Services District and the Carmel Area Wastewater District.
 - c) Finding Nos. 2, 3, 10, and 14, and supporting evidence.
 - d) Staff conducted numerous site inspections between September 2010 and March 2012 to verify that the project sites are suitable for the uses proposed.
 - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100138.

5. **FINDING:** **NO VIOLATIONS** - The subject properties are in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the properties.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on the Pebble Beach Company Project site parcels.
 - b) Staff conducted numerous site inspections between September 2010 and March 2012, and research County records to assess if any violation

exists on the subject properties.

- c) There are no known violations on the Pebble Beach Company Project site parcels.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

6. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) Based on the locations of the proposed project sites, and their relationship to existing public access areas, the development proposal will not interfere with any form of historic public use or trust rights. The visitor-serving and public access areas identified on LUP Figure 8 (Major Public Access and Recreational Facilities) of the Del Monte Forest Land Use Plan as amended by the LCPA will not be limited by the proposed development. For the Inn at Spanish Bay, public access was authorized by the Coastal Commission and was improved as a condition of approval of the development of The Inn in 1984, and these improvements are not affected by this proposal.
 - b) Several of the proposed development sites affect equestrian/pedestrian trails shown on LUP Figure 8 (Major Public Access and Recreational Facilities) of the LCPA, specifically Area F-2, Area I-2, Area J, and Area K. Affected trail segments would be relocated and extended as required to ensure connectivity with the existing trail system. In addition, the proposed project would add approximately 2.4 miles of trails (in Area PQR, the Corporation Yard, and the Huckleberry Hill Natural Habitat Area) to the existing 31.5 miles of hiking and equestrian trails within the DMF, for a total of 33.9 miles of trails.
 - c) Additionally, the project would include dedicated bicycle lanes along approximately 9.4 miles (4.7 miles in each direction) of existing roadway (17-Mile Drive - Spyglass Hill Road - Stevenson Drive - to the Peter Hay Golf Course and back to the Pacific Grove Gate).
 - d) Consistent with the DMF Agreement between the Applicant and the California Coastal Commission (CCC) staff (see Finding No. 3 above), the adopted LCPA and conditions of approval require the development of a public access management plan prior to issuance of grading or building permits. The new plan will establish the requirements for protection and maintenance of existing public access and the expansion of new public access (where appropriate).
 - e) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over the subject parcels, except as outlined in the evidence above.
 - f) The project planner conducted numerous site inspections between September 2010 and March 2012.
 - g) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

7. **FINDING:** **DEVELOPMENT ON SLOPE** – The proposed development better achieves the goals, policies and objectives of the 1982 Monterey County General Plan, the Del Monte Forest Land Use Plan (DMF LUP), and the Monterey County Zoning Ordinance (Title 20) than other development alternatives.
- EVIDENCE:**
- a) In accordance with the applicable policies of the DMF LUP and the Monterey County Zoning Ordinance (Title 20), multiple Coastal Development Permits are required and the authority to grant said permits has been met. The project, as proposed, balances remaining development adjacent to or within existing developed areas while ensuring preservation of large intact contiguous areas of forest and other sensitive habitat areas.
 - b) The project includes application for development on slopes exceeding 30% at the following sites: Area I-2, Area L, Area M (Option 1 or 2), Collins Field, Area V, Corporation Yard, The Inn At Spanish Bay, Area B, and Roadway Improvements. The total area of impact for all sites is approximately 174,900 to 217,900 square feet, depending on the Area M option selected. The project, as proposed, balances remaining development adjacent to or within existing developed areas while ensuring preservation of large intact contiguous areas of forest and other sensitive habitat areas. For example, Area M and the Corporation Yard are former quarry sites that are proposed for development to minimize potential impacts to forest and biological resources in other areas of the Del Monte Forest. Modifying the project design to avoid slope greater than 30% would cause conflicts with policies relating to the protection of forest and biological resources. Allowing development of these slope areas will minimize these potential impacts.
 - c) Per Section 20.64.230.E.2 of the Monterey County Zoning Ordinance, the County has imposed the following conditions of approval to assure compliance with guidelines for development on slope as deemed necessary: Mitigation Measures GSS-B1 and GSS-C1 require the inclusion of final design and construction specifications contained in the site-specific geologic and geotechnical reports, and the preparation and implementation of erosion and sediment control plans.
 - d) The project planner conducted numerous site inspections between September 2010 and March 2012.
 - e) The subject project minimizes development on slopes exceeding 30% in accordance with the applicable goals and policies of the applicable land use plan and zoning codes.
 - f) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.
8. **FINDING:** **ESHA** – The subject project minimizes impact on environmentally sensitive habitat areas (ESHA) in accordance with the applicable goals and policies of the applicable area plan and zoning codes. Therefore, the project is consistent with the ESHA policies of the Land Use Plan and Coastal Implementation Plan as amended by the LCPA.

