

## MONTEREY COUNTY RMA – DIRECTOR OF PLANNING

<b>Meeting:</b> July 30, 2008	<b>Time:</b> 3:00 PM	<b>Agenda Item No.:</b> 1
<p><b>Project Description:</b> <b>Butterfly Village (Rancho San Juan)</b> – A Determination of Conformance with the Rancho San Juan Specific Plan (dated November 7, 2005) and an Administrative Project Amendment to the Combined Development Permit (Board of Supervisors’ Resolution No. 04-425 , PLN020470) consisting of the following: 1) Revised Vesting Tentative Subdivision Map; 2) amendments to the Use Permits for the wastewater treatment plant, development on 30% slopes and tree removals; and 3) rescission of the use permit for the golf course, resulting in an amended Combined Development Permit consisting of the following: 1) revised Vesting Tentative Map (dated May 1, 2008, revised July 14, 2008) for 1,147 residential units to be configured on not to exceed 780 single-family lots and not to exceed 20 multifamily residential lots on 224.3 acres, 10 parcels for commercial and public facilities on 55.1 acres, 12 parcels for open space on 131.6 acres, 15 parcels for parks on 214.7 acres, 12.6 acres of backbone circulation, and 32.7 acres for the Highway 101 Bypass right-of-way; 2) Use Permit for the removal of 31 oak trees; 3) Use Permit for development on 30% slopes; and 4) Use Permit for sewage treatment facility.</p>		
<p><b>Project Location:</b> The 671-acre property is located north of Russell Road, east of Harrison Road and west of San Juan Grade Road.</p>		<p><b>APNs:</b> 113-271-014-000, 113-212-043-000, 113-212-044-000, 113-212-004-000, 113-212-003-000, 113-212-055-000, 113-212-056-000, 113-212-057-000 and 113-212-058-000</p>
<p><b>Planning File Number:</b> PLN080209</p>		<p><b>Name:</b> Moe Nobari, HYH Corporation</p>
<p><b>Plan Area:</b> Greater Salinas Area Plan, Rancho San Juan Area of Development Concentration (ADC), Rancho San Juan Specific Plan</p>		<p><b>Flagged and staked:</b> No</p>
<p><b>Zoning Designation:</b> : SP (Specific Plan)</p>		
<p><b>CEQA Action:</b> EIR Addendum</p>		
<p><b>Department:</b> RMA - Planning Department</p>		

### RECOMMENDATION:

Staff recommends that the RMA – Director of Planning adopt the attached Resolution (**Exhibit C**) to:

1. Adopt EIR Addendum #2 (**Exhibit E**) supplementing Addendum #1 (certified by the Board of Supervisors on November 7, 2005, Resolution No.05-320) and the Final Program Environmental Impact Report (EIR#01-01) for the Rancho San Juan Specific Plan and the Butterfly Village Project (certified by the Board of Supervisors on December 14, 2004, Resolution No. 04-423);
2. Approve a Conformance Determination pursuant to Section 8.13 of the Revised Rancho San Juan Specific Plan (dated November 7, 2005);
3. Approve an Administrative Project Amendment to the Combined Development Permit (Board of Supervisors Resolution No. 04-425, PLN020470) consisting of the following:
  - 1) Revised Vesting Tentative Subdivision Map for the Butterfly Village Project; 2) amendments to the Use Permits for the wastewater treatment plant, development on 30% slopes and tree removals; and 3) rescission of the use permit for the golf course, resulting in an amended Combined Development Permit consisting of the following: 1) revised Vesting Tentative Map (dated May 1, 2008, revised July 14, 2008) for 1,147 residential units to be configured on not to exceed 780 single-family lots and not to exceed 20 multifamily residential lots on 224.3 acres, 10 parcels for commercial and public facilities on 55.1 acres, 12 parcels for open

space on 131.6 acres, 15 parcels for parks on 214.7 acres, 12.6 acres of backbone circulation, and 32.7 acres for the Highway 101 Bypass right-of-way; 2) Use Permit for the removal of 31 oak trees; 3) Use Permit for development on 30% slopes; and 4) Use Permit for sewage treatment facility; subject to the Conditions of Approval (**Exhibit D**); and

