

MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 30, 2008 Time: 10:00 A.M.	Agenda Item No.: 5
Project Description: Combined Development Permit (PLN060638, Steiny) consisting of: (1) a General Development Plan for the construction and operation of commercial facilities that are limited to office and retail use only as specified by the allowable light commercial uses contained in Section 21.18.050 of the Title 21 Zoning Ordinance; (2) an Administrative Permit and Design Approval to allow one 5,135 square foot commercial retail building (Building A) with a 1,558 square foot walking deck and a 2,365 square foot commercial retail building (Building B) with a 289 square foot walking deck; (3) a Use Permit and Design Approval to allow four two-story mixed-use commercial and residential buildings (Buildings C through F) consisting of 4,028 square feet of lease space and 4,000 square feet of residential living space for each building; and (4) a Use Permit to allow the removal of 18 protected coast live oak trees.	
Project Location: 11 and 25 West Carmel Valley Road, Carmel Valley	APN: 187-433-017-000 and 187-433-018-000
Planning File Number: PLN060638	Name: Douglas Steiny, Property Owner
Plan Area: Carmel Valley Master Plan	Flagged and Staked: Yes
Zoning Designation: "LC-D-S-RAZ" (Light Commercial, Design Control, Site Plan Review, Residential Allocation Zoning)	
CEQA Action: Mitigated Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION: Staff recommends that the Planning Commission:

- 1) Adopt the Mitigated Negative Declaration (**Exhibit E**); and
- 2) Approve a Combined Development Permit (**PLN060638/Steiny**) allowing mixed-use commercial and residential development as described above based on staff's recommended Findings and Evidence (**Exhibit C**) and subject to proposed Conditions (**Exhibit D**).

PROJECT OVERVIEW:

The project proposes a mixed-use light commercial and residential development consisting of the construction and operation of two one-story commercial retail buildings (Building A and B); and the construction and operation of four two-story mixed use commercial/residential buildings (Buildings C thru F) within the Carmel Valley Village Light Commercial District. The primary issues involved are: 1) Aesthetics/Carmel Valley Village Development Criteria; 2) Forest Resources; 3) Hazards; 4) Hydrology; 5) Traffic, Circulation, and Parking; and 6) Wastewater Treatment and Disposal. Planning Department staff reviewed the project for consistency with the Carmel Valley Village Development Criteria, which includes site development standards for grading and siting, Carmel Valley Road setbacks, architecture and exterior appearance, materials and colors, architectural style, vegetation and landscaping, fences, paving and parking areas, outside storage of materials and equipment, lighting, and signing. The project would be consistent with the Carmel Valley Village Development Criteria. Staff's review determined that the project, as designed, conditioned, and mitigated, would not have a potentially significant environmental impact related to the above-stated issues and is consistent with the policies for the Carmel Valley Master Plan (See Findings and Evidence in Exhibit C). The Initial Study/Mitigated Negative Declaration concluded that impacts will be less than significant with mitigation incorporated for biological resources, geology/soils, hydrology/water quality, transportation/traffic, and utilities/service systems, and less than significant for aesthetics, air quality, hazards/hazardous materials, and noise. No issue remains unresolved for this project.

See **Exhibit B** for a detailed discussion.

OTHER AGENCY INVOLVEMENT:

- ✓ Carmel Valley Fire Protection District
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended by the Carmel Valley Fire Protection District, Public Works Department, Environmental Health Division, and Water Resources Agency have been incorporated into the condition compliance and mitigation monitoring reporting plan (**Exhibit D**).

LUAC RECOMMENDATION:

On March 19, 2007, the Carmel Valley Land Use Advisory Committee (LUAC) voted 4 to 0 to recommend approval with no changes (**Exhibit F**).

Note: The decision on this project is appealable to the Board of Supervisors.

David Mack, Project Planner
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January 2, 2008

cc: Front Counter Copy; Planning Commission Members (10); County Counsel; Carmel Valley Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Bob Schubert, Planning Manager; David Mack, Project Planner; Carol Allen; Douglas Steiny, Applicant; Lombardo and Gilles, Agent; File PLN060638.

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Recommended Findings and Evidence
Exhibit D Recommended Conditions of Approval
Exhibit E Initial Study/Mitigated Negative Declaration
Exhibit F Carmel Valley LUAC Minutes
Exhibit G Site Plan, Floor Plan and Elevations
Exhibit H General Development Plan
Exhibit I Carmel Valley Village Development Criteria
Exhibit J Vicinity Map

This report was prepared by PMC for the RMA - Planning Department and reviewed by Jeff Main, AICP, Planning Manager.

EXHIBIT B

PROJECT DISCUSSION

PLN060638 – STEINY

A. PROJECT BACKGROUND

A Use Permit and Negative Declaration (PC94215) was previously approved/adopted for the subject property in 1994, which included the demolition of an existing single family dwelling and accessory structure, the construction of a 16,402 square foot fitness facility, a swimming pool, and the removal of 10 protected coast live oak trees. Preliminary grading has occurred onsite and the demolition of the existing single family dwelling has been completed. However, the new property owner has decided not to proceed with the previously approved project and has submitted a new land use application for a mixed-use commercial and residential project.