- EVIDENCE:**
- a) The project includes application for development within 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the Del Monte Forest Land Use Plan, as amended, and the Monterey County Zoning Ordinance (Title 20), multiple Coastal Development Permits are required. The requirements to grant said permits have been met for the reasons described herein. The project, as proposed, balances remaining development adjacent to or within existing developed areas while ensuring preservation of large intact contiguous areas of forest and other sensitive habitat areas.
 - b) The project includes application to allow development within 100 feet of ESHA at the following sites: F-2, Area I-2, Area J, Area K, Area L, Area M (Option 1 or 2), Area U, Equestrian Center and Special Events Staging Area, Collins Field, Area V, Corporation Yard, Area B, and Roadway Improvements. The project also includes Draft EIR Alternative 3 – avoidance of Pacific Grove clover at the Collins Field site.
 - c) The proposed project would concentrate residential development and new visitor-serving development adjacent to existing developed areas of the Del Monte Forest that are able to accommodate such development in a manner that would reduce impacts to ESHA. It would still allow some non-resource-dependent development in ESHA, but on balance is protective of resources by also setting aside 635 acres for permanent protection. The proposed project would result in loss of sensitive habitat (e.g., Monterey pine forest and small areas of seasonal wetlands), special-status plants (e.g., Yadon's piperia and other species) and special-status wildlife habitat (e.g., California red-legged frog and other species). Monterey pine forest is affected by most project elements, but the primary effects are due to residential development. Impacts on plants, wildlife, and seasonal wetlands and other waters are also primarily due to residential development. The impacts would be less than significant with implementation of the mitigation measures; however, the project would still result in a net reduction in the acreage of Monterey pine forest and of Yadon's piperia habitat and other biological resources, even with mitigation.
 - d) The associated LCPA allows specific exceptions to ESHA and other resource policies for the Pebble Beach Company Concept Plan development areas. The LCPA Concept Plan sections establish the regulatory framework for the development proposal. The LCPA also includes clarification and amplification of policies that protect environmentally sensitive habitat areas (ESHA) and includes the permanent preservation and conservation of approximately 635 acres of ESHA (e.g., Monterey pine forest habitat and remnant sand dune habitat).
 - e) Overall, the LCPA is more protective of the natural resources of the Del Monte Forest, specifically with regard to the buildout of remaining undeveloped properties. The LCPA formally preserves large undeveloped tracts of forested open space previously planned for residential development, provides management prescriptions to the preserve areas to enhance habitat/resource values, and ensures a planned and balanced approach to development and preservation within the Del

Monte Forest. See the California Coastal Commission Resolution certifying the LCPA - Monterey County LCP Amendment Number 1-12 Part 1 (DMF Update and PBC Concept Plan).

- f) Per the Coastal Act conflict resolution sections and consistent with the California Coastal Commission's findings on the LCPA, the County finds that on balance, the project is protective of coastal resources and is therefore consistent with the LUP and CIP's ESHA requirements. On balance, the preservation and conservation of 635 acres of contiguous forest and dune areas added to existing forest and dune preservation areas, and relocating potential development to areas, generally along previous development edges, where habitat has been degraded is more protective of coastal resources.
- g) The project planner conducted numerous site inspections between September 2010 and March 2012 to verify ESHA locations and potential project impacts to ESHA.
- h) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

9. **FINDING:**

LOT LINE ADJUSTMENT – Per Section 66412(d) of the California Government Code (Subdivision Map Act), lot line adjustments may be granted based upon the following findings:

1. The lot line adjustment is between four (or fewer) existing adjoining parcels;
2. A greater number of parcels than originally existed will not be created as a result of the lot line adjustment;
3. The parcels resulting from the lot line adjustment conform to the County's general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

The lot line adjustments meet these standards.

- EVIDENCE:**
- a) The Inn at Spanish Bay: The subject parcels are zoned Open Space Recreation and Visitor-Serving Commercial. The project includes a Coastal Development Permit to allow a Lot Line Adjustment of 1.54 acres between two legal lots of record consisting of Assessor's Parcel Number 007-091-033-000, adjusting 200 acres to 198.46 acres (Parcel 1) and Assessor's Parcel Number 007-091-028-000, adjusting 21.17 acres to 22.71 acres (Parcel 2). The properties are located at The Inn at Spanish Bay and The Golf Links at Spanish Bay, 17-Mile Drive and Congress Road, Spanish Bay Planning Area, Del Monte Forest Land Use Plan, Coastal Zone. In the LCPA, the 1.54 acre area is re-designated and reclassified from Open Space Recreation to Visitor-Serving Commercial.
 - b) Fairway One (The Lodge at Pebble Beach): The subject parcels are currently zoned Low Density Residential and Coastal General Commercial. The project includes a Coastal Development Permit to allow a lot line adjustment to merge two legal lots of record, Lot 1: 0.82 acres and Lot 2: 1.36 acres, and a remainder parcel (0.04 acres), resulting in a parcel of 2.22 acres. The properties are located at and near The Lodge at Pebble Beach, adjacent to 17-Mile Drive (Assessor's Parcel Numbers 008-423-002-000, 008-423-019-000, and 008-423-029-

000), Pebble Beach Planning Area, Del Monte Forest Land Use Plan, Coastal Zone. In the LCPA, the 2.22 acre parcel is re-designated and reclassified to Visitor-Serving Commercial.