4. Adopt the Mitigation Monitoring and Reporting Plan (**Exhibit D**).

### **PROJECT SUMMARY:**

On May 2, 2008, HYH Corporation submitted revised plans for the Butterfly Village project. The proposed revisions include the following: 1) neighborhood commercial is increased from 45,000 square feet to 90,000 square feet; 2) a 10-acre site for a school is added; 3) 71 guest villas/timeshares are replaced with 71 hospitality units (visitor accommodation/professional offices); 4) an 18-hole golf course is replaced with approximately 370.8 acres of dedicated parks and open space, including 11.8 acres of neighborhood parks, a 305.5 acre Community Park and a County Park of approximately 53.5 acres (the 370.8 acres will include public hiking trails and recreation as well as storm water detention ponds and lakes for drainage control and water recharge); 5) a golf clubhouse is replaced with a 20,000 square foot community health and wellness center; 6) a public parking lot for park visitors is added within the right-of-way for the Highway 101 Bypass which will be elevated in that area; and 7) inclusionary and workforce housing is increased from 338 units to 367 units (32% of 1,147 total dwelling units). The unit breakdown is 65 Very Low, 71 Low, 93 Moderate, 35 Workforce I and 103 Workforce II. Grading is reduced from 4,900,000 cubic yards to 4,000,000 cubic yards.

The revised plans are being processed pursuant to Section 2.6.2 of the Development Agreement between the County of Monterey and the HYH Corporation dated December 29, 2004 that establishes a procedure for an Administrative Project Amendment which may be approved by the RMA-Planning Director. The applicant has also requested approval of a Conformance Determination pursuant to Section 8.13 (Conformance Determinations) of the (Revised) Rancho San Juan Specific Plan adopted by the Board of Supervisors on November 7, 2005 which establishes procedures for Conformance Determinations that are intended to allow the County to determine whether a proposed development constitutes a minor variation from the Rancho San Juan Specific Plan provisions. An EIR Addendum was prepared for the revised project. See Discussion in **Exhibit B**.

### **OTHER AGENCY INVOLVEMENT:**

- ✓ North County Fire Protection District
- ✓ Salinas Rural Fire District
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Agricultural Commissioner
- ✓ Housing and Redevelopment
- ✓ Sheriff Department
- ✓ City of Salinas

The above checked agencies and departments have reviewed the revised plans for the Butterfly Village project. Revised conditions recommended by the RMA-Planning Department, North County Fire Protection District, Salinas Rural Fire District, Public Works Department, Parks Department, Environmental Health Division, Water Resources Agency, Agricultural

Commissioner, Housing and Redevelopment and Sheriff Department have been incorporated into the Condition Compliance and Mitigation Monitoring Reporting Plan (**Exhibit D**).

The project was not referred to a Land Use Advisory Committee (LUAC) for review because there is no Land Use Advisory Committee for this area.

Note: The decision on this project is appealable to the Planning Commission.

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July 22, 2008

cc: Front Counter Copy, Mike Novo, Alana Knaster, Bob Schubert, Wendy Stremling, Leslie Girard, Mark Blum, Bob Grace, Moe Nobari, Julie Engel, File PLN080209.

Attachments:

Exhibit A	Project Data Sheet
Exhibit B	Project Discussion
Exhibit C	Resolution
Exhibit D	Recommended Conditions of Approval and Mitigation Monitoring and Reporting Program
Exhibit E	EIR Addendum #2
Exhibit F	Monterey County General Plan Consistency Analysis
Exhibit G	Comparison of Land Use and Environmental Impacts
Exhibit H	Water Balance Estimate by Bestor Engineers
Exhibit I	Review of Potential Traffic Impacts by Kimley-Horn and Assoc.
Exhibit J	Vicinity Map
Exhibit K	Open Space, Parks and Trail System Map
Exhibit L	Revised Vesting Tentative Subdivision Map
Exhibit M	Revised Figures - Rancho San Juan Specific Plan: <ul style="list-style-type: none"><li>- Figure 2-1 (Land Use Plan)</li><li>- Figure 2-2 (Open Space and Trail System)</li><li>- Figure 3-1 (Circulation Plan)</li><li>- Figure 4-1 (Drainage Plan)</li><li>- Figure 4-2 (Water Plan)</li><li>- Figure 4-3 (Wastewater Plan)</li><li>- Figure 4-4 (Reclaimed Water Plan)</li><li>- Figure 7-1 (Grading Concept Plan)</li><li>- Figure 7-2 (Conceptual Landscape Master Plan)</li><li>- Figure 8-1 Phasing Plan</li></ul>