B. PROJECT DESCRIPTION

The Steiny Combined Development Permit, including the proposed General Development Plan (**Exhibit H**), consists of the construction and operation of 2 one-story commercial retail buildings (Building A and B); and the construction and operation of 4 two-story mixed use commercial/residential buildings (Buildings C thru F). Hours of operation for the commercial facilities would be on a daily basis, between the hours of 7:00 a.m. to 10:00 p.m. No specific tenants have been chosen at this time. However, future tenants would be limited to office and retail use only as specified by the allowable light commercial uses contained in Section 21.18.050 of the Title 21 Zoning Ordinance. Employee parking and parking for the residential units would be provided onsite. The residential units would each have a single covered carport. Other improvements consist of the construction of segmented retaining walls on the northern and eastern portion of the property, paving of a driveway off of Del Fino Place, paving of 52 parking spaces, resurfacing of an existing pedestrian walkway, the installation of a 32 square foot double faced sign located at the southwest corner of the lot, and a trash enclosure. Proposed construction would not be phased in order to minimize the length of construction activities.

C. PROJECT ANALYSIS

While reviewing for consistency with the Carmel Valley Master Plan, staff identified several issues related to the proposed development. Further analysis concluded that the project, as designed, conditioned, and mitigated, would not result in any adverse effects on the environment and would be consistent with the policies contained in the Carmel Valley Master Plan. The most important issues addressed include:

Aesthetics/Carmel Valley Village Development Criteria - According to County staff's visual reconnaissance, the proposed building locations and heights would be minimally visible from the public viewshed due to existing topography and vegetation. The project has been designed so that structures and road/driveway/parking improvements would be effectively screened by existing topography and vegetation. In addition, the project has been designed to utilize architectural themes and exterior materials and colors that will help blend the structures into the natural landscape and harmonize with the surrounding rural character of the village. The proposed "ranch style" architecture and use of wood colors/materials would be consistent with Carmel Valley Master Plan Village Policies 28.1.24, 28.1.23 and 28.1.20A. Further, Planning Department staff reviewed the project for consistency with the Carmel Valley Village

Development Criteria, which includes site development standards for grading and siting, Carmel Valley Road setbacks, architecture and exterior appearance, materials and colors, architectural style, vegetation and landscaping, fences, paving and parking areas, outside storage of materials and equipment, lighting, and signing. The project, as designed, conditioned, and mitigated, would be consistent with the Carmel Valley Village Development Criteria.

Forest Resources - Eighteen coast live oaks (11 that are from 6 inches to 12 inches in diameter; 7 that are from 13 inches to 22 inches in diameter), 1 small blue oak, 2 small western sycamores, a planted walnut, and two planted, non-native pines are proposed for removal. A Forest Management Plan (January 31, 2007) was prepared by Staub Forestry and Environmental Consulting for the project. According to the Forest Management Plan, five of the six buildings and half of the sixth are located in previously cleared, treeless areas. Site plans for the project have been revised to enhance protection of retained trees near proposed construction. No other feasible sites on the property have lower tree density that would reduce proposed tree removal for the project. Retained trees onsite include 56 oaks, 3 western sycamores, and 2 American elms. The health and general condition of the retained trees is comparable to better than the trees proposed for removal. Retained trees include the largest oaks on the parcel, including 3 landmark size oaks. According to the Forester, the proposed tree removal represents the minimum necessary given site constraints and project redesigns by the applicant (as recommended by the Forester) which decreased total tree removals and minimized impacts to healthy trees. Mitigation measures/conditions of approval will require tree protection, replacement and monitoring.

Hazards - According to the Geotechnical Soils-Foundation & Geoseismic Report prepared by Grice Engineering and Geology, Inc. (December 20, 2006), in general, the undisturbed, in-situ, native soils are suitable for foundation purposes. However, loose native and fill soils are located in the area of development and the depth to sound soils varies across the site. Due to the loose nature of the top soils at the project site, the Report includes special recommendations for grading and foundation support. These special recommendations have been incorporated as mitigation measures/conditions of approval. The Carmel Valley Fire Protection District reviewed the project and placed conditions of approval which will minimize the potential for fire hazards.

Hydrology - The project has been sited and designed to minimize runoff, erosion, and resulting sedimentation. The project will be required to adhere to Monterey County's Erosion Control and Grading Ordinances, which are contained within Chapters 16.12 and 16.08 of the Monterey County Code. Mitigation measures/conditions of approval will require implementation of an erosion control plan and a drainage plan which includes detention facilities for stormwater runoff. Additionally, a landscaping plan will be required which includes the planting of native trees and vegetation for those areas disturbed by construction in order to minimize erosion.

Traffic, Circulation, and Parking - A Traffic Impact Analysis was prepared by Higgins Associates (February 21, 2007) for the project. The proposed project would generate 551 trips per day with 17 trips generated during the AM peak hour and 50 trips generated during the PM peak hour. Not all trips calculated would be new trips. Approximately 138 trips would be captured from existing traffic off of Carmel Valley Road. Of those trips approximately 3 would be during the AM peak hour and 12 would be during the PM peak hour. As a condition of approval, the applicant would be required to pay the Carmel Valley Master Plan Traffic Mitigation fee.