- c) The lot line adjustment and lot merger are between more than one and less than four existing adjoining parcels. Pages S-1 through S-3, and PBL-1 through PBL-3, of the plan set show the location of the subject parcels, and are incorporated herein by reference.
- d) The lot line adjustment and the lot merger will not create a greater number of parcels than originally existed. At The Inn at Spanish Bay, two (2) contiguous separate legal parcels of record will be adjusted and two (2) contiguous separate legal parcels of record will result from the adjustment. At Fairway One (The Lodge at Pebble Beach), two (2) contiguous separate legal parcels of record and a contiguous remainder parcel will be adjusted and one (1) separate legal parcel of record will result from the merger. No new parcels will be created.
- e) The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 20). Staff verified that the subject property is in compliance with all rules and regulations pertaining to the use of the property that no violations exist on the property.
- f) On-site water and sewer line extensions would be installed at these development sites to provide connections to existing water and sewer lines.
- g) As an exclusion to the Subdivision Map Act, no map is recorded for a Lot Line Adjustment. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required per a standard condition of approval.
- h) The project does not conflict with the General Plan, Local Coastal Program, zoning or building ordinances. (See Finding No. 2.)
- i) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

10. **FINDING:**

SUBDIVISION – Section 66474 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the Monterey County Code (MCC) require that a request for subdivision be denied if any of the following findings are made:

- 1. That the proposed map is not consistent with the applicable general plan and specific plans.
- 2. That the design or improvement of the proposed subdivision is not consistent with the applicable general plan and specific plans.
- 3. That the site is not physically suitable for the type of development.
- 4. That the site is not physically suitable for the proposed density of development.
- 5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- 6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- 7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access

through or use of property within the proposed subdivision.

None of these findings are made with respect to the vesting tentative maps approved by this resolution.

- EVIDENCE:**
- a) Consistency. The project as designed and conditioned is consistent with the 1982 Monterey County General Plan, Greater Monterey Peninsula Area Plan, Del Monte Forest Land Use Plan as amended by the LCPA, Monterey County Coastal Implementation Plan Part 5 as amended by the LCPA, and Title 19 (coastal and inland) of the Monterey County Code (MCC). (See Finding No. 2.)
 - b) Design. The lot design is consistent with the Lot Design Standards of MCC Sections 19.10.030 (Coastal and Inland). The lots, as proposed, meet all County requirements for minimum lot size, lot width, and lot depth.
 - c) Site Suitability. The sites are suitable for the proposed project including the type and density of the development (see Finding No. 3).
 - d) Environment. The subdivision design and improvements will not cause substantial environmental damage to fish or wildlife habitat (see Finding No. 8).
 - e) Health and Safety. The proposed project as designed and conditioned will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County (see Finding No. 4).
 - f) Private Road. The project as designed and conditioned meets the minimum requirements of MCC Section 19.10.065. The lots, as proposed, meet all County requirements as applicable for design, traffic control, drainage, road grades, rights-of-way and improvements.
 - g) Water Supply. MCC Section 19.10.070 requires that provisions be made for domestic water supply as may be necessary to protect public health, safety, or welfare, and that the source of supply is adequate and potable. MCC Sections 19.03.015.L and 19.07.020.K require water supply information in order to assess these conditions and obtain proof that there is a long term water supply with the project. Development sites would be served by existing and new water lines. The Applicant is in possession of a MPWMD water entitlement sufficient to serve the project, and will be serviced by Cal Am. See also Finding Nos. 4 and 14.
 - h) Sewage Disposal. MCC Sections 19.03.015.K, 19.07.020.J, and 19.10.075 require that provision shall be made for adequate sewage disposal. Development sites would be served by existing and new sewer lines. The wastewater collection and treatment system has adequate capacity for sewage disposal, and will be serviced by the Pebble Beach Community Services District and the Carmel Area Wastewater District. See also Finding No. 4.
 - i) Easements. The subdivision or the type of improvements will not conflict with easements. Several of the proposed development sites affect equestrian/pedestrian trails shown on LUP Figure 15 (Recreational Facilities) of the LCPA, specifically Area F-2, Area I-2, Area J, and Area K. Affected trail segments would be relocated and extended as required to ensure connectivity with the existing trail

system. In addition, the proposed project would add approximately 2.4 miles of trails (in Area PQR, the Corporation Yard, and the Huckleberry Hill Natural Habitat Area) to the existing 31.5 miles of hiking and equestrian trails within the DMF, for a total of 33.9 miles of trails.