This report was reviewed by Alana Knaster, Assistant Director, Resource Management Agency

**EXHIBIT B**  
**DISCUSSION**

**BACKGROUND:**

On September 27, 2002, HYH Corporation filed an application (PLN020470) for a Combined Development Permit consisting of a Vesting Tentative Subdivision Map to create parcels for 739 single-family units, 338 multi-family units, two parcels totaling 7.6 acres for 141 guest villas/time shares, two parcels for 45,000 square feet of commercial use, 229.6 acres for an 18-hole golf course and clubhouse, 132.9 acres of open space, a 7.3 acre parcel for golf course maintenance facilities, 13.3 acres of roads, a 15.4 acre parcel for sewage treatment facility, 10.0 acres of parks and 32.8 acres for Highway 101 bypass; and four (4) Use Permits for sewage treatment plant, golf course, development on slopes over 30% and tree removals.

On December 14, 2004, the Board of Supervisors certified the Final Environmental Impact Report (FEIR), adopted the Rancho San Juan Specific Plan that included the 671 acre HYH Corporation Property, and approved a Combined Development Permit for Butterfly Village on the HYH Property (PLN020470; Board of Supervisors' Resolution Nos.04-424 and 04-425). The adopted Specific Plan covered 2,581 acres and proposed development of up to 4,000 dwelling units, 2,766,900 square feet of employment space, 242,900 square feet of office space, 5276 square feet of additional retail and commercials uses, five school sites, and an 18 hole golf course. On December 14, 2004, the Board of Supervisors also approved a Development Agreement between the County and HYH Corporation.

In its 2004 resolution adopting the Specific Plan, the Board of Supervisors recognized the controversy regarding the project and directed staff to return to the Board with recommendations on a project that would be reduced in scope. On November 7, 2005, among other actions, the Board adopted an addendum to the FEIR (Addendum #1), rescinded the Adopted Specific Plan and adopted a revised Specific Plan for Rancho San Juan ("Revised Specific Plan") (Board of Supervisors' Resolution No. 05-321.). In contrast to the Adopted Specific Plan, the Revised Specific Plan limited development to the 671 acres comprising the HYH Property. The Revised Specific Plan allowed for 1,147 residential units, 45,000 square feet of retail commercial space, 71 guest villas/timeshares, neighborhood parks, and an 18 hole golf course. In total, the Revised Specific Plan proposed approximately ¼ of the residential density and 1/100 of the commercial density that had been proposed for the Adopted Specific Plan.

On April 8, 2008, the Board of Supervisors entered into a "Settlement and Release Agreement" with HYH to resolve and settle all litigation and disputes between the parties relating to the County's Rancho San Juan Specific Plan and the Butterfly Village Project. In the settlement, HYH agreed to propose a scaled down Butterfly Village Project and the County agreed to conduct environmental review of the amended Butterfly Village Project and process minor amendments to the Combined Development Permit, including amendment of the Vesting Tentative Map for the HYH Property.

On May 2, 2008, the applicant submitted an application for an amendment to the Combined Development Permit consisting of: 1) a revised Vesting Tentative Map for the Butterfly Village Project; 2) amendments to the Use Permits for the Wastewater Treatment Plant, Development on Slopes Over 30%, and Tree Removals; and 3) Rescission of the Use Permit for the Golf Course. The applicant also applied for a Conformance Determination relative to the proposed Amended Butterfly Village Project, pursuant to section 8.13 of the Revised Specific Plan.

## **SETTING:**

The 671-acre property is located north of Russell Road, east of Harrison Road and west of San Juan Grade Road. The site is characterized as agricultural/grazing with limited portions of the property covered in native vegetation. Two homes occur within the property along the western boundary. One of the homes also has a large shed and several smaller outbuildings. Major land uses surrounding the property include the Salinas Golf Course and Country Club and a dairy farm on the south, and strawberry fields along portions of the east and western boundaries. Residential areas are located along the west and southwestern boundaries. To the north are areas of open space and agriculture.