The project would be accessed via a new driveway to Del Fino Place, a two-lane local street that provides access to nearby commercial development. A portion of the new driveway would be located within the road right-of-way and would be required to obtain an encroachment permit from the Department of Public Works. Due to traffic safety concerns, turning movements to and from the driveway would be restricted to right turn movements only (right-in, right-out) due to a raised median in Del Fino Place that extends from Carmel Valley Road past the location of the driveway to the project site. The Department of Public Works reviewed the project and recommends mitigation measures/conditions of approval consisting of payment of traffic impact fees and implementation of traffic safety measures to reduce traffic impacts.

According to the County's parking regulations, the minimum number of parking spaces required to support the proposed residential/commercial uses is 49 spaces. This is based on 1 parking space per 250 square feet of office/retail commercial use (11,227 square feet total) and 1 covered parking space per residential unit (4 units total). The project proposes a total of 56 spaces. This includes 44 commercial spaces, 6 compact spaces, 2 handicapped spaces, and 4 covered spaces. Therefore, the project is consistent with standards of Title 21 pertaining to parking (Chapter 21.58).

Wastewater Treatment and Disposal - The project application was referred to the Division of Environmental Health for review regarding septic suitability for the proposed project. According to Environmental Health, the project would be limited to a maximum of 600 gallons per day of wastewater. This value is based on project site and septic system constraints. Environmental Health determined that in order for the project to meet this limitation, it would need to be restricted to a maximum of 2 residents per each of the 4 residential units (8 residents total) and a maximum of 8 employees for the commercial use. This would result in 480 gallons per day for the residential use (8 residents x 60 gallons per day) and 120 gallons per day for the commercial use (8 employees x 15 gallons per day). According to the Division of Environmental Health, in order to ensure that the project would not impact wastewater treatment and disposal, the project would be required to deed restrict the property to allow specified water/wastewater uses only.

D. CEQA AND INITIAL STUDY/MITIGATED NEGATIVE DECLARATION COMMENTS

County staff prepared an Initial Study pursuant to CEQA due to potential issues involving aesthetics, air quality, biological resources, geology/soils, hazards/hazardous materials, hydrology/water quality, noise, transportation/traffic, and utilities/service systems. The Initial Study/Mitigated Negative Declaration (**Exhibit E**) concluded that impacts will be less than significant with mitigation incorporated for biological resources, geology/soils, hydrology/water quality, transportation/traffic, and utilities/service systems, and less than significant for aesthetics, air quality, hazards/hazardous materials, and noise. Impacts to biological resources will be mitigated to a less than significant level through oak tree replacement, protection, and monitoring. Impacts to geology/soils will be mitigated to a less than significant level through adherence to geotechnical recommendations. Impacts to hydrology/water quality will be mitigated to a less than significant level through implementation of a drainage plan. Impacts to transportation/traffic will be mitigated to a less than significant level through payment of traffic impact fees and implementation of traffic safety measures. Impacts to utilities/service systems will be mitigated to a less than significant level through deed restrictions on water and wastewater use. The Initial Study/Mitigated Negative Declaration was circulated for public review from December 22, 2007 to January 11, 2008.

During the Initial Study/Mitigated Negative Declaration public review period, County staff received comment letters from *Neighbors on Merrill Way* and *AMBAG*. These letters can be found in Exhibit E. See below for summary of comments and staff responses.

Neighbors on Merrill Way: At this time, the Neighbors on Merrill Way are in support of the proposed project and feel that the project will “become a wonderful addition to Carmel Valley Village.” County staff has considered this comment and no response is warranted.

AMBAG: The AMBAG Board of Directors considered the project on January 9, 2008 and have no comments at this time. County staff has considered this comment and no response is warranted.

If the Planning Commission decides to delete or revise any mitigation measures, the revised Mitigated Negative Declaration may need to be re-circulated for public comment.

EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE

1. FINDING: CONSISTENCY – The Steiny Combined Development Permit (PLN060638), as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Greater Monterey Peninsula Area Plan, Greater Monterey Peninsula Area Plan Inventory and Analysis, Carmel Valley Master Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for mixed-use light commercial and residential 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 project proposes mixed-use light commercial and residential development. The property is located at 11 and 25 West Carmel Valley Road, Carmel Valley (Assessor’s Parcel Numbers 187-433-017-000 and 187-433-018-000), Carmel Valley Master Plan. The property is zoned Light Commercial, Design Control, Site Plan Review, Residential Allocation Zoning (“LC-D-S-RAZ”) which allows mixed-use development. Therefore, the property is suitable for the proposed development.

(c) The proposed mixed-use light commercial and residential development is consistent with the development standards of Section 21.18.020, 21.44.020, 21.45.020, and 21.52.020 of the Monterey County Zoning Ordinance (Title 21).

(d) Planning Department staff reviewed the project for consistency with the Carmel Valley Village Development Criteria, which includes site development standards for grading and siting, Carmel Valley Road setbacks, architecture and exterior appearance, materials and colors, architectural style, vegetation and landscaping, fences, paving and parking areas, outside storage of materials and equipment, lighting, and signing. The project is consistent with the Carmel Valley Village Development Criteria.

(e) The project planner conducted a site inspection on October 25, 2006 to verify that the project on the subject parcel conforms to the plans listed above.

(f) The applicant provided the Monterey County Planning Department with a Design Approval Request, drawings, and a statement of materials and colors to be used.

