



Monterey County Board of Supervisors

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Board Order

Resolution No.: 16-220

Upon motion of Supervisor Potter, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution No.: 16-220

- a. Deny the appeal by Del Monte Neighbors United from the June 8, 2016, decision of the Planning Commission to certify the Final Environmental Impact Report and approve a Combined Development Permit to allow the construction of 24 affordable housing units and manager's office, removal of 725 trees, and associated grading;
- b. Certify the Final Environmental Impact Report for the Pebble Beach Company Inclusionary Housing Project;
- c. Adopt CEQA findings and a Statement of Overriding Considerations;
- d. Approve the Combined Development Permit (Pebble Beach Company/PLN130447) for 24 affordable housing units and manager's office, removal of 725 trees, and associated grading, based on the findings and evidence, and subject to forty-seven (47) conditions of approval; and
- e. Adopt the Mitigation Monitoring and Reporting Plan.

PASSED AND ADOPTED on this 23rd day of August 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, 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 79 for the meeting on August 23, 2016.

Dated: August 30, 2016
File ID: 16-944

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

By  Deputy

**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 (PLN130447)

Resolution No. 16 - 220

Resolution by the Monterey County Board of
Supervisors:

- 1) Denying the appeal from the decision of the Planning Commission to certify the Final Environmental Impact Report and approve a Combined Development Permit to allow the construction of 24 affordable housing units and manager’s office building, the removal of approximately 725 trees, and associated grading;)
- 2) Certifying the Final Environmental Impact Report for the Pebble Beach Company Inclusionary Housing Project;)
- 3) Adopting CEQA Findings and a Statement of Overriding Considerations;)
- 4) Approving a Combined Development Permit consisting of a Use Permit and Design Approval to allow the construction of 24 affordable housing units and manager’s office, a Use Permit to allow removal of 725 trees, and associated grading, subject to 47 conditions; and)
- 5) Adopting a Mitigation Monitoring and Reporting Plan.....)

Easterly of SFB Morse Drive and south of Ortega Road, Pebble Beach, Greater Monterey Peninsula Area Plan (APN: portion of 008-041-009-000)

The Appeal by Del Monte Neighbors United from the decision by the Planning Commission to certify the Final Environmental Impact Report and approve a Combined Development Permit to allow the construction of 24 affordable housing units and manager’s office, the removal of 725 trees, and associated grading (Pebble Beach Company application – PLN130447) came on for public hearing before the Monterey County Board of Supervisors on August 23, 2016. 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:** **PROCESS** – The County has processed the subject Combined Development Permit application (PLN130447/Pebble Beach Company) (“project”) in compliance with all applicable procedural requirements.
EVIDENCE: a) On August 12, 2013, pursuant to Monterey County Code (MCC)

Section 21.76, Pebble Beach Company (Applicant) filed an application for a discretionary permit to allow the construction of 24 affordable housing units and manager's office, removal of 725 trees, and associated grading on a project site located easterly of SFB Morse Drive and south of Ortega Road, Pebble Beach (portion of Assessor's Parcel Number 008-041-009-000), Greater Monterey Peninsula Area Plan area (non-coastal area).

- b) The Monterey County Planning Commission held a duly-noticed public hearing on the Pebble Beach Company application on June 8, 2016.
- c) On June 8, 2016, after review of the application and submitted documents, and a duly noticed public hearing at which all persons had the opportunity to be heard, the Planning Commission certified the Final Environmental Impact Report on the project, adopted CEQA findings and a Statement of Overriding Considerations, approved a Combined Development Permit to allow the proposed development, and adopted a Mitigation Monitoring and Reporting Plan (Monterey County Planning Commission Resolution No. 16-014).
- d) Del Monte Neighbors United (Appellant), pursuant to MCC Section 21.80.050.A, timely filed an appeal from the June 8, 2016, decision of the Planning Commission. The appeal challenged the Planning Commission's certification of the Final Environmental Impact Report and approval of the Combined Development Permit, and contends that the findings or decision or conditions are not supported by the evidence, and that the decision was contrary to law. See Finding No. 17 for the text of the Appellants' contentions and the County responses to the appeal.
- e) Pursuant to MCC Sections 21.80.050.C and E, an appeal shall be filed with the Clerk of the Board of Supervisors within 10 days after written notice of the decision of the Appropriate Authority (i.e., Planning Commission Resolution No. 16-014) has been mailed to the Applicant, and no appeal shall be accepted until the notice of decision has been given (i.e., mailed). The County mailed the written notice of the decision on June 10, 2016, and said appeal was filed with the Clerk of the Board of Supervisors on June 20, 2016, within the 10-day timeframe prescribed by MCC Section 21.80.050.C. The appeal hearing is de novo. A complete copy of the appeal is on file with the Clerk of the Board, and is attached to the August 23, 2016, staff report to the Board of Supervisors as Attachment C.
- f) Said appeal was timely brought to a duly-noticed public hearing before the Monterey County Board of Supervisors on August 23, 2016. Due to the Board's August recess, Appellant and Applicant agreed to the August 23, 2016, hearing date and to that extent waived the MCC requirement to bring the appeal to hearing within 60 days of receipt of the appeal. Notice of the hearing was published on August 11, 2016, in the Monterey County Weekly; notices were mailed on August 11, 2016, to all property owners within 300 feet of the project site and to persons who requested notice; and at least three (3) notices were posted at and near the project site on August 11, 2016.
- i) The application, project plans, and related support materials submitted

File ID 16-944 No. 20 Corrected
by the project applicant to Monterey County RMA-Planning for the
proposed development found in Project File PLN130447; Clerk of the
Board of Supervisors' file(s) related to the appeal.

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) **Project Description.** The proposed project is a Combined Development Permit consisting of a Use Permit and Design Approval to allow the construction of 24 affordable housing units and a manager's office, and associated grading. The proposed project also includes a Use Permit to allow tree removal to remove 725 trees (135 Monterey pine and 590 oak). The majority of the 13.2-acre project site would be set aside in open space, with 6.5-acres surrounding the 2.7-acre development footprint on the east side of SFB Morse Drive and 4 acres on the west side of SFB Morse Drive, for a total of 10.5 acres of preserved open space.

b) The 13.2-acre project site is actually part of a much larger 472 acre parcel that was created by the Poppy Hills Golf Course Subdivision (Parcel 6 of the Final Map recorded at Volume 15, Cities and Towns, Page 52 in the Office of the Recorder of the County of Monterey). The project site is located east of SFB Morse Drive and south of Ortega Road (portion of Assessor's Parcel Number 008-041-009-000, also known as Area D), within the Greater Monterey Peninsula Area Plan area.

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

- 2010 Monterey County General Plan;
- Greater Monterey Peninsula Area Plan;
- Monterey County Tree Preservation Ordinance (Title 16); and
- Monterey County Zoning Ordinance (Title 21).

No conflicts were found to exist. The County received communications during the course of review of the project contending that the project is inconsistent with the text, policies, and regulations in these documents; however, the County finds that the project is consistent with the text, policies, and regulations in the applicable documents.

d) The parcel is bisected by SFB Morse Drive with approximately 9.2 acres located on the east side of SFB Morse Drive and 4 acres located west of SFB Morse Drive. The 13.2-acre project site is zoned Medium Density Residential, 4 units per acre, with Design Control and Parking and Use of Major Recreational Equipment Storage in Seaward Zone Overlays (MDR/4-D-RES), and Resource Conservation, 10 acres per unit, with Design Control and Parking and Use of Major Recreational Equipment Storage in Seaward Zone Overlays (RC/10-D-RES). The 2.7-acre development footprint is zoned MDR/4-D-RES, which allows multi-family housing with the granting of a Use Permit. The 13.2-acre project site includes an approximately 7.7 acre area zoned MDR used to calculate the density. The 24 units proposed within this area would result in an overall area density of approximately 3.1 units/acre.

Therefore, the project is consistent with the land use and zoning for the site with approval of the Use Permit.

- e) The project site sits on the border of the Del Monte Park neighborhood, which is in the City of Pacific Grove. The Del Monte Park neighborhood includes single-story and two-story single-family residences with an approximate gross density between 5 and 7 dwelling units per acre (du/ac). The areas within Pebble Beach to the west of the project site have lot sizes of approximately one-half acre.
- f) The project planner conducted site inspections on September 5 and October 3, 2013; August 5 and August 28, 2014; and October 8, 2015; to verify that the project on the subject parcel conforms to the plans listed above.
- g) Design. See Finding No. 5.
- h) Environmental Review. See Finding Nos. 6, 7, 8, 9, 10, 11, 12, and 13.
- i) Tree Removal. See Finding No. 14.
- j) Long-Term Sustainable Water Supply. See Finding No. 16.
- k) Inclusionary Housing Agreement. The County and Pebble Beach Company (PBC) entered into an Inclusionary Housing Agreement on July 14, 2014 (recorded as Document No. 2014032617 on July 15, 2014, in the Office of the Recorder of the County of Monterey) in compliance with Condition No. 18 of the PBC buildout project (Monterey County Board of Supervisors' Resolution No. 12-149, as Condition 18 was amended by Minor and Trivial Amendment on May 28, 2014). This agreement requires that the PBC and its successors in interest identify, acquire, entitle, and construct an affordable housing project of at least 18 units in the Greater Monterey Peninsula Area Plan planning area, which could include the incorporated cities located therein, within a five year time frame; if applicant fails to do so, \$5 million which PBC has deposited with the County as security for that obligation will convert to County funds to be used for assistance in development of affordable housing within the Greater Monterey Peninsula Planning Area. As proposed, the project is consistent with the Inclusionary Housing Agreement's affordable housing project requirement. This project is conditioned to require restrictions relating to rental for very low, low, and moderate-income housing (see Condition No. 13). As explained in Master Response No. 5 of the Final Environmental Impact Report, PBC's current intention is to build 90 market rate lots and the Spyglass Hotel, rather than 100 market rate lots. Because PBC is not yet certain the market will support a new hotel, it is possible PBC will elect the option of the additional 10 market rate lots, requiring 25 inclusionary housing units. Therefore, PBC is proposing construction of 24 inclusionary housing units to meet and exceed the minimum requirements of Condition No. 18 and satisfy the 20 percent inclusionary requirement for the maximum potential of 100 lots. If PBC elects the additional 10 lots instead of the hotel, the 24 unit project plus payment of an in-lieu fee for one inclusionary unit would satisfy the 20 percent inclusionary obligation for the build out project.
- l) 2010 Monterey County General Plan Policy LU-1.19. The project, as proposed and conditioned, is consistent with the applicable 2010

General Plan Policy LU-1.19. The project is outside of a Community Area, Rural Center or official Affordable Housing Overlay and is thus subject to Policy LU-1.19. While the project is being considered in advance of adoption of the Development Evaluation System (DES), the County applies the criteria in Policy LU-1.19 to projects as applicable, pending adoption of the Development Evaluation System. Based on the specific facts associated with this application, it is determined that the project meets the evaluation criteria set forth in Policy LU-1.19 and would pass the DES. Policy LU-1.19 states: “*Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or wastewater intensity. The system shall be a pass-fail system and shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria shall include but are not limited to:*

- a Site Suitability*
- b Infrastructure*
- c Resource Management*
- d Proximity to a City, Community Area, or Rural Center Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element*
- e Environmental Impacts and Potential Mitigation*
- f Proximity to multiple modes of transportation*
- g Jobs-Housing balance within the community and between the community and surrounding areas*
- h Minimum passing score*

Residential development shall incorporate the following minimum requirements for developments in Rural Centers prior to the preparation of an Infrastructure and Financing Study, or outside of a Community Area or Rural Center:

- 1) 35% affordable/Workforce housing (25% inclusionary; 10% Workforce) for projects of five or more units to be considered.*
 - 2) If the project is designed with at least 15% farmworker inclusionary housing, the minimum requirement may be reduced to 30% total.*
- This Development Evaluation System shall be established within 12 months of adopting this General Plan.”*

Policy LU-1.19 seeks to direct development to locations designated for development (Community Areas, Rural Centers and Affordable Housing Overlay districts). The subject parcel is designated for Medium Density Residential development which is one of the higher intensity residential land uses within the County. The site is suitable for the number of units proposed, and the Medium Density Residential

zoning district allows apartment units subject to a Use Permit. As noted in Evidence "d" above, the number of units proposed on the site is consistent with the land use and zoning.

Infrastructure exists to the project site in the adjacent roadways and has the capacity to support the level of development proposed. No new infrastructure will need to be extended to the site, so the project will not encourage growth on parcels currently lacking utility connections.

The site has a degraded, mixed forest consisting of Monterey pine trees and Coast Live oak trees. Of the 13.2 acre site, approximately 10.5 acres will be preserved in permanent open space. Thus the development will preserve most of the forest on the site, thereby protecting the majority of the natural resources that exist on a site designated for residential development.

The site is not located in a Community area, Rural Center, or City, but is immediately adjacent to the City of Pacific Grove, is within the Greater Monterey Peninsula Area Plan planning area (non-coastal), and is intended for employees working in Pebble Beach. Placing affordable housing at this location will place people employed in Pebble Beach in much closer proximity to their jobs, which reduces traffic on area roadways and reduces vehicle miles traveled. Public transportation is not provided in the Del Monte Forest, so placing housing in close proximity to employment will have a beneficial impact on traffic and the cost of employees commuting to work.

- m) 2010 Monterey County General Plan Policy LU-2.12. The Applicant proposes to own and operate the affordable units on a rental basis, and Policy LU-2.12 directs that affordable housing rental units be deed restricted in perpetuity. Section 5 of the Inclusionary Housing Agreement, entered into on July 14, 2014, and recorded on July 15, 2014 (Document No. 2014032617), states that "The affordability requirements of this Section 5 shall continue as restrictions on the Inclusionary Units in perpetuity." Therefore, the project is consistent with 2010 General Plan Policy LU-2.12. The County's Economic Development Department has recommended Condition No. 13 to further document the requirement of Policy LU-2.12.
- n) Archaeological/Cultural Resources. County records indicate the site is in an area identified as having a moderate sensitivity for archaeological or cultural resources. An archaeological survey (LIB130273) prepared for the project site did not identify any potential for impacts to prehistoric or historic resources. There is no evidence that any cultural resources would be disturbed, and the potential for inadvertent impacts to cultural resources is limited and will be addressed by Condition Nos. 3 and 4 which requires that in the event any cultural, historic or paleontological resources are found all work will be stopped and the resource shall be evaluated.
- o) State Housing Accountability Act. The California State Legislature finds that the lack of housing is a critical problem that threatens the economic, environmental, and social quality of life in California. It is

the policy of the state that a local agency shall not disapprove a housing development project for very low, low, or moderate income households, or condition approval in a manner that renders the project infeasible for development for the use of very low, low, or moderate income households including through the use of design review standards, unless it makes written findings based upon substantial evidence in the record (Government Code Section 65589.5(a)). This project is designed, reviewed and approved to provide housing for very low, low or moderate income families.

- p) The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedures adopted by the Monterey County Board of Supervisors, this application warranted referral to the LUAC because it involved development requiring CEQA review, and development requiring a Design Approval subject to review by the Planning Commission. The LUAC heard the matter on September 5 and October 3, 2013, and voted unanimously (7 – 0) to not make a recommendation on the project as proposed.
- q) The project was referred to the Monterey County Housing Advisory Committee (HAC) for review. The HAC heard the matter on January 8, 2014, and voted unanimously (5 – 0) to support the project, conditioned upon preparation of an EIR, and to recommend the Planning Commission give consideration to additional parking spaces and recreation areas. These concerns have been addressed in the preparation of an Environmental Impact Report (EIR), and the applicant submitted revised plans in December 2014 that increased the number of parking spaces from 58 to 67 (9 more spaces than required under applicable development regulations). The applicant chose not to provide additional on-site recreation facilities due to the existing recreation facilities in the area and expansion of the project footprint into the open space area resulting from installation of active recreation areas.
- r) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN130447.

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: Resource Management Agency (RMA)-Planning, Pebble Beach Community Services District (Fire Protection District), Parks Department, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, Water Resources Agency, Economic Development Department (Housing), RMA-Building Services, and Monterey County Sheriff's Office (Coastal/Peninsula Station). There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Standard conditions of approval to ensure orderly development and compliance with current development standards have been attached to this resolution.
 - b) Staff identified potential impacts to Biological Resources, Forest

Resources, Soil Stability, and Traffic. An Environmental Impact Report was prepared for the project which is addressed below in Finding Nos. 6, 7, 8, 9, 10, 11, 12, and 13 which address the significance of impacts related to development of this property. The following reports were used in the preparation of the EIR:

- Archaeological Assessment (LIB130273) prepared by Archaeological Consulting, Salinas, California, May 14, 2013.
 - Tree Resource Assessment/Arborist Report (LIB130274) prepared by Urban Forestry (Frank Ono), Pacific Grove, California, July 29, 2013.
 - Biological Resources (LIB130275) prepared by Zander Associates, San Rafael, California, July 9, 2013; including also a Preliminary Biological Assessment prepared March 7, 2012, and Seasonal Plant Surveys prepared September 13, 2012.
 - DEIR Review – Biological Resources (attached to the applicant’s DEIR comment letter) prepared by Zander Associates, San Rafael, California, May 19, 2015.
 - Geologic Report (LIB130276) prepared by Haro, Kasunich, and Associates, Inc., Watsonville, California, April 29, 2013.
 - Geotechnical Investigation (LIB130277) prepared by Haro, Kasunich, and Associates, Inc., Watsonville, California, April 30, 2013.
 - Transportation Analysis (LIB130278) prepared by Fehr & Peers, Walnut Creek, California, July 27, 2013; including a Memorandum prepared March 16, 2012.
 - Transportation Analysis (LIB130416) prepared by Fehr & Peers, Walnut Creek, California, November 4, 2013.
- c) Staff conducted site inspections on September 5 and October 3, 2013; August 5 and August 28, 2014; and October 8, 2015; to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN130447.

4. **FINDING:** **HEALTH AND SAFETY / NO VIOLATIONS** - 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. The subject property is 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 property.

EVIDENCE: a) All necessary public facilities are available to the project site. The sewer service is provided by the Pebble Beach Community Services District (PBCSD) and water is provided by the California American Water Company (see Finding No. 16). Water and sewer are available to the site in SFB Morse Drive, and gas, electric, telephone, and television

utilities are in place in Ortega Road.

- b) A clustered medium density residential project in an area zoned for medium density residential land use is consistent with the land use pattern in the area and will not adversely affect the surrounding residential areas.
- c) Staff conducted site inspections on September 5 and October 3, 2013; August 5 and August 28, 2014; and October 8, 2015; and researched County records to assess if any violation exists on the subject property. Staff reviewed Monterey County RMA - Planning and Building Services records and is not aware of any violations existing on subject property, and there are no known violations on the subject parcel.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN130447.

5. **FINDING:**

DESIGN - The design of the proposed project assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity without imposing undue restrictions on private property.

EVIDENCE:

- a) Pursuant to Section 21.44, Title 21 (Zoning Ordinance) of the Monterey County Code (MCC), the proposed project site and surrounding area are designated as a Design Control Combining District (D District), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character.
- b) The project design seeks to retain the forested character of the 13.2-acre project site. The project maintains a setback of over 70 feet from SFB Morse Drive, which will maintain the forested environment along that roadway. The buildings will be setback from the Del Monte Park neighborhood by a minimum of 127 feet. A small corner of the parking area will be approximately 55 feet from the Del Monte Park neighborhood, and the remainder of the parking area will exceed 90 feet from the property line. These distances will maintain the forested character along the project site boundary with the Del Monte Park neighborhood. The forested area surrounding the project's development footprint will provide a substantial buffer from the Del Monte Park neighborhood, and as a result protect the character of the neighborhood.
- c) The proposed multi-family housing within the proposed 2.7-acre development footprint is more concentrated than the housing in the Del Monte Park neighborhood, but the project is clustered, allowing substantial forested open space to be maintained around the development footprint. The forested area will serve as a transition from the multi-family housing to the adjacent neighborhood. This will not change the character of the Del Monte Park neighborhood.
- d) The buildings are designed to stagger the six units in each building providing variety in the building facades, and there is also designed variation along the long sections of the buildings and on the ends of the buildings. The height of the buildings has been minimized using a shallow roof pitch, resulting in a building height of 23 feet for a two story building. This is within the 30 feet maximum height allowed

within the zoning district. The appearance of the buildings and the height of the buildings would be consistent with the neighborhood character and not result in degrading any public views.

- e) Color and Material Finishes. Colors and materials are proposed that are consistent with any residential setting. The primary materials include horizontal ship-lap siding on the front and sides of the building, cement plaster on the rear of the buildings, and composition shingle roof material. Colors include medium gray siding and dark gray shingles. Metal deck railings and aluminum trim associated with windows and sliding doors would also be medium to dark gray, and portions of the patio fencing would be sided to match the buildings' facade. The medium to dark coloring used on these features would help these buildings blend with the natural setting. Portions of the facade and patio fencing would receive plaster cement that would be light to medium gray. Sand or beige colored accents would be used for smaller design details like exterior fascia, trim, gutters, downspouts, and roof eaves. While lighter, these elements would receive partial shading from eaves, building extrusions (e.g., deck storage areas and kitchens), and from the buildings because of the staggered layout.
- f) Access, Circulation, and Parking. Vehicular access to the project site would be from SFB Morse Drive via a new two-way roadway, called Morse Court, constructed to serve as the driveway into the project site. No new road or driveway connections would be constructed to the adjacent Del Monte Park neighborhood. A concrete sidewalk would extend the length of the residential development, between the carports and the residential buildings. The sidewalk would continue along Morse Court at the north and south ends of the development out to SFB Morse Drive. From the north driveway, a decomposed granite walkway would extend along the east side of SFB Morse Drive approximately 370 feet to an existing bus stop. The project includes 67 parking spaces [24 covered spaces (carports) and 43 uncovered spaces].
- g) Grading. Site grading activities would generate approximately 3,325 cubic yards (cy) of cut and 3,325 cy of fill, with no net export of soil. If there is any excess material, it would be removed offsite and transported to the Monterey Regional Waste Management Landfill in Marina, California. The applicant submitted an associated grading plan, which locates a stockpiling area at the southern end of the development site. The stockpiling area would be used for onsite parking and stockpiling during construction. The stockpiling area would be surrounded by silt fencing, and the stockpiles would be covered when not in use. The maximum depth of excavation would be approximately 6 feet for the new utilities.
- h) Based on the evidence described above, the proposed structures and uses are consistent with the surrounding residential neighborhood character (i.e., structural design features, colors, and material finishes). The proposed development would also not have a significant impact on a public viewshed. As proposed, the project assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity.

