

Exhibit A
Discussion

Banker's Development Group, LLC
(York Highlands)
PLN120024

Board of Supervisors
February 7, 2012

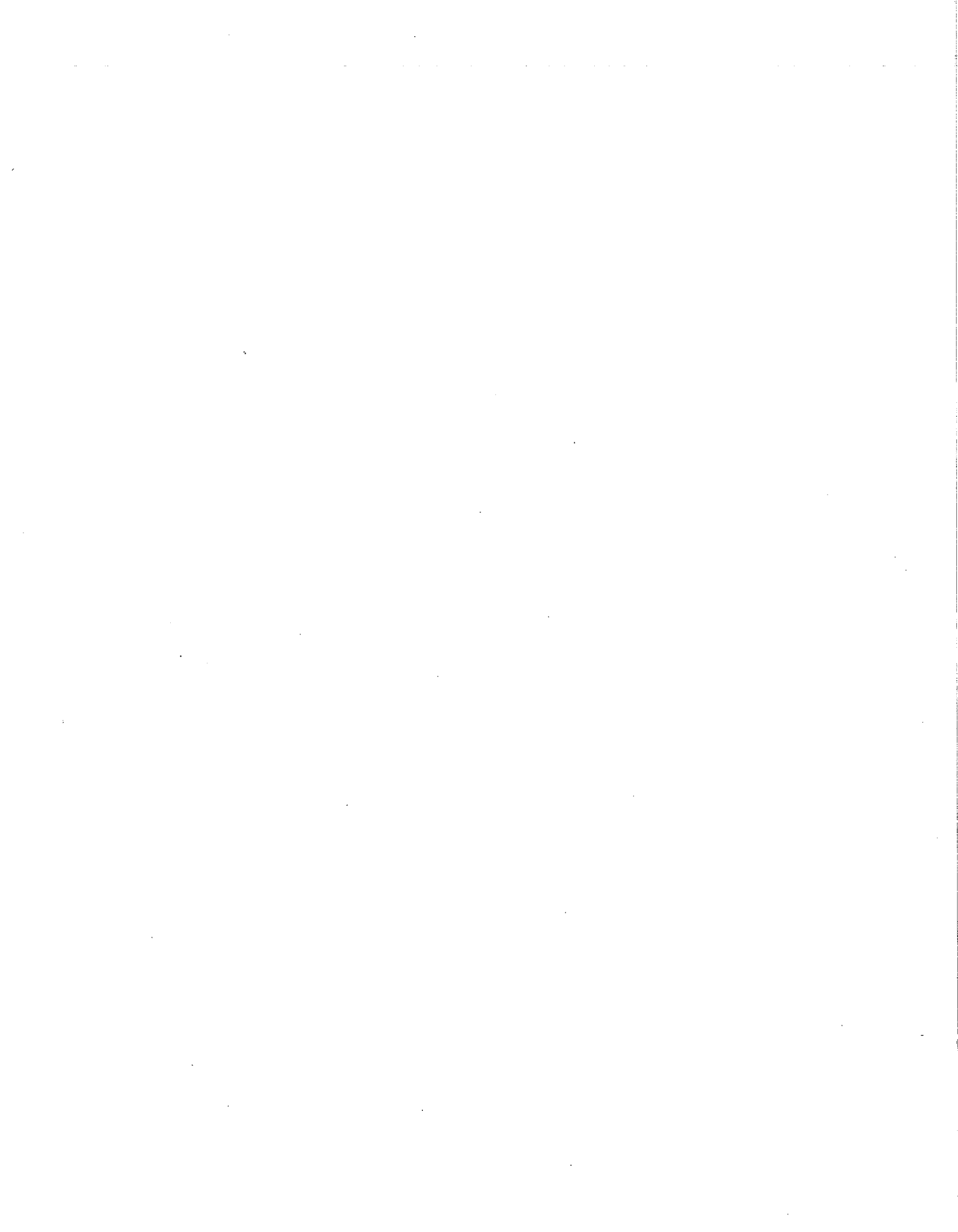


EXHIBIT A

DISCUSSION

HISTORY

The subject properties are located within the York Highlands Subdivision, south of Highway 68, approximately 6 miles east of the City of Monterey and 14 miles southwest of the city of Salinas.

The Board of Supervisors approved the original Monterra Ranch Subdivision and certified the EIR for the project (EIR. No. 84-007)(**Exhibit C-3**) on October 6, 1987 (Resolution No. 87-527). The applicant chose to file final maps for "phases" of the subdivision, all of which have been approved by the Board of Supervisors and recorded for each phase of the subdivision.

