

JEFF MAIN  
ZONING ADMINISTRATOR

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

RESOLUTION NO. 060056

A.P.# 416-522-010-000

In the matter of the application of  
**Wind Hotels Holdings (PLN060056)**

**FINDINGS & DECISION**

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to allow for development of a 4,956 spa and yoga studio addition; a 17 space parking lot; removal of two Coast Live Oak trees approximately 23 and 45 inches in diameter respectively; and the conversion of existing hotel room #244 to a temporary sales office. The property is located at 1 Old Ranch Road, Unit #244, Carmel Valley, and came on regularly for hearing before the Zoning Administrator on October 26, 2006.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

**FINDINGS OF FACT**

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the *Monterey County General Plan*, *Carmel Valley Master Plan*, the *Carmel Valley Ranch Specific Plan*, the *Monterey County Subdivision Ordinance* (Title 19), and the *Monterey County Zoning Ordinance* (Title 21), which designates this area as appropriate for development.
- EVIDENCE:**
- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
  - (b) The property is located at 1 Old Ranch Road, Carmel Valley (Assessor's Parcel Number 416-522-010-000 and 416-522-021-000), Carmel Valley Master Plan. The parcels are zoned Visitor Serving/Professional Office, Open Space and Low Density Residential (2.5 acres/unit) within Design Control – Site Plan Review – Residential Allocation Overlays (VO-D-S, O-D-S-RAZ and LDR/2.5-D-S-RAZ). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
  - (c) The project planner conducted site inspections on September 14 and 19, 2006 to verify that the project on the subject parcel conforms to the plans listed above.
  - (d) As conditioned and with the proposed mitigation measures, the proposed project is consistent with applicable policies regarding the provision of water. The project is conditioned to require approval of the proposed water reduction measures by the Monterey Peninsula Water Management. The total additional water needed for the project is 0.65 Acre/Feet per year and the water source for this additional water would have to be approved by the District before issuance of building permits.
  - (e) The application is consistent with the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution No. 95-140, adopted September 12,

1995 The project is required to contribute a fair share contribution towards the Carmel Valley Road improvements in accordance with Policy 39.1.7 of the *Carmel Valley Master Plan*, the TAMC Carmel Valley Road Improvement Fee, and State Route 1 reimbursement program.

- (f) The application does not include any type of a residential or commercial subdivision and therefore is consistent with the provisions of the Board of Supervisors' policy contained in Resolution No. 02-024, which prevent the creation of new parcels that would generate additional traffic on Carmel Valley Road and State Highway One.
- (g) The application is consistent with the provisions of Ordinance 3310 which prohibits new development within the California-American Water Service Company Service Area that results in an increase in the use of water on a building site over that level of use of water existing at the time of the adoption of the ordinance. While the proposed addition of a spa and yoga room would result in an additional water use of approximately 0.65 acre feet per year (AFY) over the existing water use at the resort, the additional water would be obtained from credits resulting from the abandonment of 24 existing spa/Jacuzzis at the resort. Such abandonment would result in the saving of 1.20 acre/feet/year which would be enough to provide for the additional water needed for the project. The Monterey Peninsula Water Management District has acknowledged that it will grant a water credit in the amount of 1.20 AFY upon verification of removal of spa/Jacuzzis. A condition of project approval has been imposed requiring the applicant to provide verification that the credit has been granted and documented.
- (h) The proposed removal of two Coast Live Oak trees, approximately 45 and 23 inches in diameter respectively, complies with the regulations of Chapter 21.64.260 (Preservation of Oak and Other Protected Trees). An Arborist's Report was prepared by Forest City Consulting that addressed the proposed tree removal. The report indicates that the health of both trees has been compromised by several factors including root pruning, the construction of a planter box and grading of the area where the trees are located. The report recommends the replacement of the trees at a one-to-one ratio. The replacement is required as a condition of approval with the location and size of replacement trees to be determined by the Arborist.
- (i) It is assumed that all requirements of the Monterey County Inclusionary Housing Ordinance have been met related to prior subdivision approvals within the Carmel Valley Ranch Specific Plan, given that any Final Subdivision recordation could not occur without compliance with the Ordinance requirements.
- (j) The project was referred to the Carmel Valley Land Use Advisory Committee (CVLUAC) and reviewed on June 5, 2006. Since this time, the project has been revised to add a yoga studio adjacent to the proposed spa addition and a parking lot at the existing maintenance yard. As a result of the changes, the proposed project was resubmitted to the CVLUAC for review on October 16, 2006. At their meeting on October 16, 2006, the CVLUAC requested additional information related to cumulative traffic and other aspects of the project. Staff determined that the additional information requested by the CVLUAC is not within the purview of the CVLUAC per the adopted guidelines for project review by all of the land use advisory committees. Appropriate recommendations from the CVLUAC regarding tree replacement were considered by the Zoning Administrator.
- (k) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency (RMA) - Planning Department for the proposed development found in Project File PLN060056.