(g) The Carmel Valley Land Use Advisory Committee reviewed and recommended approval (4 - 0 vote) of the project on March 19, 2007 with no changes.

(h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed development found in Project File PLN060638.

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 Department, Public Works Department, 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) Technical reports by outside cultural, traffic, geotechnical, and forestry consultants determined that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
- “Preliminary Cultural Resources Reconnaissance” (LIB070082) prepared by Archaeological Consulting dated September 26, 1994.*
- “Traffic Impact Analysis” (LIB070083) prepared by Higgins Associates dated February 21, 2007.*
- “Geotechnical Soils-Foundation & Geoseismic Report” (LIB070080) prepared by Grice Engineering and Geology, Inc. dated December 20, 2006.*
- “Forest Management Plan” (LIB070081) prepared by Staub Forestry and Environmental Consulting dated January 31, 2007.*
- (c) The property is located at 11 and 25 West Carmel Valley Road, Carmel Valley (Assessor’s Parcel Numbers 187-433-017-000 and 187-433-018-000), Carmel Valley Master Plan. The property is zoned Light Commercial, Design Control, Site Plan Review, Residential Allocation Zoning (“LC-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.
- (d) Staff conducted a site visit on October 25, 2006 to verify that the site is suitable for this use.
- (e) Materials in Project File PLN060638.

3. **FINDING:** **CEQA** – The project is subject to environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA). On the basis of the whole record before the Planning Commission, 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 not exempt from environmental review due to the potential for significant effects pursuant to CEQA Guidelines Section 15300.2 (Exceptions).
- (b) Potentially adverse environmental effects were identified during staff review of the development application.
- (c) The RMA - Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study identified potentially significant effects relative to aesthetics, air quality, biological resources, geology/soils, hazards/hazardous materials, hydrology/water quality, noise, transportation/traffic, and utilities/service systems. Evidence supports the conclusion that impacts will be less than significant with mitigation incorporated for biological resources,

geology/soils, hydrology/water quality, transportation/traffic, and utilities/service systems, and less than significant for aesthetics, air quality, hazards/hazardous materials, and noise. Impacts to biological resources will be mitigated to a less than significant level through oak tree replacement, protection, and monitoring. Impacts to geology/soils will be mitigated to a less than significant level through adherence to geotechnical recommendations. Impacts to hydrology/water quality will be mitigated to a less than significant level through implementation of a drainage plan. Impacts to transportation/traffic will be mitigated to a less than significant level through payment of traffic impact fees and implementation of traffic safety measures. Impacts to utilities/service systems will be mitigated to a less than significant level through deed restrictions on water and wastewater use. The Initial Study is on file in the office of the RMA - Planning Department and is hereby incorporated by reference (File No. PLN060638). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval.

(d) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared in accordance with Monterey County regulations and is designed to ensure compliance with conditions and mitigation measures during project implementation. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and Reporting Program” as a condition of project approval.

(e) For purposes of implementing Section 735.5 of Title 14, California Code of Regulations, the amount of grading, site disturbance, and habitat disturbance associated with the project will cause changes to the resources listed under Section 753.5. Therefore, payment of the Fish and Game Document Filing Fee is required.

(f) Evidence that has been received and considered include the application, plans, materials, and technical reports, which are listed under Section IX (References) of the Initial Study and contained in project file PLN060638.

(g) The Mitigated Negative Declaration was circulated for public review from December 22, 2007 to January 11, 2008.

(h) During the Initial Study/Mitigated Negative Declaration public review period, County staff received comment letters from *Neighbors on Merrill Way* and *AMBAG*. Staff has reviewed these comments and determined that no substantial issue has been raised regarding the adequacy of the information contained in the Initial Study and the mitigation measures proposed under the Mitigated Negative Declaration. Therefore, no revisions to the Initial Study/Mitigated Negative Declaration are required.

(i) The RMA - Planning Department, located at 168 W. Alisal Street, 2nd 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.

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 (Title 21). No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: 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: Preceding findings and supporting evidence.

6. **FINDING: TREE REMOVAL** – The tree removal is the minimum required under the circumstances of the case; and the removal will not involve a risk of adverse environmental impacts.

EVIDENCE: (a) A Forest Management Plan (January 31, 2007) was prepared by Staub Forestry and Environmental Consulting for the project. According to the Forest Management Plan, five of the six buildings and half of the sixth are located in previously cleared, treeless areas. Site plans for the project have been revised to enhance protection of retained trees near proposed construction. No other feasible sites on the property have lower tree density that would reduce proposed tree removal for the project. Retained trees onsite include 56 oaks, 3 western sycamores, and 2 American elms. The health and general condition of the retained trees is comparable to better than the trees proposed for removal. Retained trees include the largest oaks on the parcel, including 3 landmark size oaks. According to the Forester, the proposed tree removal represents the minimum necessary given site constraints and project redesigns by the applicant (as recommended by the Forester) which decreased total tree removals and minimized impacts to healthy trees. Mitigation measures/conditions of approval will require tree protection, replacement and monitoring.

