

**PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02080

A. P. # 008-031-009-000-M

**FINDINGS AND DECISION**

In the matter of the application of  
**Pebble Beach Community Service (PLN010445)**

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, located at the intersection of Forest Lake and Lopez Roads, Pebble Beach, Del Monte Forest area, Coastal Zone, came on regularly for hearing before the Planning Commission on December 11, 2002.

WHEREAS: Said proposal includes:

- 1) Coastal Development Permit for additions and improvements to existing Community Service District buildings (adding 4,941 sq. ft. to existing administration/maintenance buildings/fire building), adding new 3,600 sq. ft. equipment storage building, adding 11,025 sq. ft. of additional parking, and replacement of an existing concrete slab (at fire department equipment storage building);
- 2) Coastal Development Permit for tree removal (34 Monterey pines) and
- 3) Design Approval

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING: CONSISTENCY** - The Project, as conditioned is consistent with applicable plans and policies, Del Monte Forest Land Use Plan, Coastal Implementation Plan (Part 5), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20) which allows for the maintenance and/or establishment of public and private institution type uses (IC) and for public and quasi-public uses (LDR) in this area.

- EVIDENCE:**
- (a) PBI Staff have reviewed the project as contained in the application and accompanying materials for consistency with the Del Monte Forest Land Use Plan, Coastal Implementation Plan (Part 5), Part 6 of the Coastal Implementation Plan. PBI Staff have reviewed the project as contained in the application and accompanying materials for conformity with the Monterey County Zoning Ordinance (Title 20) and have determined that the project is consistent with the Del Monte Forest Land Use Plan which designates this area as appropriate for the maintenance and/or establishment of public and private institution type uses (IC) and for public and quasi-public uses (LDR). Staff notes are provided in Project File PLN010445.
  - (b) Project planner conducted an on-site inspection on March 15, 2002 to verify that the project on the subject parcel conforms to the plans listed above.
  - (c) The project, which is for additions and improvements to existing Community Service District buildings, is an allowed use in accordance with Sections 20.21.060.C & F (IC) and 20.14.050.B (LDR).
  - (d) The main parcel (APN 008-031-009-00) is zoned Industrial Commercial within a Design Control District in the Coastal Zone; i.e., "IC-D (CZ)." The project is in compliance with Site Development Standards for the Industrial Commercial District in accordance with Section 20.21.070, which allows institutional development.

- (e) The expansion parcel (008-031-017-000) is zoned Low Density Residential, Building Site District #8, Design Control, Coastal Zone; Medium Density Residential, Building Site District #8, Design Control, Coastal Zone; and Resource Conservation, Design Control, Coastal Zone; i.e., “LDR/B-8-D (CZ), MDR/B-8-D (CZ), & RC-D (CZ).” The project, as conditioned, is in compliance with Site Development Standards (such as required setbacks, etc.) for the Low Density Residential District in accordance with Section 20.14.060, as conditioned, which allows public/quasi-public development.
- (f) **LAND USE ADVISORY COMMITTEE:** The Del Monte Forest Land Use Advisory Committee recommended approval of the project by a vote of 5 to 0. LUAC meeting minutes dated March 14, 2002 (Exhibit “D”).
- (g) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN010445.
- (h) Although development is proposed on a portion of the southeast corner of the vehicle storage building within 100’ of an environmentally sensitive habitat area (ESHA) as defined in the Del Monte Forest Land Use Plan (DMFLUP), a biological report has been prepared and concludes that the project will not adversely affect the long term maintenance of the ESHA consistent with the requirements of Policy 17 of the DMLUP and Section 20.147.040.B.1 of the *Regulations for Development in the Del Monte Forest Land Use Plan*, relating to the protection and enhancement of ESHA.