- i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN130447.

6. **FINDING:**

CEQA (EIR) – The final Environmental Impact Report (EIR) on the Pebble Beach Company Inclusionary Housing Project has been completed in compliance with the California Environmental Quality Act (CEQA); the final EIR was presented to the County of Monterey Board of Supervisors, and the Board of Supervisors reviewed and considered the information contained in the EIR prior to approving the project; and the EIR reflects the County of Monterey’s independent judgment and analysis.

EVIDENCE:

- a) CEQA requires preparation of an environmental impact report if there is substantial evidence in light of the whole record that the project may have a significant effect on the environment.
- b) The EIR for the Pebble Beach Company Inclusionary Housing Project application (RMA-Planning File No. PLN130447) was prepared in accordance with CEQA. The Draft EIR (DEIR) for the project was circulated for public review from April 30 through June 19, 2015 (SCH#: 2014081052).
- 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, Public Services and Utilities, Transportation and Circulation, 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 (see Finding No. 7). The EIR also identified unavoidable significant impacts on Transportation and Circulation, and Water Supply and Demand that cannot be mitigated to less than significant levels (see Finding No. 8). As described in these findings and in the Final EIR, the mitigation measures avoid or substantially lessen the significant environmental effects to less than significant levels (see Finding No. 7), or, for impacts identified as significant and unavoidable, all feasible mitigation measures have been incorporated, but even with such mitigation, the impacts remain significant (see Finding No. 8).
- d) Public review of the DEIR generated comments from the public and public agencies. The County responded to these comments and made revisions to the DEIR. The FEIR was released to the public on March 9, 2016. An Errata to the FEIR was also released to the public on March 9, 2016. Together, the DEIR, the revisions to the DEIR, the comments of persons and organizations commenting on the DEIR, and a list of all such persons and organizations, the March 9, 2016 FEIR containing responses to the comments, and the March 2016 errata constitute the Final Environmental Impact Report (FEIR) on the project.

- e) Cultural Landscape. The Alliance of Monterey Area Preservationists submitted a letter asserting that Area D qualifies as a cultural landscape because it has been used by neighbors for many years as a recreational area. To be considered under CEQA, a cultural landscape must either meet the criteria for the California register of historic places (Public Resources Code (PRC) section 5024.1), be identified in a local register of historic places (PRC section Code 5020.1(k)), be identified in a qualifying historical resource survey, or be *“any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California”*

The County’s Pebble Beach Historic Context Statement (Final Report dated August 29, 2013) defines cultural landscapes as properties that represent the combined work of nature and man. The only identified cultural landscape considered significant in Pebble Beach is 17-Mile Drive (a designed cultural landscape). The inclusionary housing project site was not identified as a cultural landscape in the Pebble Beach Historic Context Statement, and based on available information the project site does not meet the definition of, nor qualify as, a cultural landscape.

- f) No consultation was conducted with a Native American Tribe relative to Tribal Cultural Resources because the Notice Of Preparation (NOP) for this project was issued on August 18, 2014, and was available for public review until September 16, 2014. The requirement for tribal consultation is for projects which have an NOP issued on or after July 1, 2015.
- g) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Plan” as a condition of project approval (Condition No. 7).
- h) On March 15, 2016, pursuant to CEQA Guidelines Section 15088(b), the County notified those public agencies that submitted comments on the DEIR that a FEIR was available for review and provided the proposed responses to the public agency comments.
- i) The Mitigation Monitoring and Reporting Plan (MMRP) has been prepared and is adopted as part of this resolution (see Finding No. 11). The MMRP is attached to this resolution and incorporated herein by reference.
- j) Evidence that has been received and considered includes: the application, technical studies/reports (see Finding No. 3, Site Suitability), staff report that reflects the County’s independent

judgment, and information and testimony presented during public meetings and hearings as applicable. These documents are on file in RMA-Planning (File No. PLN130447) and/or the Clerk of the Board of Supervisors' files.

- k) State Fish and Wildlife Fee See Finding No. 13.
- l) Monterey County RMA-Planning, located at 168 W. Alisal, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to certify the Final EIR is based.

7. **FINDING:** **POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED IN THE EIR THAT ARE REDUCED TO A LEVEL OF "LESS THAN SIGNIFICANT" BY THE MITIGATION MEASURES IDENTIFIED IN THE EIR AND ADOPTED FOR THE PROJECT** – The project would result in significant and potentially significant impacts that will be mitigated to a less than significant level due to incorporation of mitigation measures from the EIR into the conditions of project approval. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment as identified in the FEIR.

- EVIDENCE:**
- a) The EIR identified potentially significant impacts that require mitigation to Aesthetics, Biological Resources, Climate Change, Geology, Seismicity and Soils, Land Use and Recreation, Noise and Vibration, and Transportation and Circulation which could result from all components of the project. These impacts will be mitigated to a less than significant level with incorporation of mitigation measures from the EIR into the conditions of project approval. The Board of Supervisors considered project approval subject to conditions of approval that incorporate the proposed mitigation.
 - b) Aesthetics. The proposed project would change the visual character of the project site, and would introduce new sources of light and glare. Potentially significant impacts on aesthetics (visual character) have been mitigated to less than significant levels through mitigation measures and conditions of approval that incorporate native infill plantings, design features, landscaping requirements, and light & glare reduction measures in design plans. The Mitigation Measure (MM) from the DEIR and FEIR is AES-B1. MM BIO-A1 (see Evidence c of this Finding) would supplement MM AES-B1 and provide additional visual screening to further reduce impacts. Conditions of Approval Nos. 11 (Landscape Plan), 12 (Exterior Lighting Plan, 15 (Restoration of Natural Materials), 16 (Underground Utilities), and 17 (Tree Replacement) would also supplement these mitigation measures and further reduce impacts. See Section 3.1 of the Pebble Beach Company Inclusionary Housing Draft EIR and Final EIR.
 - c) Biological Resources. The proposed project would or could result in:
 - Direct removal and indirect impacts on Monterey Pine Forest (BIO-A1). This impact is reduced to less than significant through development of a resource management plan and dedication of a

conservation easement for the open space preserve area on site (MM BIO-A1 and MM BIO-A2).

- Degradation to the quality of waters extending through the project site (BIO-B1). This impact will be mitigated through best management practices for water quality (MM BIO-B1).
- Direct mortality of California red-legged frog, degradation of aquatic habitat, and loss and degradation of upland habitat (BIO-C1). Mitigation requiring a preconstruction survey and implementation of protection measures if frogs are found will reduce this impact to a less than significant level (MM BIO-A1, MM BIO-A2, MM BIO-B1, and MM BIO-C1).
- Loss of, or disturbance to, habitat occupied by non-listed special status species including Pallid Bats (BIO-C2). This impact will be mitigated by a preconstruction survey to determine presence and through protection measures if any individuals are found (MM BIO-A1, MM BIO-A2, and MM BIO-C2).

In the FEIR some of the mitigation measures have been modified or deleted:

- MM BIO-A1 has been clarified to identify the required components of the site resource management plan;
- MM BIO-A2 added dedication of additional area of undeveloped Monterey pine forest in the Old Capitol site;
- MM BIO-C1 clarified that CRLF preconstruction survey areas and exclusion fencing need to be determined by a biologist; and
- MM BIO-C2 was deleted. In the Draft EIR, MM BIO-C2 required a pre-construction survey for legless lizards and implementation of protection measures. However, additional evidence submitted by a qualified biologist (DEIR Review – Biological Resources prepared by Zander Associates, San Rafael, California, May 19, 2015) and reviewed by the County, supported the conclusion that the low potential for legless lizards to be found at the project site did not warrant mitigation.

These revised measures are equivalent or more effective in mitigating or avoiding potential significant effects, will not cause a new significant effect on the environment or substantial increase in the severity of the environmental impacts of the project, and merely amplify and clarify the analysis in the draft EIR. Accordingly, these changes do not require recirculation of the EIR (see also Finding No. 12).

In addition, certain standard Conditions of Approval reduce the impacts of some biological impacts:

- Nos. 9 (Tree and Root Protection),
- 15 (Restoration of Natural Materials),
- 17 (Tree Replacement), and
- 18 (Nesting Survey).

See Section 3.3 of the Pebble Beach Company Inclusionary Housing Draft EIR and Final EIR.

- d) Climate Change. The proposed project would generate greenhouse gas

(GHG) emissions during construction and operation, which would contribute to cumulative GHG impacts. Potentially significant impacts to climate change will be mitigated to a less than significant level through mitigation measures that require implementation of best management practices for greenhouse gas (GHG) emissions during construction and mitigating the operational impacts of the project once it is occupied. Operational impacts would be mitigated by either reducing GHG emissions by at least 24% below business as usual practices using a combination of design features, and/or preserving Monterey pine forest on the Old Capitol site. The Mitigation Measures (MM) from the DEIR and FEIR are CC-A1, and CC-A2a and/or CC-A2b. These mitigation measures would also reduce cumulative climate change impacts to less than cumulatively considerable and therefore less than significant. In the FEIR, MM CC-A2a has been revised to clarify methodology based on recent case law. The revised measure merely amplifies and clarifies the analysis in the draft EIR, is equivalent or more effective in mitigating or avoiding potential significant effects, will not cause a new significant effect on the environment or substantial increase in the severity of the environmental impacts of the project, and does not trigger recirculation of the EIR because the revised mitigation measure still requires reduction of greenhouse gas emissions in parallel to that necessary in the County overall consistent with AB 32. See Section 3.4 of the Pebble Beach Company Inclusionary Housing Draft EIR and Final EIR.

- e) Geology, Seismicity, & Soils. Project construction (e.g., excavation for utilities installation in areas of shallow groundwater and weak soils) could result in seepage and exacerbate soil instability. Potentially significant impacts to geology, seismicity, and soils have been mitigated to a less than significant level through a mitigation measure that requires de-watering where excavation activities would be greater than 5 feet and shoring of temporary cuts during construction. The Mitigation Measure from the DEIR is GSS-D1. See Section 3.6 of the Pebble Beach Company Inclusionary Housing Draft EIR and Final EIR.
- f) Noise & Vibration. Project construction activities would generate noise and vibration. Potentially significant impacts of noise and vibration would be mitigated to a less than significant level through mitigation measures that require monitoring the effectiveness of noise attenuation measures; noise-reducing treatments on equipment; locating equipment away from sensitive receptors as far as practicable; installation of temporary noise barriers; shielding, shrouding, or use of sound-control devices on equipment; shutting off equipment when not in use; limiting hours of construction that cause vibration; vibration testing; and disseminating essential construction schedule information to residents including complaint contact numbers and relocation provisions. The Mitigation Measures from the DEIR are NOI-B1 and NOI-C1. See Section 3.9 of the Pebble Beach Company Inclusionary Housing Draft EIR and Final EIR.
- g) Transportation & Circulation. Potentially significant impacts on transportation and circulation resulting from the addition of more

pedestrians to the site (TRA-D2) can be mitigated to a less than significant level through installation of a decomposed granite walkway southward along SFB Morse Drive. Additional potentially significant impacts on transportation and circulation that are significant and unavoidable that would not be mitigated to a less than significant level are discussed in Finding No. 8. See Section 3.11 of the Pebble Beach Company Inclusionary Housing Draft EIR and Final EIR.

- h) The revisions to mitigation measures were considered at a public hearing at the Board of Supervisors on August 23, 2016. The mitigation measures, revised as described herein, are made conditions of project approval.
- i) Pebble Beach Company Inclusionary Housing Project Final EIR.

8. **FINDING:**

SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS – (POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED IN THE EIR THAT ARE NOT REDUCED TO A LEVEL OF “LESS THAN SIGNIFICANT” BY THE MITIGATION MEASURES)

– The project will result in significant and unavoidable impacts that will not be mitigated to a less than significant level even with the incorporation of mitigation measures from the EIR into the conditions of project approval, as further described in the evidence below. Specific economic, legal, social, technological, and other considerations, including provision of affordable housing opportunities for workers, make infeasible additional mitigation.

EVIDENCE:

- a) The EIR identified potentially significant impacts to Transportation and Circulation, and Water Supply and Demand, which could result from the project. Mitigation measures have been identified which reduce some of these impacts, but not to a level of insignificance. These impacts are significant and unavoidable and will not be mitigated to a less than significant level.
- b) Transportation and Circulation. The DEIR identified significant and unavoidable impacts to the following areas:
 - Construction traffic, and construction traffic combined with cumulative traffic, would result in short-term increases in traffic volumes that would affect level of service and intersection operations (TRA-A1 and TRA-A1(C)). This impact can be minimized, but not reduced to less than significant, through development and implementation of a construction traffic control plan (MM TRA-A1).
 - The project will
 - o add traffic (project and cumulative) to certain far intersections and highway segments that would worsen existing and cumulative unacceptable levels of service (TRA-C1, TRA-C2(C)),
 - o add traffic to regional highway sections that are projected to operate at unacceptable levels of service (TRA-C2),
 These impacts can be minimized through payment of fair-share contributions for improvements at State Route (SR) 68 and Skyline Forest Drive, Sunset Drive and Congress Avenue, and SR68 and

Aguajito Road, but the County may credit the fair-share amount of the applicant's excess funding commitment for the SR1/SR68 roundabout; and fair-share payment of the Transportation Agency of Monterey County (TAMC) Regional Development Impact Fee (MM TRA-C1, MM TRA-C2, MM TRA-C3(C), MM TRA-C3(C), and MM TRA-C4(C)). This is the same approach used for the build-out project where Pebble Beach Company's fair share of the roundabout project was \$1.8 million. The total traffic mitigation requirement for the build-out project (including the SR1/SR68 improvement) is approximately \$2.5 million. Pebble Beach Company agreed to pay \$4.8 in mitigation in order to fund the roundabout project at SR1/SR68. The rationale for this is that the fair-share amounts for the other specific intersection improvements (other than those in the regional fee program) are insufficient to build any one of the intersection improvements and these improvements are not included in any existing transportation improvement programs. As such, at present, contribution of fees for such improvements would not result in actual improvements. As described in the Draft EIR, the fair-share fees can be redirected to other improvements that are programmed for completion, to result in an effective contribution to actual improvements.

The Draft EIR identified fair share contributions to several specific potential intersection improvements as well as a fair-share contribution to be paid to the Transportation Authority of Monterey County (TAMC) Regional Development Impact Fee Program prior to issuance of building permits. TAMC has identified a list of transportation projects that are funded through the impact fee program. Two of the projects identified by TAMC include improvements to two intersections currently operating at unacceptable levels of service within the study area. The projects are the SR 68 / Community Hospital of Monterey Peninsula (CHOMP) Widening Project and the SR 1 / SR 68 roundabout project. The intent of these projects is to facilitate better operations along SR 68. The SR 1 / SR 68 roundabout project is currently scheduled in 2016, and is expected to be completed by the end of 2016/early 2017.

- c) Transportation and Circulation. In the FEIR, mitigation measures TRA-C1, TRA-C2, TRA-C3(C), TRA-C4(C), and TRA-C5(C) have been revised to clarify that the County and/or TAMC may credit the fair-share amounts as partial repayment of the applicant's excess funding commitment for the SR1/SR68 roundabout project in excess of its overall fair share. The SR1/SR68 intersection currently operates at a failed level of Service (LOS F), but implementation of the SR1/SR68 roundabout will improve the function of the intersection to LOS C. The revised measures are equivalent or more effective in mitigating or avoiding potential significant effects, and they will not cause any potentially significant effect on the environment for the following reason: The mitigation measures have only been clarified in terms of the County's and TAMC's recognition of the applicant's excess funding

commitment for the SR1/SR68 roundabout project in excess of its overall fair share. The SR 1 / SR 68 roundabout project is currently scheduled in 2016, and is expected to be completed by the end of 2016/early 2017.

Although the project would contribute a relatively smaller number of new trips to the impacted locations, the County has identified these trips as a significant and unavoidable impact. Implementation of mitigation measures would reduce identified significant impacts; however, impacts related to certain roadways would remain significant and unavoidable even after mitigation. The fair-share contribution amounts identified in the mitigation measures are very small, and the improvements are not included in any local or regional improvement plan or fee program. Thus, it is unlikely the improvements would be built in the foreseeable future, and the impact would remain significant and unavoidable. Instead of dedicating fair-share fees for an improvement that will not likely happen in the foreseeable future, the fair-share fees would instead be redirected by the County to assist with the repayment of the excess funding commitment the applicant has made to the SR1/SR68 roundabout project beyond its fair-share.

- d) Water Supply and Demand. The project's water demand would represent an increase in water use at a time when the nature of Cal-Am's water supply is uncertain and water supply shortfalls and rationing could begin starting in 2017 with or without the project (WSD-A1 and WSD-A1(C)). Cumulative water demand on the Monterey Peninsula exceeds current water supplies requiring new regional water supplies to be developed. In 2017 and after, given the current uncertain nature of regional water supply planning, the additional project water demand could intensify cumulative water supply shortfalls and rationing until a regional water supply project is built. This is considered a significant unavoidable water supply impact.
- e) Water Supply and Demand. A regional water supply project will need to be built to serve existing demand and the increase in demand from the project. Regional water supply infrastructure and operations will have secondary environmental impacts (WSD-B1 and WSD-B1(C)). Existing, project, and other entitlement demand also create a cumulative demand for a regional water supply project. Regional water supply infrastructure and operations may have significant and unavoidable secondary environmental impacts, and the project would contribute to the need for such infrastructure. This is considered a significant and unavoidable impact.
- f) Water Supply and Demand. If the State Water Resources Control Board delays enforcement of unpermitted extractions from the Carmel River, then the project would likely increase withdrawals from the Carmel River aquifer compared to without project conditions and thus contribute to existing and cumulative impacts on Carmel River biological resources (WSD-C1 and WSD-C1(C)). This would be a significant and unavoidable impact in the contingency in which the State Water Board delays enforcement of the Carmel River withdrawal

legal limit limitations beyond December 31, 2016, until such a time as a regional water supply project provides adequate water to serve existing demand. When State Water Board Order WR95-10 and Order WR2009-0060, as amended by WR2010-0060, are fully enforced (e.g. limiting Cal-Am withdrawals to their legal right limits), it will result in a substantial reduction in Cal-Am withdrawals from the Carmel River. Thus, the project would not have a significant impact on biological resources in the Carmel River once the State Water Board orders are fully in force or a regional water supply project is operational.

- g) Water Supply and Demand. The EIR discloses that proposed regional water supply projects have faced substantial obstacles to implementation, and that an alternative water supply project may be necessary in order to provide the Monterey Peninsula with water, including water for the proposed inclusionary housing project. The EIR also discloses that there may be significant unavoidable secondary impacts of such water supply project infrastructure, and also discloses the potential impacts on water rationing if an alternative water supply is not developed by 2017. Thus, the EIR for the project appropriately discloses the general potential secondary impacts of alternative water supply infrastructure to the extent that they have been evaluated to date, and discloses potential significant and unavoidable impacts if the alternative water supply projects are not built prior to a potential cutoff of Cal-Am's illegal supply from the Carmel River in 2017.
- h) Water Supply and Demand. Mitigation is not feasible because any mitigation would be disproportionate to the impact of the project. This project would use up to 6.32 acre feet of water per year, while the regional excess demand is approximately 4,400 acre feet per year. Also of consideration is the applicant's prior financing of the infrastructure for the Carmel Area Wastewater District/Pebble Beach Community Services District Recycled Water Project. This reclamation project has provided an average of 974 acre feet of water per year between 1995 and 2014, while the applicant has been given the ability to use 380 acre feet per year, and there are still approximately 87 acre feet of water to be allocated to additional development. This reclamation project has resulted in a reduction in the amount of water pumped from the Carmel River Alluvial Aquifer. Thus, when comparing PBC's usage of water before the Recycled Water Project with the project's proposed water use, there would still be a net benefit to the Carmel River.
- i) Pebble Beach Company Inclusionary Housing Project Final EIR.

9. **FINDING:** **ALTERNATIVES TO THE PROPOSED PROJECT** - The EIR evaluated a reasonable range of potentially feasible alternatives to the proposed project in compliance with CEQA Guidelines section 15126.6. The EIR considered the alternatives described below and as more fully described in the Draft EIR. Specific economic, legal, social, technological, or other considerations make infeasible the project alternatives identified in the EIR for the reasons described below.

- EVIDENCE:** a) Per the CEQA Guidelines, Section 15126.6 (f)(2), an alternative project location need only be analyzed if the significant effects of the proposed

project would be avoided or substantially lessened by putting the project in another location. None of the alternatives avoid or substantially lessen the significant and unavoidable impacts of the project. In addition, per Public Resources Code Section 21001, agencies should not adopt projects as proposed if there are feasible alternatives which would substantially lessen significant environmental effects of a project to a less than significant level. No such feasible alternatives were identified.