## **PROJECT DESCRIPTION:**

The proposed revised plans for Butterfly Village include the following revisions to the project: 1) neighborhood commercial is increased from 45,000 square feet to 90,000 square feet; 2) a 10-acre site for a school is added; 3) 71 guest villas/timeshares are replaced with 71 hospitality units (visitor accommodation/professional offices); 4) an 18-hole golf course is replaced with approximately 370.8 acres of dedicated parks and open space, including 11.8 acres of neighborhood parks, a 305.5 acre Community Park, and a County Park of approximately 53.5 acres (the 370.8 acres will include public hiking trails and recreation as well as storm water detention ponds and lakes for drainage control and water recharge); 5) a golf clubhouse is replaced with a 20,000 square foot community health and wellness center; 6) a public parking lot for park visitors is added within the right-of-way for the Highway 101 Bypass (the bypass is proposed to be elevated in that area); and 7) inculsionary and workforce housing is increased from 338 units to 367 units (32% of 1,147 total dwelling units). The unit breakdown is 65 Very Low, 71 Low, 93 Moderate, 35 Workforce I and 103 Workforce II. Grading is reduced from 4,900,000 cubic yards to 4,000,000 cubic yards.

The revised project includes the following: 1) 1,147 residential units to be configured on not to exceed 780 single-family lots and not to exceed 20 multi-family residential lots on 224.3 acres; 2) 71 hospitality units (visitor accommodation/ professional offices); 3) a 20,000 square foot community health wellness center; 4) 90,000 square feet of commercial use, 5) approximately 370.8 acres of dedicated parks and open space, including 11.8 acres of neighborhood parks, a 305.5 acre Community Park, and a County Park of approximately 53.5 acres (the 370.8 acres will include public hiking trails and recreation as well as storm water detention ponds and lakes for drainage control and water recharge); 6) parking lot for park visitors; 7) wastewater treatment facility (13.1 acres); 8) sheriff substation, park maintenance facility and 2,500 square foot library (7.3 acres); 9) fire station (1.2 acres); 10) two water storage tanks (0.7 acre); and 11) school site (10 acres).

Residential housing opportunities would be provided for a variety of family types and individuals of varying economic means. Residences would account for approximately 224.3 acres or about 33% of the property. Residential units would include a range of densities from estate lots at 0.5 - 1.0 dwelling units per acre to attached units at 20 dwelling units per acre. Of the 1,147 residential units, between 739 and 780 would be intended for one and two-story, single family, detached homes on lots ranging from 3,000 square feet to one acre. Between 367 and 408 residential units would consist of multi-family development. As set forth in Condition # 267 (**Exhibit D**), the developer will have flexibility with regard to the number of lots within certain planning areas.

## Parks and Open Space

Due to the elimination of the golf course, the total amount of parks and open space was increased from approximately 145.4 acres under the approved plan to approximately 370.8 acres under the revised plan, an increase of approximately 225.4 acres. The use of the land previously designated for the golf course plus adjoining open space parcels was combined and will be operated as two parks: a 305.5 acre Community Park and a County Park of approximately 52.5 acres. These two parks replacing the golf course will include hiking trails, recreation, storm water detention ponds and lakes for drainage control and water recharge, as well as areas restored or preserved for sensitive habitat. Public trails will be incorporated into the parks, including a public trail in the County Park which will provide access through the County Park property as well as connect from Harrison Road to the emergency access connection to Hebert Road. The park lands and open space will be dedicated to the respective ownership entities after the applicant has obtained all necessary easements and completed all project site construction improvements including, but not limited to, grading, utility lines, drainage improvements, landscaping and trails as necessary to develop the complete project.

Areas within the former golf course which are not among the areas addressed by Conditions #24 through 38 will be landscaped consistent with the operation and maintenance of construction improvements such as the water retention, percolation, irrigation, recreation and drainage features as necessary to satisfy the water balance conditions of approval (see Condition # 61). Ponds contained in the park areas will be connected by surface drainage channels consistent with the original golf course design.

## Public Parking Lot

A parking lot for park attendees (approximately 40 parking spaces) was added to the project in the revised plan. The parking lot will be constructed by the applicant near the Harrison Road entrance to the project within the Highway Bypass right-of-way (the bypass will be elevated in this location).

## Community Health and Wellness Center

This three parcel area will combine a public health and wellness center for all ages on Parcel 2A surrounded by a community with a component of senior living residential units. It is possible that the operations of all three parcels would be under one certified entity.

