

# Exhibit A

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## DRAFT RESOLUTION

### Before the Zoning Administrator in and for the County of Monterey, State of California

In the matter of the application of:

**AT&T SERVICES INC. (PLN170015)**

#### **RESOLUTION NO. ----**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Finding the project Categorically Exempt per Section 15301 of the CEQA Guidelines; and
- 2) Approving a Coastal Development Permit to allow assemblages of people (maximum of 175 guests per day) for no more than 10 days per calendar year per event to only occur during the annual “AT&T Pebble Beach Pro-Am Golf Tournament” and periodic “US Open Championship”.

[PLN170015, AT&T Services Inc., 1557 Cypress Drive, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-401-001-000)]

**The AT&T Services Inc., application (PLN170015) came on for public hearing before the Monterey County Zoning Administrator on May 25, 2017. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:**

#### **FINDINGS**

1. **FINDING:** **CONSISTENCY/SITE SUITABILITY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development. The site is physically suitable for the use proposed.  
**EVIDENCE:**
  - a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
    - the 1982 Monterey County General Plan;
    - Del Monte Forest Land Use Plan;
    - Monterey County Coastal Implementation Plan Part 5;
    - Monterey County Zoning Ordinance (Title 20);No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
  - b) The property is located at 1557 Cypress Drive, Pebble Beach (Assessor’s Parcel Number 008-401-001-000), Del Monte Forest Land Use Plan. The parcel is zoned LDR/1.5-D(CZ) or “Low Density Residential, 1.5-acre minimum, with Design Control Overlay, Coastal Zone”, which allows “assemblages of people, such as carnivals, festivals, races and

circuses, not exceeding 10 days and not involving construction of permanent facilities” pursuant to the granting of a Coastal Development Permit (MCC 20.14.050.R). The proposed project involves the assemblage of people (maximum of 175 per day) for a period not to exceed 10 days per event, during the annual AT&T Pebble Beach Pro-Am Golf Tournament and periodic US Open Championship. The requested permit does not involve the construction of any facilities, and will be held at an existing single family residence. Therefore, the project is an allowed land use for this site.

- c) The project will require the use of tents and/or seating and platforms, for which appropriate yearly building permit applications will be submitted, reviewed, and considered for approval annually by the County of Monterey-Resource Management Agency Building Department. This yearly review will be consistent with applicable building permitting requirements.

d) Breakdown of Proposed Events

The proposed “AT&T Pebble Beach Pro-Am” assemblage would consist of the following:

- 25 player-guests who play in the tournament as guests of the Chairman of AT&T:
  - All player-guests would stay and park at Casa Palmero (off-site location). During the event, 1557 Cypress would be available to the 25 player-guests from Monday-Sunday during the tournament week. AT&T would utilize courtesy cars/drivers to shuttle the player-guests to and from the tournament.
- 150 spectator-guests that do not play in the tournament:
  - All spectator-guests stay and park at the Monterey Plaza Hotel. During the event, 1557 Cypress would be available to host spectator-guests from Thursday-Sunday during the tournament week. AT&T will utilize shuttle vans to transport spectator-guests to 1557 Cypress from the hotel.
- 15 reserved parking spaces at The Spa at Pebble Beach, which will be utilized for parking the shuttle vans.
- On-site catering for all guests provided by private catering companies.
- On-site Executive restrooms (portable) for all guests at 1557 Cypress Drive.
- Various daily on-site events operating from approximately 6:00am to 6:00pm.

The proposed “US Open Championship” assemblage would consist of the following:

- 175 spectator-guests hosted at 1557 Cypress from Monday-Sunday during the US Open Championship week.
  - The longer timeframe allows spectator-guests to utilize the property as a central-hub while observing both practice rounds (Monday-Wednesday) and the Championship (Thursday-Sunday).

- No on-site or street parking allowed.
    - Guests will utilize shuttles provides by the US Golf Association.
  - On-site catering for all guests provided by private catering companies.
  - On-site Executive restrooms (portable) for all guests at 1557 Cypress Drive.
  - Various daily on-site events operating from approximately 6:00am to 6:00pm.
- e) The subject property includes a “D” (Design Control) zoning overlay, which requires that a Design Approval application be approved prior to issuance of building permit for the construction of any structures in the “D” district (MCC Section 21.44.030). In this particular case, the proposed project does not involve the construction or exterior alteration to any structure(s); therefore, a Design Approval is not required.
- f) The project planner conducted a site inspection to verify that the project on the subject parcel conforms to the plans listed above.
- g) The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did warrant referral to the LUAC because the project involves a land use matter that may raise a significant land use issue (assemblage of people) that would necessitate review prior to a public hearing. The DMFLUAC reviewed the project on April 6, 2017 and recommended approval of the Coastal Development Permit as proposed by a vote of 5-0 (2 members absent).
- h) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, and Pebble Beach Community Services Fire Protection District. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- i) 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 PLN170015.

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

**EVIDENCE:**

a) The project was reviewed by RMA - Planning, and Pebble Beach Community Services Fire Protection District. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

b) Necessary public facilities are available via the existing single family dwelling which is connected to public water and sewer (Cal-Am/Pebble

Beach Community Services District). No additional water connections for expansion of existing facilities/connections is required for the proposed project, as onsite portable restrooms will be provide for each event day.

c) See preceding and following Findings and Evidence.