**2. FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:** (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Valley Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- (b) Staff conducted site inspections on September 14 and 19, 2006 to verify that the site is suitable for this use.
- (c) Materials in Project File PLN060056.

3. **FINDING: CEQA** – On the basis of the whole record before the Monterey County Zoning Administrator, there is no substantial evidence that the proposed project as designed, conditioned, and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:** (a) The proposed project is subject to environmental review due to the potential for significant environmental effects pursuant to CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration).
- (b) Potentially adverse environmental effects were identified during staff review of the development application.
- (c) The proposed project was submitted with a second application for the conversion of 144 existing hotel units to 144 individually owned condominium hotel units (PLN060360). Monterey County combined the two development applications to assess the potential adverse environmental impacts pursuant to California Environmental Quality Act (CEQA). The Initial Study and proposed Mitigated Negative Declaration are on file in the office of the RMA - Planning Department and are hereby incorporated by reference (Planning File No. PLN060056). The Initial Study identified that the proposed spa and yoga room addition and parking lot would have potentially significant effects relative to aesthetics, biological resources, hydrology/water quality, noise and traffic/circulation. Mitigation Measures and Conditions of Approval were identified and recommended to reduce impacts to less than significant levels. All mitigation measures have been incorporated into the project and/or are made conditions of approval (Exhibit C). Substantial evidence supports the conclusion that impacts will be less than significant with mitigation incorporated for these issues.
- (d) The Mitigated Negative Declaration was circulated for public review from September 30, 2006 to October 19, 2006. Comments were received related to land use, traffic and water availability. Those comments have been reviewed and responded to in the "Response to Comments" contained in the project file (PLN030056). As a result of these comments, the Initial Study has been revised related to the water impact analysis. These revisions determined that the water impacts were less than previously anticipated. Additionally, changes have been made to the mitigation measures in the Initial Study related to water availability pursuant to revisions presented by staff and pursuant to the comments received on the draft Initial Study/Mitigated Negative Declaration. Those changes are equal to or more effective than the mitigation measures provided for in the Initial Study and have been included in the Mitigation Measure/Condition Compliance Reporting Plan.
- (e) The Monterey County Resource Management Agency - Planning Department, (located at 168 W. Alisal Street, 2<sup>nd</sup> Floor, Salinas, CA, 93901) is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.
- (f) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is designed to ensure compliance with conditions and that mitigation measures are

monitored and reported during project implementation. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and Reporting Program" as a condition of project approval.

- (g) For purposes of implementing Section 753.5 of Title 14, California Code of Regulations, the project may cause changes to the resources listed under Section 753.5. Therefore, payment of the Fish and Game fee is required for the proposed project.
- (h) Evidence that has been received and considered includes the application, plans, materials, and technical reports, which are listed under Section IX (References) of the Initial Study and contained in project file PLN060056.

4. **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. Zoning violation abatement costs, if any, have been paid.

**EVIDENCE:** (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

5. **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:** (a) Preceding findings and supporting evidence.

6. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission.

**EVIDENCE:** Section 21.80.040.B of the Monterey County Zoning Ordinance (Title 21).

### DECISION

THEREFORE, it is the decision of the Zoning Administrator that said application for a Use Permit be granted as shown on the attached sketch, and subject to the attached conditions.

**PASSED AND ADOPTED** this 26th day of October, 2006.

  
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JEFF MANN, ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON JAN 1 0 2007

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY TO THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

JAN 2 0 2007

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 Salinas.

2. This permit expires two years after the above date of granting thereof unless construction or use is started within this period.