- b) Final EIR Table 4-6 identifies the Significant and Unavoidable Impacts of the project related to Transportation and Circulation, and Water Supply and Demand.
- c) Final EIR Table 5-1 identifies that the project alternatives analyzed in the EIR do not avoid significant effects. As described in the EIR, Significant and Unavoidable impacts are related to Transportation and Circulation, and Water Supply and Demand, but there are also other potentially significant impacts identified in the EIR which could be reduced or affected based upon the alternative. The alternatives were designed to address all potentially significant impacts identified for the project.
- d) Chapter 5 of the Draft EIR, as amplified and clarified by the Final EIR, analyzes a reasonable range of alternatives.
- e) There are no feasible alternatives that would avoid the project's significant unavoidable environmental effects. The EIR identified that the project would have significant and unavoidable effects to Transportation and Circulation, and Water Supply and Demand. While the EIR analyzed a reasonable range of alternatives that reduce or lessen the unavoidable impacts of the project, the EIR concluded there were no feasible alternatives that would reduce all significant and unavoidable impacts to a less than significant level. Because the alternatives do not reduce the significant unavoidable impacts to a less than significant level, and because the County finds that the alternatives are infeasible for the reasons stated below, the County does not choose to adopt the Alternatives analyzed in the EIR.
- g) Alternative 1 – No Project Alternative. The No Project Alternative would not necessarily reduce significant project impacts. Per Condition No. 18 of the Pebble Beach Company project (Resolution No. 12-149, as amended by Resolution No. 14-024), if the applicant does not identify, acquire, entitle, and construct an affordable housing project of at least 18 units in the Greater Monterey Peninsula Planning area within five years of the recordation of the first final map for the build-out project, applicant's \$5 million on deposit shall convert to County funds to be used to assist in the development of affordable housing within the Greater Monterey Peninsula area or cities therein. Therefore, the No Project alternative would likely result in the construction of 24 inclusionary housing units and the associated impacts occurring elsewhere in the Greater Monterey Peninsula Area Plan area. In addition, this alternative would leave open the foreseeable future cumulative build out of the proposed project site for market-rate housing. The No Project Alternative would also not meet the primary project objective of providing affordable housing in close proximity to

Pebble Beach Company facilities and other Del Monte Forest employment areas. Additionally, the No Project alternative is legally infeasible because there is not substantial evidence supporting findings to deny the project under the Housing Accountability Act (Government Code section 65589.5). Under Government Code section 65589.5, disapproval of the project or reduction of density of the project would require the County to find, based on substantial evidence, that the project as proposed would have a specific, adverse impact upon the public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low or moderate income households. Substantial evidence does not support these findings. Therefore, the No Project Alternative is infeasible.

- h) Alternative 2 – Sunset Drive/17-Mile Drive. Under this offsite alternative, 24 units of inclusionary housing would be constructed at the southwest corner of Sunset Drive and 17-Mile Drive, located approximately 1 mile north of the proposed project site, within the city limits of Pacific Grove. The site is currently zoned C-2, Heavy Commercial District. To achieve the number of units on the proposed site, this commercial site would require a rezoning by the City of Pacific Grove. The County does not and cannot control the city's decision whether to rezone the property, a discretionary decision. Accordingly this alternative is legally infeasible. In comparison with the proposed project site, impacts at the Sunset Drive/17-Mile Drive site would be less for biological resources, more for hazardous materials (due to demolition of existing buildings and pavement), and similar for other resource topics, with some slightly less and some slightly more. There is also some uncertainty as to the potential for secondary environmental impacts due to the displacement of existing commercial/industrial uses on the site. Cumulative impacts could be similar to but greater than those identified for the proposed project site, because there would be direct impacts from developing 24 units at this alternative site and potential future cumulative build out impacts in the proposed project site, which could be developed with market-rate housing units in accordance with existing zoning. This alternative would also not avoid the project's significant unavoidable environmental effects.
- i) Alternative 3 – Corporation Yard. Under this alternative, 18 units of inclusionary housing would be constructed at the Pebble Beach Company Corporation Yard, located on Haul Road near the Sunridge Road/Lopez Road intersection, approximately 1 mile south of the proposed project site. In comparison with the proposed project site, impacts at the Corporation Yard would be less for biological resources and noise/vibration; more for geology/soils/hazardous materials, wildland fire hazard, construction-related air quality, traffic; and similar for other resource topics, with some slightly less and some slightly more. Cumulative impacts could be similar to but greater than those identified for the proposed project site, because there would be direct impacts from developing 18 units at this alternative site and potential future cumulative build out impacts in the proposed project site, which

could be developed with market-rate housing units in accordance with existing zoning. This alternative is legally infeasible because it would be a reduction of affordable housing as compared to the project, and there is no substantial evidence to support the findings County would be required to make under the Housing Accountability Act for the reduction (see 2.o and 9.g above). In addition, the Board of Supervisors, in the approval of the Pebble Beach Company Project on June 19, 2012 (Resolution No. 12-149, Finding No. 15, Inclusionary Housing, Evidence a), previously found "...the Corporation Yard is neither desirable or suitable for inclusionary housing..." This alternative site is also infeasible because it would not fulfill owner's obligations under the Inclusionary Housing Agreement which requires that the affordable housing units be constructed in the GMPAP area. The Corporation Yard site is not in the GMPAP area; it is in the Del Monte Forest Land Use Plan area. This alternative would also not avoid the project's significant unavoidable environmental effects.

- j) Alternative 4 – Collins Residential Area. Under this alternative, the 24 units of inclusionary housing would be constructed at the Collins Residential Area, located at the corner of Portola Road and Alva Lane, approximately two miles southwest of the proposed project site. In comparison with the proposed project site, impacts at this alternative site would be less for biological resources, and similar for other resource topics, with some slightly less and some slightly more. Cumulative impacts could be similar to but greater than those identified for the proposed project site, because there would be direct impacts from developing 24 units at this alternative site and potential future cumulative buildout impacts in the proposed project site, which could be developed with market-rate housing units in accordance with existing zoning. This alternative is infeasible because it would require a Local Coastal Program (LCP) amendment; current zoning only accommodates 7 units of affordable housing. The LCP embodies County's policy decisions to guide future growth and development, and that planning process did not envision 24 units of housing at this site. This alternative site is also infeasible because it is inconsistent with the Inclusionary Housing Agreement requirement that the affordable housing units be constructed in the GMPAP area; the Collins Residential Area is in the Del Monte Forest Land Use Plan Area. This alternative would also not avoid the project's significant unavoidable environmental effects.
- k) Alternative 5 – Reduced Density On-Site. Under this on-site alternative, 24 units of inclusionary housing would be constructed in the 7.7-acres currently zoned Medium Density Residential at the project site, instead of 24 units on the proposed 2.7-acre development footprint. The assumed gross density would be 3.1 dwelling units per acre, which would be the same average density as the proposed project's density, but the project would just be spread out across the entire area designated MDR. To determine the reduced density for this alternative, the residential densities of the surrounding neighborhoods were considered, as described in the Final EIR, Chapter 5, Alternatives. For this alternative, the Final EIR assumed that the 24 units would be single-

story, single-family dwellings. In comparison with the proposed project, this alternative's impacts would be similar for aesthetics, noise, public services, traffic and water; slightly less for land use; and slightly more for air quality, biological resources, climate change, geology, and hydrology due to the dispersed development. Overall, impacts would be similar to but greater than those identified for the proposed project because the development would be dispersed over a larger area. This alternative is infeasible as it would not avoid the project's significant unavoidable environmental effects and would result in more tree removal and greater impact to climate change, among other greater impacts, and reduce the amount of land set aside for forest preservation. Choosing an alternative that would result in greater tree removal is infeasible under County regulation, which requires a finding that the tree removal is the minimum required under the circumstances (see Finding No. 14 below).

- l) Alternative 6 – Reduced Units On-Site. Under this on-site alternative, 18 units of inclusionary housing would be constructed on 2.0 acres at the proposed project site, instead of 24 units on 2.7 acres. There would be three 2-story buildings, each with 6 units (instead of four 2-story buildings, each with 6 units). With fewer units, a smaller development footprint could be utilized. In comparison with the proposed project, impacts of this alternative would be similar for water and slightly less for all other resource topics because of the slightly smaller amount of development on a slightly smaller footprint. This alternative would not avoid the project's significant unavoidable environmental effects. This alternative is legally infeasible because it would be a reduction of affordable housing as compared to the project, and there is no substantial evidence in support of the findings the County would be required to make under the Housing Accountability Act for the reduction (see 2.0 and 9.g above).
- m) Environmentally Superior Alternative. Alternatives 2 (Sunset Drive/17-Mile Drive) and 4 (Collins Residential Area) would result in similar overall environmental impacts, especially since both sites are previously fully disturbed, and both could be considered the environmentally superior alternative. However, Alternative 2 would be less compatible with adjacent commercial/light industrial land uses, compared to the general compatibility of residential use adjacent to Alternative 4. In addition, Alternative 2 would result in somewhat higher construction impacts due to the demolition of existing buildings as well as the potential for secondary impacts due to displacement of existing commercial/industrial uses. Therefore, Alternative 4 (Collins Residential Area) is considered the Environmentally Superior Alternative. Although considered environmentally superior, the Board finds that Alternative 4 is actually infeasible because it would require a Local Coastal Program amendment and is inconsistent with the Inclusionary Housing Agreement requirement that the affordable housing units be constructed in the GMPAP area (see Finding No. 9j above). In addition, this alternative would still not avoid the project's significant unavoidable environmental effects, making this alternative

infeasible.

10. **FINDING:** **STATEMENT OF OVERRIDING CONSIDERATIONS** - Per Public Resources Code section 21081(b) and section 15093 of the CEQA Guidelines, with respect to the identified significant unavoidable environmental effects of the project, the Board of Supervisors has weighed the economic, legal, social, technological, and other benefits, including region-wide and statewide environmental benefits, of the project against its unavoidable significant environmental impacts in determining whether to approve the project. The Board of Supervisors finds that the benefits of the project outweigh its unavoidable, adverse environmental effects such that the adverse environmental effects may be considered acceptable. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of other benefits, despite each and every unavoidable impact.

- EVIDENCE:** a) The proposed project will result in development that will provide benefits described herein to the surrounding community and the County as a whole. Any one of the facts listed below would be sufficient, in balancing the public good in approving this project against the unavoidable significant impacts identified, to find that the benefits of the project outweigh the unavoidable adverse environmental effects. The project would provide the following benefits to the public:
- i. The project is 100 percent affordable housing in an area of the County where there has been little success in providing affordable housing. The project will provide 24 units of affordable housing at the Very Low, Low, and Moderate income levels in the Greater Monterey Peninsula Planning Area - an area with a recognized need for affordable housing. The 2015 – 2023 County of Monterey Housing Element, adopted by the Board of Supervisors on January 26, 2016, and certified by the California Department of Housing and Community Development on May 10, 2016, identifies a shortage of affordable housing in the unincorporated areas of the County. Based upon the fact that the rents in the Greater Monterey Peninsula Planning area are higher than elsewhere in the County, resulting in housing which is not affordable, this project will provide housing affordable to very low, low, and moderate income households in an area in particular need of it. This project helps achieve Policy H-3.7 of the Housing Element, to “work to achieve balanced housing production proportional to the job-based housing demand in each region of the unincorporated area.” This project will assist in providing the jobs/housing balance, as the project will provide housing affordable to hospitality employees who work on the Monterey Peninsula;
 - ii. The project will permanently preserve approximately 10.5 acres of open space of the 13.2-acre project site. The open space would consist of the 6.5-acre portion of the project site surrounding the 2.7-acre development area on the east side of SFB Morse Drive, and the 4-acre area west of SFB Morse Drive. This open space area will be

permanently protected and managed to enhance habitat values. Several conditions of approval of this project require the preservation and active management of this area. Without approval of the project, the area would remain designated for residential use, and there would be no conditions of approval requiring the applicant to place the majority of the area in permanent conservation easement or to actively protect and manage the area;

- iii. The project will also permanently preserve an additional 8.4 acres of undeveloped Monterey pine forest in the Old Capitol site; and
- iv. The project will create economic benefits to the County and the economy through the creation of jobs for construction (temporary), and the creation of new property tax revenue through higher property valuation.

- b) Pebble Beach Company Inclusionary Housing Project Final EIR; County of Monterey 2015-2023 Housing Element.

11. **FINDING:** **MITIGATION MONITORING PROGRAM** - Per Public Resources Code section 21081.6 and the County-adopted Condition of Approval and Mitigation Monitoring and Reporting Program, the County is, as part of this action, adopting a reporting or monitoring plan for the changes made to the project or conditions of project approval in order to mitigate or avoid significant effects on the environment.

- EVIDENCE:**
- a) At the August 23, 2016 hearing at the Board of Supervisors, in addition to certifying the EIR, the Board of Supervisors considered adoption of a Mitigation Monitoring and Reporting Plan (MMRP), and adoption of the MMRP is part of the project approval. The mitigation measures identified in the FEIR are incorporated as conditions of approval and are included as an attachment to this resolution approving the project.
 - b) All revisions to the mitigation measures since the DEIR provide clarification and additional detail. The changes do not result in a new significant impact or substantial increase in the severity of an environmental impact. See Finding Nos. 7 and 8 above, and Finding No. 12 below.
 - c) The Applicant/Owner of the project will be required to enter into an “Agreement to Implement a Mitigation Monitoring and Reporting Plan” as a condition of approval for the project (Condition No. 7).
 - d) Pebble Beach Company Inclusionary Housing Project Final EIR.
 - e) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development; RMA-Planning Project File PLN130447.

12. **FINDING:** **RECIRCULATION NOT REQUIRED** – No new significant information has been added to the EIR since circulation of the DEIR that would require recirculation of the EIR. Per Section 15088.5 of the CEQA Guidelines, the County of Monterey is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review but before certification. “Significant new information” requiring recirculation may include, for example, a disclosure showing:

- 1) A new significant environmental impact resulting from the

project or from a new mitigation measure proposed to be implemented;

- 2) A substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- 3) A feasible project alternative or mitigation measure, considerably different from others previously analyzed, that clearly would lessen the significant environmental impacts of the project, but that the project’s proponents decline to adopt; or
- 4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

No such significant new information has been added.

- EVIDENCE:**
- a) Per Section 15088.5(b) of the CEQA Guidelines, recirculation of the draft EIR is not required where the new information merely clarifies, amplifies or makes minor modifications to an adequate EIR. The information provided, and revisions to the draft EIR since the public notice of availability of the draft EIR, meets those criteria.
 - b) All the text revisions to the draft EIR and revisions to mitigation measures since the DEIR provide clarification and additional detail. The changes do not result in a new significant impact or substantial increase in the severity of an environmental impact, and therefore recirculation is not required.
 - d) See Finding Nos. 6, 7, 8, 9, 10, and 11 above.
 - e) Pebble Beach Company Inclusionary Housing Project Final EIR.

13. **FINDING:** **FISH AND GAME FEE** – For purposes of the Fish and Game Code, the project will have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends.

- EVIDENCE:**
- a) The California Department of Fish and Wildlife (DFW) reviewed the DEIR. Analysis contained in the EIR and the record as a whole indicate the project could result in changes to the resources listed in DFW regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the DFW determines that the project will have no effect on fish and wildlife resources. The site supports biological and forest resources. For purposes of the Fish and Game Code, the project will have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. Therefore, the project will be required to pay the State fee in effect at the time of the recordation of the Notice of Determination to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
 - b) The County filed a Notice of Determination and forwarded the required impact fee to the California Department of Fish and Wildlife on June 9, 2016 (SCH # 2014081052).
 - c) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN130447.
 - d) Pebble Beach Company Inclusionary Housing Project Final EIR.

14. **FINDING:** **TREE REMOVAL** – The tree removal is the minimum required under the circumstances and the removal will not involve a risk of adverse environmental impacts.

- EVIDENCE:**
- a) The project includes application for the removal of 725 trees (135 Monterey pine and 590 oak). In accordance with the applicable policies of the 2010 General Plan, Greater Monterey Peninsula Area Plan, and Monterey County Code (Title 16 and Title 21), a Use Permit is required and the criteria to grant said permit have been met.
 - b) A Tree Resource Assessment/Arborist Report (LIB130274) was prepared by Urban Forestry (Frank Ono), and incorporated into the Environmental Impact Report prepared for the project.
 - c) The project site consists of 13.2 acres of undeveloped, forested land. As proposed, the development would result in the removal of up to approximately 725 trees. Regardless of placement, development of the project would result in a loss of forest habitat. Therefore, the applicant designed and sited the project to minimize the removal of trees by consolidating the development footprint onto approximately 2.7 acres.

General Plan policies encourage clustering of uses to reduce impacts, such as impacts to biological and forest resources. Clustering development allows retention of a larger preserve area than would be retained in an alternative scenario which reduces density, yet would potentially impact all of the 7.7 acres of area zoned for residential use or MDR. This is consistent with the intent of General Plan Policies LU-1.7, 8.2, and 8.5. Clustering allows the preservation of open space on the remaining 10.5 acres of the project site, which the County is requiring the owner to place under a conservation easement (Condition No. 31). To provide additional mitigation for the loss of Monterey pine forest habitat, the applicant is also required to dedicate 8.4 acres of the Old Capitol Site. The project, as conditioned and mitigated, would increase the quantity of preserved open space compared to a different residential development scenario allowable by current zoning.

- d) Relocation of the development footprint to the south is not feasible due to a drainage easement which crosses the project site from the Del Monte Park neighborhood to SFB Morse Drive. Movement of the development footprint to the north would locate the new units closer to the existing residences in the Del Monte Park neighborhood, thereby increasing potential visual and noise impacts.
- e) To provide for integrated resource management of the proposed preservation area, a Master Resource Management Plan (Master RMP) for implementing resource management was developed by the County with technical assistance from the County's environmental consultant. The Master RMP establishes a framework for the development of the site-specific RMP for the preservation area (Condition No. 30). 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.

- f) The applicant will also be required to replace all trees removed at a 1:1 ratio (Condition No. 17), and implement tree protection measures for trees adjacent to the development area during construction activities (Condition No. 9).
- g) Staff conducted site inspections on September 5 and October 3, 2013; August 5 and August 28, 2014; and October 8, 2015, 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. Through the application of conditions and mitigation measures, all impacts related to tree removal will be reduced to less than significant; therefore, the removal will not involve a risk of adverse environmental impacts.
- h) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN130447.

15. **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 Resource Code.

EVIDENCE:

- a) The project site is within the Monterey County State Responsibility Area, and the project would expose people and structures to risk of wildland fire where proposed residential development is adjacent to undeveloped open space.
- 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. The proposed development, as designed and conditioned, provides for emergency access and fire suppression.
- c) Emergency vehicle access to the project site would be from SFB Morse Drive. A new two-way private roadway, called Morse Court, would be constructed to serve as the driveway into the project site from SFB Morse Drive, and would have entrances at both the north and south ends of the project site.
- d) The conceptual landscape plan submitted by the applicant and analyzed during environmental review provides for maintained defensible space around the proposed structures.
- e) Condition of Approval Nos. 21 – 25 have been applied to the project to ensure the following: 1) all driveways meet minimum requirements regarding width, surface, grade, and turning radius or turnaround; 2) maintenance of adequate defensible space around all structures; and 3) all structures have adequate fire protection equipment [sprinkler systems], fire alarms systems, and roof construction.

16. **FINDING:**

LONG-TERM SUSTAINABLE WATER SUPPLY AND

ADEQUATE WATER SUPPLY SYSTEM – The project has a long-term, sustainable water supply, both in quality and quantity, and an adequate water supply system to serve the development as required by General Plan Policies PS-3.1 and PS-3.2, respectively.

- EVIDENCE:**
- a) The new development will use or require the use of water. The 24 affordable units and associated facilities will use between 5.57 and 6.32 acre feet of water per year depending upon the rainfall for the year.
 - b) The source of water for the project will be Cal-Am who will obtain water from the Carmel River Alluvial Aquifer. The State Water Board found that Cal-Am does not have sufficient rights to the amount of water it is pumping out of the Carmel River Alluvial Aquifer, and only has rights to 3,376 acre feet of water. The State Water Board has issued a Cease and Desist order which requires significant cutbacks to Cal Am's pumping by the end of 2016 (State Water Resources Control Board Orders WR 2009-0060 and WR 2010-0001). If a new water supply cannot be built by the end of 2016, or later deadline if extended by the CPUC, the CPUC may require water rationing and/or a moratorium on new construction. The subject project, which has its water permit as a result of the Recycled Water Project, would be subject to any rationing program.
 - c) The applicant participated in financing the infrastructure for the Carmel Area Wastewater District/Pebble Beach Community Services District Recycled Water Project. This reclamation project has provided an average of 974 acre feet of water per year between 1995 and 2014, while the applicant has been given the ability to use 380 acre feet per year. This Recycled Water Project has resulted in a reduction in the amount of water pumped from the Carmel River Alluvial Aquifer. There are still 87 acre feet of water to be allocated to additional development.
 - d) Cal Am as the water provider is a regulated public utility which is mandated to provide water that meets public health standards and thus has adequate water quality as required by PS-3.2(a)
 - e) Cal Am is regulated by the State Water Board in its extraction of water from the Carmel Valley Alluvial Aquifer. The extraction of water is being monitored, and alternative sources of water are being required to address the over-allocation of the Carmel River Alluvial Aquifer. In addition, the use of water from the Carmel River Alluvial Aquifer is monitored and regulated by the Monterey Peninsula Water Management District. The Carmel River Alluvial Aquifer is a water source that is highly regulated, and as a water provider Cal Am is regulated. This satisfies the criteria in PS-3.2(b), which points to the *authorized production capacity of a facility operating pursuant to a permit from a regulatory agency ...*
 - f) Cal Am has the technical, managerial, and financial capability to provide water to the subject site consistent with PS-3.2(c).
 - g) PS-3.2(d) requires consideration to the rights to water from the source. In this case Cal Am has the right to use 3,376 acre feet per year from the Carmel River Alluvial Aquifer. The applicant, in funding the Recycled Water Project, has obtained water entitlements for 380 acre feet of water annually. Currently, there remains 87 acre feet of water per year to allocate.
 - h) General Plan Policy PS-3.2(e) and (g) state:
 - e. *Cumulative impacts of existing and projected future demand for water*

from the source, and the ability to reverse trends contributing to an overdraft condition or otherwise affecting supply; and to those resources and species.

g. Completion and operation of new projects, or implementation of best practices, to renew or sustain aquifer or basin functions.

The project applicant has already provided a project which reverses the trends contributing to over allocation of the Carmel Alluvial Aquifer by implementing a project which uses best management practices to use reclaimed water to irrigate the golf course and large landscaped properties in the Del Monte Forest. Currently these properties use 100% reclaimed water.

- i) The result of the Recycled Water Project is less extraction of water from the Carmel River Alluvial Aquifer, which has had a beneficial impact upon the biological resources supported by the river.