(b) According to the Carmel Valley Village Development Criteria, native oak or madrone trees over six inches in diameter two feet above the ground shall be protected and included in landscaping plans for the site unless it is shown by a registered professional forester that the present habitat will be enhanced through vegetation modification and removal. According to the Forest Management Plan prepared for the project, because so many trees are being retained, the forester's evaluation of available planting areas after development found that there would only be sufficient room for growth of eight native oaks in openings behind Building "D," in the northeast corner above Building "F," and at the southeast and southwest corners of Building "F." Therefore, in order to ensure enhancement of the present habitat, the forester recommends that the long term tree replacement requirement be limited to eight oaks, although initial planting numbers might exceed that to assure survival and establishment.

(c) The application and plans submitted for the Combined Development Permit in project file PLN060638 at the RMA - Planning Department.

7. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.

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

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Steiny _____ File No: PLN060638 _____ APNs: 187-433-017-000 and -018 _____ Approved by: Planning Commission _____ Date: January 30, 2008 _____
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**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.		PD001 - SPECIFIC USES ONLY This Steiny Combined Development Permit (PLN00638) consists of: (1) a General Development Plan for the construction and operation of commercial facilities that are limited to office and retail use only as specified by the allowable light commercial uses contained in Section 21.18.050 of the Title 21 Zoning Ordinance; (2) an Administrative Permit and Design Approval to allow one 5,135 square foot commercial retail building (Building A) with a 1,558 square foot walking deck and a 2,365 square foot commercial retail building (Building B) with a 289 square foot walking deck; (3) a Use Permit and Design Approval to allow four two-story mixed-use commercial and residential buildings (Buildings C through F) consisting of 4,028 square feet of lease space and 4,000 square feet of residential living space for each building; and (4) a Use Permit to allow the removal of 18 protected coast live oak trees. The property is located at 11 and 25 West Carmel Valley Road, Carmel Valley (Assessor's Parcel Numbers 187-433-017-000 and 187-433-018-000), Carmel Valley Master Plan. 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 the RMA - Planning	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<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>
		Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Numbers 187-433-017-000 and 187-433-018-000 on January 30, 2008. The permit was granted subject to 44 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT 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 a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and	Owner/ Applicant/ Archaeologist	Ongoing	

<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>
		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. (RMA - Planning Department)	to develop proper mitigation measures required for the discovery.			
4.		PD004 - INDEMNIFICATION AGREEMENT 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 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. (RMA - Planning	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.	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	

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		Department)				
5.		PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 735.5, 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. (RMA - Planning Department)	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department. 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 of the RMA - Planning Department.	Owner/ Applicant	Within 5 working days of project approval.	
6.		PD006 - MITIGATION MONITORING PROGRAM 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. (RMA - Planning Department)	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 the issuance of grading and building permits, whichever occurs first.	

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7.		PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA – Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
8.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project’s compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
9.		PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. 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 RMA - Planning and Director of RMA - Building Services. 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 RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department.	Owner/ Applicant	Prior to final inspection	
10.		PD012(E) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (OTHER THAN SINGLE FAMILY DWELLING) (NON-STANDARD)	Submit landscape plans and contractor’s estimate to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/	Prior to issuance of Building Permits	

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		<p>The site shall be landscaped in accordance with Section 7.0 Vegetation and Landscaping of the Carmel Valley Village Development Criteria. Prior to issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. 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, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)</p>		Licensed Landscape Architect		
			Submit one (1) set landscape plans of approved by the RMA – Planning Department, Maximum Applied Water Allowance (MAWA) calculation, and a completed “ <u>Non-Residential Water Release Form and Water Permit Application</u> ” to the Monterey Peninsula Water Management District for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			Submit an approved water permit from the MPWMD to the RMA – Building Permit	Owner/ Applicant/ Licensed Landscape Contractor	Prior to issuance of Building Permits	
			The landscaping shall be installed and inspected.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	
11.		<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN (NON-STANDARD)</p> <p>All exterior lighting shall be designed in accordance with Section 11.0 Lighting of the Carmel Valley Village Development Criteria and shall be unobtrusive, down-lit,</p>	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.	Owner/ Applicant	Prior to the issuance of building permits.	

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		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. (RMA – Planning Department)	The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	
12.		PD – SIGNAGE (NON-STANDARD) Signage shall be designed in accordance with Section 12.0 Signing of the Carmel Valley Village Development Criteria. The applicant shall submit 3 copies of a signage plan which shall indicate the location, size, and colors and materials to be used. The signage plan shall be subject to approval by the Director of the RMA – Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	Submit three copies of the signage plan to the RMA - Planning Department for review and approval. Approved signage plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	
			The signage shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	
13.		PD – BICYCLE PARKING PLAN (NON-STANDARD) The project shall provide a minimum of one bicycle rack space for each 10 parking spaces. Bicycle racks are to be designed to enable bicycles to be locked to the rack. Bicycle parking shall be designed in accordance with Figure 22 Bicycle Access Considerations of the Carmel Valley Village Development Criteria. The applicant shall submit 3 copies of a bicycle parking plan which shall indicate the design and location of hardware (racks) for the multiple storage of bicycles. The bicycle parking plan shall be subject to approval by the Director of the RMA – Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	Submit three copies of the bicycle parking plan to the RMA - Planning Department for review and approval. Approved bicycle parking plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	
			The bicycle parking shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	