**Planning and Building Inspection Department  
Condition Compliance & Mitigation Monitoring  
and/or Reporting Plan**

**Project Name:** Wind Hotels Holding Inc. (dba Carmel Valley Ranch, LLC), Property Owner / Lombardo & Gilles – Miriam Schakat  
**File No:** PLN060056    **APNs:** 416-522-010-000 and 416-522-121-000  
**Approval by:** ZA    **Date:** 10/26/2006

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond Number</i>	<i>Mitig Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<p><b>PBD029 - SPECIFIC USES ONLY</b>            This Use permit (PLN060056) allows for development of a 4,956 spa and yoga studio addition; a 17 space parking lot; removal of two Coast Live Oak trees approximately 23 and 45 inches in diameter respectively; and the conversion of existing hotel room #244 to a temporary sales office. The property is located at 1 Old Ranch Road, Unit #244, (Assessor's Parcel Number 416-522-010-000), Carmel Valley area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of 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. <b>(RMA-Planning and Building Inspection)</b></p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	
2.		<p><b>PBD025 - NOTICE-PERMIT APPROVAL</b>            The applicant shall record a notice which states: "A permit (Resolution No. 060056) was approved by the Zoning Administrator for Assessor's Parcel Number APNs 416-522-010-000 and 416-522-121-000 on October 26,</p>	Proof of recordation of this notice shall be furnished to RMA-PD	Owner/ Applicant	Prior to Issuance of grading and building permits or	

		2006. The permit was granted subject to 28 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. <b>(RMA-Planning and Building Inspection)</b>			start of use.	
3.		<b>PBD022 - MITIGATION MONITORING PROGRAM</b> The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. <b>(RMA-Planning and Building Inspection)</b>	1) Enter into agreement with the County to implement a Mitigation Monitoring Program.  2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to issuance of grading and building permits, which-ever occurs first.	
4.		<b>PBD016 - INDEMNIFICATION AGREEMENT</b> The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

		effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(RMA-Planning and Building Inspection)</b>				
5.		<b>PBD011 - EROSION CONTROL PLAN AND SCHEDULE</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Soils Conservation Service and the Director of Planning and Building Inspection. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of Planning and Building Inspection. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Building Inspection. <b>(RMA-Planning and Building Inspection Department)</b>	1) Evidence of compliance with the Erosion Control Plan shall be submitted to RMA-PBI prior to issuance of building and grading permits.  2) Evidence of compliance with the Implementation Schedule shall be submitted to RMA-PBI during the course of construction until project completion as approved by the Director of RMA-PBI.	Owner/ Applicant	Prior to Issuance of Grading and Building Permits	
6.		<b>PBD012 - FISH AND GAME FEE-NEG DEC/EIR</b> Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. <b>(RMA-Planning and Building</b>	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of Planning and Building Inspection.  If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director	Owner/ Applicant	Within 5 working days of project approval.	
				Owner/ Applicant	Prior to the recordation of the final map, the start of use	



		<b>Inspection)</b>	of Planning and Building Inspection.		or the issuance of building or grading permits	
7.		<b>PBD014 - GRADING-WINTER RESTRICTION</b> 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. <b>(RMA-Planning and Building Inspection)</b>	None	Owner/ Applicant	Ongoing	
8.	Same as 4-1	<b>PBD032(B) – TREE AND ROOT PROTECTION</b> Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. <b>(RMA-Planning and Building Inspection)</b>	Submit evidence of tree protection, including photographs, to the Planning Department for review and approval.	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits	RMA-BD
9.		<b>PBD034 - UTILITIES - UNDERGROUND</b> All new utility and distribution lines shall be placed underground. <b>(RMA-Planning and Building Inspection; Public Works)</b>	None	Applicant or owner	Ongoing	
10.	15-1b	<b>PW – NON-STANDARD</b> The applicant shall pay the Transportation Agency for Monterey County (TAMC regional traffic mitigation fee identified in the TAMC nexus study. <b>(Public Works)</b>	Applicant shall pay the TAMC regional traffic mitigation fee.	Applicant or owner	Prior to issuance of building permit	PW
11.	15-1a	<b>PW0006 – CARMEL VALLEY</b> The applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution No. 95-140, adopted September 12, 1995 (Fees are updated annually based on CCI). <b>(Public Works)</b>	Applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee.	Applicant or owner	Prior to issuance of building permit	PW