17. **FINDING:** **APPEAL** – Upon consideration of the documentary evidence, the staff report, the oral and written testimony, and all other evidence in the record as a whole, the Board responds as follows to the Appellant’s contentions:

EVIDENCE: a) The Appellant (Del Monte Neighbors United), pursuant to MCC Section 21.80.050.A, filed an appeal from the June 8, 2016, decision of the Planning Commission. The appeal challenged the Planning Commission’s certification of the Final Environmental Impact Report and approval of the Combined Development Permit, and contended that the decision by the Planning Commission was not supported by the evidence and was contrary to the requirements of law set forth under the California Environmental Quality Act (CEQA). See the text of the Appellant’s contentions and the County’s responses to those contentions in Evidences b, c, d, and e below.

b) Appellant’s Specific Contention A: The Appellant stated: *The Planning Commission’s Findings Regarding Alternatives is Fatally Flawed*

The Appellant argues that the FEIR identified Alternative 2 (Sunset Drive/17 mile Drive) and Alternative 4 (Collins Residential Area) as feasible and environmentally superior alternatives but the Planning Commission found these alternatives to be legally infeasible resulting in the Planning Commission findings being inconsistent with the FEIR analysis. The Appellant goes on to say the need for a rezone and Local Coastal Plan does not make an alternative infeasible and that the County has created an artificial construct and in the end rejected alternatives simply because they did not like them, not because they are truly infeasible. This appeal contention also indicates that Alternative 3 (Corporation Yard Site) was found infeasible because it would be a reduction in affordable housing, not consistent with the Housing Accountability Act, previous Board findings that it is not a desirable site for affordable housing and it is not in the Greater Monterey Peninsula Area Plan as required by the Inclusionary Housing Agreement which Appellant contends is “a classic bait and switch” calling into question the efficacy of alternatives analysis, and highlights the unlawful

segmentation of the project.

This contention by the Appellant overlooks that the issue of feasibility emerges at two distinct points in the review process: first, in the EIR and next during project approval. Different considerations and even different participants may come into play at each of the two phases. The FEIR addressed this issue in Master Response 6:

First, it is important to distinguish between the feasibility analysis in the EIR and the feasibility determination to be made by the decision-making body on the project. When assessing feasibility of alternatives, an EIR evaluates potential feasibility, taking into account factors such as site suitability, economic viability, availability of infrastructure, general plan consistency, jurisdictional boundaries, and ownership and control of the site (CEQA Guideline sec. 15126.6(a) and (f)). It is the County decision-making body on the project, however, who is ultimately responsible for determining the actual feasibility of alternatives. In determining feasibility, the decision-making body may take into account broader considerations of policy, including "specific economic, legal, social, technological, or other considerations" (CEQA Guidelines sec. 15091(a)(3)). Thus, the EIR considers a reasonable range of potentially feasible alternatives, but the EIR does not determine actual feasibility of alternatives, which is determination to be made by the decision-making body.

The Planning Commission findings reflect their judgment on the actual feasibility of the alternatives. The findings that alternatives are ultimately infeasible because they require modifications to the Local Coastal Program or require a General Plan Amendment and Rezone in an adjacent jurisdiction is based on the importance of the General Plan, zoning and the Local Coastal Plan in state law. Development in any local jurisdiction must be found consistent with the general plan. A General Plan is intended to be the development blueprint, establishing consistency between land uses, for a local jurisdiction and is intended to be stable as evidenced by the limited number of times it can be amended each year. The Planning Commission found that an alternative which required a modification to the zoning and general plan of an adjacent jurisdiction is not something foreseeable with certainty and is thus not feasible.

Similarly the Local Coastal Plan functions as the General Plan in the coastal area and also implements the Coastal Act which means it must be certified by the Coastal Commission making it even less subject to indiscriminate amendment. The concern for maintaining the integrity of the LCP is the same as that of the general plan. The Planning Commission found that amending the LCP to insert high density residential into a medium density residential area is not feasible due to the established land use pattern and paramount importance of

maintaining the integrity of the LCP.

The appellant takes issue with only assigning 18 units to the Corporation Yard site, which ignores that the Land Use Plan allows up to 18 units for the subject site if used for affordable housing. This is not a bait and switch as contended but a reflection that the Board of Supervisors designated the site for 18 units and also indicated that due to the site location deep in the forest, lack of convenient access to services and schools, the site is undesirable for affordable housing. The Planning Commission found that based on these factors, the site is not actually a feasible alternative.

- c) Appellant's Specific Contention B: The Appellant stated: *The Project EIR Unlawfully Segmented the Inclusionary Housing Project from the Larger Pebble Beach Project*

This issue is addressed in Master Response 1 in Volume 3 of the Final EIR. Under the Concept Plan, Pebble Beach Company (PBC) had proposed paying an in-lieu fee to satisfy the inclusionary housing requirement. When the County approved the Concept Plan project in June 2012, PBC had not yet submitted any application to the County for development of Area D.

The Board of Supervisors adopted conditions for the approval of the buildout project that included two options for PBC to meet the inclusionary housing ordinance requirements: (1) pay an inclusionary housing fee; or (2) build inclusionary housing units within the greater Monterey Peninsula. The condition did not mandate a specific location to build such units, and PBC did not indicate at the time what manner it would choose to comply with this condition. As such, the prior EIR adequately analyzed the reasonably foreseeable conditions with the buildout project without engaging in speculation as to whether PBC would choose to pay the fee, or whether and where PBC might choose to build inclusionary housing units. Thus, there is no more analysis that was required in the EIR for the buildout project at the time of approval in June 2012.

PBC subsequently proposed to the County to build 24 inclusionary housing units in Area D, and submitted an application in August 2013 for that purpose. The County, upon reviewing the application, determined that an EIR would be prepared for the inclusionary housing project, and the Draft EIR was prepared and circulated for review. The Draft EIR properly analyzed the cumulative environmental impacts of the inclusionary housing project, in combination with the PBC buildout project, as well as other cumulative development. As indicated in Chapter 4 of the DEIR, the Pebble Beach buildout project is included as reasonably foreseeable projects addressed by the cumulative analysis (see Table 4-2 of DEIR). Thus, the public and decision-makers were properly informed of both the inclusionary housing project impacts, as well as the cumulative impacts of the buildout project plus the

inclusionary housing project.

The concern about “piecemealing” or “segmentation” under CEQA is that individual parts of an overall project will be separated in such a way that the full environmental effects will not be fully disclosed and/or that decision-makers will not be fully informed about the environmental effects of their discretionary decisions. In this case, the public and decision-makers have been fully informed about both the specific impacts of the inclusionary housing project and the cumulative impacts of both the buildout project and the inclusionary housing project, so that there is no deficiency in disclosure of environmental impacts. This is not a situation of dividing up a project to minimize the conclusion about environmental impacts. Rather, this is a situation where new information – the specific inclusionary housing project proposed for Area D – became available after the EIR for the PBC Concept Plan was certified, and in compliance with CEQA, the County prepared additional, thorough environmental review to address this new information, analyzing the impacts of the new project in conjunction with the impacts of the previously approved Concept Plan. Therefore, the environmental review has not been piecemealed or segmented.

- d) Appellant’s Specific Contention C: The Appellant stated: *Unavoidable Significant Impacts to Monterey Pine Forest ... Preserving other areas from development does not result in mitigation for loss of the species elsewhere. The Project would result in removal of 725 Monterey pine trees and a loss of 2.7 acres of Monterey pine forest..... The FEIR’s determination that the Project complies with the Greater Monterey Peninsula Area Plan Policy GMP-3.5 , ..., is simply incorrect. Half of the native oak and Monterey pine will be removed... The Final EIR dismisses the cumulative impact to Monterey pine forest by simply adding a section defining fragmentation, instead of addressing the issue....*

The project site consists of 13.2 acres of undeveloped, forested land; however, as is pointed out in the EIR “*The Monterey pine forest on the Project site is degraded in part because of past and ongoing human activity and use of the unofficial recreation trails.*” The FEIR explains this evidence comes from the opinion of professional arborist and forester Frank Ono and also biologist Michael Zander. Condition 30 (Mitigation Measure BIO-A1) addresses the degraded condition of the existing forest by requiring development of a Resource Management Plan (RMP) to increase the functions and values of the preserved forest habitat to offset the loss of habitat and to minimize indirect impacts resulting from Project implementation. There will be a loss of 2.7 acres of degraded habitat, but the long term effect will be to improve the habitat value of the remaining 10.5 acres. The project is consistent with GMP-3.5 because it clusters development on 2.7 acres, thus preserving and improving the quality of the forest on the remaining 10.5 acres. The County standard for evaluating development on a parcel with existing land use and zoning is the extent to which development “minimizes”

removal of protected trees. This comes out of Monterey County Code Section 21.64.260.D.5.a: "*The tree removal is the minimum required under the circumstances of the case*". The design of this project removes the minimum number of trees in order to develop the property, thus the appellant's contention that the project is inconsistent with GMP-3.5 is incorrect.

The contention that the Project would result in the loss of 725 Monterey pine is incorrect. The project would be authorized to remove up to 135 Monterey pine and 590 oak trees.

Regardless of placement on the project site, construction of the project would result in the loss of forest habitat. The Appellant correctly points out that the FEIR finds: "*Given the prior loss of nearly 50% of the historic extent of native Monterey Pine forest . . . the project would contribute considerably to significant cumulative losses and indirect effects to Monterey pine forest.*" The Appellant contends that the loss of Monterey pine is not cumulatively evaluated and opines that the analysis of this project's impacts on Monterey Pines is segmented from the Pebble Beach build out project. This ignores the analysis and mitigation relied upon which stem from the Pebble Beach build out project involving the dedication of the Old Capital Site.

Condition 143 of the Concept Plan project requires dedication of the 135-acre Old Capitol Site, including 75 acres of Monterey pine forest, if "an affordable housing site is successfully identified, acquired, entitled, and financed in the Greater Monterey Peninsula Planning Area pursuant to Condition No. 18. The dedication is tied to the construction of new inclusionary housing units. The total amount of preserved Monterey pine forest as part of the inclusionary housing project would be 85 acres (10.5 acres in Area D, 8.4 acres at the Old Capitol Site required by Mitigation Measure BIO-A2, and another 67 acres at the Old Capitol site).

Preservation does not recreate lost forest, and the Draft EIR correctly discloses that the project, even as mitigated, will not result in "no net loss" of forest. Instead, the Draft EIR used an overall cumulative threshold of significance to identify an overall cumulative level of forest loss that would avoid substantial adverse effects to Monterey pine forest on a regional basis. Though the Appellant may disagree with the concept that preservation can mitigate for forest loss, compensation mitigation is a common practice that is utilized throughout Monterey County and across the state as mitigation for loss of sensitive communities. Taking into account the comments on the Draft EIR and the Appellant's Notice of Appeal, the County does not find any substantial evidence that the preservation mitigation approach is flawed in concept or is substantially of lower value than previously thought.

- e) The Appellant also incorporated by reference comments made on the Draft EIR. The comment letters can be found in the Final EIR, Volume

III, Chapter 2, Comments Received on the Draft EIR. The full text of both master and individual responses can be found in the Final EIR, Volume III, Chapter 3, Responses to Comments, and are hereby incorporated by reference. The Appellant has submitted no new evidence that necessitates revision or recirculation of the Final EIR.

18. **FINDING:** **APPEALABILITY** – The decision on this project is final.
EVIDENCE: a) Section 21.80.090.I of the Monterey County Zoning Ordinance (Title 21) states that the decision of the Appeal Authority shall be final.

DECISION

NOW, THEREFORE, based on the above findings and evidence, and the administrative record as a whole, the Board of Supervisors does hereby:

1. Certify that the foregoing recitals and findings are true and correct;
2. Deny an appeal by Del Monte Neighbors United from the June 8, 2016, decision of the Planning Commission to certify the Final Environmental Impact Report and approve a Combined Development Permit to allow the construction of 24 affordable housing units and manager's office, the removal of 725 trees, and associated grading;
3. Certify with respect to the Final Environmental Impact Report (EIR) for the Pebble Beach Company Inclusionary Housing Project (SCH#: 2014081052) that the Final EIR has been completed in compliance with CEQA, that the Final EIR was presented to the Board of Supervisors, that the Board of Supervisors reviewed and considered the information contained in the Final EIR before taking action on the project, and that the Final EIR reflects the County of Monterey's independent judgment and analysis;
4. Adopt the above CEQA findings and Statement of Overriding Considerations;
5. Approve the Combined Development Permit (RMA-Planning File No. PLN130447) consisting of a Use Permit and Design Approval to allow the construction of 24 affordable housing units and a manager's office, a Use Permit to allow removal of 725 trees, and associated grading, in general conformance with the attached plans and subject to the attached 47 conditions, all being attached hereto and incorporated herein by reference; and
6. Adopt the attached Mitigation Monitoring and Reporting Plan.

PASSED AND ADOPTED upon motion of Supervisor Potter, seconded by Supervisor Armenta carried this 23rd day of August 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, 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 79 for the meeting on August 23, 2016.

Dated: August 30, 2016
File Number: 16-944
Corrected August 30, 2016

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

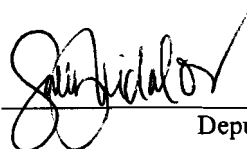
By  Deputy

Exhibit 1
to Resolution 16 - 220

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Monterey County RMA Planning

Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN130447

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

This Combined Development Permit (PLN130447) allows the construction of 24 affordable housing units and a manager's office building; the removal of approximately 725 trees; and associated grading for structural, utility, and access improvements. The project site is located along SFB Morse Drive, just south of the intersection with Ortega Road and adjacent to the City of Pacific Grove, Pebble Beach (a portion of Assessor's Parcel Number 008-041-009-000 also known as Area D), Del Monte Forest, Greater Monterey Peninsula Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

**Compliance or
Monitoring
Action to be Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state: "A Combined Development Permit (Resolution Number 16-220) was approved by the Board of Supervisors for a portion of Assessor's Parcel Number 008-041-009-000 on August 23, 2016. The permit was granted subject to forty-seven (47) conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD003(A) - CULTURAL RESOURCES - INADVERTENT DISCOVERY (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

4. PD003(B) - CULTURAL RESOURCES - HUMAN REMAINS (NON-STANDARD)

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and if the coroner determines the remains to be Native American:

The coroner shall contact the Native American Heritage Commission and RMA – Planning within 24 hours.

The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or where the following conditions occur, the landowner or his authorized representatives shall reburial the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:

1. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
2. The descendent identified fails to make a recommendation; or
3. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(RMA - Planning)

**Compliance or
Monitoring
Action to be Performed:**

5. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to County Counsel for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to County Counsel.

6. PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

7. PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to RMA-Planning.

8. PD007- GRADING WINTER RESTRICTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services. (RMA - Planning and RMA - Building Services)

Compliance or Monitoring Action to be Performed: The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

9. PD011 - TREE AND ROOT PROTECTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to RMA - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to RMA-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

10. PD011(A) - TREE REMOVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Tree removal shall not occur until a construction permit has been issued in conformance with the appropriate stage or phase of development in this permit. Only those trees approved for removal shall be removed. (RMA-Planning)

Compliance or Monitoring Action to be Performed: Prior to tree removal, the Owner/ Applicant/ Tree Removal Contractor shall demonstrate that a construction permit has been issued prior to commencement of tree removal.

11. PD012(G) - LANDSCAPE PLAN & MAINTENANCE (OTHER)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of RMA - Planning. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be installed and inspected.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

12. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.
(RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

13. EDDSP01 - REGULATORY AGREEMENT (NON-STANDARD)

Responsible Department: Economic Development

Condition/Mitigation Monitoring Measure: Prior to issuance of the Certificate of Occupancy for the Project, the applicant shall comply with the County's Inclusionary Housing Ordinance No. 5175 (Chapter 18.40 of the Monterey County Code) by entering into a Regulatory Agreement and Declaration of Restrictive Covenants ("Regulatory Agreement") with the County, which shall be recorded against the subject property, to the satisfaction of the Economic Development Director, and consistent with the adopted Inclusionary Housing Administrative Manual in effect as of the date the application was approved as well as the certain Inclusionary Housing Agreement, recorded in the Office of the Recorder of the County of Monterey on July 15, 2014 as Document No. 2014032617 ("Inclusionary Housing Agreement").

The level of affordability for the Project units shall be as follows: 30% of the units shall be rented to Very Low Income Households, 30% of the units shall be rented to Low Income Households, and 40% of the units shall be rented to Moderate Income Households as calculated pursuant to Section 1(b) of the Inclusionary Housing Agreement. This shall restrict the units as follows: seven (7) units shall be restricted to rents that meet the requirement for Very Low Income Households earning no more than 50% of the Area Median Income (AMI); seven (7) units shall be restricted to rents that meet the requirement for Low Income Households earning no more than 80% of the Area Median Income (AMI); and ten (10) units shall be restricted to rents that meet the requirement for Moderate Income Households earning no more than 120% of the Area Median Income (AMI). These affordability requirements shall be set forth in the Regulatory Agreement to be recorded against the Property pursuant to Sections 7 and 10 of the Inclusionary Housing Agreement. The developer may increase the number of very low and low income units but, under no circumstances, shall the Developer increase the number of moderate income units without the approval of the County Board of Supervisors. The affordability requirements shall continue as restrictions on the units in perpetuity.

If the applicant elects to increase the number of new lots from 90 to 100 (by creating 10 lots rather than choosing the hotel option at Spyglass Hill), applicant shall, in addition to the above requirements, pay an In Lieu fee equal to one additional unit. The In Lieu fee shall be calculated based on the adopted Inclusionary Housing Administrative Manual in effect as of the date the application was approved. (Economic Development Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of a Certificate of Occupancy for the property, the applicant shall enter into a Regulatory Agreement which shall be notarized and recorded. Applicant shall submit proof of recordation of the document to the Director of Economic Development.

14. PD027 - DEBRIS REMOVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of a building permit, recordation of a final map or parcel map or initiation of the use, applicant shall cause to be removed from the property all junk, including scrap metals, scrap materials, dismantled or wrecked vehicles or machinery, garbage, debris or similar materials. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of compliance to RMA - Planning.

15. PD033 -RESTORATION NATURAL MATERIALS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of RMA - Planning. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to commencement of use, the Owner/Applicant shall submit restoration plans to RMA - Planning for review and approval.

16. PD035 - UTILITIES UNDERGROUND

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All new utility and distribution lines shall be placed underground. (RMA - Planning and RMA- Public Works)

Compliance or Monitoring Action to be Performed: On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.

17. PD048 - TREE REPLACEMENT/RELOCATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Within 60 days of completion of construction, and in conjunction with the landscape requirement, the applicant shall replace and or relocate each tree approved for removal as specified by the County. Replacement tree(s) shall be located within the general location as shown on the approved landscape plan. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall submit evidence of tree replacement to RMA-Planning for review and approval. Evidence shall be a receipt for the purchase of the replacement tree(s) and photos of the replacement tree(s) being planted.

Six months after the planting of the replacement tree(s), the Owner/Applicant shall submit evidence demonstrating that the replacement tree(s) are in a healthy, growing condition.

One year after the planting of the replacement tree(s), the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree(s) and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.

18. PD050 - RAPTOR/MIGRATORY BIRD NESTING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Any tree removal activity that occurs during the typical bird nesting season (February 1 - September 15), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (RMA - Planning)

Compliance or Monitoring Action to be Performed: No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to RMA-Planning a nest survey prepared by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

19. EHSP001 RECYCLABLES IN RENTAL HOUSING

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Recyclables must be separated from refuse, collected, stored and properly recycled for each of the multifamily rental housing units. All persons shall separate recyclables from other solid waste generated at their premises and shall place such recyclables into a different approved container to facilitate segregation at a solid waste facility pursuant to Monterey County Code 10.41

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits, submit a written plan on how recyclables will be collected and stored for each of the multifamily rental housing units to Recycling and Resource Recovery Services of Environmental Health Bureau for review and approval.

20. EHSP02 EMPLOYEE HOUSING

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Comply with Employee Housing Regulations found in the California Health and Safety Code Section 17000-17062.5 and the California Code of Regulations Title 25, Division 1, Chapter 1, Subchapter 3 Sections 600-940.

Compliance or Monitoring Action to be Performed: Prior to occupancy, obtain a health permit for the Employee Housing from the Environmental Health Bureau.

21. FIRE007 - DRIVEWAYS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the driveway into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of driveway improvements and obtain fire department approval the final fire inspection.

22. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

23. FIRE021 - FIRE PROTECTION- SPRINKLER SYSTEM (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a framing inspection, the Applicant shall obtain fire department approval of the rough sprinkler inspection.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the fire sprinkler system and obtain fire department approval of the final fire sprinkler inspection.

24. FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, Applicant shall print the text of this condition on the construction plans.

Prior to requesting a framing inspection, Applicant shall obtain fire department approval of the fire alarm system plans.

Prior to requesting a final building inspection, Applicant shall complete the installation of the fire alarm system, obtain fire department approval of the fire alarm acceptance test and final fire inspection.

25. FIRE029 - ROOF CONSTRUCTION - (CYPRESS/PEBBLE BEACH)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, the Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

26. WR008 - STORMWATER DETENTION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a drainage plan, prepared by a registered civil engineer, addressing on-site and off-site impacts. The plan shall include detention facilities to mitigate the impact of impervious surface stormwater runoff. Supporting calculations and construction details shall also be provided. Pond(s) shall be fenced for public safety. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. The property owner shall maintain the approved stormwater drainage system to insure the facilities are operating as designed. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

27. WR010 - COMPLETION CERTIFICATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from a registered civil engineer or licensed contractor that stormwater detention facilities have been constructed in accordance with the approved drainage plan. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall submit a letter to the Water Resources Agency prepared by a registered civil engineer or licensed contractor.

28. WR049 - WATER AVAILABILITY CERTIFICATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at:
www.mcwra.co.monterey.ca.us.