- j) Traffic. The proposed project would result in construction-related traffic that would temporarily increase traffic volumes that would affect Level of Service (LOS) and intersection operations. The proposed project would also add substantial traffic to certain intersections along SR 68 or SR 1 to decrease from acceptable levels of service to unacceptable levels or to worsen existing unacceptable levels of service, would add traffic to regional highway sections that are projected to operate at unacceptable levels of service, and would add traffic to a SR 68 highway ramp projected to operate at an unacceptable level of service. Implementation of mitigation measures would reduce identified significant impacts, but impacts related to construction traffic and impacts related to certain roadways outside the Del Monte Forest where mitigation is payment of fair-share impact fees would remain significant and unavoidable in the period between the completion of project construction and completion of required highway improvements.
- k) Affordable/Inclusionary Housing. See Finding No. 15.
- l) Recreational Requirements. See Finding No. 16.
- m) Staff conducted numerous site inspections between September 2010 and March 2012.
- n) The application, tentative map and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

11. **FINDING:** **TREE REMOVAL – COASTAL** The subject project minimizes tree removal in accordance with the applicable goals and policies of the Del Monte Forest Land Use Plan and the associated Coastal Implementation Plan as amended by the LCPA.

- EVIDENCE:**
- a) The project includes application for the removal of up to approximately 6,700 trees. In accordance with the applicable policies of the Del Monte Forest Land Use Plan and the Monterey County Zoning Ordinance (Title 20), multiple Coastal Development Permits are required and the requirements to grant said permits have been met. The project, as proposed, balances remaining development adjacent to or within existing developed areas while ensuring preservation of large intact contiguous areas of forest and other sensitive habitat areas.
 - b) The project includes application for the removal of trees at the following sites: Area B, Area F-2, Area I-2, Area J, Area K, Area L, Area M (Option 1 or 2), Area U, Area V, Equestrian Center and Special Events Staging Area, Collins Field, Collins Residence, Corporation Yard, The Inn At Spanish Bay, The Lodge at Pebble Beach, and Roadway Improvements. The total area of direct impact for all sites is approximately 39 to 41.5 acres, depending on the Area M option selected. Table 2-3 of the Draft EIR prepared for the project provides a summary of estimated tree removal for each site. For the purpose of environmental review, this amount presumes a conservative scenario of the total clearing of 15,000 square feet on all proposed residential lots,

which would not occur. The total number of trees removed would likely be substantially fewer. When lots are subsequently developed by the property owner, the County will not require separate permits for the removal of trees on the residential lots created under this project; however, the County will review the proposed residence design and coordinate with the property owner to minimize tree removal.

- c) Of the trees identified for potential removal, approximately 45% are 12 inches in diameter or more and 85% are Monterey pine trees. For all trees removed for resort, recreational, and infrastructure projects, Pebble Beach Company intends that they would be taken to the Corporation Yard wood processing facility to be processed for use as firewood or chipped for use in various on-site landscaping projects. Residential lot owners would be responsible for tree removal and disposal as part of their normal construction process, as separately reviewed and approved by the County for each lot. Although the County will not require separate permits for the removal of trees on the residential lots created under this project, the County will review the proposed residence design and coordinate with the property owner to minimize tree removal.
- d) The proposed project would result in loss of Monterey pine forest. Monterey pine forest is affected by most project elements, but the primary effects are due to residential development. The impacts would be less than significant with implementation of the mitigation measures; however, the project would still result in a net reduction in the acreage of Monterey pine forest, even with mitigation.
- e) Currently, 685 acres of undeveloped open space are formally preserved (either in fee title or easement) through the Del Monte Forest Foundation (DMFF) (now known as the Del Monte Forest Conservancy) in the Del Monte Forest. As part of the project proposal, the Applicant proposed to formally dedicate or preserve an additional 627 acres of undeveloped areas, comprised of Monterey pine forest and other native habitat, through the DMFF in the Del Monte Forest. Additionally, the Applicant proposed additional conservation easements for approximately 8 acres that comprise smaller buffer areas and setbacks around development sites, for a total of 635 acres. These proposals have been incorporated into the project. As conditions of approval of this project, the Applicant is required to dedicate easements over all preservation areas to the DMFF (or other approved entity) and to develop and implement resource management plans for each of the six preservation areas (Condition Nos. 12, 64, and 65).
- f) To provide for integrated resource management of the proposed preservation areas, a Master Resource Management Plan (Master RMP) for implementing resource management has been developed by the County with technical assistance from ICF. The Master RMP is considered part of the proposed project because it is a necessary component to managing the preservation areas for the benefit of biological resources, including Monterey pine forest. The Master RMP establishes a framework for the development of site-specific RMPs for each preservation area. The Master RMP also establishes a framework for development and approval of work plans for restoration activity, monitoring, and adaptive management of all dedicated areas. Through

this framework, the habitat value of the dedicated lands can be preserved in perpetuity with an appropriate context of monitoring, funding, and oversight.

- g) Staff conducted numerous site inspections between September 2010 and March 2012 to verify that the tree removal is the minimum necessary for the project and to identify any potential adverse environmental impacts related to the proposed tree removal.
- h) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

12. **FINDING:** **VIEWSHED** – The Project is consistent with the Land Use Plan policies and Coastal Implementation Plan development standards on viewshed. The project minimizes development within the viewshed in accordance with the applicable goals and policies of the applicable land use plan and zoning codes.