On October 18, 2011, the Board of Supervisors considered an Addendum (hereinafter "Addendum 1") to the previously certified EIR (No. 84-007) and approved the York Highlands Combined Development Permit (PLN100020) consisting of: 1) a vesting tentative map for the re-subdivision of lots created by Monterra Ranch Final Map Phases 6, 8, & 10 consisting of the reconfiguration of 24 residential lots, 3 open space parcels, 1 scenic easement parcel, and 3 road and utility parcels as reconfigured and shown on the attached vesting tentative map; 2) Use Permit for tree removal for subdivision improvements (not for building envelopes); 3) Administrative Permit for grading of less than 131,100 cubic yards (approximately 70,500 cubic yards cut and 60,600 cubic yards fill) in a Visually Sensitive District; and 4) Use Permit for development on slopes greater than 25 percent (Resolution No. 11-342).

PROJECT DESCRIPTION

The applicant now proposes modifications to the previously approved York Highlands Combined Development Permit (PLN100020) to: 1) change the access from York Highlands Road 1 to the existing Monterra Ranch Subdivision entrance at Highway 218; 2) re-designate the approximately 1,400 foot long section of York Highlands Road 1 between State Highway 68 and York Highlands Road 2 from a 60-foot wide road and utility easement to a 50-foot wide emergency access and public utility easement; 3) designate the 50-foot wide, approximately 1,200-foot long fire access road between Monterra Ranch Phase 6 and York Highlands as a 60-foot wide private road and public utility easement; 4) modify Condition No. 52 to eliminate the requirement for specific improvements to Highway 68 at the York Highlands Road 1 entrance; 5) delete Mitigation Measure No. 71; and 6) amend the vesting tentative map to create a 1.79-acre open space parcel (Parcel T), thereby reducing Ranch Lot 1, and to merge a 0.48 acre portion of Parcel H (Phase 10, Scenic Easement Parcel) with an existing well parcel, all of which will be denoted as a water utility parcel on the map.

Change in Access Location: The proposed modification will change the access for the York Highlands area from York Highlands Road 1 (as shown on the previously approved vesting tentative map "**Exhibit D**") to the main Monterra Ranch entrance at Highway 218 (as shown on the revised tentative map pages "**Exhibit B-2**"). This modification to the project does not propose the addition of any new building sites to the project. There will be no increase in traffic beyond what was anticipated and evaluated in the previously certified EIR for the Monterra Ranch subdivision. A traffic report prepared by Hexagon Transportation Consultants dated

December 14, 2011 concluded that the entrance location for the York Highlands portion of Monterra would make very little difference to traffic volume in the area due to the small number (37) of homes involved, but that utilizing the existing four leg intersection at Highway 218 for access would be slightly better than the York Road intersection which currently only has three legs. Adding a fourth leg to the signalized intersection at York Road would increase the delay at York Road slightly; therefore, the change in access would have a slight beneficial impact to traffic. The entrance at York Highlands Road 1 will be improved to meet the Fire District's minimum standards for an emergency access road and will be used as an emergency access only for York Highlands, Monterra and Tehama. A chain-locked gate will be installed to prevent general access to or from the area by way of this route. Caltrans has indicated that they support the change in access.

Redesignation of roadway types: The alignments of the road and fire access road being re-designated to facilitate the change in access will not change. Impacts associated with the construction of road improvements within these alignments were anticipated and analyzed in the Monterra Ranch EIR and Addendum 1. The only difference will be that the section of road between Monterra Phase 6 and York Highlands that was previously designated as a fire access road will now be improved to meet residential private road standards, and the section of road shown as York Highlands Road 1 on the approved vesting tentative map (**Attachment 4**) will be improved to meet the Fire District's minimum standards for emergency access.

Modify Condition No. 52: Condition No. 52 of Board of Supervisors Resolution 11-342 requires left-turn channelization on State Highway 68 at the entrance to the subdivision (York Highlands Road 1 as shown on the vesting tentative map "**Exhibit D**"), including acceleration and deceleration tapers. With the elimination of the access at York Highlands Road 1, the requirement for these improvements is no longer necessary. Modification of this condition to eliminate the requirement for specific improvements will cause no new environmental impacts. Staff recommends that the condition be revised as follows:

PWSP005 – CALTRANS ENCROACHMENT PERMIT REQUIRED Obtain an encroachment permit from Caltrans and ~~construct left turn channelization on State Highway 68 at the entrance to the subdivision (York Highlands (Road 1) as shown on the vesting tentative map), including acceleration and deceleration tapers.~~ for any work that may be required within the Caltrans right of way at the York Road emergency access to York Highlands. (Public Works).