3.       **FINDING:**       **NO VIOLATIONS** - 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) Staff reviewed Monterey County RMA - Planning and Building Services Department records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on and researched County records to assess if any violation exists on the subject property. There are no known violations on the subject parcel.
- c) See preceding and following Findings and Evidence.
4.       **FINDING:**       **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:**   a) California Environmental Quality Act (CEQA) Guidelines Section 15301 categorically exempts the permitting and/or leasing of existing private structures, involving negligible or no expansion of use.
- b) The proposed project involves the hosting of assemblages of people for no more than 10 days per calendar year, per event to only occur during the annual AT&T Pebble Beach Pro-Am Golf Tournament and periodic US Open Championship. and utilizes an existing private structure (single family dwelling) and does not involve the expansion of use or construction of any new facilities.
- c) No adverse environmental effects were identified during staff review of the development application or during the site visit.
- d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.
- e) 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 PLN170015.
5.       **FINDING:**       **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:**   a) Section 20.86.030.A of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
- b) Section 20.86.080.A.1 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the project site is located between the sea and the first through public road (Highway 1) paralleling the sea.

## **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Zoning Administrator does hereby:

1. Find the project Categorically Exempt per Section 15301 of the CEQA Guidelines;
2. Approve a Coastal Development Permit to allow assemblages of people (maximum of 175 guests per day) no more than 10 days per calendar year, per event to only occur during the annual AT&T Pebble Beach Pro-Am Golf Tournament and periodic US Open Championship, in general conformance with the attached sketch and subject to the attached conditions.

Approval is subject to 5 conditions, incorporated herein by reference.

**PASSED AND ADOPTED** this 25<sup>th</sup> day of May, 2017:

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Mike Novo, AICP, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_\_\_\_\_.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

## **NOTES**

This permit expires 5 years after the above date of granting thereof, unless extended through a subsequent extension request.

# Monterey County RMA Planning

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

PLN170015

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Coastal Development Permit (PLN170015) allows assemblages of people (maximum of 175 guests per day) for no more than 10 days per calendar year per event to only occur during the annual Pebble Beach Pro-Am Golf Event and the periodic US Open Golf Tournament. The project involves no construction or changes to the existing structures. . The property is located at 1557 Cypress Drive, Pebble Beach (Assessor's Parcel Number 008-401-001-000), Del Monte Forest Land Use 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 RMA - Planning. 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** The applicant shall record a Permit Approval Notice. This notice shall state:

**Monitoring Measure:** "A Coastal Development Permit (Resolution Number \*\*\*) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 008-401-001-000 on May 25, 2017. The permit was granted subject to 6 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

**Compliance or** Prior to the issuance of grading and building permits, certificates of compliance, or  
**Monitoring** commencement of use, whichever occurs first and as applicable, the Owner/Applicant  
**Action to be Performed:** shall provide proof of recordation of this notice to the RMA - Planning.

## 3. PD006(A) - CONDITION COMPLIANCE FEE

**Responsible Department:** RMA-Planning

**Condition/Mitigation** The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee  
**Monitoring Measure:** schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or** Prior to clearance of conditions, the Owner/Applicant shall pay the Condition  
**Monitoring** Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.  
**Action to be Performed:**

## 4. PD032 - PERMIT LENGTH

**Responsible Department:** RMA-Planning

**Condition/Mitigation** This initial Use Permit is valid for a period of two years and shall expire if not utilized  
**Monitoring Measure:** by May 25, 2019, consistent with Section 20.70.070 of the Monterey County Code.

The Director of Planning shall administratively extend this Use Permit for an additional three (3) year period upon receipt of a written request from the permittee, provided such request is submitted at least thirty (30) days prior to the expiration of the Use Permit, and provided no violations of the permit or risks to public health and safety have been reported and verified.

If no written request is submitted the permit shall expire on May 25, 2019. (RMA - Planning)

**Compliance or** Prior to the expiration date stated in the condition, any request for extension must be  
**Monitoring** received by RMA-Planning at least 30 days prior to the expiration date.  
**Action to be Performed:**

## 5. PDSP001 - PERMIT COMPLIANCE REVIEW (NON-STANDARD)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant's compliance with this Use Permit may, at the discretion of the Director of Planning, be reviewed by the Director of Planning every five (5) years from the date of granting (May 25, 2017) of the permit to ensure operations are consistent with the grant, terms, and conditions of this Use Permit. Based on issuance in 2017, the reviews shall occur in the following years (2022, 2027, 2032, etc.)

Prior to such review, the applicant shall provide the Director of Planning with information relevant to compliance with the terms and conditions of this Use Permit, including the number of player-guests and spectator-guests hosted in each year. The County reserves its right to revoke this Use Permit, at any time, in the event the applicant is failing to comply with the grant or the conditions of approval, or if continued use would impact the public health or welfare, consistent with Section 20.70.060 of the Monterey County Code.

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

## 6. CC01 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, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the County Counsel for review and signature by the County.

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

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# SITE PLAN

SCALE: 1" = 1'-0"

<b>PRELIMINARY</b>	
This drawing is preliminary and is not to be used for construction purposes without the approval of the architect. It is the responsibility of the client to ensure that all necessary permits are obtained and that all applicable codes and regulations are followed.	
Author:	
Checker:	
Engineer:	
Architect:	
Date:	01.08.17
Title:	3/18/17-17
Client:	
Designer:	
Project:	
Sheet No.:	A-1.0

APN 008-071-001  
Prepared by:

## CYPRESS RESIDENCE

1557 CYPRESS DRIVE, PEBBLE BEACH, CA

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