- EVIDENCE:**
- a) The project includes application for development within visually scenic areas as identified on LUP Figure 3 (Visual Resources Map) of the Del Monte Forest LUP as amended. In accordance with the applicable policies of the DMF LUP and the Monterey County Zoning Ordinance (Title 20), the development standards for the protection of scenic and visual resources have been met.
 - b) The project would change certain portions of existing views within the Del Monte Forest. It would degrade the views where new development is visible from 17-Mile Drive (including views of residential development in Area F-2 and the Corporation Yard), and it would degrade the visual character and quality and introduce light and glare at some development sites. Potentially significant impacts on aesthetics have been mitigated to less than significant levels through mitigation measures (AES-A1, -A2, and -C1) that incorporate design features, landscaping requirements, and light and glare reduction measures in design plans for all development sites that involve construction of new structures or modification of existing structures and preparation of landscape plans for the SR1/SR 68/17-Mile Drive intersection.
 - c) The project as proposed, conditioned, and mitigated is consistent with policies of the LCPA dealing with visual resources and will have no significant impact on the public viewshed.
 - d) The project planner conducted numerous site inspections between September 2010 and March 2012 to verify that the project minimizes development within the viewshed or to identify methods to minimize the development.
 - e) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

13. **FINDING:** **GENERAL DEVELOPMENT PLAN** – Monterey County Code requires a General Development Plan (GDP) prior to the establishment of uses/development if there is no prior approved GDP, and if: 1) the lot is in excess of one acre; or, 2) the development proposed includes more than one use; or, 3) the development includes any form of subdivision. The

entitlements approved by this permit include five General Development Plans in accordance with these requirements.

- EVIDENCE:**
- a) The proposed project sites (The Lodge at Pebble Beach, The Inn at Spanish Bay, Area M Hotel and Spa, Pebble Beach Driving Range, and Equestrian Center – Special Events Area) are located in the following zoning districts: Coastal General Commercial, Visitor-Serving Commercial, and Open Space Recreation (MCC Chapters 20.18, 20.22, and 20.38, respectively). The proposed project sites meet the size and number of uses criteria; therefore, amended or new GDPs are required to be approved prior to new development, changes in use, expansion of use, or physical improvement of the site.
 - b) The project as described in the application and accompanying materials was reviewed by the Planning Department, Pebble Beach Community Services District (Fire Protection District), Parks Department, Public Works Department, Environmental Health Bureau, Sheriff's Office, and the Water Resources Agency. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the county in general (see Finding No. 4).
 - c) Amended General Development Plans have been developed for The Lodge at Pebble Beach and The Inn at Spanish Bay that update and incorporate the proposed development. The amended GDPs are attached hereto and incorporated herein by reference.
 - d) General Development Plans have been developed for the Area M Hotel and Spa, Pebble Beach Driving Range, and Equestrian Center – Special Events Area that incorporate the proposed development and establish use, parking, and signage parameters for the sites. The GDPs are attached hereto and incorporated herein by reference.
 - e) Staff conducted numerous site inspections between September 2012 and March 2012 to verify that the proposed GDPs and project are consistent with allowed uses for a commercial site and historical uses identified.
 - f) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

14. **FINDING:** **WATER SUPPLY** – The project has an adequate long-term public water supply and manages development in the area so as to minimize adverse effects on the aquifers and preserve them as viable sources of water for human consumption.

- EVIDENCE:**
- a) Policy 111 of the Del Monte Forest Land Use Plan as amended states: "Development shall only be approved if it is first clearly demonstrated that the development will be served by an adequate, long-term public water supply, and where such development clearly incorporates all necessary measures to assure no net increase in water demand from Cal-Am sources where extraction is leading to resource degradation, other than development that uses the remaining available Pebble Beach Company MPWMD Water Entitlement from the original 365 AFY

granted to Pebble Beach Company (pursuant to its Fiscal Sponsorship Agreement with MPWMD, dated October 3, 1989, as amended), consistent with applicable law for such use.” (The above-referenced water entitlement shall be referred to herein as “Water Entitlement.”)