29. MM AES-B1: INCORPORATE NATIVE INFILL PLANTINGS IN AREAS OUTSIDE OF THE DEVELOPMENT FOOTPRINT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM AES-B1: INCORPORATE NATIVE INFILL PLANTINGS IN AREAS OUTSIDE OF THE DEVELOPMENT FOOTPRINT

Prior to Project construction, the applicant shall incorporate native infill plantings into the Project landscaping plans around the development footprint to maximize screening of public views from roadways. Additional native shrubs shall be placed in the following areas: 1) west of the development site, between SFB Morse Drive and the new buildings (but not in a manner that blocks vehicular line of site at the driveways), and 2) east of the development site, between the Pacific Grove/Pebble Beach boundary and the development footprint where gaps allow for infill plantings. Evergreen species such as shaggy-barked manzanita (*Arctostaphylos tomentosa* subsp. *tomentosa*), coyote brush (*Baccharis pilularis*), California coffeeberry (*Frangula californica* subsp. *californica*), and toyon (*Heteromeles arbutifolia*) shall be used. Plants shall be spaced irregularly so that the plantings appear compatible with the existing vegetation in this area, yet at a density that shall ensure effective understory screening. The specific plant species, location and distance apart will be determined in coordination with and approved by the Project biologist and landscape architect analyst, who will sign the plans or approve in memorandum format. It is estimated that there could be 20-50 new native shrubs placed 5 to 10 feet apart depending on the species. Under no circumstances shall any invasive plant species be used at any location. In addition, this measure shall conform to the standards set forth for the 30-foot Lean, Clean and Green Zone and the 70-foot Reduced Fuel Zone established in the Preliminary Fuel Management Plan.

The applicant shall be responsible for maintaining and monitoring the infill plantings during the plant establishment period set forth in the resource management plan developed for the Project (refer to Mitigation Measure 1 BIO-A1, Develop and implement one site-specific resource management plan for the Project's open space preservation area). For a minimum of 20 years after Project construction, the applicant shall submit an annual monitoring report documenting the implementation of this measure.

Compliance or Monitoring Action to be Performed:

Prior to issuing the first construction permit, Monterey County RMA-Planning will review and approve the final landscape plans. After construction and prior to occupancy, the Monterey County RMA-Planning or a qualified landscape architect on the County's behalf will visit the site to ensure the landscaping has been planted in accordance with the approved landscape plans. After occupancy, Monterey County RMA-Planning will review the applicant's annual monitoring report documenting the implementation of this measure for 20 years.

30. MM BIO-A1 - DEVELOP AND IMPLEMENT A SITE-SPECIFIC RESOURCE MANAGEMENT PLAN FOR THE PROJECT'S OPE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM BIO-A1: DEVELOP AND IMPLEMENT A SITE-SPECIFIC RESOURCE MANAGEMENT PLAN FOR THE PROJECT'S OPEN SPACE PRESERVATION AREA IN AREA D

The applicant shall be required to develop and implement a site-specific resource management plan (RMP) for the 10.5-acre open space preservation area on the Project site. The objective of the RMP will be to increase the functions and values of the preserved forest habitat to offset the loss of habitat functions and values and to minimize indirect impacts resulting from Project implementation. Additionally, the site-specific RMP will include native infill plantings to replace the trees removed for the Project. (See attached pages for the full text of Mitigation Measure BIO-A1.)

Compliance or Monitoring Action to be Performed: Prior to issuing the first construction permit, Monterey County RMA-Planning shall review and approve the site-specific RMPs. After construction, annually for a minimum of 20 years, Monterey County RMA-Planning, or a qualified biologist on the County's behalf, will visit the sites to ensure the measures in the RMPs are being implemented.

Full Text of Mitigation Measure BIO-A1 (Condition of Approval No. 30):

Mitigation Measure BIO-A1. Develop and implement a site-specific resource management plan for the Project's open space preservation area in Area D.

The applicant shall be required to develop and implement a site-specific resource management plan (RMP) for the 10.5-acre open space preservation area on the Project site. The objective of the RMP will be to increase the functions and values of the preserved forest habitat to offset the loss of habitat functions and values and to minimize indirect impacts resulting from Project implementation. Additionally, the site-specific RMP will include native infill plantings to replace the trees removed for the Project.

The draft site-specific RMP shall be developed by a qualified third-party biologist under contract to the County prior to issuance of the first Project construction permit, and it shall be reviewed and approved by the County RMA-Planning. The site-specific RMP shall be based on the guidance and framework provided in the County-approved Master RMP for the Pebble Beach Company Project (also called the buildout project). The Master RMP is included in Appendix J of this EIR (it was previously included in Appendix C of the Pebble Beach Company Project EIR, which was certified by Monterey County in 2012).

The site-specific RMP for the Area D preservation area shall include planting of replacement trees per the requirements of the Tree Ordinance. The applicant shall be required to establish 590 coast live oak trees and 135 Monterey pine trees as replacement. The first priority for tree planting shall be on the proposed preservation areas within the 13.2-acre Project site, unless the qualified biologist determines it is preferable for overall forest health to plant the replacement trees within nearby areas dedicated to preservation, such as HHNHA or SFB Morse Preserve, or other areas, where appropriate to the site-specific RMPs for such areas.

- Removal and planting of Monterey pines shall employ removal and disposal techniques following the guidelines from the Pitch Canker Task Force and Monterey pine forest planting stock shall include pitch canker resistant individuals from a diverse genetic background.
- Prior to tree removal, assessment shall be conducted for the symptoms of sudden oak death and the presence of the pathogen *Phytophthora ramorum*. If infection is identified within development areas, the maximum 1 retention of uninfected coast live oaks will be incorporated into the site-specific RMP. If any infected oaks are identified within areas of oak removal, removal and disposal activity and techniques shall incorporate current best management and control recommendations for pathogen control from the California Oak Mortality Task Force and as directed by the County Agricultural Commissioner.

The site-specific RMP for the Area D preservation area shall comply with California Public Resources Code Section 4291 et seq., which mandates 100 feet of "defensible space" by vegetation reduction and treatment around all homes and buildings to help protect from wildland fire hazards. This includes creating a 30-foot Lean, Clean and Green Zone and a 70-foot Reduced Fuel Zone, as established in the Preliminary Fuel Management Plan. Surface litter removal shall leave litter that is less than 3 inches in depth in place (e.g., removal is only to manage litter so that it does not exceed 3 inches in depth. Fuel separation and treatment options in preserve areas shall use the minimum vertical clearance method to provide for a continuous tree canopy where there is an existing continuous tree canopy but horizontal clearance may be used where the tree canopy is not continuous.

The site-specific RMP for the Area D preservation area shall identify existing unofficial trails to be either 1) retained for pedestrian access through the open space preservation area or 2) closed for restoration. The following general guiding principles apply to the site-specific RMP for Area D.

- Formalize one or more existing trails to provide pedestrian access through the open space preservation area and to connect to other formal trails offsite as follows:
 - Formalize the existing informal trail along the 20-foot drainage easement south of the project development site from Shafter Avenue to SFB Morse Drive.
 - Create a trail connection from the 20-foot drainage easement southward to SFB Morse Drive east of Congress Road at a point across the road from the existing formal trail within the HHNHA. This trail connection shall use areas disturbed by existing informal trails as much as feasible. The crossing of Sawmill Gulch shall be provided by a small clear-span bridge. Signage shall be placed along SFB Morse Drive indicating to motorists of a trail crossing and at the trail road crossing should be striped. The trail shall be routed to minimize vegetation removal. Any necessary vegetation removal for formal trail establishment shall be compensated by planting on a 1:1 basis as part of management of the remaining preserve area.
 - Wooden fence barriers shall be placed at the end of Lincoln, Miles, and Lawton avenues with signage saying "Forest Preserve: Do Not Enter" or equivalent language.
 - Signage shall be placed on the new trails indicating that no motorized vehicles are allowed and bicycles must be walked.
- Close all remaining existing informal trails for restoration and to minimize foot traffic near residences. The dirt bike trail and any associated bike ramps or other bike improvements shall be removed and the disturbed area restored.
- Provide signage and barriers to guide pedestrians to formal trails and away from closed trails, and to educate them about the sensitivity of the Monterey pine forest habitat.

The site-specific RMP for Area D shall include specific management measures for the following biological resources in the preservation area.

- Monterey pine forest.
- California red-legged frog.
- Nesting raptors and bird species regulated under Migratory Bird Treaty Act.
- Pallid bat (standing dead trees throughout the Project site).

The following sections of the Master RMP specifically apply to the resource management of the portions of Area D to be preserved as part of this project: Chapter 1, Chapter 2, Section 3.1 in regard to Monterey Pine Forest, Section 3.4 in regard to Wetland and Riparian Habitat, Section 4.2 in regard to California red-legged frog and pallid bat, and Section 5.4 in regard to Huckleberry Hill Natural Habitat Area and Contiguous Areas.

For each resource being protected, the RMP for the Area D preserve shall include the following elements.

- A description of the resource and a detailed description of the management measures to protect the resource.
- Specific protection, restoration, and management methods, including timing and personnel.

- Monitoring methods, success criteria, and reporting procedures, including timing and personnel.
- Adaptive management plan (including weed control).

The RMP for the Area D preserve shall incorporate the following measures to control and minimize human use impacts.

- Implement an annual program of erosion control and trail maintenance for the formal trails.
- Provide environmental education (e.g., onsite signage, distribution of pamphlets) about the Monterey pine forest for new residents and existing adjacent residents. Educational signage and materials should specify measures that individuals can implement to lower their impact, such as staying on existing trails, crossing drainages only at existing crossings, and avoiding the introduction of invasive species. The education material shall also include information about the impact of outdoor cats on native wildlife and encourage indoor cats instead. If residents have outdoor cats, the material will include information that some think that bells or brightly colored collars may lower cat predation effectiveness, but others question its effectiveness. The material will also emphasize that control of outdoor foodstuffs and trash will help to reduce attraction of raccoons and skunks which will help protect human health and native wildlife health.
- Monitor closed trails and informal “social” trail creation, bike jumps, encampments, etc. and close or remove them as appropriate. Monitor trail crossings of Sawmill Gulch during the wet season, and install erosion control measures along trails if monitoring identifies that a substantial erosion potential exists. Conduct periodic maintenance as necessary to prevent soil erosion and sedimentation from subsequent storm events. The applicant shall develop a protocol for implementing periodic monitoring and maintenance that shall be incorporated into the RMP for the Project site.
- Conduct at least annual (and more frequent if necessary) invasive weed control surveys both along trails and off trails and use manual, mechanical, and appropriate chemical or other means of control where infestation of noxious weeds is identified. Continued use of goat grazing may be determined appropriate for weed control.

The RMP for the Area D preserve will include native infill plantings around the development footprint to maximize screening of public views from roadways (refer to Mitigation Measure AES-B1, Incorporate native infill plantings in areas outside of the development footprint).

The RMP shall include an annual work plan and monitoring report to be approved by the County. The work plan shall include an education program for maintenance staff whereby a qualified biologist shall provide information on special-status plant and wildlife species. The applicant shall ensure that the measures are implemented by monitoring for a minimum period of 20 years.

Mitigation Monitoring: Prior to issuing the first construction permit, Monterey County RMA-Planning shall review and approve the site-specific RMPs. After construction, annually for a minimum of 20 years, Monterey County RMA-Planning, or a qualified biologist on the County’s behalf, will visit the sites to ensure the measures in the RMPs are being implemented. ///

31. MM BIO-A2: DEDICATE CONSERVATION EASEMENT TO THE DEL MONTE FOREST CONSERVANCY, ETC.

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM BIO-A2: DEDICATE CONSERVATION EASEMENT TO THE DEL MONTE FOREST CONSERVANCY FOR THE OPEN SPACE PRESERVATION AREA IN AREA D. DEDICATE CONSERVATION EASEMENT TO A SUITABLE CONSERVATION AGENCY, FOR THE ADDITIONAL AREA OF OLD CAPITOL SITE

Prior to Project occupancy, the applicant shall be required to dedicate a conservation easement to the Del Monte Forest Conservancy or other approved entity for the entire open space preservation area (10.5 acres), including 4 acres west of SFB Morse Drive and 6.5 acres east of SFB Morse Drive, as shown in Figure 2-3 in the EIR.

The conservation easement shall incorporate specific development prohibitions based on the protection measures outlined in the Master RMP (Monterey County 2011/2012) and the site-specific RMP to be developed in accordance with Mitigation Measure BIO-A1. The conservation easement shall contain specific restrictive language that permanently prohibits all future development in the preservation areas, including the creation or expansion of trails, with the following exceptions.

- Existing trails in Area D to be retained, as identified in the site-specific RMP per the requirements of Mitigation Measure BIO-A1.
- Existing utility uses and their maintenance, as identified in the site-specific RMP.

The conservation easement shall also contain the following provisions:

- A guarantee of full funding for implementation and monitoring by the applicant of all agency-approved resource management methods established in all agreements and memoranda of understanding.
- A statement that these dedicated areas cannot be used for the mitigation of any other past, present, or future projects.

The intent of this language is to prevent the possibility of later revision, amendment, or interpretive disputes concerning the conservation easements that might directly or indirectly result in the loss of habitat area and quality that is intended and required solely as mitigation for this Project's effects. The intent is also to ensure the implementation of proposed resource management activities that are intrinsic to enhancing and maintaining the forest's ecological values, such as implementation of resource and wildfire management practices.

The applicant shall also be required to dedicate 8.4 acres of the Old Capitol Site for the purposes of permanent preservation and management of Monterey pine forest and supported habitat in perpetuity. The additional dedication area shall be outside the 16-acre area containing Yadon's piperia that the applicant previously agreed to preserve in the prior agreement with USFWS.

Compliance or Monitoring Action to be Performed:

Prior to Project occupancy, Monterey County RMA-Planning shall review and approve the conservation easements to the Del Monte Forest Conservancy or other approved entity.

32. MM BIO-B1 - AVOID, MINIMIZE, AND/OR COMPENSATE FOR DEGRADATION OF WATER QUALITY AND LOSS OF WATER

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM BIO-B1: AVOID, MINIMIZE, AND/OR COMPENSATE FOR DEGRADATION OF WATER QUALITY AND LOSS OF WATERS; AND IMPLEMENT RESOURCE MANAGEMENT MEASURES TO MAINTAIN WATERS AND WATER QUALITY IN THE PROJECT PRESERVE AREAS

During Project construction, the applicant shall minimize disturbance of the drainage ravine leading to Sawmill Gulch and any associated riparian vegetation due to the construction of the storm drain outfall to the drainage ravine. The outfall shall be constructed so that it shall not result in erosion of the drainage bed or bank through use of energy dissipating rock or other structure. The applicant shall restore any temporary disturbance areas. The applicant shall compensate for the loss of waters through restoration actions along the drainage ravine leading to Sawmill Gulch within the proposed preserve areas. These restoration actions shall include replanting of vegetation to compensate for any permanent loss of riparian vegetation due to outfall installation and restoration of drainage bed or bank at a minimum ratio of 1:1 for any permanent areas of disturbance of the drainage ravine leading to Sawmill Gulch. The amount of compensation included in this mitigation is a minimum requirement; additional compensation may be required as permit conditions from the USACE, RWQCB or CDFW, as appropriate.

In addition to the above requirements, the drainage ravine leading to Sawmill Gulch shall be managed for its habitat as part of the site-specific RMP required pursuant to Mitigation Measure BIO-A1 above, including removal of invasive species, stabilization of any unnatural areas of erosion that may be causing sedimentation of the creek, and removal of any unnatural fills not necessary to roadway or utility infrastructure.

Compliance or Monitoring Action to be Performed: During Project construction, Monterey County RMA-Planning, or a qualified biologist on the County's behalf, shall ensure that the applicant minimizes disturbance to the drainage ravine leading to Sawmill Gulch and shall restore any areas that are temporarily disturbed.

33. MM BIO-C1 - CONDUCT PRE-CONSTRUCTION SURVEYS FOR CRLF, IMPLEMENT PROTECTION MEASURES IF FOUND, A

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM BIO-C1: CONDUCT PRE-CONSTRUCTION SURVEYS FOR CRLF, IMPLEMENT PROTECTION MEASURES IF FOUND, AND CONDUCT CONSTRUCTION MONITORING

Prior to issuance of the first Project construction permit, the applicant shall hire a qualified biologist and ensure the following measures are incorporated into construction specifications and implemented to protect CRLF.

- The qualified biologist shall conduct pre-construction surveys up to 3 days prior to initial grading and ground disturbing activities in all upland areas within 300 feet of the drainage ravine leading to Sawmill Gulch in areas proposed for temporary or permanent disturbance in the Project site. During rain conditions, the pre-construction survey shall be conducted the same day as grading and ground disturbing activities.

- If CRLF are found within an area to be disturbed, no ground disturbance shall occur until a USFWS-approved biologist has captured and relocated any individuals to nearby suitable habitat within a preservation area. All relocation shall be completed following a relocation plan approved by the USFWS and CDFW, including the preservation area to which the CRLF shall be relocated.

- If CRLF are found within the project site and relocated out of the project site, then biologist shall supervise installation of barrier fencing around construction areas within 300 feet from the drainage ravine leading to Sawmill Gulch to minimize the potential for CRLF to enter construction areas.

- Once barrier fencing is installed, the biologist will instruct the construction foreman on how to inspect the fence each morning, prior to the start of work activities, to make sure the fence is still intact and that no animals are stuck at the fence.

Compliance or Monitoring Action to be Performed: Prior to the issuance of the first Project construction permit, Monterey County RMA-Planning shall ensure the CRLF protection measures are incorporated into construction specifications.

During construction, Monterey County RMA-Planning shall verify the protection measures are being implemented by having a construction monitor visit the site or review and approve monitoring reports prepared by the qualified biologist monitoring construction.

34. MM BIO-C3 - CONDUCT PRE-CONSTRUCTION SURVEYS FOR BAT ROOSTS, AND IMPLEMENT CONSTRUCTION MONITC

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM BIO-1 C3: CONDUCT PRE-CONSTRUCTION SURVEYS FOR BAT ROOSTS, AND IMPLEMENT CONSTRUCTION MONITORING DURING TREE REMOVAL ACTIVITIES

Prior to issuance of the first Project construction permit, the applicant shall hire a qualified biologist and ensure the following measures are incorporated into the construction specifications and implemented to protect pallid bats.

- The qualified biologist shall conduct pre-construction surveys for pallid bats no more than 48 hours before tree removal activities in or near the proposed development area. This survey shall include: 1) systematic roost searching throughout the development area where there is potential for bats to be located and, if found, 2) monitoring of an occupied tree during initial disturbance confirming bats have vacated prior to tree removal.

If bats are confirmed using the trees on site as roosts, the biologist shall be present during tree removal activities and shall have the authority to temporarily stop construction activities if pallid bats are found, and until such bats have left the occupied tree. If bats are not found roosting in the trees then no additional monitoring is necessary during tree removal, unless required by other mitigation measures.

Compliance or Monitoring Action to be Performed: Prior to the issuance of the first Project construction permit, Monterey County RMA-Planning shall ensure the pallid bat protection measures are incorporated into the construction specifications.

During construction, Monterey County RMA-Planning shall verify the protection measures are being implemented by having a construction monitor visit the site or review and approve monitoring reports prepared by the qualified biologist monitoring construction.

35. MM CC-A1 - IMPLEMENT BEST MANAGEMENT PRACTICES FOR GHG EMISSIONS DURING CONSTRUCTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM CC-A1: IMPLEMENT BEST MANAGEMENT PRACTICES FOR GHG EMISSIONS DURING CONSTRUCTION

Prior to starting construction activities, the applicant shall ensure the construction contractor includes the following best management practices (BMPs) in the construction specifications, to the extent feasible, to reduce construction-related GHG emissions:

- Use alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment for at least 15% of the fleet.
- Use local building materials where reasonably available (i.e., within the general Monterey Bay area defined as Monterey County, Santa Cruz County, and San Benito County).
- Recycle at least 50% of construction waste or demolition materials.

The applicant shall submit to Monterey County for review and approval a report of construction specifications demonstrating implementation of BMPs.

Compliance or Monitoring Action to be Performed:

Prior to starting construction activities, Monterey County RMA-Planning shall ensure that the construction specifications include best management practices to reduce construction-related GHG emissions.

Prior to the issuance of grading or building permits, Monterey County RMA-Planning shall review and approve construction specifications demonstrating implementation of BMPs.

36. MM CC-A2a - REDUCE ANNUAL GREENHOUSE GAS EMISSIONS TO BELOW THE EFFICIENCY STANDARD OF 4.5 MTCO₂e

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM CC-A2a: REDUCE ANNUAL GREENHOUSE GAS EMISSIONS TO BELOW THE EFFICIENCY STANDARD OF 4.5 MTCO₂e/SERVICE POPULATION USING A COMBINATION OF DESIGN FEATURES, REPLANTING, AND/OR OFFSET PURCHASES

Prior to issuance of the first Project construction permit, the applicant shall develop and implement a GHG Reduction Plan to reduce annual emissions to below the efficiency threshold of 4.5 MTCO₂e/Service Population. With the presumed project residents (78), this would mean reducing GHG emissions to approximately 351 MTCO₂e/year. The GHG Reduction Plan shall be provided to Monterey County for review and approval prior to grading, or ground disturbance or vegetation removal for any phase of the proposed project. The GHG Reduction Plan shall identify the specific design measures proposed to reduce GHG emissions from the proposed project, their timing, and the responsible party. The effect of state measures, as applied to project development, may be counted toward the mitigated level. (See attached pages for the full text of Mitigation Measure CC-A2a.)

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first Project construction permit, Monterey County RMA-Planning shall review and approve the GHG Reduction Plan developed by the applicant.

Full Text of Mitigation Measure CC-A2a (Condition of Approval No. 36):

Mitigation Measure CC-A2a: Reduce annual greenhouse gas emissions to below the efficiency standard of 4.5 MTCO₂e/Service Population using a combination of design features, replanting, and/or offset purchases.

Prior to issuance of the first Project construction permit, the applicant shall develop and implement a GHG Reduction Plan to reduce annual emissions to below the efficiency threshold of 4.5 MTCO₂e/Service Population. With the presumed project residents (78), this would mean reducing GHG emissions to approximately 351 MTCO₂e/year. The GHG Reduction Plan shall be provided to Monterey County for review and approval prior to grading, or ground disturbance or vegetation removal for any phase of the proposed project. The GHG Reduction Plan shall identify the specific design measures proposed to reduce GHG emissions from the proposed project, their timing, and the responsible party. The effect of state measures, as applied to project development, may be counted toward the mitigated level.