12.		<b>PW0007- PARKING STANDARD</b> The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and building Inspection. <b>(Public Works)</b>	Applicant shall submit plans for review and approval by Public Works.	Applicant or owner	Prior to issuance of building permit	PW
13.		<b>WR0043 WATER AVAILABILITY CERTIFICATION - (NON-STANDARD CONDITION)</b> The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. <b>(Water Resources Agency)</b>	Submit a Water Release Form to the Water Resources Agency for review and approval.	Applicant or owner	Prior to issuance of a building permit	WRA
14.		<b>WR0045 WELL INFORMATION - (NON-STANDARD CONDITION)</b> The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. <b>(Water Resources Agency)</b>	Submit all applicable well information to the Water Resources Agency for review and approval.	Applicant or owner	Prior to issuance of a building permit	WRA
15.		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	CVFPD
16.		<b>FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL)</b> The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	CVFPD

		<p>system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. The fire alarm system must supervise the fire sprinkler system. All fire sprinkler flow switches and fire alarm bells must be connected to the fire alarm system. The fire alarm system must be an addressable system by point/device and monitored 24/7 by a listen/approved central station. Any changes, upgrades and/or modifications to the existing fire alarm system(s) must be submitted to and approved by the Carmel Valley Fire Protection District. The fire alarm system must be maintained as per NFPA and manufacturers instructions and recommendations.  <b>(Carmel Valley Fire Protection District)</b></p>				
17.		<p><b>FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)</b>  All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. <b>(Carmel Valley Fire Protection District)</b></p>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	CVFPD
18.		<p><b>FIRE – OTHER NON STANDARD FIRE ALARM CONDITION</b>  The fire alarm system must supervise the fire sprinkler system. All fire sprinkler flow switches and fire alarm bells must be connected to the fire alarm system.  <b>(Carmel Valley Fire Protection District)</b></p>	Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection.	CVFPD
19.		<p><b>FIRE – OTHER NON STANDARD FIRE ALARM SYSTEM CONDITION</b>  The fire alarm system must be an addressable system by point/device and monitored 24/7 by a listen/approved central station. <b>(Carmel Valley Fire Protection District)</b></p>	Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	CVFPD
20.		<p><b>FIRE – OTHER NON STANDARD FIRE ALARM SYSTEM CONDITION</b>  Any changes, upgrades and/or modifications to the existing fire alarms system(s) must be submitted to and approved by the Carmel Valley Fire Protection District.  <b>(Carmel Valley Fire Protection District)</b></p>	Project applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Upon subsequent approval	CVFPD