Compliance Action: Prior to commencement of any work within the Caltrans right-of-way, Building/Grading Permit Issuance Owner/Applicant shall provide evidence to the Department of Public Works that obtain an encroachment permit from Caltrans for said work has been issued. Applicant is responsible to obtain all required permits. ~~and environmental clearances.~~

Although the entrance at York Road will not be improved to the extent previously anticipated, an encroachment permit from Caltrans will be required for use of this entrance as an emergency access. Caltrans has indicated they will require that this entrance have a locked, manually operable gate to prevent access by any other than emergency personnel.

Delete Mitigation Measure No. 71 (Condition No. 143): All of the mitigation measures from the previously approved Monterra Ranch EIR were incorporated into the York Highlands Combined

Development Permit (PLN100020) as conditions of approval. Mitigation Measure No. 71 requires an approach lane to Highway 68 and a left-turn pocket on the east entrance (York Highlands Road 1) as well as a left-turn pocket on Highway 68 at Olmstead Road. The left turn pocket at Olmstead Road has already been constructed. Therefore, this language does not need to be carried forward to the York Highlands Subdivision application. With the elimination of the access at York Highlands Road, the remainder of the condition is no longer applicable because it is no longer necessary to construct an approach lane or left turn pocket. Therefore, this mitigation measure is no longer necessary and its deletion will cause no new environmental impacts.

~~MM No. 71. An approach lane to Highway 68 on the east entrance should be provided to separate right and left turn traffic. In addition, a left turn pocket on Highway 68 with an adequate deceleration land should be provided to facilitate access to the east entrance of and to the western entrance off of Olmstead Road.~~

Create New 1.79-Acre Open Space Parcel From Ranch Lot 1: All of the areas designated as open space will be held in common by the homeowner's association and will be subject to a conservation and scenic easement deed granted to the County of Monterey. On residential lots, all areas except for designated building and development envelopes will also be subject to a conservation and scenic easement deed. The 1.79-acre piece of land to be created as an open space was part of Parcel H (Scenic Easement Parcel, Phase 10) but was included as part of Ranch Lot 1 on the vesting tentative map. It was not part of a building or development envelope for Ranch Lot 1 and would therefore have been subject to a conservation and scenic easement pursuant to Condition No. 17 (Resolution No. 11-342); it will still be subject to a conservation and scenic easement. The applicant intends to convey this parcel to the homeowner's association who intends to use it for a small mail receptacle. This land fronts directly on Monterra Ranch Road and is directly south of the well parcel mentioned above. It contains an old barn, and drainage, access and utility easements. The homeowner's association is responsible for the maintenance of the roads and drainage easements. (See revised vesting tentative map pages, "**Exhibit B-2**")

Merger: The original intent of the applicant was to merge approximately one half acre in the northwest corner of Parcel H (Scenic Easement Parcel, Phase 10) with an existing irregular-shaped .22 acre well parcel to create a larger buffer around the existing wells. Due to a drafting error, this corner of Parcel H was excluded from the vesting tentative map. This revision corrects the error. The area in question wraps around the existing well parcel and includes access, drainage and utility easements. (See revised vesting tentative map pages, "**Exhibit B-2**"). The use of the area will not change.

CEQA

A second Addendum to the Monterra Ranch EIR (Addendum 2) has been prepared pursuant to Section 15164 of the California Environmental Quality Act Guidelines because some changes or additions to the EIR are necessary but none of the conditions described in Public Resources Code section 21166 or CEQA Guidelines section 15162 triggering a supplemental or subsequent EIR have occurred. Addendum 2 is attached as **Exhibit C** to the February 7 staff report to the Board of Supervisors. Addendum 2 documents that the proposed modification to the Combined Development Permit does not require the preparation of a subsequent or supplemental EIR as no

new significant effects are identified and there will not be an increase in the severity of impacts previously identified. When the Board of Supervisors certified the Monterra Ranch EIR, significant and unavoidable impacts to traffic were identified. According to the traffic study prepared for the project by Hexagon Transportation Consultants, Inc., the changes to access do not make the traffic impacts worse and would have a slight beneficial impact to the York Road/Highway 68 intersection.

CONDITIONS

All of the conditions and mitigation measures approved in October of 2011 except for Condition No. 52, which has been amended, and Mitigation Measure No. 71, which has been deleted, will continue to apply to the project. Additional conditions related to the modification of the Combined Development Permit are also proposed.

RECOMMENDATION

All project issues have been resolved and the project as designed and conditioned has been found to be consistent with the 2010 General Plan, the Monterey County Zoning Ordinance (Title 21), and the Monterey County Subdivision Ordinance (Title 19). Therefore, staff recommends that the Board of Supervisors: 1) consider Addendum No. 2, (including Addendum No. 1, the Initial Study prepared for the York Highlands resubdivision and previously certified Monterra Ranch Subdivision EIR No. 84-007); 2) approve the modification to York Highlands Combined Development Permit No. PLN100020, based on the findings and evidence and subject to the conditions of approval.