The center of activities will be a public 20,000 square foot (previously Golf Clubhouse) health, fitness and nutrition center on Parcel 2A. The center would offer a variety of health and fitness services based on the needs of the persons served, such as but not limited to:

Exercise Rooms	Sports Massage
Steam & Sauna Rooms	Skin Care
Nutrition & Health Related Classes	Tennis Courts
Community Meeting Rooms	Child Care Center
Administrative Offices	Swimming Pool & Jacuzzi
Appropriate Retail	Dining
Therapy & Counseling	Specialized Medical Practitioners

Parcel 2B is presently designated as Hospitality with 71 units on 3.7 acres and will be available for visitor accommodation and professional services, including participants in the activities of the Health and Wellness Center and/or as transitional senior living units and associated professional services. Parcel 2D will contain 69 multi-family units on 4.2 acres.

### School Site

The elimination of the golf course allowed for the addition of a 10-acre parcel of land off Harrison Road that will accommodate a school. This location is across the road from two parcels totaling 8.5 acres that will accommodate a Fire Station, Sheriff Substation and 2,500 square foot Library, as well as a park maintenance yard.

### Planning Area 11B

In order to consolidate park land and open space and to avoid constructing an excessively long access road, the 11 lots proposed in Planning Area 11B were relocated to Planning Area 10B.

### Neighborhood Commercial

Previous Parcel 2F (71 lots on 3.6 acres) was expanded into Planning Area 2G, thereby relocating 28 single-family residential lots from Parcel 2F to elsewhere in the project. By such expansion, Planning Area 2F will increase to 9.1 acres providing an additional 45,000 square foot of neighborhood commercial, for a total of 90,000 square feet and 99 (71 + 28) multifamily units. Parcel 2F is intended to allow flexibility and creativity in the design of the Neighborhood Center. According to the applicant, development within Planning Area 2F or 2G will include a neighborhood grocery store.

### Inclusionary and Workforce Housing

Inclusionary and workforce housing was increased from 338 units (29% of 1,147 units) to 367 units (32% of 1,147 total units). The inclusionary/workforce housing units will be constructed within the high density residential areas and the neighborhood commercial area of the project. The distribution of the inclusionary/workforce housing units is as follows:

Very Low Income:	65
Low Income:	71
Moderate Income:	93
Workforce I:	35
Workforce II:	<u>103</u>
	367

### Phasing

Development of the Project is contemplated to occur in three general development phases or units. Development Unit 1 may include grading over all or a portion of the project site (hereafter referred to as the "Property") except for the estate residential area along the northern boundary. Up to 439 residential units would be included Development Unit 1 as well as site grading for the commercial development. The first phase would also include construction of the first phase of the wastewater treatment plant. This plant would be expanded as part of each subsequent development unit, as required to meet the demand of additional development. Development Unit 2 would include 537 residential units, and neighborhood parks within that Phase. Development

Unit 3 would include 171 residential units. Development of Project phases, or any portions of the phases, may be developed incrementally in any sequence for which infrastructure is sized to match incremental development, assure adequate public facilities for each increment and satisfy affordable housing requirements.

### **ENVIRONMENTAL REVIEW:**

The County prepared a second Addendum (**Exhibit E**, Addendum #2) to update the Final EIR and Addendum #1 and to evaluate whether the revised project requires preparation of a Supplemental or Subsequent EIR under California Environmental Quality Act (CEQA) Guidelines Sections 15162-15163. As discussed in EIR Addendum #2, neither the proposed revisions to the approved project nor the circumstances under which it is being undertaken would result in any new significant project impacts not discussed in the Final EIR as supplemented by Addendum #1. Furthermore, no substantial increase in the severity of previously identified impacts would occur. In addition, no new information of substantial importance has become available since the FEIR was certified or Addendum #1 adopted regarding new significant impacts, or feasibility of mitigation measures or alternatives.

As part of its environmental review of the revised project, the County considered the Mitigation, Monitoring and Reporting Plan prepared in 2004 and revised in 2005. The County is proposing to amend several mitigation measures primarily resulting from conversion of the golf course to parkland. None of the changes to mitigation measures, however, affects the mitigation required to address an impact on resources because impacts of the parkland are substantially similar to impacts of the golf course. The conclusions in each chapter of Addendum #2 refer to these changes in its conclusions as comparable mitigation measures. The text of the revised mitigation measure is set forth in the Mitigation Monitoring and Report Plan (**Exhibit D**).

### **ANALYSIS:**

#### **Conformance Determination**

Section 8.13 (Conformance Determinations) of the Rancho San Juan Specific Plan adopted by the Board of Supervisors on November 7, 2005 establishes procedures for Conformance Determinations that are intended to allow the County to determine whether a proposed development or use that constitutes a minor variation from the RSJ Specific Plan provisions is consistent with the Specific Plan and may proceed without an amendment to the Specific Plan. The proposed minor variation shall be found consistent if it substantially conforms to the standards, regulations, and guidelines of the RSJ Specific Plan and other applicable Monterey County ordinances.