2. **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, and all zoning violation abatement cost, if any, have been paid.  
**EVIDENCE:** Staff reviewed Monterey County Planning and Building Inspection Department records and did not discover any violations that exist on subject property.
3. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance or operation of the project applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.  
**EVIDENCE:** The project was reviewed by Planning and Building Inspection, Public Works Department, Water Resources Agency, Environmental Health Division, Parks Department and Pebble Beach Community Services District. The respective departments and 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. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions.
4. **FINDING: SITE SUITABILITY** - The site is suitable for the use proposed.  
**EVIDENCE:** (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works Department, Water Resources Agency, Environmental Health Division, Parks Department and Carmel Highlands Fire Protection District. Conditions recommended have been incorporated.  
(b) The project is in seismic hazard zones “I” & “III” (i.e., low) as found in the resource maps of the Del Monte Forest Land Use Plan.  
(c) The project as proposed is consistent with policies of the Del Monte Forest Land Use Plan dealing with development in archaeologically sensitive areas, evidenced by the

archaeological report prepared by Archeological Consulting, dated December 19, 1991, contained in the project file. Condition number 17 has been added to require that work be stopped in the event that any archaeological resources are found on site.

- (d) Staff conducted an onsite visit on March 15, 2002 to verify that the site is suitable for this use.
- (e) Necessary public facilities are available and will be provided.

5. **FINDING: WATER PRORATIONING** – Development of properties located in the Monterey Peninsula Water Management District ("District") depends in large part, on the availability of water pursuant to an allotment system established by the District based on a prorating of the known water supply for each of the jurisdictions served by the California-American Water Service Company.

**EVIDENCE:** Staff report, oral testimony at the hearing; administrative record.

6. **FINDING: WATER ALLOTMENT** – Based upon the District's water allotment system, the County of Monterey ("County") has established a system of priority distribution of water allocation for properties within its own jurisdiction. Current information available to the County indicates that the County's share of water under the District's allotment system, over which the County has no control, has been exhausted to the point that the County is unable to assure that property owners who do or have obtained development permits for their properties will be able to proceed with their development projects.

**EVIDENCE:** Staff report, oral testimony at the hearing; administrative record.

7. **FINDING: WATER AVAILABILITY** – In view of the preceding finding, and the fact that the present application for a use permit otherwise meets all County requirements, the County approves the application subject to determination by the Monterey County Water Resources Agency, in the form of a water availability certification, that water is available for the project and the applicant's being able to obtain a water use permit from the District.

**EVIDENCE:** Staff report, oral testimony at the hearing; administrative record.

8. **FINDING: CEQA** - Pursuant to Section 15050.(b) of the CEQA guidelines, the County, as a Responsible Agency, has considered the Mitigated Negative Declaration prepared and adopted by the Pebble Beach Community Services District and finds that there is no substantial evidence, based on the whole record, that supports a fair argument that the project, as designed and mitigated, may have a significant environmental impact.

**EVIDENCE:** The County considered the additional biological assessment by EMC Planning Group and consulting biologist, Vernal Yadon, (dated December 10, 2002), which demonstrates that wetlands are not present on the xpansion parcel and that no wetlands will be impacted by the project.

**EVIDENCE:** Site visit by planner on December 9, 2002.

**EVIDENCE:** The Pebble Beach Community Services District (PBCSD), as lead agency, oversaw the preparation of an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA) and its Guidelines. The Initial Study provides substantial evidence that the project, with the addition of Mitigation Measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on July 5, 2002, noticed for public review and circulated to the State Clearinghouse. All comments received on the Initial Study were considered and addressed by the PBCSD. Among the studies, data, and reports analyzed as part of the environmental determination by both the PBCSD and the Planning and Building Inspection Department are the following:

1. Archaeological Consulting. *Preliminary Cultural Resources Reconnaissance of Del Monte Forest Development Areas Owned by Pebble Beach Company*. August 1989.
2. Fehr & Peers. *Pebble Beach Community Services District Traffic Impact Assessment*. January 2002.
3. Yadon, V. L., *A Biological Report for a Proposed Pebble Beach Community Services District Facilities Improvement project Lopez and Forest Lake Roads*. December 2001.
4. EIP Associates. *Pebble Beach Lot Program EIR*. April 1994.
5. Staub, S., *Forest Management Plan Pebble Beach Community Services District Facilities Improvement Project*. January 2002.

9. **FINDING: PUBLIC ACCESS** - The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

- EVIDENCE:** (a) The subject property is not described as an area where the Local Coastal Program requires access (i.e., it does not border the shoreline)
- (b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 3, the Public Access Map, of the Carmel Area Land Use Plan.
- (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- (d) Materials contained in Project File PLN010445
- (e) Staff site visit on March 15, 2002.