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14.		<p>PD – GENERAL DEVELOPMENT PLAN (NON-STANDARD) The applicant shall submit a revised General Development Plan to the Planning Department for review and approval which provides specific design details of the project and its consistency with all the standards described in the Carmel Valley Village Development criteria. (RMA – Planning Department)</p>	Submit a revised General Development Plan to the Planning Department for review and approval.	Owner/ Applicant	Prior to issuance of grading or building permits	
			Adhere to approved revised General Development Plan.	Owner/ Applicant	Ongoing	
15.	1.	<p>PD – MITIGATION MEASURE 1 (NON-STANDARD) In order to mitigate impacts to forest resources within the project site, the applicant shall arrange for a tree replacement plan to be prepared and implemented by a County-approved forester or arborist. The tree replacement plan shall include replacement of all protected trees proposed for removal (native trees 6 inches in diameter or greater) unless it is shown to be a hardship or detrimental to the long term health of the remaining habitat. Replacement of Coast live oaks shall be at a ratio of 1:1. The forester or arborist shall specify recommended planting areas and numbers by species.</p> <p>Prior to the issuance of a grading or building permit, the tree replacement plan shall be submitted to the Planning Department for review and approval. The tree replacement plan shall follow the recommendations made in the Forest Management Plan prepared for the site by Staub Forestry and Environmental Consulting, dated January 31, 2007. Prior to final building inspection/occupancy, the tree replacement plan shall be implemented and shall be subject to the approval of the Planning Department. (RMA – Planning Department)</p>	The tree replacement plan shall be submitted to the Planning Department for review and approval. The tree replacement plan shall follow the recommendations made in the Forest Management Plan prepared for the site by Staub Forestry and Environmental Consulting, dated January 31, 2007.	Owner/ Applicant	Prior to issuance of grading or building permits	
			The tree replacement plan shall be implemented and shall be subject to the approval of the Planning Department.	Owner/ Applicant	Prior to final building inspection/occupancy	

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16.	2.	<p>PD – MITIGATION MEASURE 2 (NON-STANDARD)</p> <p>In order to minimize impacts to forest resources within the project site, the applicant shall arrange for all retained trees located in proximity to the proposed development to be adequately protected from grading and construction activities. Protective fencing and grading limits shall be reviewed and established by the contractor in consultation with a qualified forester or arborist immediately prior to commencement of demolition and excavation operations.</p> <p>Prior to the issuance of a grading or building permit, evidence of adequate protection shall be submitted to the Planning Department for review and approval. Accompanying this evidence shall be a letter from a County-approved forester or arborist which states that the protection follows the recommendations made in the Forest Management Plan prepared for the site by Staub Forestry and Environmental Consulting, dated January 31, 2007. Prior to final building inspection/occupancy, a letter from a County-approved forester or arborist shall be submitted to the Planning Department which states that construction and grading operations did not impact the retained trees. Any impacts shall require additional mitigation in accordance with a revised forest management plan and a revised tree replacement plan and shall be subject to the approval of the Planning Department. (RMA – Planning Department)</p>	<p>Evidence of adequate protection shall be submitted to the Planning Department for review and approval. Accompanying this evidence shall be a letter from a County-approved forester or arborist which states that the protection follows the recommendations made in the Forest Management Plan prepared for the site by Staub Forestry and Environmental Consulting, dated January 31, 2007.</p>	Owner/ Applicant	Prior to issuance of grading or building permits	
			<p>A letter from a County-approved forester or arborist shall be submitted to the Planning Department which states that construction and grading operations did not impact the retained trees. Any impacts shall require additional mitigation in accordance with a revised forest management plan and a revised tree replacement plan and shall be subject to the approval of the Planning Department.</p>	Owner/ Applicant	Prior to final building inspection/occupancy	
17.	3.	<p>PD – MITIGATION MEASURE 3 (NON-STANDARD)</p> <p>In order to monitor the success of tree replanting, the applicant shall arrange for monitoring inspections to be done by a County-approved forester or arborist. Success of tree replanting shall be assessed on the basis of percent survival of Coast live oaks. Success shall be defined as 100 percent. If the 100 percent success rate</p>	<p>A report on each inspection shall be submitted to the Planning Department for review and approval.</p>	Owner/ Applicant	Monitoring Inspections shall occur once within the 3 months following completion	

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		<p>has not been achieved, the trees that have perished shall be replanted and follow up monitoring shall occur three months after replanting and a year thereafter.</p> <p>Monitoring Inspections shall occur once within the 3 months following completion of the development and one year thereafter. A report on each inspection shall be submitted to the Planning Department for review and approval. (RMA – Planning Department)</p>			of the development and one year thereafter	
18.	4.	<p>PD – MITIGATION MEASURE 4 (NON-STANDARD)</p> <p>In order to minimize geotechnical impacts, the applicant shall adhere to the special recommendations contained in the Geotechnical-Soils Foundation & Geoseismic Report prepared by Grice Engineering and Geology, Inc. (December 20, 2006). Specifically, loose soils shall be processed as engineered fill or that the structures be supported in the firmer soils found at depth. Support of on grade structures, such as the interior floor slab, shall also be addressed in a similar manner.</p> <p>Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Report. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #4. (RMA – Planning Department)</p>	<p>Submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Report. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #4.</p>	<p>Owner/ Applicant/ Geotechnical Consultant</p>	<p>Prior to issuance of grading or building permits</p>	