The GHG Reduction Plan shall demonstrate how the project-specific measures and the state measures will result in 2020 project emissions of no more than 351 MT CO₂e.

The following potential measures could be used in the GHG Reduction Plan.

Building Energy Use

- Exceed Title 24 building envelope energy efficiency standards (applicable at the time of the building permit issuance) by 20%.
- Install programmable thermostat timers and smart meters.
- Obtain third-party heating, ventilation, and air conditioning commissioning and verification of energy savings.
- Install energy-efficient appliances.
- Require cool roof materials.⁸
- Install green roofs.
- Install solar water heaters.
- Install tankless water heaters.
- Install solar panels.
- HVAC duct sealing.
- Increase roof/ceiling insulation.

Alternative Energy Generation

- Install onsite solar facilities.

Lighting

- Install high-efficiency area lighting.
- Limit outdoor lighting.
- Maximize interior day light.

Transportation

- Provide electric vehicle charging stations.
- Provide local shuttle service to and from employment facilities in Pebble Beach.

⁸ Per EPA ENERGY STAR requirements, cool roofs should have albedo ≥ 0.25 for sloped roofs and ≥ 0.65 for low-slope roofs.

Water

- Install low-flow water fixtures.
- Design water-efficient landscapes and landscape irrigation systems.
- Install rainwater collection systems.
- Install low-water use appliances and fixtures.
- Restrict the use of water for cleaning outdoor surfaces and prohibit systems that apply water to non-vegetated surfaces.

Area Landscaping

- Use only electric-powered landscaping equipment (not gas powered).

Solid Waste

- Institute or extend recycling and composting services.

Carbon Sequestration

- Plant additional trees beyond those already proposed.

Off-Site Mitigation

- Off-site mitigation could take many forms, including:
 - Paying for energy-efficiency upgrades of existing homes and business.
 - Installing off-site renewable energy.
 - Paying for off-site water efficiency.
 - Paying for off-site waste reduction.
 - Other methods.
- Off-site mitigation must be maintained in perpetuity to match the length of project operations to provide ongoing annual emission reductions.

Carbon Offsets

- Purchase offsets from a validated source⁹ to offset annual GHG emissions.
- Purchase offsets from a validated source to offset one-time carbon stock GHG emissions.

The GHG Reduction Plan shall consist of the measures described below unless the applicant demonstrates that alternative measures will collectively meet the overall performance standard. The applicant shall document the application of all final measures to proposed new development and demonstrate their effectiveness.

- State measures that will lower project emissions:
 - Renewable Portfolio Standard.
 - Vehicle efficiency measures (Pavley/Advanced Clean Cars).
 - Low Carbon Fuel Standard.
- Project measures that could lower project emissions:
 - Features and measures to exceed Title 24 standards by 20%.
 - Installation of low-flow water fixtures and irrigation systems.

⁹ Validated sources are carbon offset sources that follow approved protocols and use third-party verification. At this time, appropriate offset providers include only those that have been validated using the protocols and methods of the Climate Action Registry, the Gold Standard, or the Clean Development Mechanism (CDM) of the Kyoto Protocol. Credits from other sources will not be allowed unless they are shown to be validated by protocols and methods equivalent to or more stringent than the CDM standards.

- Expanding recycling and composting services to ensure recycling of 50% of materials.
- Replanting of additional trees beyond those currently proposed.

Mitigation Monitoring: Prior to issuance of the first Project construction permit, Monterey County RMA-Planning shall review and approve the GHG Reduction Plan developed by the applicant.

37. MM CC-A2b - VALIDATE THE GREENHOUSE GAS EMISSION OFFSET VALUE OF PRESERVING MONTEREY PINE FORES'

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM CC-A2b: VALIDATE THE GREENHOUSE GAS EMISSION OFFSET VALUE OF PRESERVING MONTEREY PINE FOREST ON THE OLD CAPITOL SITE USING THE CLIMATE ACTION REGISTRY FOREST PROJECT PROTOCOL AND PRESERVE THE LANDS IN PERPETUITY

In order for this mitigation to be valid, the applicant shall be required to submit an application to the Climate Action Reserve for the proposed preservation areas following the Forest Practices Protocol and shall obtain third-party verification per the protocol to validate the use of such lands for mitigation credit. If the Reserve validates an amount of GHG mitigation offset greater than or equal to the predicted emissions of the proposed project described above, the County shall accept preservation of land as mitigation of GHG emissions. If the applicant is unable to validate the preservation, the applicant shall be required to implement Mitigation Measure CC-A2a.

If validated, the project applicant shall establish preservation areas to prohibit a minimum of 75 acres of Monterey pine forest on the Old Capitol Site from being developed into non-forested land. The preservation area established by the project applicant shall be consistent with the Climate Action Reserve's Forest Project Protocol and shall ensure that the preservation area is maintained for a minimum of 100 years.

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first Project construction permit, the applicant shall submit evidence to Monterey County RMA-Planning of a submitted application to the Climate Action Reserve for the proposed preservation areas following the Forest Practices Protocol and will obtain third-party verification per the protocol to validate the use of such lands for mitigation credit. If validated, Monterey County RMA-Planning shall ensure that the preservation area established is consistent with the Climate Action Reserve's Forest Project Protocol and will ensure that the preservation area is maintained for a minimum of 100 years.

38. MM GSS-D1 - DURING PROJECT CONSTRUCTION, DEWATER WHERE EXCAVATION ACTIVITIES WOULD BE 5 FEET OR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MM GSS-D1: DURING PROJECT CONSTRUCTION, DEWATER WHERE EXCAVATION ACTIVITIES WOULD BE 5 FEET OR GREATER AND SHORE TEMPORARY CUTS

The applicant shall ensure construction specifications identify areas where excavation is planned to be 5 feet or greater, including utility installation (6 feet deep), and identify the groundwater depths at those locations. During construction, where groundwater will potentially be encountered, the construction contractor shall implement dewatering (water removal) and shoring methods as necessary to handle drainage and potential excavation wall stability during excavation. These shall be included as notes on construction plans.

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first construction permit, Monterey County RMA-Building Services shall review and approve the construction plans to ensure they identify areas where excavation could be 5 feet or greater and groundwater could be encountered, and include dewatering and shoring activities.

39. MM NOI-B1 - IMPLEMENT NOISE CONTROL MEASURES TO REDUCE CONSTRUCTION NOISE DURING PROJECT CONST

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: MM NOI-B1 - IMPLEMENT NOISE CONTROL MEASURES TO REDUCE CONSTRUCTION NOISE DURING PROJECT CONSTRUCTION

The applicant shall ensure the construction contractor includes the following measures as notes on the construction plans and implements the measures during construction of the Project.

- Monitor the effectiveness of noise attenuation measures by taking noise measurements during construction activities to evaluate noise levels and determine the need for mitigation to reduce noise below 85 dBA, Lmax at a distance of 50 feet from construction activities.
- Equipment and trucks used for Project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds), wherever feasible.
- Construction contractors, to the maximum extent feasible, shall be required to use "quiet" gasoline-powered compressors or other electric-powered compressors, and use electric rather than gasoline or diesel powered forklifts for small lifting.
- Stationary noise sources, such as temporary generators, shall be located as far from nearby receptors as possible, and they shall be muffled and enclosed within temporary enclosures and shielded by barriers, or other measures to the extent feasible.
- Install temporary noise barriers eight feet in height around the construction site to reduce construction noise to 85 dBA as measured at the applicable property lines of the adjacent uses, unless an acoustical engineer submits documentation that confirms that the barriers are not necessary to achieve the attenuation levels.
- Trucks shall be prohibited from idling along streets serving the construction site.
- Monitor the effectiveness of noise attenuation measures by taking noise measurements during construction activities.
- The applicant shall ensure a monitoring report is prepared that documents the noise measurements and the implementation of the noise-reduction measures.

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first construction permit, the Monterey County Environmental Health Bureau shall review and approve the construction plans for noise control measures to be implemented throughout Project construction.

During Project construction, Monterey County Environmental Health Bureau shall review and approve the applicant's monitoring report.

40. MM NOI-C1 - IDENTIFY SPECIFIC TIMEFRAME FOR CONSTRUCTION ACTIVITIES THAT RESULT IN VIBRATION AND PRO

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: MM NOI-C1: IDENTIFY SPECIFIC TIMEFRAME FOR CONSTRUCTION ACTIVITIES THAT RESULT IN VIBRATION AND PROVIDE ADVANCE NOTICE TO ADJACENT RESIDENTS; CONDUCT VIBRATION TESTING, AND OFFER TEMPORARY RELOCATION TO SELECT RESIDENTS IF VIBRATION LEVELS EXCEED FEDERAL TRANSIT ADMINISTRATION VIBRATION THRESHOLDS

Prior to and during Project construction, the applicant and construction contractor shall ensure that construction scheduling identifies the times and duration of vibration-causing effects associated with earth-moving and grading activities. These construction activities shall be limited to a specified period during the day, as determined by the applicant and construction contractor with approval from Monterey County RMA-Planning. The applicant shall provide advance notice to adjacent residents within 100 feet of vibration-causing activities, and also send a copy of the notice to Monterey County Environmental Health Bureau.

Additionally, the applicant and construction contractor shall conduct vibration testing to determine if earth-moving and grading activities result in vibration levels that exceed the Federal Transit Administration recommended ground-borne vibration threshold of 83 VdB and ground-borne noise threshold of 48 dBA. If ground-borne vibration or noise levels exceed the thresholds, the applicant shall offer to temporarily relocate residents who will be exposed to vibration levels exceeding threshold levels during grading and excavation activities, and notify the Monterey County Environmental Health Bureau.

These requirements shall be included in all relevant construction contracts and shown on construction plans.

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first construction permit, the Monterey County Environmental Health Bureau shall review and approve the construction plans to ensure that construction scheduling identifies the times and duration of vibration-causing effects associated with earth-moving and grading activities.

Additionally, the Monterey County Environmental Health Bureau shall ensure that the applicant and construction contractor conduct vibration testing to determine if construction activities will result in vibration levels in excess of FTA's recommended thresholds.

41. MM TRA-A1 - DEVELOP AND IMPLEMENT A CONSTRUCTION TRAFFIC CONTROL PLAN

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MM TRA-A1: DEVELOP AND IMPLEMENT A CONSTRUCTION TRAFFIC CONTROL PLAN

Prior to issuance of grading or building permits, a traffic control plan, including a comprehensive set of traffic control measures, shall be prepared by the construction contractor and submitted to Monterey County RMA – Public Works for review and approval. The plan shall be implemented throughout the course of Project construction and may include, but shall not be limited to, the following elements:

- Limit construction activities to between 8 a.m. and 6 p.m., Monday through Saturday, per the Del Monte Forest Architectural Board Design Guidelines (Pebble Beach Company 2002) imposed on development within Pebble Beach. No work shall be permitted on Sundays or holidays. Workers may be on-site before 8 a.m. and after 6 p.m., but no work shall be performed that will disturb neighboring residents. (The applicant's proposed construction hours are consistent with this measure.)
- Require that written notification be provided to contractors regarding appropriate routes to and from the Project site, and the weight and speed limits on local roads used to access the Project site. Wherever possible, construction truck travel shall occur on collector and arterial roads, not on local or residential streets. (The applicant proposes to limit major construction truck activity to key collector roads in Pebble Beach, and construction truck access to the Project site would be via the SFB Morse Gate.)
- Repair or restore any damage attributable to haul trucks on haul routes to the satisfaction of the appropriate agency.
- Require traffic controls on SFB Morse Drive and the Project entrance driveway, including flag persons wearing bright orange or red vests and using a "Stop/Slow" paddle to control oncoming traffic.
- Lane closure procedures, including signs, cones, and other warning devices for drivers, shall be identified as appropriate.
- Use of steel plates to maintain through-traffic on roads shall be considered, and construction access routes shall be identified.
- Construction staging is anticipated to occur on-site for all Project components and shall be verified by the County.
- Provide adequate on-site parking for all construction workers to minimize the impact on area roads. When on-site parking cannot be provided, alternative parking and shuttle systems shall be developed and verified by the County.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading or building permits, Monterey County RMA-Public Works shall review and approve a traffic control plan to be implemented throughout the course of Project construction.

During construction, Monterey County RMA – Public Works shall periodically monitor construction activities to ensure the traffic control plan is being implemented.

42. MM TRA-C1 - FAIR-SHARE CONTRIBUTION - SR 68/SKYLINE FOREST DRIVE

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MM TRA-C1: FAIR-SHARE CONTRIBUTION TO BE CALCULATED BASED ON AN IMPROVEMENT AT SR 68/SKYLINE FOREST DRIVE, BUT COUNTY TO CREDIT FAIR-SHARE AMOUNT AS PARTIAL REPAYMENT OF APPLICANT'S EXCESS FUNDING COMMITMENT FOR THE SR1/SR68 ROUNDABOUT PROJECT IN EXCESS OF ITS OVERALL FAIR SHARE

The applicant's fair-share contribution shall be based on a conceptual improvement for a traffic signal at the intersection of SR 68/Skyline Forest Drive and to widen the intersection to four lanes. The widening is conceptually designed to accommodate traffic signal operations and minimize vehicle queues; it would generally occur within 500 to 600 feet on either side of Skyline Forest Drive.

Based on the Project's contribution to this intersection over the total with project traffic (4 trips over 1,254 total in the PM peak hour as the intersection is deficient today), the Project's estimated share of impact is 0.32%. The estimated cost of this mitigation is \$2,444,000 (Monterey County 2011/2012). Thus, the estimated mitigation fair-share fee for this impact is \$7,821.

This physical improvement at the SR68/Skyline Forest Drive is not included in any existing local or regional traffic improvement program. The County intends to instead credit PBC's fair-share contributions under this measure as partial repayment of the excess funding commitment by the Applicant for the SR1/SR68 roundabout project beyond its fair-share.

Compliance or Monitoring Action to be Performed:

The Applicant is not required to actually make the fair-share contribution. The County shall notify the Applicant in writing prior to issuance of the building permit for the inclusionary project that the fair-share contributions from the inclusionary project will reduce the Applicant's funding of the SR1/SR68 roundabout in excess of its overall fair-share.

43. MM TRA-C2 - FAIR-SHARE TRAFFIC IMPACT FEE - TAMC REGIONAL DEVELOPMENT IMPACT FEE PROGRAM

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MM TRA-C2: FAIR-SHARE TRAFFIC IMPACT FEE BASED ON THE FEE SCHEDULE IN TAMC'S REGIONAL DEVELOPMENT IMPACT FEE PROGRAM

The Project applicant shall make a contribution to the TAMC Regional Development Impact Fee Program based on the program requirements. The contribution shall be made prior to issuance of the building permit. Based on the 2013 TAMC fee schedule, the estimated fee for moderate income apartment units is \$2,411.29 per unit and the total fee would be \$57,871. The County does not have the authority to redirect TAMC fees, but will recommend to TAMC that if possible, TAMC should consider crediting a portion of this fair-share amount as partial repayment of Applicant's excess funding commitment for the SR1/SR68 roundabout project in excess of its fair-share.

Compliance or Monitoring Action to be Performed:

If TAMC determines that it will allow redirection of the fair-share fee as partial repayment to the Applicant for the excess funding of the SR1/SR68 roundabout project, then the Applicant is not required to actually make the fair-share contribution.

If TAMC does not allow such redirection, then the Applicant shall confirm in writing prior to issuance of the building permit for the inclusionary project that it has paid the fair-share mitigation fees to TAMC.

44. MM TRA-D2 - EXTEND DECOMPOSED GRANITE WALKWAY SOUTHWARD ALONG SFB MORSE DRIVE

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MM TRA-D2: EXTEND DECOMPOSED GRANITE WALKWAY SOUTHWARD ALONG SFB MORSE DRIVE

Prior to issuance of grading permits, the applicant shall revise the site design plans to extend the decomposed granite walkway southward along SFB Morse Drive to connect to the two Project driveways. The revised design plan shall be provided to Monterey County RMA – Planning for review and approval prior to grading.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading permits, Monterey County RMA-Planning and Monterey County RMA-Public Works shall review and approve the design plans to ensure there is an extended decomposed granite walkway along SFB Morse Drive connecting the two Project driveways.

45. MM TRA-C3(C) - FAIR-SHARE CONTRIBUTION - SUNSET DRIVE/CONGRESS AVENUE

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MM TRA-C3(C): FAIR-SHARE CONTRIBUTION TO BE BASED ON AN IMPROVEMENT AT SUNSET DRIVE/CONGRESS AVENUE, BUT COUNTY MAY CREDIT FAIR-SHARE AMOUNT AS PARTIAL REPAYMENT OF THE APPLICANT'S EXCESS FUNDING COMMITMENT TO THE SR1/SR68 ROUNDABOUT PROJECT.

A fair-share contribution shall be estimated based on a conceptual design to restripe the westbound approach at the Sunset Drive/Congress Avenue intersection to provide a left-turn pocket. The applicant is responsible for its fair-share contribution to this mitigation based on new traffic growth because the intersection operates at acceptable levels under existing conditions.

Based on the Project's contribution to this intersection over cumulative new traffic growth, the Project's estimated share of impact is 0.62%. The estimated cost of this mitigation is \$4,200 (Monterey County 2011/2012). Thus, the estimated mitigation fair-share fee for this impact is \$26.

This physical improvement is not included in any existing local or regional traffic improvement program. Due to the extremely small fair share contribution, there are unlikely to be adequate funds to actually implement the improvement itself. Thus, the County may instead credit the fair-share amount as partial repayment of the Applicant's excess funding commitment for the SR1/SR68 roundabout project.

Compliance or Monitoring Action to be Performed:

The Applicant may not be required to actually make the fair-share contribution. The County shall either obtain the fair-share from the Applicant or shall notify the Applicant in writing prior to issuance of the building permit for the inclusionary project that the fair-share contributions from the inclusionary project will reduce the Applicant's funding of the SR1/SR68 roundabout in excess of its overall fair-share.

46. MM TRA-C4(C) - FAIR-SHARE CONTRIBUTION - SR 68/AGUAJITO ROAD

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MM TRA-C4(C): FAIR-SHARE CONTRIBUTION TO BE BASED ON IMPROVEMENT AT SR68/AGUAJITO ROAD, BUT COUNTY MAY CREDIT THE FAIR-SHARE AMOUNT AS PARTIAL REPAYMENT OF THE APPLICANT'S EXCESS FUNDING COMMITMENT TO THE SR1/SR68 ROUNDABOUT PROJECT

A fair-share contribution shall be based on a conceptual improvement plan to construct a refuge lane on SR 68 for traffic turning left out of the Aguajito Road intersection with SR 68. The applicant is responsible for its fair-share contribution to this mitigation based on new traffic because the intersection operates at acceptable levels under existing conditions.

Based on the Project's contribution to this intersection over cumulative traffic increase over existing, the Project's estimated share of impact is 0.13%. The estimated cost of this mitigation is \$201,400 (Monterey County 2011/ 12012). Thus, the estimated mitigation fair-share fee for this impact is \$262.

This improvement is not included in any existing local or regional traffic improvement program. Due to the extremely small fair share contribution, there are unlikely to be adequate funds to actually implement the improvement itself. Thus, the County may instead credit the fair-share amount as partial repayment of the Applicant's excess funding commitment for the SR1/SR68 roundabout project.

Compliance or Monitoring Action to be Performed:

The Applicant may not be required to actually make the fair-share contribution. The County shall either require the fair-share contribution or shall notify the Applicant in writing prior to issuance of the building permit for the inclusionary project that the fair-share contributions from the inclusionary project will reduce the Applicant's funding of the SR1/SR68 roundabout in excess of its overall fair-share.

47. MM TRA-C5(C) - FAIR-SHARE CONTRIBUTION - SR 1 NORTHBOUND MERGE AT SR 68 (WEST)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MM TRA-C5(C): FAIR-SHARE CONTRIBUTION TO BE BASED ON AN IMPROVEMENT TO THE SR 1 NORTHBOUND MERGE AT SR 68 (WEST), BUT COUNTY MAY CREDIT FAIR-SHARE AMOUNT AS PARTIAL REPAYMENT OF APPLICANT'S EXCESS FUNDING COMMITMENT TO THE SR1/SR68 ROUNDABOUT PROJECT

A fair-share contribution shall be based on a conceptual improvement to replace the SR 1 northbound merge at SR 68 (west) with an auxiliary lane between SR 68 (west) and Munras Avenue. An auxiliary lane between SR 68 (west) and Munras Avenue will alleviate operational problems in the future with the merge.

Based on the project's contribution to this segment over the cumulative total traffic with project (as the merge is currently deficient), the project's estimated share of impact is 0.04%. The estimated cost of this mitigation is \$5,584,800 (Monterey County 2011/2012). Thus, the estimated mitigation fair-share fee for this impact is \$2,234.

This mitigation measure is not included in any existing local or regional traffic improvement program. Due to the extremely small fair share contribution, there are unlikely to be adequate funds to actually implement the improvement itself. Thus, the County may credit the fair-share amount as partial repayment of the Applicant's excess funding commitment for the SR1/SR68 roundabout project.

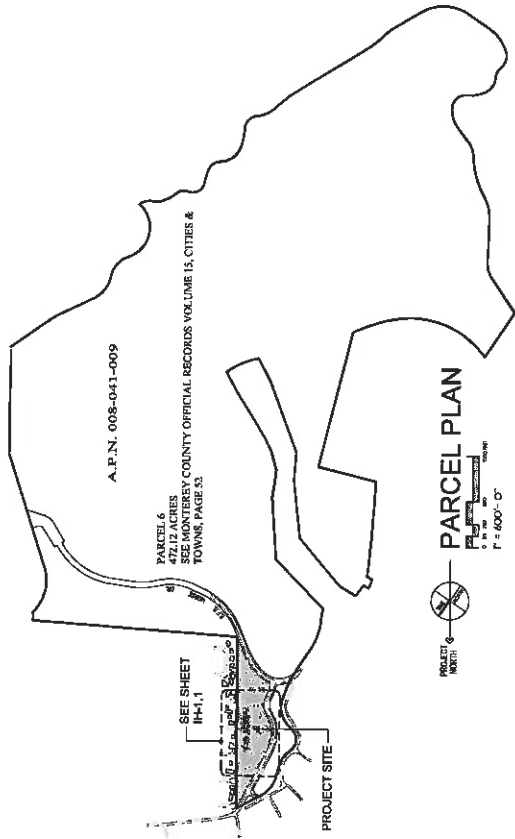
Compliance or Monitoring Action to be Performed:

The Applicant may not be required to actually make the fair-share contribution. The County shall either require the fair-share contribution or shall notify the Applicant in writing prior to issuance of the building permit for the inclusionary project that the fair-share contributions from the inclusionary project will reduce the Applicant's funding of the SR1/SR68 roundabout in excess of its overall fair-share.