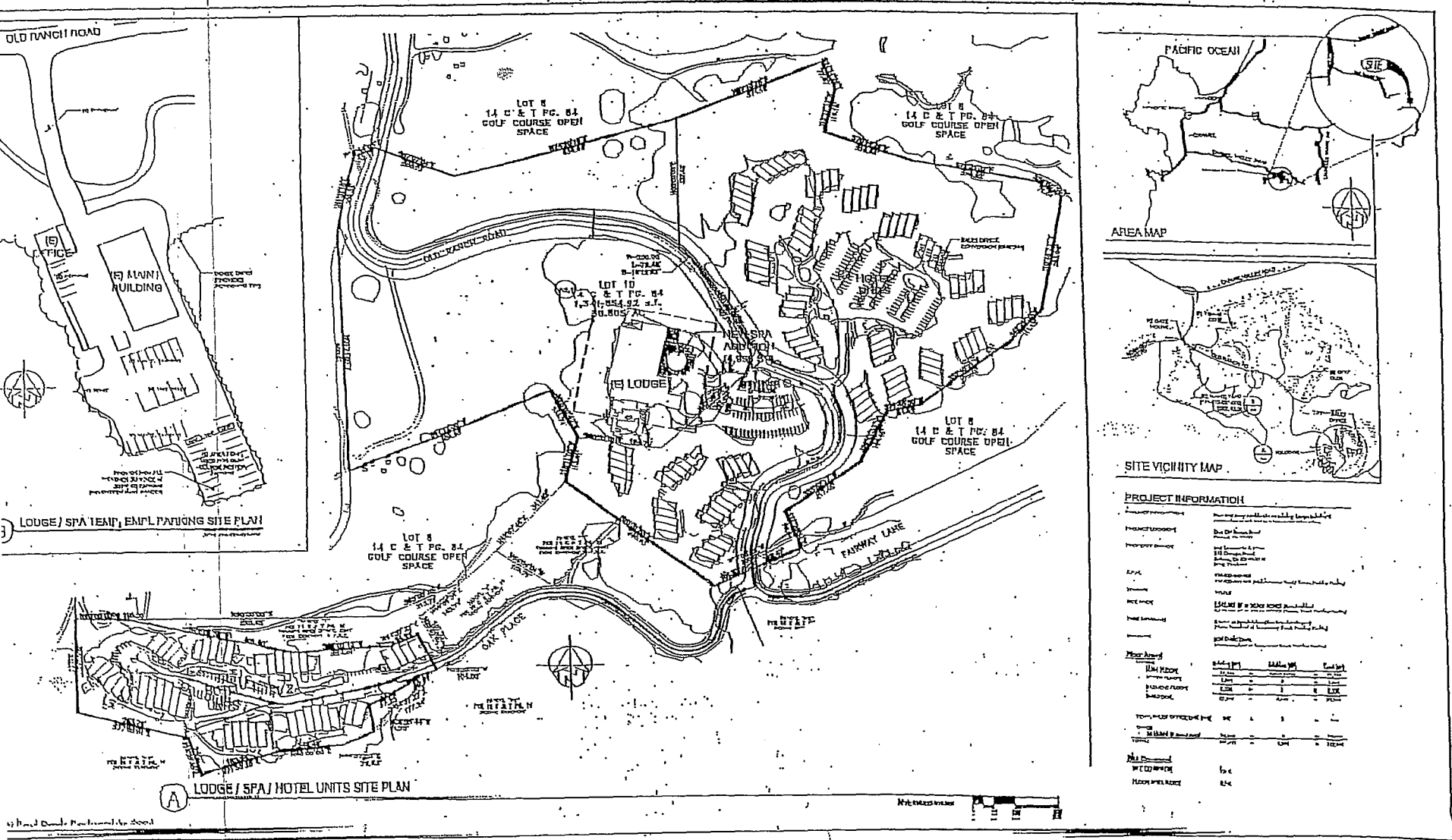
21.		<b>FIRE –NON STANDARD FIRE ALARM SYSTEM CONDITION</b> The fire alarm system must be maintained as per NFPA and manufacturers instructions and recommendations. <b>(Carmel Valley Fire Protection District)</b>	A fire alarm system shall be provided as required and approved by the Fire District.	Applicant or owner	Ongoing	CVFPD
22.		<b>FIRE –NON STANDARD FIRE ALARM SYSTEM CONDITION</b> Fire extinguishers are required as per California Code of Regulations Title 19 and Title 24. <b>(Carmel Valley Fire Protection District)</b>	Fire extinguishers shall be provided as required and approved by the Fire District.	Applicant or owner	Ongoing	CVFPD
23.	1-1	<b>NON STANDARD – (INITIAL STUDY MITIGATION MEASURE 1-1, AESTHETICS)</b> a) Prior to Occupancy, the project applicant shall replace one of the two existing coast live oak trees to be removed from the center planter at the lodge courtyard with at least one very large oak tree (approximately 15-inches in diameter at two feet above ground level). The size and location of the replacement trees shall be recommended and determined by a qualified forester or arborist subject to the approval of the Planning Department. b) All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The 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 lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA - Planning Department)</b>	a) Project applicant shall replace one of the two existing coast live oak trees in accordance with the recommendations of a qualified forester or arborist. b) Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans. The lighting shall be installed and maintained in accordance with the approved plan.	Applicant or owner	Prior to Occupancy	RMA-PD
				Applicant or owner	Prior to the issuance of a certificate of occupancy.	RMA-PD