10. **FINDING: TREE REMOVAL** – The subject project, as conditioned, minimizes tree removal in accordance with the applicable goals and policies of the Del Monte Forest Land Use Plan and Coastal Implementation Plan (Part 5). Three landmark trees are proposed for removal.

- EVIDENCE:** (a) The forester's site review found that *"the proposed improvements to the PBCSD facilities have been sited in on of the least densely stocked areas of this forested lot so as to minimize tree removal consistent with design objectives."*
- (b) A total of 61 Monterey pines are proposed for removal; 3 are landmark trees (24" in diameter or greater), 42 are 12" in diameter or greater (including the 3 landmark trees), and 19 are less than 12" in diameter.
- (c) 7 Monterey pines (between 12" in diameter and less than 24") may not have to be removed, according to the forester's assessment. However, according to the Forest Management Plan, the final assessment must be made in the field. Condition of approval #15 requires that every feasible effort be made to save these 7 trees.
- (d) Forest Management Plan prepared by Stephen R. Staub, January 22, 2002. Report contained in Project File PLN010445.

11. **FINDING: PESCADERO WATERSHED DEVELOPMENT LIMITATIONS** – The proposed project is consistent with Section 20.147.030.A.1 of the *Regulations for Development in the Del Monte Forest Land Use Plan*, which subject new development in the Pescadero watershed and the smaller unnamed watersheds of the Pebble Beach planning area which drain into the Carmel Bay area of Special Biological Significance (ASBS), watersheds of Seal Rock Creek and Sawmill Gulch, to certain development restrictions and criteria.

- EVIDENCE:** Pursuant to Section 20.147.030.A.1(a) of the *Regulations for Development in the Del Monte Forest Land Use Plan*, only that amount of site disturbance (i.e. grading, clearing of

vegetation) necessary for the project footprint, adequate driveway and any required landscaping shall be allowed for project construction by the subject Combined Development Permit (PLN010445).

**EVIDENCE:** Section 20.147.030.A.1(b) of the *Regulations for Development in the Del Monte Forest Land Use Plan* (which imposes impervious surface limitations on residential development) does not apply to commercial, institutional, and public/quasi-public development in the watershed areas, pursuant to Planning and Building Inspection Department memorandum, dated July 19, 1991.

12. **FINDING: APPEALABILITY** - The project is appealable to the Board of Supervisors and to the California Coastal Commission.

**EVIDENCE:** Section 20.86.080.A.3 of the Monterey County Coastal Implementation Plan (Part 1).

### DECISION

It is the decision of the Planning Commission of the County of Monterey that the Mitigated Negative Declaration and Program for Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the following conditions:

1. The subject Combined Development Permit consists of a Coastal Development Permit and Design Approval for additions and improvements to existing Community Service District buildings (adding 4,941 sq. ft. to existing administration/maintenance buildings/fire building); adding new 3,600 sq. ft. equipment storage building; adding 11,025 sq. ft. of additional parking; and replacement of an existing concrete slab (at fire department equipment storage building), involving development on two adjacent parcels; and a Coastal Development Permit for tree removal (61 Monterey pines). The properties are located at the intersection of Forest Lake and Lopez Roads (Assessor's Parcel Numbers 008-031-009-000 and 008-031-017-000), Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use 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 Planning and Building Inspection. 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. **(Planning and Building Inspection)**
2. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. **(Planning and Building Inspection)**
3. All cut and/or fill slopes exposed during the course of construction shall be covered, seeded with native grasses or otherwise treated to control erosion subject to the approval of the Director of Planning and Building Inspection. **(Planning and Building Inspection)**

### Prior to the Issuance of Grading and Building Permits:

4. The applicant shall record a notice which states: "A permit (Resolution #02080) was approved by the Planning Commission for Assessor's Parcel Number 243-201-013-000 on December 11, 2002. The permit was granted subject to 46 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection)**