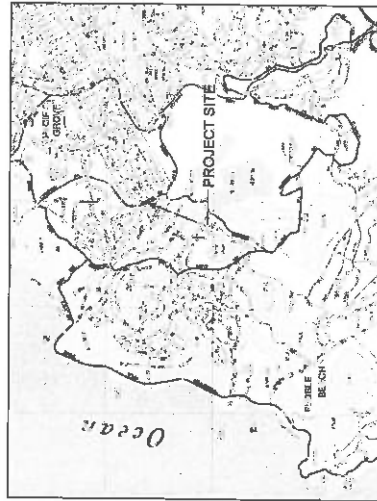
Exhibit 2
to Resolution 16 - 220

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DEL MONTE FOREST PRESERVATION AND DEVELOPMENT PLAN AREA D INCLUSIONARY HOUSING



VICINITY MAP



PROJECT INFORMATION

PROJECT DESCRIPTION:
THE PROJECT INCLUDES THE CONSTRUCTION OF ONE NEW 8 UNIT APARTMENT BUILDING (ALIMIT TOTAL), ONE 12 UNIT APARTMENT BUILDING (ALIMIT TOTAL), AND ONE 12 UNIT APARTMENT BUILDING (ALIMIT TOTAL) STANDING GARAGE.

A.P.N.: Portion of 008-041-009

SITE AREA: 9.19 ACRES (400,519 S.F.)

ZONING DESIGNATION: MDR 74 - D - RES

OCCUPANCY TYPE: R - 2

FLOOR AREAS:

| | |
|--------------------------|--------------------|
| Building 1: | 8,009 A.L. |
| Building 2: | 3,308 A.L. |
| Building 3: | 8,009 A.L. |
| Building 4: | 8,009 A.L. |
| Building 5: | 6,509 A.L. |
| Building 6: | 6,509 A.L. |
| Garage: | 8,009 A.L. |
| FLOOR AREA TOTAL: | 52,356 A.L. |

FLOOR AREA RATIO: 28,999 / 400,519 = 7.24%

ALLOWABLE: 30%

LOT COVERAGE SUMMARY:

| | |
|---------------------------------|----------------------------|
| Building: | 18,326 A.L. |
| Garage: | 8,009 A.L. |
| TOTAL BUILDING COVERAGE: | 26,335 A.L. (6.33%) |

PROJECT TEAM

OWNER:
PEBBLE BEACH COMPANY
1000 MARINA DRIVE, SUITE 200
PEBBLE BEACH, CA 95551
TEL: 831-325-1000

ARCHITECT:
FLETCHER + HANSH
1000 MARINA DRIVE, SUITE 200
PEBBLE BEACH, CA 95551
TEL: 831-325-1000

CIVIL ENGINEER:
L&S ENGINEERING AND SURVEYING, INC.
1000 MARINA DRIVE, SUITE 200
PEBBLE BEACH, CA 95551
TEL: 831-325-1000

LANDSCAPE ARCHITECT:
SCOTT GOSWAMI GROUP
1000 MARINA DRIVE, SUITE 200
PEBBLE BEACH, CA 95551
TEL: 831-325-1000

SHEET INDEX

ARCHITECTURAL

- IH-1.1 TITLE SHEET
- IH-2.1 SITE PLAN
- IH-2.2 BUILDINGS 1 & 2 FLOOR PLANS
- IH-2.3 BUILDINGS 3 & 4 FLOOR PLANS
- IH-3.1 BUILDING 2 ELEVATIONS (BUILDING 1 SIM.)
- IH-3.2 BUILDING 3 ELEVATIONS (BUILDING 4 SIM.)
- IH-4.1 OFFICE & GARPORT FLOOR PLANS & ELEVATIONS

CIVIL

- IH-4.1 THREE REMOVAL PLAN
- IH-4.1 PRELIMINARY SITE LAYOUT PLAN
- IH-7.1 PRELIMINARY GRADING & DRAINAGE PLAN
- IH-7.2 SITE CROSS SECTIONS
- IH-8.1 EROSION CONTROL PLAN
- IH-8.1 CONSTRUCTION MANAGEMENT PLAN
- IH-8.1 PRELIMINARY FUEL MANAGEMENT PLAN

LANDSCAPE

- LD-1 GENERAL LANDSCAPE/IRRIGATION NOTES
- LD-2 LEGEND, NOTES, & OBSERVATIONS
- LD-3 PLANTING PLAN A
- LD-3 PLANTING PLAN B
- LD-3 PLANTING DETAILS



Fletcher + Hansh Architects
709 Pacific Street
Pebble Beach, CA 95551
831-325-1000
www.fletcherhansh.com

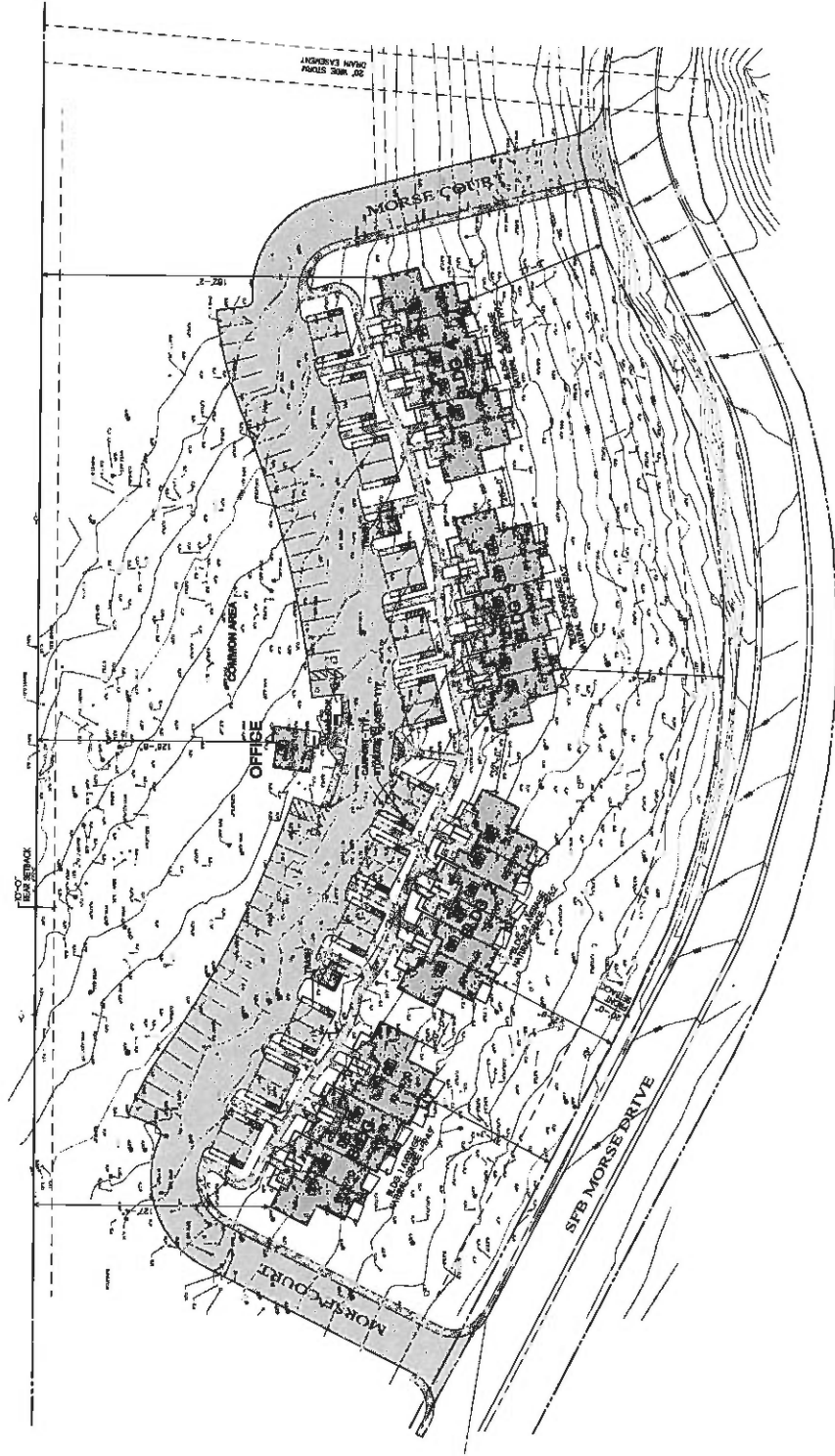


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AREA D
DEL MONTE FOREST PRESERVATION AND DEVELOPMENT PLAN
AREA D INCLUSIONARY HOUSING

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IH-0.1
REVISED: NOV. 10, 2014
DATE: JULY 9, 2011




SITE PLAN - 24 UNITS
 SCALE: 1" = 30'

LEGEND
 Living Unit Address Number

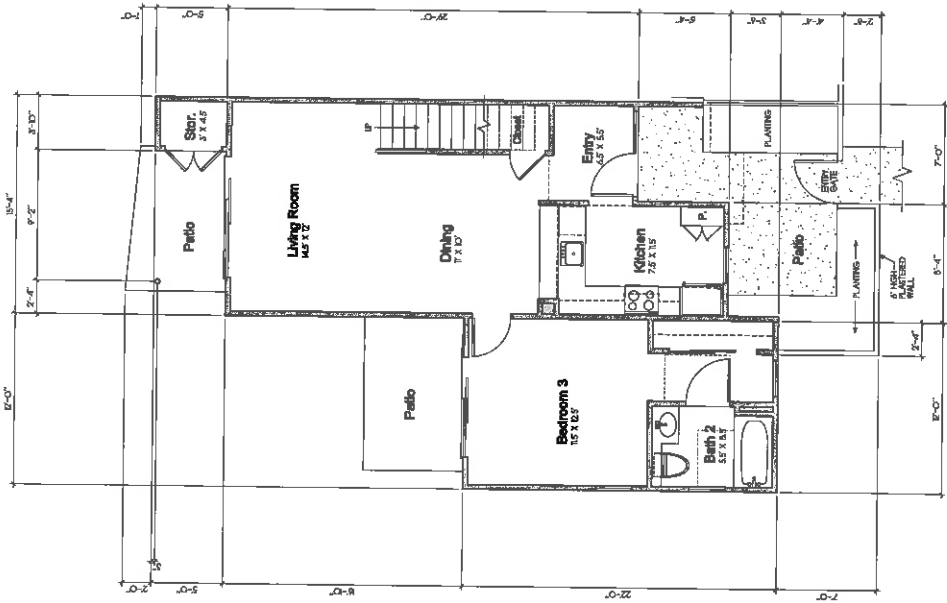
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IH-1.1
 REVISION: NOV. 19, 2014
 DATE: 05.03.14, 05.11.14

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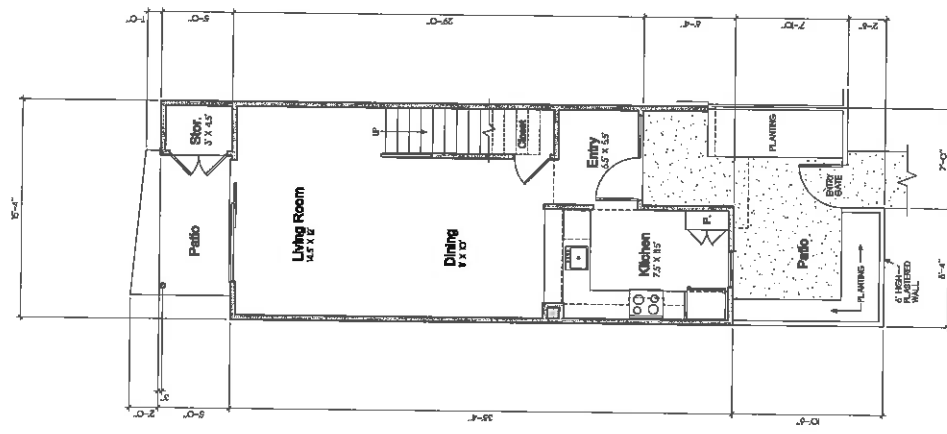

PEBBLE BEACH COMPANY
 P.O. BOX 117777, PEBBLE BEACH, CALIFORNIA 92012
 (714) 424-4477
 FAX: (714) 424-4477
 P.A. 08-00000000
 INFORMATION: PAGES 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100


ES ENGINEERING AND SURVEYING
 11000 S.W. 15th Avenue, Suite 100
 Fort Lauderdale, FL 33325
 (954) 571-1100
 www.es-engineering.com

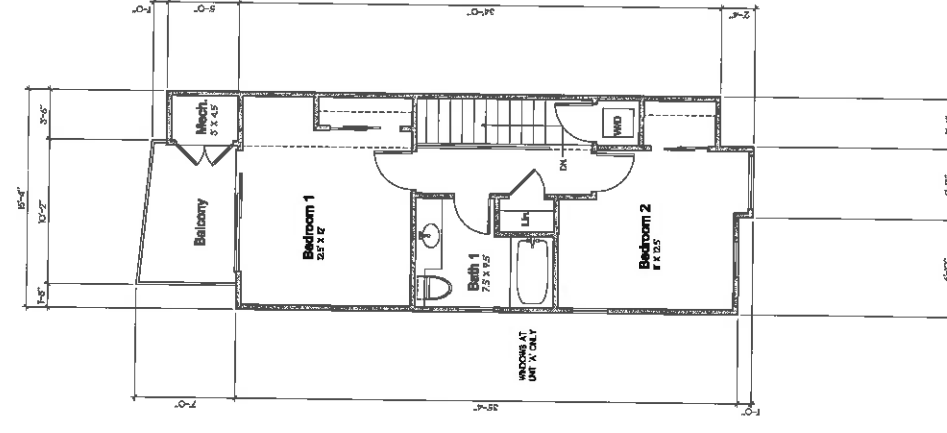
F H
 Fincher + Hendlin
 Architects
 780 Main Street
 Beverly Hills, CA 90210
 www.finchershendlin.com



**UNIT 'A'
FIRST FLOOR PLAN**
788 S.F.



**UNIT 'B'
FIRST FLOOR PLAN**
677 S.F.



**UNITS 'A' & 'B'
SECOND FLOOR PLAN**
891 S.F.

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IH-2.1
DATE: JULY 2013

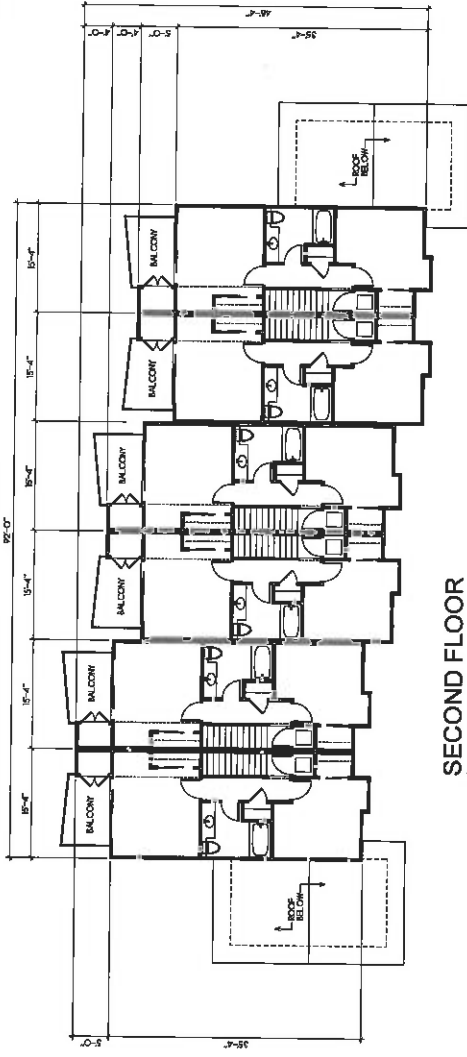
AREA D
DEL MONTE FOREST PRESERVATION AND DEVELOPMENT PLAN
AREA D INCLUSIVE HOUSING

PEBBLE BEACH COMPANY
710 DEL MONTE DRIVE, SAN JOSE, CALIFORNIA 95128
(408) 444-8407

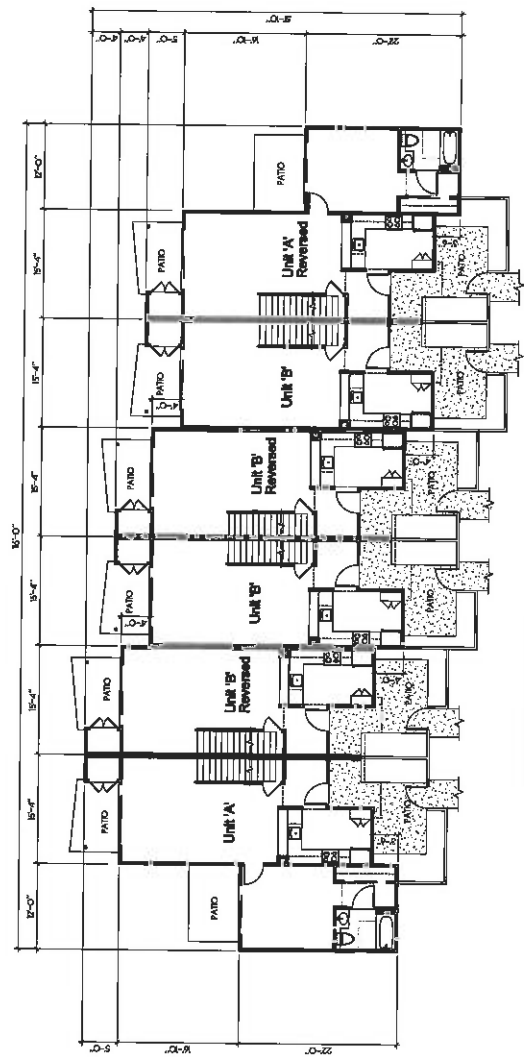
US ENGINEERING AND SURVEYING, INC.
11200 DEL MONTE DRIVE, SUITE 100, SAN JOSE, CA 95135
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Fletcher + Hurston
Architects
700 South West
Bldg. 200
San Jose, CA 95128
www.fletcherhurston.com

F H



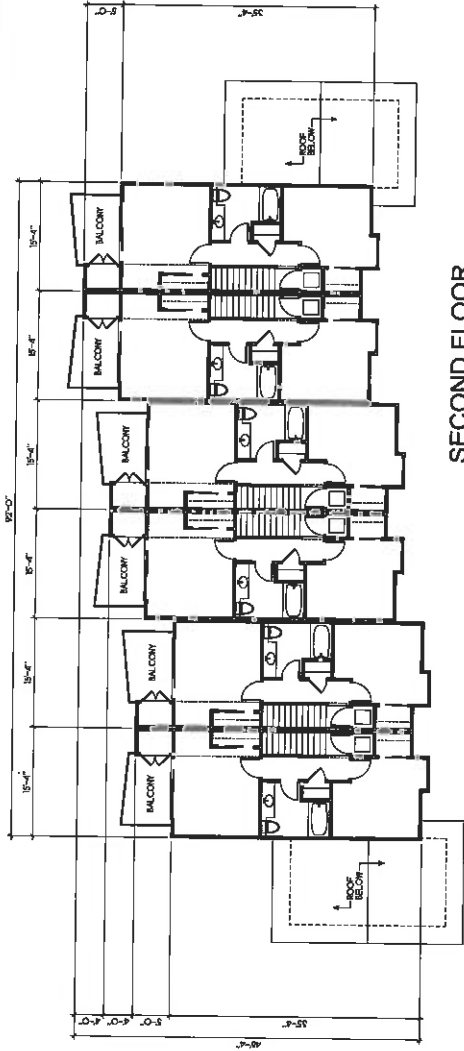
SECOND FLOOR
Floor Area = 2,088 S.F.



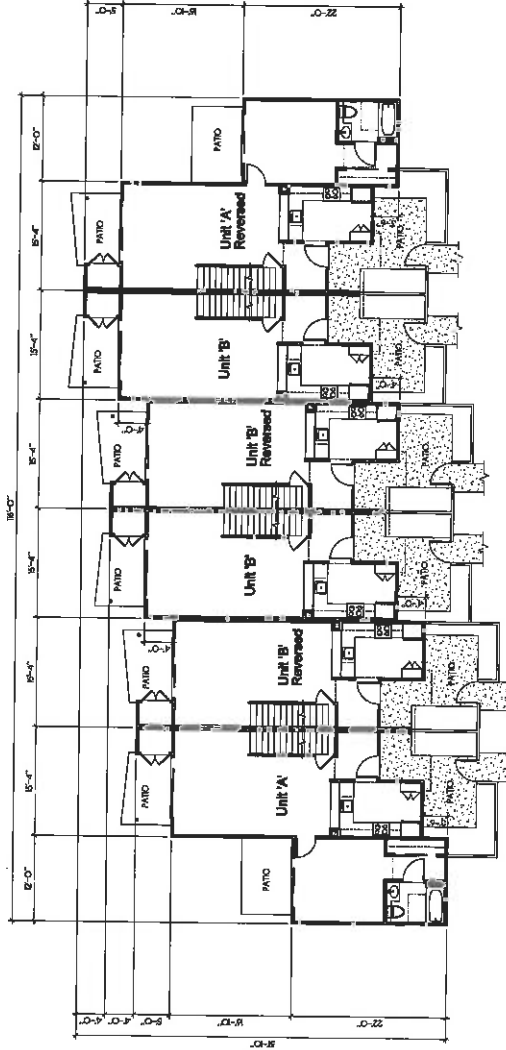
FIRST FLOOR
Floor Area = 3,890 S.F.