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19.		WR0008 - COMPLETION CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	
20.		WR0040 - WATER CONSERVATION MEASURES 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)	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
21.		WR0043 - WATER AVAILABILITY CERTIFICATION 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. (Water Resources Agency)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	

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22.	5.	<p>WR – MITIGATION MEASURE 5 (NON-STANDARD) In order to ensure adequate stormwater drainage facilities and minimize hydrology impacts, the applicant shall provide a drainage plan prepared by a registered civil engineer addressing onsite and offsite impacts. The plan shall include stormwater detention facilities sized to limit 100-year post-development runoff to the 10-year pre-development rate. Drainage improvements under the proposed access road shall be designed in accordance with the recommendations in the Monterey County Master Drainage Plan Carmel Valley Watersheds.</p> <p>Prior to issuance of grading or building permits, the applicant shall submit 3 copies of the drainage plan, supporting calculations, and construction details to the Water Resources Agency for review and approval. Prior to final building inspection/occupancy, the applicant shall submit a letter prepared by a civil engineer which certifies that improvements were constructed in accordance with approved plans. (Water Resources Agency)</p>	<p>Submit 3 copies of the drainage plan, supporting calculations, and construction details to the Water Resources Agency for review and approval.</p> <p>Submit a letter prepared by a civil engineer which certifies that improvements were constructed in accordance with approved plans.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to issuance of grading or building permits</p> <p>Prior to final building inspection/occupancy</p>	
23.		<p>PW0006 – CARMEL VALLEY 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). (Public Works)</p>	<p>Applicant shall pay to PBI the required traffic mitigation fee.</p>	<p>Owner/ Applicant</p>	<p>Prior to Building Permits Issuance</p>	
24.		<p>PW0007 – PARKING STD 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. (Public Works)</p>	<p>Applicant’s engineer or architect shall prepare a parking plan for review and approval.</p>	<p>Owner/ Applicant/ Engineer</p>	<p>Prior to Building/Grading Permits Issuance</p>	

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25.		PW – CSA #52 (NON-STANDARD) Property shall be annexed to County Service Area #52. (Public Works)	Submit evidence of annexation to Public Works.	Owner/ Applicant	Prior to Building Permits Issuance	
26.	6.	PW – MITIGATION MEASURE 6 (NON-STANDARD) In order to minimize traffic impacts resulting from the project, the applicant shall pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study to the County of Monterey for future transportation improvements within Monterey County. Prior to the issuance of building permits, the applicant shall submit payment of the TAMC fees to the Public Works Department for review and approval. (Public Works)	Submit payment of the TAMC fees to the Public Works Department for review and approval.	Owner/ Applicant	Prior to Building Permits Issuance	
27.	7.	PW – MITIGATION MEASURE 7 (NON-STANDARD) In order to minimize traffic impacts resulting from the project, the applicant shall contribute to the County of Monterey a pro-rata share of the cost of left turn channelization at the intersections of Pilot Road at Carmel Valley Road and Del Fino Place at Carmel Valley Road. The applicant’s traffic engineer shall calculate the amount of the pro-rata share, subject to the review and approval of the Department of Public Works. Prior to the issuance of building permits, the applicant shall submit payment of the pro-rata share of the cost of left turn channelization to the Public Works Department for review and approval. (Public Works)	Submit payment of the pro-rata share of the cost of left turn channelization to the Public Works Department for review and approval.	Owner/ Applicant	Prior to Building Permits Issuance	

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28.	8.	<p>PW – MITIGATION MEASURE 8 (NON-STANDARD) In order to minimize hazardous design feature impacts, access to and from the site shall be restricted to right turns in and out. The applicant shall submit a driveway plan which incorporates measures such as signage, striping, and physical restraints in order to ensure that only right turns in and right turns out are allowed.</p> <p>Prior to the issuance of building permits, the applicant shall submit a driveway plan to the Department of Public Works for review and approval. (Public Works)</p>	Submit a driveway plan to the Department of Public Works for review and approval.	Owner/ Applicant	Prior to Building Permits Issuance	
29.	9.	<p>PW – MITIGATION MEASURE 9 (NON-STANDARD) In order to minimize hazardous design feature impacts, the applicant shall obtain an encroachment permit from the Department of Public Works and construct the approved driveway connection to Del Fino Place.</p> <p>Prior to the issuance of building permits, an encroachment permit shall be obtained from the Monterey County Public Works Department. Prior to final building inspection, the driveway connection shall be constructed and cleared by Public Works. (Public Works)</p>	An encroachment permit shall be obtained from the Monterey County Public Works Department.	Owner/ Applicant	Prior to Building Permits Issuance	
			The driveway connection shall be constructed and cleared by Public Works.	Owner/ Applicant	Prior to final building inspection	
30.		<p>EH14 - ENGINEERED SEPTIC SYSTEM Submit an engineered wastewater disposal system design to the Director of Environmental Health for review and approval meeting the regulations found in Chapter 15.20 of the Monterey County Code, and <u>Prohibitions</u> of the Basin Plan, RWQCB. (Environmental Health)</p>	Division of Environmental Health must approve plans.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final map/ issuance of building permits	