24.	4-1	<p><b>NON STANDARD – (INITIAL STUDY MITIGATION MEASURE 4-1, BIOLOGICAL RESOURCES)</b>  The project applicant shall be protect trees remaining on the project site from construction activities by limiting work areas away from existing trees by installing a tree protection fence around the dripline of each retained tree. This area shall not be used to park cars, store materials, pile debris or place equipment. Prior to construction activities, branches that are subject to breakage shall be pruned under the supervision of a certified Arborist. Roots encountered shall be cleanly cut to promote re-growth and major roots shall be tunneled under. <b>(RMA - Planning Department)</b></p>	<p>Project applicant shall install a tree protection fence around the dripline of each retained tree. Placing of the fence shall be confirmed with photographs submitted to the Director of Planning.</p>	Applicant or owner	Prior to issuance of building and/or grading permits.	RMA
25.	8-1 <i>Revised</i>	<p><b>NON STANDARD (INITIAL STUDY MITIGATION MEASURE 8-1, HYDROLOGY AND WATER QUALITY)</b> Prior to issuance of building permits for any portion of the spa/yoga room addition, parking lot the project applicant shall obtain evidence from the MPWMD that appropriate water credits have been obtained to accommodate the estimated increase in water use demand of approximately 0.65 AFY. Implementation of this mitigation measure would ensure that the increased water use demand of approximately 0.65 AFY is met, in accordance with Monterey County Ordinance No. 3310. This would ensure that water usage within Cal-Am’s service area is not intensified. <b>(RMA - Planning Department)</b></p>	<p>Applicant to provide evidence from the Monterey Peninsula Water Management District that all water credit applications related to this application have been reviewed and approved by the District and that all credits have been obtained that are needed to offset the additional water use.</p>	Applicant or owner	Prior to issuance of building permits.	RMA-BD
26.	11-1	<p><b>NON STANDARD – (INITIAL STUDY MITIGATION MEASURE 11-1, NOISE)</b>  Prior to issuance of grading or building permits, the applicant shall prepare and submit a “Construction Activities Schedule and Management Plan” identifying all construction activities. The plan shall include the entire development schedule and process, shall address all pertaining aspects and mitigation measures contemplated in the Noise Ordinance. During construction, the project applicant adhere to Monterey County’s requirements for construction activities with respect to hours of operation, muffling of internal</p>	<p>Plan to be submitted for review and approval by the Director of Planning.</p> <p>Submit certification from a qualified contractor that noise mitigation measures have been reviewed by the contractor and implemented.</p>	Applicant or owner	<p>Prior to issuance of building permits.</p> <p>30 days after initiation of construction and prior to building permit sing off.</p>	RMA-BD

		<p>combustion engines and other factors which affect construction noise generation and its effects on noise-sensitive land uses. This would include implementing the following specific measures:</p> <ul style="list-style-type: none"> <li>• Limit construction operations between the least noise-sensitive periods of the day (e.g., 7 AM to 7 PM);</li> <li>• Construction activities generating noise levels ranging from 85 to 88dB shall be scheduled after mid-day during Tuesday through Thursday.</li> <li>• Locate construction equipment and equipment staging areas at the furthest distance possible from nearby noise-sensitive land uses;</li> <li>• Ensure that construction equipment is properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds should be closed during equipment operation;</li> <li>• When not in use, motorized construction equipment should not be left idling; and</li> </ul> <p>Establish a contact person and notify adjacent property owners and users as to the contact person and complaint solution process. <b>(RMA - Planning Department)</b></p>				
27.	15-1	<p><b>NON STANDARD – (INITIAL STUDY MITIGATION MEASURE 15-1, TRAFFIC AND CIRCULATION)</b></p> <p>a. Prior to issuance of building permit, the project applicant shall contribute their proportional fair share towards the TAMC Carmel Valley Road improvement fee. This fee will contribute towards the widening of the roadway to include passing lanes between Via Petra and Robinson Canyon Road and adding left turn channelization and bicycle lanes.</p> <p>b. The applicant shall contribute \$2,960.00 (this amount is adjusted annually based on the Engineering News Record CCI) to the County of Monterey as payment of the project's pro rata share of the cost of</p>	<p>Applicant shall contribute fair share towards Carmel Valley Road improvements impact fee.</p>	Applicant or owner	Prior to issuance of building permit	PW
			<p>Applicant shall contribute fair share towards State Route 1 reimbursement program.</p>	Applicant or owner	Prior to issuance of building permit	PW

		short-term operational improvements to State Highway One. (RMA – Public Works)				
28.		<p><b>PBD – NON STANDARD CONDITION</b></p> <p>The applicant shall demonstrate that the proposed location of the parking area (Tract 894 - Carmel Valley Ranch No. 1) is not encumbered by the Golf Course Conservation and Scenic Easement Deed (Reel 1500, Page 858 – 865). If the parking area is encumbered by the Scenic and Conservation Deed then the applicant shall demonstrate that uses allowed in the deed include parking for the project. If the uses allowed in the deed do not allow project parking, then parking for the project must be allocated to parking areas designated within and adjacent to the project consistent with prior project approvals and related restrictions. (RMA – Planning Department)</p>	Submit appropriate documentation for review and approval by the Director of Planning demonstrating that the proposed location of the parking area is not encumbered by the Scenic Easement, or demonstrate that the use is allowed, or designate alternative parking areas.	Applicant or owner	Prior to issuance of building permit	