- b) Water for the Project will be supplied by Cal-Am pursuant to Pebble Beach Company’s Water Entitlement. As described in the EIR, Section 3.12, Water Supply and Demand and in Appendix H to the EIR, the Project uses a portion of the Water Entitlement to supply water for the proposed project. As described in the EIR in Table H.2-2C, the total water demand of the proposed project (estimated as 135 AFY in an average year and up to 145 AFY in a critically dry year) is less than the amount available for the Applicant’s use (237 AFY) after taking into account the amount of the original entitlement (365 AFY) and the amount previously sold to other parties or dedicated to other use (127 AFY, as of Fall 2011). See Finding No. 10, Evidence g.
- c) Policy 111 explicitly states that development can be approved in relation to water supply if it uses the remaining available Water Entitlement. As such, the proposed project is, by definition, consistent with Policy 111. Chapter 3 of the Land Use Plan as amended provides: “Development pursuant to the concept plan may satisfy its water demand through the use of water supply associated with the Pebble Beach Company and Monterey Peninsula Water Management District (MPWMD) Water Entitlement (Entitlement) (identified in the Pebble Beach Company-MPWMD Fiscal Sponsorship Agreement dated October 3, 1989, as amended), consistent with applicable law for such use.” (LUP, at page 38.) The project is also consistent with this provision of the LUP.
- d) Chapter 4 (Land Use Support Element, Water and Wastewater Services, Water Supply Conditions) of the Land Use Plan as amended describes the origin of the Water Entitlement in the Applicant’s financing of the Recycled Water Project, which has resulted in a reduction in potable water withdrawals from the Carmel River. This section of the LCPA specifically describes that use of the Water Entitlement is an exception to the LCP requirement for formal demonstration of a long-term public water supply in favor of the recognition of the specific circumstances of the origin of the entitlement. As described in the EIR, Section 3.12 (see footnote 2 on Page 3.12-9), even with complete use of the Water Entitlement, the cumulative effect of the Recycled Water Project and full use of the Water Entitlement, would be a net reduction of potable water withdrawals from the Carmel River of approximately 600 AFY. In addition, the approximately 17 acre portion of the project located in the inland unincorporated area of the Del Monte Forest is consistent with the water supply policies of the 2010 General Plan. This area is currently designated for residential and open space forest uses, the project does not change or intensify the land use designations or zoning, and no construction is proposed in this area under the Pebble Beach Company Project. This area is also a benefitted property under the Water Entitlement, which still results in a net reduction of withdrawals from the Carmel River, given the Applicant’s financing of the Recycled Water Project.

15. **FINDING:** **INCLUSIONARY HOUSING** – The Project complies with the Monterey County Inclusionary Housing Ordinance, and the Board finds that a modification to the requirements of the Ordinance is appropriate due to unusual circumstances and that the development qualifies for the payment of an in-lieu fee.

EVIDENCE: a) The Project is subject to the Monterey County Inclusionary Housing Ordinance #04185, codified in Section 18.40 of the Monterey County Code (MCC). Section 18.40.50.B.2 of the County's Inclusionary Ordinance allows for modifications to the requirements for compliance based on unusual characteristics of the site, project, and/or location. The modification must be specifically approved by the Appropriate Authority with supporting findings and evidence. Section 18.40.90.C also allows a developer to elect to pay in-lieu fees if certain characteristics of the development site exist. The Board of Supervisors finds that a modification to the requirements for compliance with the County's Inclusionary Housing Ordinance, specifically related to supplying Inclusionary Units on the project site is appropriate. The project is required to comply with the Inclusionary Housing Ordinance by: 1) paying an in lieu fee in the amount of \$5 million to the County, to be held by the County in a separate fund to be utilized solely for costs associated with development of an affordable (as defined in the Inclusionary Housing Ordinance) housing project or projects of at least 18 units in the Greater Monterey Peninsula Planning Area (including the incorporated cities located therein); 2) working with the County to attempt to identify, acquire, entitle, and finance an affordable housing project or projects of at least 18 units in the Greater Monterey Peninsula Planning Area within five (5) years of the recordation of the first residential subdivision Final Map; and 3) failing identification, acquisition, entitlement, and securing full financing of a project pursuant to 2) above within five (5) years of the recordation of the first residential subdivision Final Map, contribute an additional \$2 million to the County to be added to the separate fund. If any monies remain in the segregated fund after five (5) years of the recordation of the first residential subdivision Final Map, the County shall retain the balance to be spent in compliance with the Inclusionary Housing Ordinance. (Condition No. 18)

In addition, in the event that an affordable housing site is successfully identified, acquired, entitled and financed in the Greater Monterey Peninsula Planning Area pursuant to Condition No. 18, and therefore no additional \$2 million in-lieu fee contribution is required of the Applicant under such Condition, the Applicant agrees to make an irrevocable offer to transfer title to approximately 135 acres of land commonly known as the Old Capitol Site in the City of Monterey (Assessor's Parcel Numbers 001-761-015-000, 001-761-035-000, and 001-771-043-000), to the County or an entity approved by the County for parkland purposes, subject to any existing title exceptions and other requirements affecting the land, and pursuant to terms and conditions acceptable to the Applicant, including the County's agreement that

preservation of the natural resources on the Old Capitol Site shall be applied or credited as mitigation if needed for any affordable housing or other project identified by the Applicant. (Condition No. 143)

This modification is supported by the following facts:

1. Opportunities for affordable housing within the Monterey Peninsula area are limited. Constructing new off-site Inclusionary Housing (either in the cities or in the unincorporated areas) is extremely challenging due to water and traffic issues. However, there is the possibility that off-site inclusionary housing could be provided in the future if the applicant, working with the County, were to identify a site, provided that any such proposal is subject to all appropriate environmental review and public hearing processes.
2. As an Alternative to the proposed project, the EIR analyzed the impacts associated with developing 10 market-rate lots and 18 inclusionary units at the Corporation Yard site. The Corporation Yard site was selected as a potential on-site location for inclusionary housing based on the terms of the DMF Agreement and subsequent discussions with the CCC staff, which views the Corporation Yard as the only site within the Project area suitable for higher-density residential housing.
3. Assuming on-site units, the Inclusionary Housing requirement for the project would be 22.4 units. The LCPA re-zoned this 4.7-acre site as Medium Density Residential, 6 units per acre (MDR/6), which would only allow up to a total of 28 market-rate and inclusionary units. PBC has proposed 10 market-rate units for the Corporation Yard site. The addition of 22 inclusionary units would total 32 residential lots and units, would exceed the maximum allowed by zoning, and therefore would necessitate the reduction of four market-rate lots. To avoid that result and be consistent with the Final EIR, the on-site option would include 18 inclusionary units on-site and payment of in-lieu fees for 4.4 units.
4. The project design and process has been under preparation for some time based on a number of competing objectives, including the protection and enhancement of the valuable natural resources within the project area which constrain locating Inclusionary Housing at alternative locations. Although the applicant employs a significant number of people within the project area who could potentially qualify for inclusionary housing, the lack of services and public transportation limits the suitability of the site for households at the required income levels and could limit the number of interested households. In addition, the remote nature of the Corporation Yard site from services would preclude some housing grant opportunities.
5. Providing an in-lieu fee for compliance would provide funding for affordable housing projects and/or programs benefiting the Greater Monterey Peninsula Planning Area. Housing for very low, low, and moderate income households is an identified need in the Monterey Peninsula Planning Area. The option of

constructing very low, low, and moderate income units off-site closer to services would help meet this unmet need, if a suitable site were identified in the future. In addition, an in-lieu fee could be leveraged to build more units than would be constructed in the Corporation Yard, assuming a suitable site could be entitled.

6. If the applicant (working with the County) identifies a suitable site or sites on the Monterey Peninsula, an appropriate entity should be able to utilize the in-lieu fees to construct affordable units, subject to appropriate approvals and environmental review.

Based on the above, the evidence supports a finding that the Corporation Yard is neither desirable or suitable for inclusionary housing, because the specific characteristics of the development site, including lack of access to services, zoning which requires large lot development, and potentially high site maintenance costs (all of which characteristics are documented with evidence in the record) make the site unsuitable for households at the required income levels; and that the payment of in-lieu fees, as conditioned, will make a far greater contribution to meeting the needs of the County for affordable housing than on-site housing.

- b) The project is conditioned to require the applicant to execute an Inclusionary Housing Agreement prior to the recordation of the first residential subdivision Final Map that will set forth the details of the compliance including, but not limited to, payment of the in-lieu fee, the disbursement of monies from the separate fund, the type, location, and size of the Inclusionary Units, the phasing of providing the units, and preferences for employees, if a site is identified and in compliance with Fair Housing Law.
- c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

16. **FINDING:** **RECREATIONAL REQUIREMENTS** – The Project complies with the recreational requirements of Title 19, Section 19.12.010.

- EVIDENCE:**
- a) Per MCC Section 19.12.010 D, the minimum amount of dedicated recreation acreage required for the proposed 90 new households within the Del Monte Forest is 0.81 acres. The acreage must be shown to provide reasonable access to active and passive recreational activities serving the respective subdivisions.
 - b) The applicant has provided a comprehensive plan showing existing and proposed recreational amenities to serve the proposed 90 new households that meets this requirement when seen in the context of the larger Del Monte Forest community:
 - 1) Three public golf courses open to Del Monte Forest residents (Pebble Beach Golf Links, Spyglass Hill Golf Course, and The Links at Spanish Bay), one nine-hole golf course (the Peter Hay Par-3 Golf Course), the Pebble Beach and Spyglass practice golf facilities, the Northern California Golf Association (NCGA) 18-hole Poppy Hills Golf Course and related practice facilities;

- 2) Two private clubs, the Cypress Point Club with an 18-hole golf course and the Monterey Peninsula Country Club (MPCC) with two 18-hole golf courses (the Shore Course and the Dunes Course) plus related facilities at each club open to members and their guests;
 - 3) Stevenson School maintains athletic fields, a quarter mile track, and tennis courts, that are available to Del Monte Forest residents;
 - 4) Public stables and equestrian training facilities are maintained by the Pebble Beach Equestrian Center;
 - 5) Thirty-one (31) miles of an existing, dedicated hiking/equestrian trail network connects most of the 90 new households within 10 subdivisions and loops at varying distances through the forest interior and to the shore to provide recreation opportunities in close proximity to the respective neighborhoods. Where some of these trails are removed by subdivision development, an additional 2.4 miles of trail development shall assure neighborhood connections to the larger trail network. Informational kiosks at each trailhead and trail guide signage at other key locations shall identify the recreational use of the trails;
 - 6) Twelve (12) miles of Class II public recreational bicycle lanes adjacent to the 17-Mile Drive along the shoreline; and
 - 7) Public access to Stillwater Cove, Spanish Bay, Seal Rock and Fan Shell beaches providing beach-related activities such as surfing, and kayaking.
- c) The above existing recreation facilities and user-friendly improvements made to trail networks dedicated to hiking, jogging, and equestrian access, in addition to separate Class II bicycle lanes – all provide access to active recreational activities. Therefore, the Parks Department has determined that the minimum requirement of 0.81 acres dedicated to recreation activities is satisfied by the existing and proposed development listed above to serve the addition of the 90 households pursuant to MCC Section 19.12.010 D.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100138.