5. All exterior lighting shall be unobtrusive, 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 applicant shall submit 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection)**
6. A notice shall be recorded with the Monterey County Recorder which states: *“A Forest Management Plan has been prepared for this parcel by Stephen R. Staub, January 22, 2002, and is on record in the Monterey County Planning and Building Inspection Department Library. All tree removal and planting on the parcel must be in accordance with the Forest Management Plan, as approved by the Director of Planning and Building Inspection.”* This notice shall be recorded prior to issuance of building or grading permits. **(Planning and Building Inspection)**
7. A note in large font shall be placed on all grading and building permits stating that *“These project plans and specifications include an Operation and Maintenance Plan. Section A (Background), as referenced in the Initial Study and Mitigated Negative Declaration adopted for this project, shall be considered as the project’s Operation & Maintenance Plan. All ongoing operations shall be consistent with this plan and it shall be considered by the County when reviewing future permit applications for the subject parcel.”*
8. The applicant shall pay a proportionate share of the cost of future improvements to the Highway One/Highway 68 interchange. **(Public Works Department)**
9. Prior to issuance of grading or building permits, a drainage plan shall be prepared by a registered civil engineer or architect addressing on-site and off-site impacts, that includes routing stormwater runoff from the paved parking areas to an oil-grease/water separator to mitigate the impact of impervious surface stormwater runoff. The drainage plan shall also include detention facilities to mitigate the increase in stormwater runoff from the new impervious surfaces. Necessary improvements shall be constructed in accordance with approved plans. **(Water Resources Agency)**
10. Prior to the issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property in the form of an approved Water Release Form. **(Water Resources Agency)**
11. Submit a completed Hazardous Materials Questionnaire to the Division of Environmental Health for review and approval. **(Division of Environmental Health)**

**Prior to Final Building Inspection/Occupancy:**

12. The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
  - a) All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
  - b) Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency & Planning and Building Inspection)**

13. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. 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, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. **(Planning and Building Inspection)**
14. Pursuant to the recommendations of the project's Forest Management Plan (FMP), the landscape plan shall incorporate the planting of at least 122 Monterey pines to replace, at a 2:1 ratio, the 61 in total that will be removed as part of the approved project. Also pursuant to the FMP:
- 65 of the replacement trees shall be planted in openings on the expansion site;
  - the remaining 57 shall be planted in or near openings on the existing PBCSD parcel;
  - Protection and/or transplanting of volunteer seedlings and saplings already existing on the site are a preferred source of local stock;
  - Planting areas shall be cleared of competing [*non-sensitive*] vegetation within at least three feet of the planted trees;
  - Occasional watering during the dry months may be necessary during the first year or two after planting;
  - If desired, coast live oaks may be substituted for up to one-third of the replacement plantings to enhance diversity, but only on drier soil sites where the soil should be allowed to go dry at least briefly between waterings to discourage the growth of oak root fungus. Browse protection for oaks should be provided for at least the first two years.
- (Planning and Building Inspection)**
15. Every feasible effort shall be made to avoid the removal of the 7 trees identified (in the Forest Management Plan prepared for the subject project) as potentially not required for removal. During site preparation and construction, the consulting forester shall visit the site to determine whether or not any of the 7 trees can be saved. If, upon the forester's field inspection, the forester determines that any of the 7 trees must be removed, then a written statement from the consulting forester shall be submitted to the Director of Planning and Building Inspection detailing the reasons for removal. If any of the trees can be saved, the replanting schedule may be adjusted accordingly. **(Planning and Building Inspection)**
16. Portable fire extinguishers shall be installed in occupancies and locations as set forth in the 1998 Uniform Fire Code, and as required by the Fire Chief. **(Pebble Beach Community Services District)**

**Continuous Permit Conditions:**

17. If during the course of construction activity on the subject property, cultural, archaeological, historical, 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 it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society 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. **(Planning and Building Inspection)**

18. All landscaped areas and replanted trees shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. **(Planning and Building Inspection)**
19. The location, type and size of all antennas, satellite dishes, towers, and similar appurtenances shall be approved by the Director of Planning and Building Inspection. **(Planning and Building Inspection)**

### **Conditions of Approval from the Mitigated Negative Declaration**

#### AIR QUALITY:

20. **Mitigation Measure 1** – To maintain air quality levels that are safe to sensitive receptors, such as nearby residential uses, the owners, through their agents, shall specify in project plans the implementation of the following dust control measures *during grading and construction activities* for the proposed project. The measures shall be implemented as necessary to adequately control dust.