One of the minor variations that may be approved for a proposed development or use is adjustments to the plans contained in Chapter 2, Land Use Plan, Chapter 4, Public Facilities and Services and Chapter 3, Circulation Plan. The revised plans include revisions to the following figures (**Exhibit M**) in the Rancho San Juan Specific Plan adopted by the Board of Supervisors on November 7, 2005: Figure 2-1 (Land Use Plan), Figure 2-2 (Open Space and Trail System), Figure 3-1 (Circulation Plan), Figure 4-1 (Drainage Plan), Figure 4-2 (Water Plan), Figure 4-3 (Wastewater Plan), Figure 4-4 (Reclaimed Water Plan), Figure 7-1 (Grading Concept Plan), Figure 7-2 (Conceptual Landscape Master Plan) and Figure 8-1 (Phasing Plan).



The applicant's proposed minor variations to the Rancho San Juan Specific Plan's provisions, as well as the revised project as a whole, are consistent with the Specific Plan. These minor variations, as well as the revised project as a whole, substantially conform to the standards, regulations and guidelines of the Rancho San Juan Specific Plan, Monterey County General Plan, Greater Salinas Area Plan, Greater Salinas Area Plan Inventory and Analysis, Rancho San Juan Area of Development Concentration, Rancho San Juan Specific Plan and the Monterey County Zoning Ordinance (Title 21) and Subdivision Ordinance (Title 19).

The revised plans include 1,147 residential units which is the same number of units approved under the Combined Development Permit (Board of Supervisors Resolution No. 04-425) while inclusionary and workforce housing increased from 338 units to 367 units (32% of 1,147 total dwelling units). The design of Revised Vesting Tentative Map is consistent with the revised figures for the Specific Plan (see Finding 6A above). The gross acreages, land uses, densities and number of units in each planning area on the Revised Vesting Tentative Map is consistent with the development standards contained in the Revised Specific Plan. The overall traffic and drainage impacts that would result from the revised project are similar to or less than for the previously approved project and the same mitigation measures are proposed.

Due to the removal of the golf course, the revised plan increases the amount of parks and open space from 145.4 acres to 370.8 acres, including 11.8 acres of neighborhood parks, a 305.5 acre Community Park and a County Park of approximately 53.5 acres. The 370.8 acres of parks and open space will include public hiking trails and recreation as well as storm water detention ponds and lakes for drainage control and water recharge. In addition, a school site has been added to the project. The conditions of approval of the Combined Development Permit (Board of Supervisors Resolution No. 04-425) have been incorporated into the conditions of approval for the revised project, except to the extent that the changes in the project, such as the replacement of the golf course with additional parkland, necessitated revisions of some of the previously approved conditions.

#### Administrative Project Amendment

Section 2.6.2 of the Development Agreement between the County of Monterey and the HYH Corporation dated December 29, 2004 states as follows: *“Upon the written request of Owner for an amendment or modification to a Development Approval or Subsequent Development Approval, the Director of Planning or his/her designee shall determine: (i) whether the requested amendment is minor when considered in light of the Project as a whole; and (ii) whether the requested amendment or modification is consistent with this Agreement and Applicable Law. If the Director of Planning or his/her designee finds the proposed amendment or modification is minor, consistent with this Agreement and Applicable Law, and will result in no new significant impacts not addressed and mitigated in the Specific Plan EIR, the amendment shall be determined to be an “ Administrative Project Amendment” and the Director of Planning or his/her designee may approve the Administrative Project Amendment consistent with the County’s procedures for such administrative actions, including any requirements for notice, public hearing, and appeal rights....”*

The proposed Administrative Project Amendment is minor when considered in light of the project as a whole and is consistent with the Development Agreement between the County of Monterey and the HYH Corporation dated December 29, 2004, the proposed Rancho San Juan Specific Plan, the Monterey County General Plan and the Greater Salinas Area Plan (“GSAP”) and is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of Title 21.

The Butterfly Village Combined Development Permit (Board of Supervisors Resolution No. 04-425) includes a Use Permit for the removal of an estimated 34 oak trees which are landmark trees, while approximately 587 oaks would be retained, 63 of which are landmark trees. The revised plans (PLN080209) call for the removal of 31 oak trees, all of which were identified for removal in the approved use permit.