PROPOSED BUILDINGS '1' & '3' FLOOR PLANS
SCALE: 1/8" = 1'-0"
Total Floor Area = 5,978 S.F.

| | | | | | |
|--|--|---|---|---|--|
| | <p>Frutkin - Harkin Architects 760 Maple Drive Monte Carlo, CA 93954 Tel: 708.271.1100 www.fharchitect.com</p> | <p>F.S. ENGINEERING AND SURVEYING, INC. P.L.L.C. 1000 N. 11th St., Suite 100 Tampa, FL 33604 Tel: 813.241.1100 www.fsesurveying.com</p> | <p>PEBBLE BEACH COMPANY P.O. BOX 177 FORBES BEACH, CALIFORNIA 92523 (949) 754-1497 INDEPENDENT ARCHITECTS ARCHITECTS: PAUL W. BROWN & TERRY PAE, AIA</p> | <p>AREA D DEL MONTE FOREST PRESERVATION AND DEVELOPMENT PLAN AREA D INCLUSIONARY HOUSING</p> | <p>©2013 PEBBLE BEACH COMPANY. ALL RIGHTS RESERVED. IH-2.2 DATE: JULY, 2013</p> |
|--|--|---|---|---|--|



SECOND FLOOR
Floor Area = 3305 sq. ft.



FIRST FLOOR
Floor Area = 3305 sq. ft.

PROPOSED BUILDINGS '2' & '4' FLOOR PLANS
SCALE: 1/8" = 1'-0"
Total Floor Area = 6,610 sq. ft.

F H

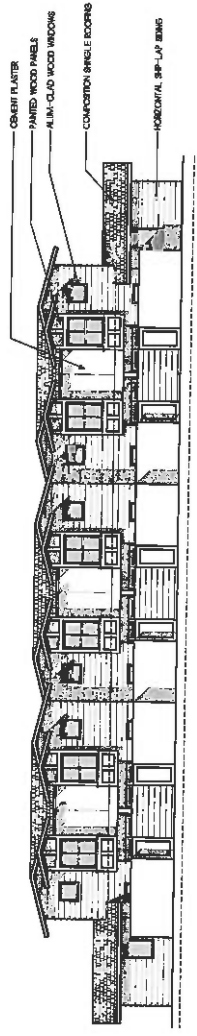
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AREA D
DEL MONTE FOREST PRESERVATION AND DEVELOPMENT PLAN
AREA D INCLUSIVE HOUSING

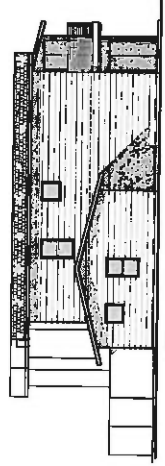
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DATE: JULY 2013



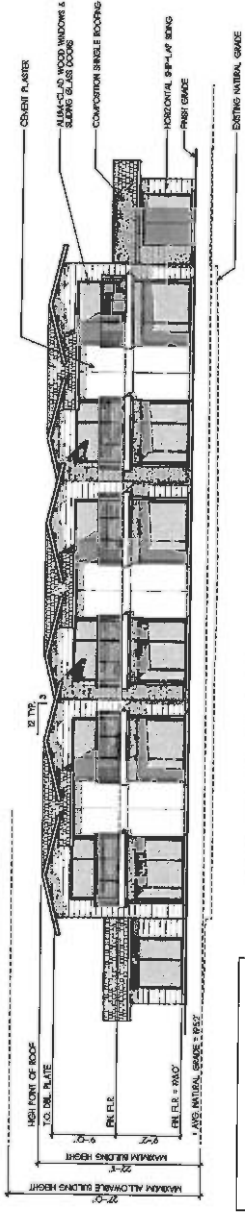
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

BUILDING 2 ELEVATIONS (BUILDING 1 SIM.)
SCALE 1/8" = 1'-0"

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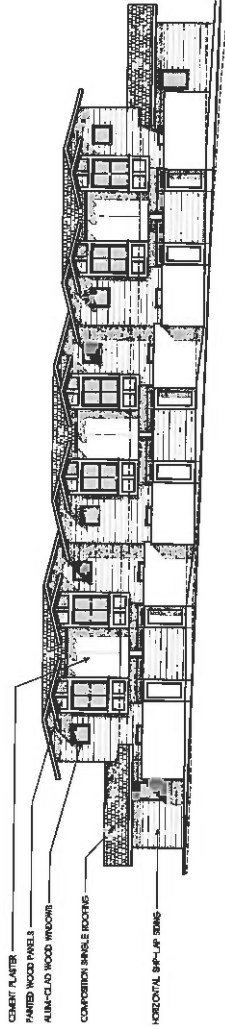
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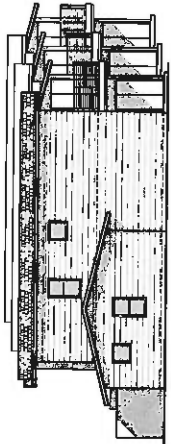
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www.flatherhandin.com

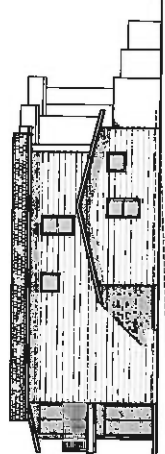
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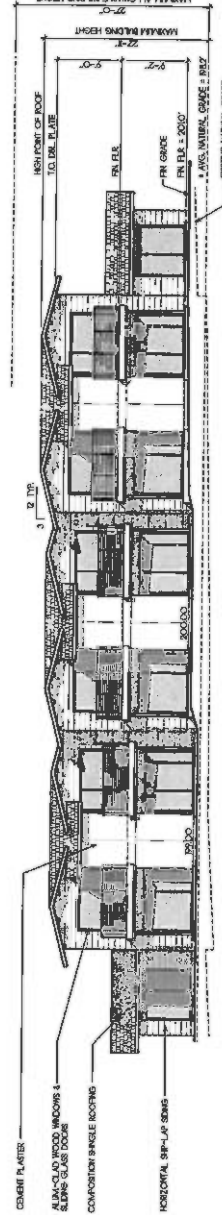
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

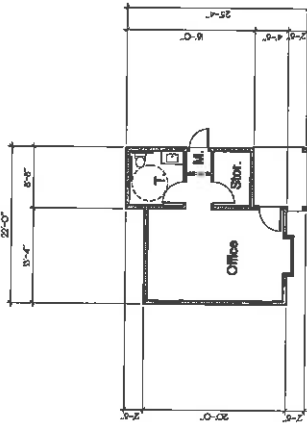


WEST ELEVATION

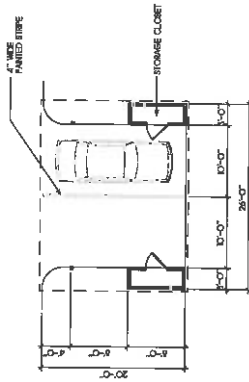
NOTES: THESE PLANS SHOW MATERIAL CALLOUTS, ELEVATIONS AND MATERIALS. MATERIALS SHALL BE SELECTIONS OF THE ARCHITECT'S CHOICE. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE TALLER BUILDING OF THIS PROJECT (200').

BUILDING 3 ELEVATIONS (BUILDING 4 SIM.)
SCALE 1/8" = 1'-0"

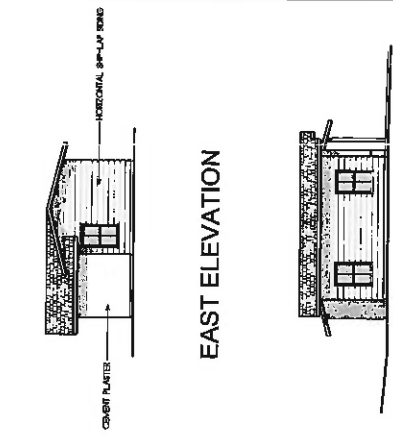
| | | | |
|---|---|--|---|
| <p>Fricker + Hamlin Architects 200 Pacific Street San Francisco, CA 94102 www.frickerhamlin.com</p> | <p>FS SURVEYING INC. Professional Surveyors 1000 S. 10th Street, Suite 100 San Francisco, CA 94103 (415) 774-1100 www.fs-surveying.com</p> | <p>PEBBLE BEACH COMPANY P.O. BOX 107777 PEPPER BEACH, CALIFORNIA 90409 (909) 634-8887 PROPERTY TITLE: PAGES 19, 20, 21, 22, 23 & 24 OF PLAT NO. 2004-0001</p> | <p>AREA D DEL MONTE FOREST PRESERVATION AND DEVELOPMENT PLAN AREA D INCLUSIONARY HOUSING</p> |
| <p>PEBBLE BEACH COMPANY, ALL RIGHTS RESERVED</p> | | <p>IH-3.2 DATE: JULY 2013</p> | |



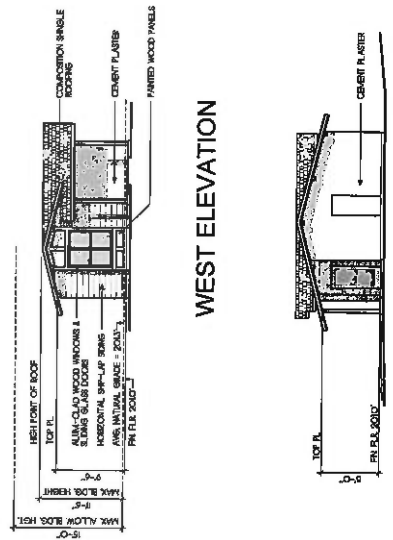
OFFICE FLOOR PLAN
SCALE: 1/8" = 1'-0"
FLOOR AREA = 431 SF



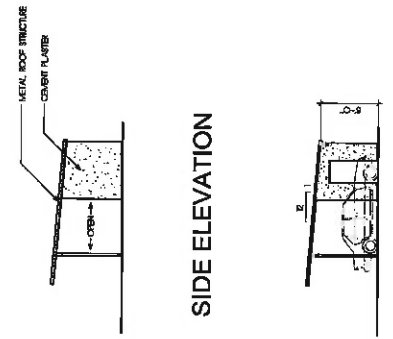
TYPICAL CARPORT PLAN
SCALE: 1/8" = 1'-0"



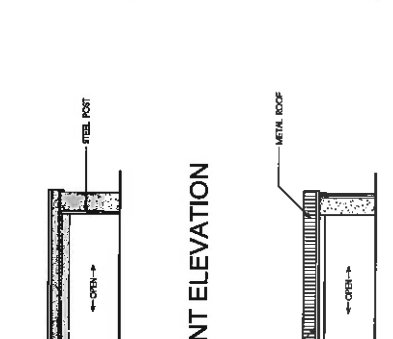
WEST ELEVATION



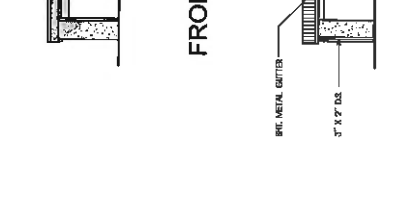
SOUTH ELEVATION



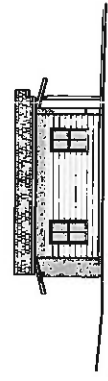
SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION



NORTH ELEVATION

TYPICAL CARPORT ELEVATIONS
SCALE: 1/8" = 1'-0"

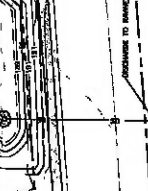
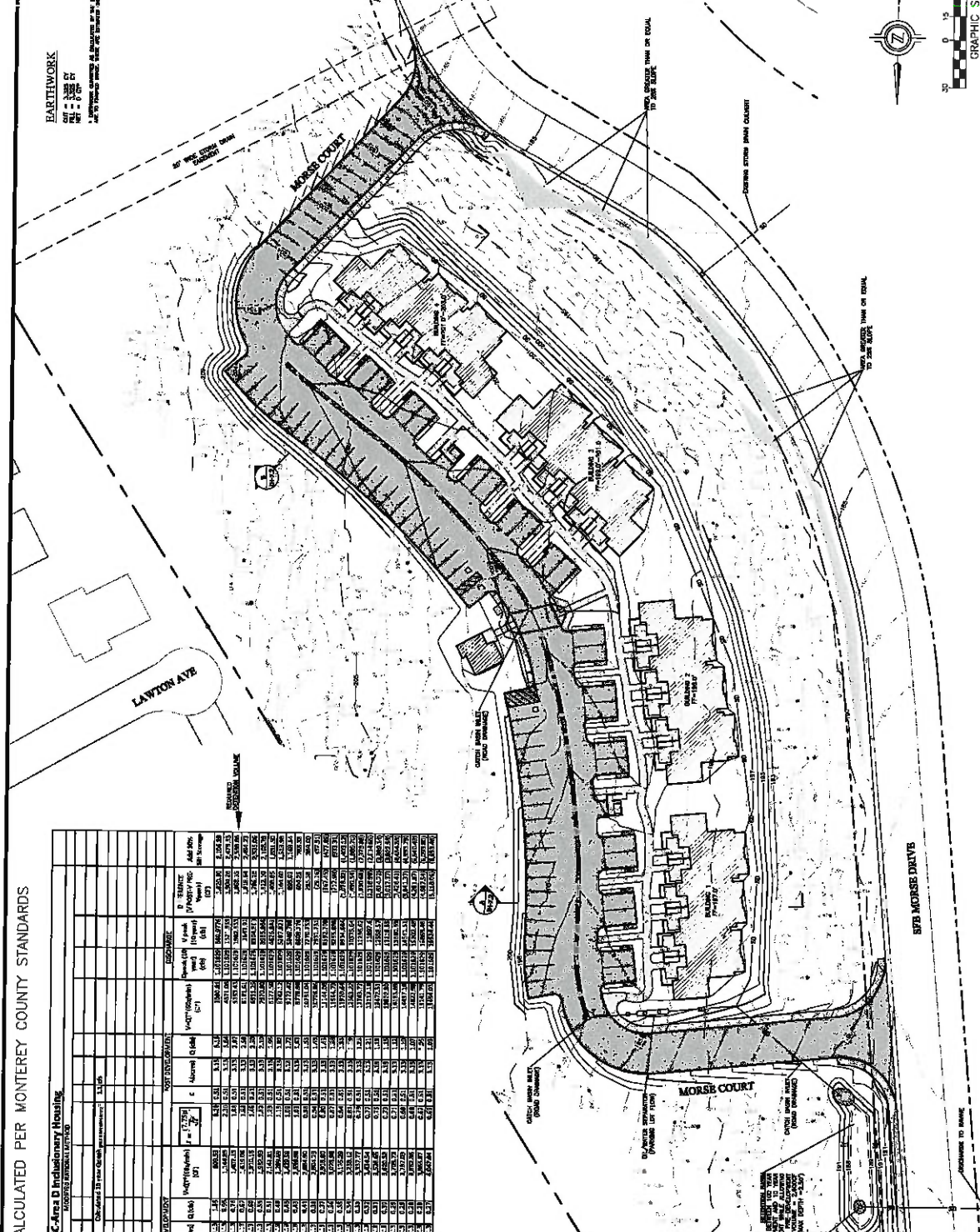
OFFICE ELEVATIONS
SCALE: 1/8" = 1'-0"

| | | | | | |
|--|--|---|---|--|-------------------------------------|
| | <p>Fincher & Harbott Architects 280 South Beverly, CA 92704 www.fharchitects.com</p> | <p>US SURVEYING AND ENGINEERING INC. 10000 W. 15th St., Suite 100 P.O. Box 100, Torrey Pines, CA 92034 www.usurveying.com</p> | <p>PEBBLE BEACH COMPANY P.O. BOX 1999 PEBBLE BEACH, CALIFORNIA 93955 (707) 861-1487 INTEGRATED: MADE WITH 100% RECYCLED PAPER & TONER PAGE 22</p> | <p>AREA D DEL MONTE FOREST PRESERVATION AND DEVELOPMENT PLAN AREA D INCLUSIONARY HOUSING</p> | <p>III-4.1 DATE: JULY, 2015</p> |
| | <p>QUESTIONS REGARDING THIS PLAN SHOULD BE DIRECTED TO THE ARCHITECT.</p> | | | | |

REQUIRED DETENTION VOLUME CALCULATED PER MONTEREY COUNTY STANDARDS

| Station | Elevation (ft) | Flow (cfs) | PC-Coefficient | | | Detention Volume (cu ft) |
|---------|----------------|------------|----------------|-----|-----|--------------------------|
| | | | 0.1 | 0.2 | 0.5 | |
| 1 | 110.0 | 1.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 2 | 110.0 | 1.5 | 0.2 | 0.3 | 0.4 | 0.00 |
| 3 | 110.0 | 2.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 4 | 110.0 | 3.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 5 | 110.0 | 4.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 6 | 110.0 | 5.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 7 | 110.0 | 6.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 8 | 110.0 | 7.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 9 | 110.0 | 8.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 10 | 110.0 | 9.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 11 | 110.0 | 10.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 12 | 110.0 | 11.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 13 | 110.0 | 12.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 14 | 110.0 | 13.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 15 | 110.0 | 14.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 16 | 110.0 | 15.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 17 | 110.0 | 16.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 18 | 110.0 | 17.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 19 | 110.0 | 18.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 20 | 110.0 | 19.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 21 | 110.0 | 20.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 22 | 110.0 | 21.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 23 | 110.0 | 22.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 24 | 110.0 | 23.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 25 | 110.0 | 24.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 26 | 110.0 | 25.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 27 | 110.0 | 26.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 28 | 110.0 | 27.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 29 | 110.0 | 28.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 30 | 110.0 | 29.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 31 | 110.0 | 30.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 32 | 110.0 | 31.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 33 | 110.0 | 32.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 34 | 110.0 | 33.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 35 | 110.0 | 34.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 36 | 110.0 | 35.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 37 | 110.0 | 36.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 38 | 110.0 | 37.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 39 | 110.0 | 38.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 40 | 110.0 | 39.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 41 | 110.0 | 40.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 42 | 110.0 | 41.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 43 | 110.0 | 42.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 44 | 110.0 | 43.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 45 | 110.0 | 44.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 46 | 110.0 | 45.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 47 | 110.0 | 46.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 48 | 110.0 | 47.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 49 | 110.0 | 48.0 | 0.2 | 0.3 | 0.4 | 0.00 |
| 50 | 110.0 | 49.0 | 0.2 | 0.3 | 0.4 | 0.00 |

BARTHWORK
 DATE: 6/28/2012
 TIME: 10:00 AM
 PROJECT: AREA D INCLUSIONARY HOUSING PRELIMINARY GRADING & DRAINAGE PLAN



| | | |
|--|---|------------------|
| PEPPER BEACH COMPANY 1001 CALIFORNIA AVE. REDWOOD CITY, CALIFORNIA 94063 TEL: 650.591.2200 WWW.PEPPERBEACH.COM | AREA D DEVELOPMENT AND DRAINAGE PLAN AREA D INCLUSIONARY HOUSING PRELIMINARY GRADING & DRAINAGE PLAN | DATE: 06/28/2012 |
| | | |

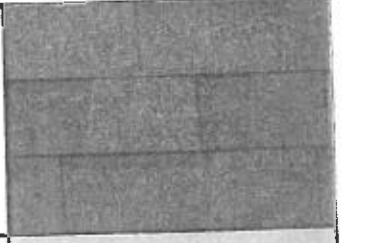
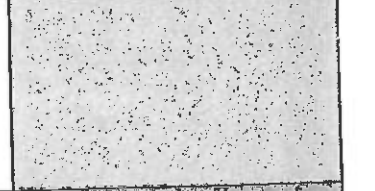

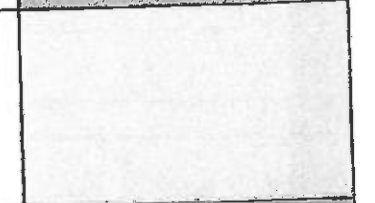
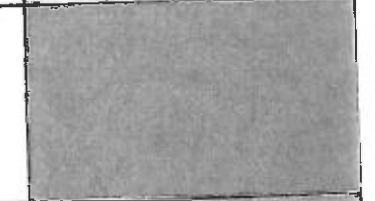
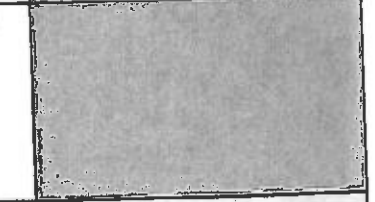
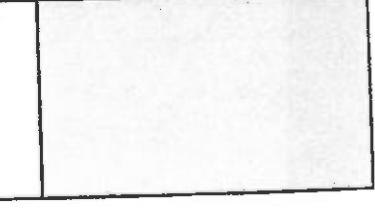
**PEBBLE BEACH AREA D INCLUSIONARY HOUSING
EXTERIOR COLOR BOARD**

6/3/2013

Material
Descript

Material:
Descript:

Materials
Descripti

| | | |
|---|---|---|
| 1 | ROOFING - COMPOSITION SHINGLES OWENS CORNING OAKRIDGE SHINGLES COLOR/FINISH: POPPER MILL GRAY |  |
| 2 | CEMENT PLASTER KELLY-MOORE "GLEN ABBEY" #KM3957-2 |  |
| 3 | EXTERIOR LAPPED WOOD SIDING SMOOTH REDWOOD OR CEDAR (OR EQUAL) KELLY-MOORE "GREYWOOD" #KM3958-3 |  |
| 4 | EXTERIOR WOOD FASCIAS, TRIM, & ROOF EAVES SMOOTH DOUGLAS FIR (OR EQUAL) KELLY-MOORE "SAND DUNE" #KM3955-1 |  |
| 5 | METAL DECK RAILINGS GALVANIZED & PAINTED STEEL KELLY-MOORE "FAIR FIELDSTONE" #KM3959-3 |  |
| 6 | ALUM.-CLAD WD. WINDOWS & SLIDING GLASS DOORS MARVIN (OR EQUAL) PEBBLE GRAY |  |
| 7 | METAL GUTTERS, DOWNSPOUTS, & METAL ROOFING PAINTED GALVANIZED SHEET METAL KELLY-MOORE "SAND DUNE" #KM3955-1 METAL ROOFING: CLOSEST MATCHING STD. COLOR |  |