The following measures shall be implemented at all construction sites:

- Water all active construction areas at least twice daily;
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

Optional control measures, the following measures are strongly encouraged at construction sites that are large in area, located near sensitive receptors or which for any other reason may warrant additional emissions reductions:

- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible.
- Install wheel washers for all existing trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas;
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour;
- Limit the area subject to excavation, grading and other construction activity at any one time.

**Monitoring Action 1** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

#### BIOLOGICAL RESOURCES:

21. **Mitigation Measure 2** – *Prior to the commencement of construction activities*, temporary fencing shall be installed along the boundary of the construction site. Soil compaction, parking of vehicles or heavy equipment,



stockpiling of construction materials, and/or dumping of materials shall not be allowed within the protected zone. The fencing shall remain in place during the entire construction period.

**Monitoring Action 2** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

22. **Mitigation Measure 3** – *Within 20 days prior to commencement of clearing, grading, or construction in or adjacent to any trees or woodland habitat, a field survey shall be constructed by qualified biologist to determine if active raptor nests are present in the construction zone or within 250 feet of the construction zone. There surveys shall be required only if any construction would occur during the nesting and/or breeding season of raptors potentially nesting in the areas proposed for development (generally March 1 through August 1). If active nests are found within the survey area, at the discretion of the biologist, clearing and construction within 250 feet shall be postponed or halted until the nests are vacated and juveniles have fledged and there is no evidence of second attempt at nesting.*

**Monitoring Action 3** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

23. **Mitigation Measure 4** – *Prior to commencement of construction activities, a qualified biologist shall be retained to survey the construction zone to determine if any individuals of Yadon’s piperia occur in the construction zone. All individuals of Yadon’s piperia shall be avoided, especially those areas where large colonies of this plant are currently mapped. In the event a small number of unmapped Yadon’s piperia may be discovered on the project site, these shall be moved with a U.S. Fish and Wildlife Service permit, at the discretion of that agency. The following moving procedures shall apply. Plants shall be carefully dug and placed in one gallon containers using the native soil. Care shall be taken to be sure that all roots remain undamaged. The dug Yadon’s piperias shall be cared for by watering, weeding and protecting from herbivores, including deer, insects and terrestrial mollusks. The dug plants shall be replanted when it is safe to do so in areas near existing Yadon’s piperia colonies. The success of moved plants shall be monitored for a period of three years. The site where the Yadon’s piperias are moved shall be identified in some unobtrusive way so that reliable monitoring can take place.*

**Monitoring Action 4** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

24. **Mitigation Measure 5** – *Avoid California Native Plant Society 1B Endangered Plants where possible. Designate existing seedling and/or sapling trees less than 6 inches DBH, and which are not counted as trees in the Forestry Management Plan as replacement stock for trees to be removed. Replant Hooker’s Manzanita at a ratio of 1:2 along the edge of the new parking area and/or replant within the landscape area along the existing Pebble Beach Community Service District facility. Replant Pine Rose at a 1:1 ratio in wet drainage areas near the new parking facility. The suitability of the replanting sites shall be determined by a qualified biologist or forester.*

**Monitoring Action 5** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

25. **Mitigation Measure 6** – Where possible, leave intact the native vegetation on the property not actually needed for parking. *Prior to occupancy*, a landscape plan consistent with the Monterey County regulations shall be prepared. Any areas disturbed by construction shall be required to re-vegetate with native vegetation, including Hooker’s Manzanita and pine rose, as appropriate to control non-native invasive species. A gardened buffer surrounding the new parking would cause unnecessary removal and impacts to target species.

**Monitoring Action 6** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

26. **Mitigation Measure 7** – Where additional trees must be removed for public safety beyond those necessary to complete the project, use Hooker’s Manzanita, (*Arctostaphylos hookeri*) and other site specific native plants as replacement vegetation.

**Monitoring Action 7** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

27. **Mitigation Measure 8** – Permanently remove all non-native invasive plants species including Pampas grass, Kikuyu grass, ice plant, French Broom, and Acacias from the property, including seedlings, which will appear after removal of the mature plants. (Star Acacia is presently being used in landscaping of the PBCSD campus, this need not be removed.)

**Monitoring Action 8** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

28. **Mitigation Measure 9** – Develop a weed control program to remove and eradicate invasive weedy plants as they appear on the property.