END OF CONDITIONS

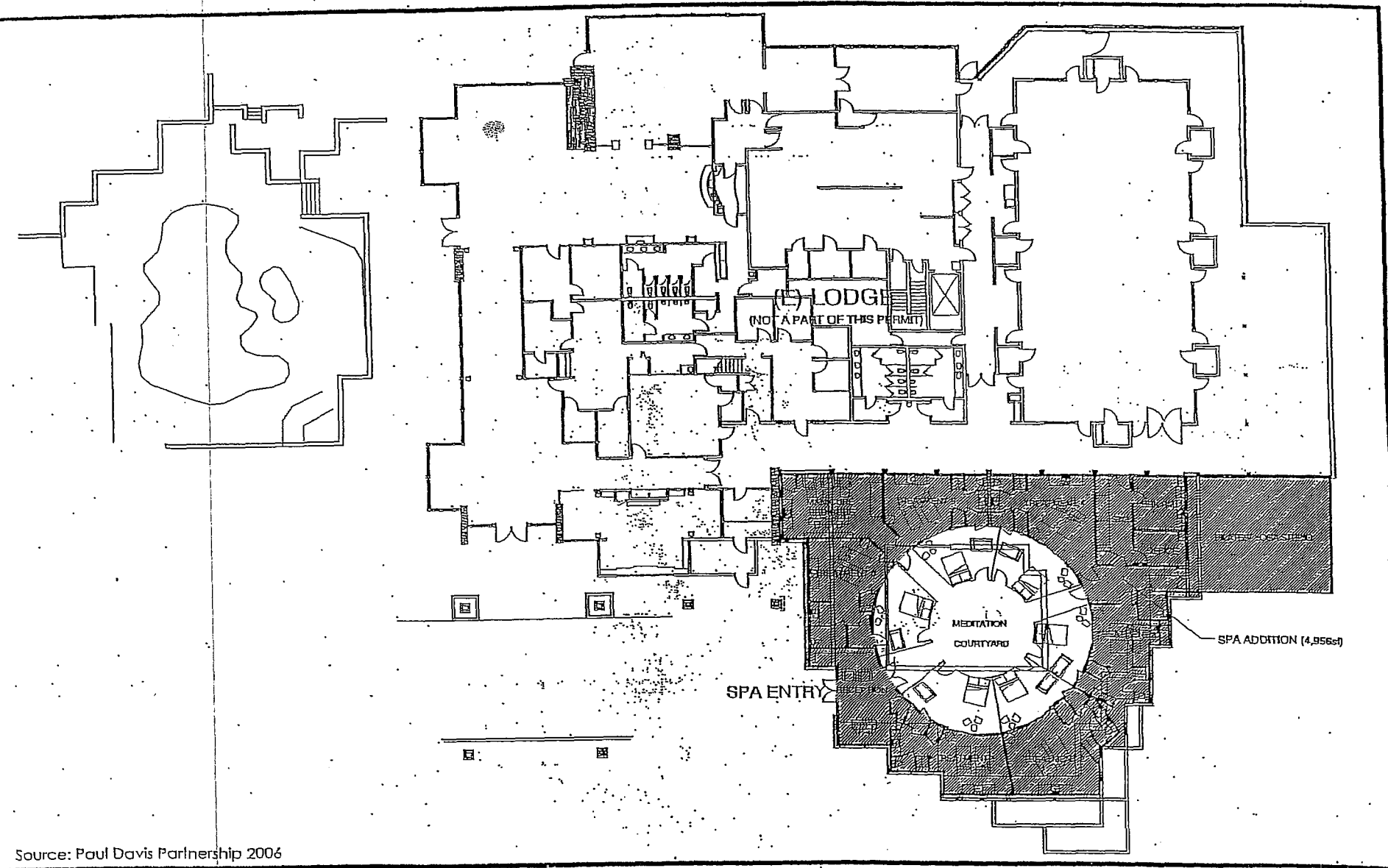


# SITE PLAN

FIGURE 3A  
OVERALL SITE PLAN  
PMC

NOT TO SCALE





Source: Paul Davis Partnership 2006

NOT TO SCALE

# FLOOR PLAN

FIGURE 3B  
SPA AND YOGA STUDIO ADDITION SITE PLAN

PMC