17. **FINDING:**

WILDFIRE PROTECTION STANDARDS IN STATE

RESPONSIBILITY AREAS – The subject project, as conditioned, will ensure standardized basic emergency access and fire protection pursuant to Section 4290 of the Public Resources Code.

EVIDENCE:

- a) The Del Monte Forest area, including all proposed project sites, is within the Monterey County State Responsibility Area. The proposed project would expose people and structures to risk of wildland fire where proposed residential development is adjacent to undeveloped open space, most notably the Corporation Yard.
- b) Monterey County Code Section 18.56, Wildfire Protection Standards in State Responsibility Areas, requires that future design and construction of structures, subdivisions and developments in State Responsibility Areas shall provide for emergency access and perimeter wildfire protection measures. All proposed subdivisions, as designed, provide for emergency access and fire suppression. Development sites would be

served by existing and new water lines and roads.

- c) Mitigation measures (PSU-C1, -C2, and -C3) and non-standard fire suppression and protection conditions have been applied to the project to ensure the following: 1) all roads meet minimum requirements regarding width, surface, grade, and turning radius or turnaround; 2) all buildings have required signing and numbering; 3) all sites have adequate emergency water flow; and 4) implementation of vegetation/fuel modification and management plans, and fire safety precautions during declared fire season. Implementation of these mitigations and conditions of approval will ensure that impacts remain less than significant.

18. **FINDING:**

CEQA (EIR) – By separate resolution on June 19, 2012, prior to adopting this resolution, the Board certified the Final Environmental Impact Report (EIR) on the Pebble Beach Company Project, made all appropriate findings under CEQA, and adopted a statement of overriding considerations (Resolution No. 12-xxx).

EVIDENCE:

- a) The draft Environmental Impact Report for the Pebble Beach Company application (PLN100138) was prepared in accordance with CEQA and circulated for public review from November 14, 2011 through January 9, 2012 (SCH#: 2011041028).
- b) The Final EIR was prepared and released to the public on April 3, 2012, and errata were issued in May 2012.
- c) Issues that were analyzed in the EIR include Aesthetics, Air Quality, Biological Resources, Climate Change, Cultural Resources, Geology, Seismicity and Soils, Hydrology and Water Quality, Land Use and Recreation, Noise and Vibration, Transportation and Circulation, Public Services and Utilities, and Water Supply and Demand. The EIR identified potential significant impacts that are either less than significant or can be mitigated to less than significant levels on Aesthetics, Air Quality, Biological Resources, Climate Change, Cultural Resources, Geology, Seismicity and Soils, Hydrology and Water Quality, Land Use and Recreation, Noise and Vibration, Transportation and Circulation, and Public Services and Utilities. The EIR identified significant impacts on Air Quality, Transportation and Circulation, and Water Supply and Demand that cannot be mitigated to less than significant levels.
- d) In the accompanying CEQA Resolution, the Board of Supervisors made specific findings for each of the significant environmental effects of the project and adopted a Statement of Overriding Considerations in which the Board found that the benefits of the project outweigh the unavoidable adverse environmental effects of the project.
- e) The Mitigation Monitoring and Reporting Plan (MMRP) has been prepared and is adopted as part of this resolution. The MMRP is attached to this resolution as Attachment 2 and incorporated herein by reference.

19. **FINDING:**

APPEALABILITY - The decision on this project may be appealed to the California Coastal Commission.

EVIDENCE:

California Coastal Commission: Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20). The project is subject to appeal

by/to the California Coastal Commission because it involves development between the sea and the first through public road paralleling the sea, development within 100 feet of any wetland, and development that is permitted in the underlying zone as a conditional use.

DECISION

NOW, THEREFORE, BASED ON ALL OF THE ABOVE FINDINGS AND EVIDENCE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a. Find that all of the foregoing findings are true and correct;
- b. Approve the Combined Development Permits -- including all of the entitlements and permits listed in Attachment 1; the General Development Plans attached hereto as Attachment 3; and the vesting tentative maps attached hereto as Attachment 4 -- based on the findings and evidence and subject to the conditions of approval attached hereto as Attachment 2 and in general conformance with the Plan Set dated May 2011 set forth in Attachment 4, all attachments being hereby incorporated herein by reference; and
- c. Adopt the Mitigation Monitoring and Reporting Plan attached hereto as Attachment 2 and incorporated herein by reference.

PASSED AND ADOPTED upon motion of Supervisor Potter, seconded by Supervisor Salinas, and carried this 19th day of June 2012, by the following vote, to wit:

AYES: Armenta, Calcagno, Salinas, Parker, and Potter
 NOES: None
 ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on June 19, 2012.

Dated: June 27, 2012
File Number: RES 12-006

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By *Danise Hancock*
Deputy