**Monitoring Action 9** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

29. **Mitigation Measure 10** – Use the engineering/drainage plans for removal and disposal of water produced in the paved parking lot surface and/or other impervious surfaces, to prevent erosion and flooding both on-site and off-site.

**Monitoring Action 10** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

30. **Mitigation Measure 11** – No significant tree shall be removed without a separate Tree Removal Permit (other than trees designated for removal on the approved site plan) unless diseased or hazardous, as designated by a qualified forester)

**Monitoring Action 11** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

31. **Mitigation Measure 12** – Where a Tree Removal Permit is required, trees proposed for removal shall be conspicuously marked by flagging or paint. A site plan showing the location of each significant tree to be removed will accompany the application. If a substantial number of trees are requested for removal, they will generally be distributed over a wide area so that the overall unbroken appearance of the forest canopy is not altered.

**Monitoring Action 12** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

32. **Mitigation Measure 13** – All landmark trees shall be protected from damage, unless the requirement for a Tree Removal Permit is waived by the Director of the Monterey County Planning and Building Inspection Department for the following circumstances:

- Removal of diseased tree(s) which threaten to spread contagion to nearby healthy trees
- Removal of dangerous tree(s) which present a clear and imminent threat to human life or property
- Outside the FMA, removal of tree(s) where needed to allow construction of approved structures or roads.

**Monitoring Action 13** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

33. **Mitigation Measure 14** – Because of their great wildlife habitat value (particularly nesting sites for birds), large dead trees beyond the project site shall be retained. Smaller dead trees will normally be removed in order to reduce fire hazard. Because no Tree Removal Permit is needed for their removal, dead trees may be removed at the convenience of the PBCSD, provided such removal is otherwise in conformance with this plan and designated by a qualified forester.

**Monitoring Action 14** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

34. **Mitigation Measure 15** – Non significant trees, where weak, diseased, or overcrowded, may be thinned to promote the growth of neighboring trees. The thinning of trees, including significant trees, is subject to the Tree Removal Permit requirements.

**Monitoring Action 15** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP

35. **Mitigation Measure 16** – Take every effort to secure native/local adapted seedlings rather than nursery stock of unknown origin. Local pitch canker resistant Monterey pine stock shall be used as replacement stock if available. If local pitch canker resistant stock is not available, substitute coast live oak as replacement stock for Monterey pine trees. Planted Monterey pines adapt to the site best when they natural grow rapidly in all directions beginning when they are around three feet in height. Therefore, Monterey pine replacement trees should generally not be larger than one-gallon. One- to five-gallon coast live oak replacement trees are acceptable. Consider an occasional larger stock to provide size variation for both visual and age diversity.

**Monitoring Action 16** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program

(MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP

36. **Mitigation Measure 17** – All significant and replacement trees, other than those approved for removal, shall be retained and maintained in good condition. Trimming, when not injurious to the health of the tree(s), may be performed wherever necessary in the judgment of the PBCSD, particularly to reduce personal safety and fire hazard.

Retained trees located close to the construction site shall be protected from inadvertent damage by construction equipment through wrapping of trunks with protective materials, bridging or tunneling under major roots where exposed in the foundation or utility trenches, and other measures appropriate and necessary to protect the well-being of the retained trees.

**Monitoring Action 17** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit ‘F’)

37. **Mitigation Measure 18** – The following measures shall be taken during construction to care for the protected trees:

- Around each tree or group of trees to be preserved next to the construction areas, a boundary or orange snow netting or high visibility plastic fencing supported by wood or metal stakes shall be erected along the approximate driplines of such protected trees to define the construction project boundary. In areas where fill will be placed, hay bales should be placed just inside the protective fencing to reinforce the boundary and prevent migration of fill onto tree trunks.
- No storage of equipment or construction materials, or parking of vehicles is permitted beyond the construction boundary so identified.
- No soil may be removed from within the dripline of any tree and no fill of additional soil can exceed two inches (2”) within the driplines of trees, unless it is part of approved construction and is reviewed by a qualified forester or certified arborist. Fill over existing root systems should be minimized by removing spoils from the site, incorporating them as engineered fill beneath driveway, parking areas or the structure, or spread thinly and always retained away from trunks (a minimum of one foot clearance) and as much rooting area as possible.
- Bark injury to any tree from equipment or materials is not acceptable and shall be prevented by respecting the exclusionary fencing.
- No significant tree as defined by County code may be removed or trimmed unless authorized under this Forest Management Plan or County regulation.