The Butterfly Village Combined Development Permit (Board of Supervisors Resolution No. 04-425, PLN020470) includes a Use Permit for development on slopes in excess of 30% on approximately 22.4 acres (3.3% of the property) in order to provide for the creation of lots for affordable housing, provide for more open space land and parks, provide road grades in residential areas that are predominately at 5%, which provides for a walkable community. The revised plans (PLN080209) call for development on slopes in excess of 30% on approximately 14.73 acres (2.2% of the property).

The revised plans include 1,147 residential units which is the same number of units approved under the Combined Development Permit (Board of Supervisors Resolution No. 04-425, PLN020470) while inclusionary and workforce housing increased from 338 units to 367 units (32% of 1,147 total dwelling units). The unit breakdown is 65 Very Low, 71 Low, 93 Moderate, 35 Workforce I and 103 Workforce II.

Due to the removal of the golf course, the revised plan increases the amount of parks and open space from 145.4 acres to 370.8 acres, including 11.8 acres of neighborhood parks, a 305.5 acre Community Park and a County Park of approximately 53.5 acres. The 370.8 acres will include public hiking trails and recreation as well as storm water detention ponds and lakes for drainage control and water recharge.

#### Revised Vesting Tentative Map

The Revised Vesting Tentative Map would allow for 1,147 residential units to be configured on not to exceed 780 single-family lots and not to exceed 20 multi-family residential lots on 224.3 acres, 10 parcels for commercial and public facilities on 55.1 acres, 12 parcels for open space on 131.6 acres, 15 parcels for parks on 214.7 acres, 12.6 acres of backbone circulation and 32.7 acres for the Highway 101 Bypass right-of-way.

Of the 1,147 residential units, between 739 and 780 would be intended for one and two-story, single family detached homes on lots ranging from 3,000 square feet to one acre. Between 367 and 408 would consist of multi-family development. The revised project includes minor adjustments to acreages and densities, including the mix of residential unit types compared to the previously approved Vesting Tentative Map. These adjustments are within that allowed under Section 8.14 of the Rancho San Juan Specific Plan which allows minor adjustments to the Planning Area boundaries and as well as the reasonable transfer of densities between adjacent Planning Areas without requiring a Specific Plan Amendment or Conformance Determination.

#### Use Permit for Development on 30% Slopes

The approved Butterfly Village Combined Development Permit (PLN020470) includes a Use Permit for development on slopes in excess of 30% on approximately 22.44 acres (3.3% of the property) in order to provide for the creation of lots for affordable housing, provide for more open space land and parks, provide road grades in residential areas that are predominately at 5%, which provides for a walkable community.

The revised plans call for development on slopes in excess of 30% on approximately 14.73 acres (2.2% of the property), which is approximately 7.7 acres less grading on 30% slopes compared to the previous plan. This is primarily due to the elimination of the golf course. Furthermore, the amount of erosion and resulting sedimentation would be less under the revised plan since the change from golf course to parkland will require less grading (approximately 4,000,000 cubic yards on the approved plan compared to 4,000,000 cubic yards under the revised plan). The relevant conditions of approval and mitigation measures have been modified to address parkland rather than the golf course.

#### Use Permit for Tree Removals

The approved Combined Development Permit Application (PLN020470) includes a Use Permit for the removal of an estimated 34 oak trees which are landmark trees, while approximately 587 oaks would be retained, 63 of which are landmark trees. The revised plans (PLN080209) call for the removal of 31 oak trees, all of which were identified for removal in the approved Use Permit. Thus, overall, three of the oak trees previously approved for removal would be retained.

#### Use Permit for Golf Course

The applicant is proposing to delete the golf course which would be replaced with approximately 370.8 acres of dedicated parks and open space, including 11.8 acres of neighborhood parks, a 305.5 acre Community Park and a County Park of approximately 53.5 acres, which will include public hiking trails and recreation as well as storm water detention ponds and lakes for drainage control and water recharge. Therefore, it is recommended that the Use Permit (PLN020470) for the golf course be rescinded.

There will be some use of fertilizer and pesticides for maintaining grassy areas in the park, but the amount would be significantly less than what would have been required for the operation of a golf course. Accordingly, the conditions of approval and mitigation measures have been modified to apply to the parkland rather than to the golf course.