**Monitoring Action 18** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

38. **Mitigation Measure 19** – In addition to the measures required by the Department of Forestry and Fire Prevention (CDF), the PBCSD shall:

- maintain a spark arrester screen atop all chimneys,
- maintain a spark arrester on all gasoline powered equipment,
- establish a “greenbelt” by keeping green growing vegetation within 50 around the periphery of buildings
- break up and clear away any dense accumulations of dead or dry underbrush or plant litter, especially near landmark trees and within greenbelt.

**Monitoring Action 19** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

39. **Mitigation Measure 20** – Brush and other undergrowth, if removed, will be cleared through method(s), which will not materially disturb the ground surface. Hand grubbing, crushing, and mowing will normally be the methods of choice.

**Monitoring Action 20** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

40. **Mitigation Measure 21** – In order to avoid further depletion of groundwater resources, prevent root disease, and otherwise maintain favorable conditions for the native pine forest, the FMA will not be irrigated except where required for air quality purposes. Caution shall be exercised to prevent over-watering around trees.

**Monitoring Action 21** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

41. **Mitigation Measure 22** – Care shall be taken to avoid the introduction of, and/or eradicate, if necessary, the following invasive plant species; pampas grass, genista, eucalyptus, and gorse.

**Monitoring Action 22** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

#### CULTURAL RESOURCES:

42. **Mitigation Measure 23** – Due to the possibility that significant buried cultural resources might be found during construction the following language shall be included on any permits issued for the project site, including, but not limited to building permits for future development, subject to the review and approval of the Pebble Beach Community Services District:

*If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.*

**Monitoring Action 23** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

43. **Mitigation Measure 24** – 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 it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society 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.

**Monitoring Action 24** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

#### GEOLOGY AND SOILS:

44. **Mitigation Measure 25** – The project proponent shall submit a soils investigation prepared by a qualified soils engineer for the project site. The recommendation of the soils investigation shall be incorporated into the final building plans and shall be reviewed and approved by the Pebble Beach Community Services District prior to approval of any building permits. The purposes of the soils investigation is to determine the exact soils characteristics and limitations on the site, and to recommend appropriate engineering specifications for development of the site.

**Monitoring Action 25** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

HYDROLOGY AND WATER QUALITY:

45. **Mitigation Measure 26** – *Prior to issuance of grading and building permits, a drainage plan shall be prepared by a registered civil engineer or architect addressing on-site and off-site impacts, that includes routing stormwater runoff from the paved parking areas to an oil-grease water separator to mitigate the impact of impervious surface stormwater runoff. The drainage plan shall also include detention facilities to mitigate the increase in stormwater runoff from the new impervious surfaces. Necessary improvements shall be constructed in accordance with approved plans.*

**Monitoring Action 26** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP. (Exhibit “F”)

NOISE:

46. **Mitigation Measure 27** – *The following language shall be included on any permits issued for the project site, subject to the review and approval of the Monterey County Building and Inspection Department. “All construction activities shall be limited to weekdays between 8:00 AM and 6:00 PM. No construction is permitted on weekends or Community Services District designated holidays.”*

**Monitoring Action 27** – Monitoring shall be carried out pursuant to the Mitigation Monitoring and Reporting Program (MMRP) adopted by Pebble Beach Community Services District. Evidence of compliance shall be provided to the Planning and Building Inspection in accordance with the MMRP.

**PASSED AND ADOPTED** this 11th day of December, 2002 by the following vote:

AYES: Errea, Sanchez, Hawkins, Brennan, Parsons, Diehl, Hernandez, Engell, Wilmot  
NOES: None  
ABSENT: Pitt-Derdivanis

Original Signed By:  
DALE ELLIS, SECRETARY

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 OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, 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 90<sup>th</sup> day following the date on which this decision becomes final.

### NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Marina.

2. The construction or use authorized by this permit must start within two years of the date of approval of this permit unless extended by the Director of Planning and Building Inspection pursuant to Section 20.140.100 of the Coastal Implementation Plan.