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31.		<p>EH – USE PERMIT (NON-STANDARD) The following wording shall be placed on the use permit for this property: “Commercial uses on this property must be subject to the following:</p> <ul style="list-style-type: none"> • All retail space shall be limited to a total of eight (8) employees at any given time • Only uses with minimal water consumption will be allowed (standard bathroom fixtures only, no additional fixtures for retail use) <ul style="list-style-type: none"> ○ No food facilities are allowed <p>Residential uses on this property must be subject to the following:</p> <ul style="list-style-type: none"> • Individual laundry facilities are prohibited (approved central laundry only) <ul style="list-style-type: none"> ○ Only two tenants shall be allowed per each one bedroom single-family units. <p>Wastewater produced on the entire parcel shall not exceed 600 gallons per day.” (Environmental Health)</p>	Submit a copy of the Use Permit to EH for review and approval.	Owner/ Applicant	Prior to issuance of building permits	
32.	10.	<p>EH – MITIGATION MEASURE 10 (NON-STANDARD) In order to ensure adequate commercial water use and minimize water/wastewater impacts, the applicant shall record a deed notification with the Monterey County Recorder which states: “Commercial uses on this property must be subject to the following:</p> <ul style="list-style-type: none"> • All retail space shall be limited to a total of eight employees at any given time; • Only uses with minimal water consumption will 	Submit proposed wording and forms to be recorded to the Division of Environmental Health and the Planning Department for review and approval.	Owner/ Applicant	Prior to issuance of grading or building permits	

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		<p>be allowed (standard bathroom fixtures for employees only, no additional fixtures for retail use); and</p> <ul style="list-style-type: none"> No food facilities are allowed.” <p>Prior to issuance of grading or building permits, the applicant shall submit proposed wording and forms to be recorded to the Division of Environmental Health and the Planning Department for review and approval. Prior to final building occupancy, the applicant shall submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval. (Environmental Health)</p>	Submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval.	Owner/ Applicant	Prior to final building occupancy	
33.	11.	<p>EH – MITIGATION MEASURE 11 (NON-STANDARD)</p> <p>In order to ensure adequate residential water use and minimize water/wastewater impacts, the applicant shall record a deed notification with the Monterey County Recorder which states: “Residential uses on this property must be subject to the following:</p> <ul style="list-style-type: none"> Individual laundry facilities are prohibited (approved central laundry only); and Only two tenants shall be allowed per each on bedroom single family units.” <p>Prior to issuance of grading or building permits, the applicant shall submit proposed wording and forms to be recorded to the Division of Environmental Health and the Planning Department for review and approval. Prior to final building occupancy, the applicant shall submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval. (Environmental Health)</p>	<p>Submit proposed wording and forms to be recorded to the Division of Environmental Health and the Planning Department for review and approval.</p> <p>Submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval.</p>	Owner/ Applicant	Prior to issuance of grading or building permits	
			Submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval.	Owner/ Applicant	Prior to final building occupancy	

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34.	12.	<p>EH – MITIGATION MEASURE 12 (NON-STANDARD) In order to ensure adequate wastewater flow and minimize water/wastewater impacts, the applicant shall record a deed notification with the Monterey County Recorder which states: “Wastewater produced on the entire parcel shall not exceed 600 gallons per day.”</p> <p>Prior to issuance of grading or building permits, the applicant shall submit proposed wording and forms to be recorded to the Division of Environmental Health and the Planning Department for review and approval. Prior to final building occupancy, the applicant shall submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval. (Environmental Health)</p>	Submit proposed wording and forms to be recorded to the Division of Environmental Health and the Planning Department for review and approval.	Owner/ Applicant	Prior to issuance of grading or building permits	
			Submit copies of the recorded documents to the Division of Environmental Health and the Planning Department for review and approval.	Owner/ Applicant	Prior to final building occupancy	
35.		<p>FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12</p>	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection.	Applicant or owner	Prior to final building inspection	

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		feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the “T” shall be a minimum of 60 feet in length. (Carmel Valley Fire Protection District)				
36.		FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Carmel Valley Fire Protection District)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection.	Applicant or owner	Prior to final building inspection	
37.		FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit	
			Applicant shall schedule fire dept. clearance inspection.	Applicant or owner	Prior to final building inspection	

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		visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Carmel Valley Fire Protection District)				
38.		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Carmel Valley Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection.	Applicant or owner	Prior to final building inspection	
39.		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) 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.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit	
			Applicant shall schedule fire dept. rough sprinkler inspection.	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection.	Applicant or owner	Prior to final building inspection	

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		(Carmel Valley Fire Protection District)				
40.		FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL) 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 system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. (Carmel Valley Fire Protection District)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
41.		FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD) 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. (Carmel Valley Fire Protection District)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit	
42.		FIRE – FIRE EXTINGUISHERS (NON-STANDARD) Fire Extinguishers are required. Size and placing of the fire extinguishers must comply with NFPA standards. The fire extinguishers must be serviced and maintained as per California Code of Regulations Title 19. (Carmel Valley Fire Protection District)	Applicant shall schedule fire dept. final inspection.	Applicant or owner	Prior to final building inspection	
43.		FIRE – EXIT SIGNS (NON-STANDARD) Exit Signs are required as per NFPA standards. (Carmel Valley Fire Protection District)	Applicant shall schedule fire dept. final inspection.	Applicant or owner	Prior to final building inspection	

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44.		<p>FIRE – FIRE DEPARTMENT NOTES (NON-STANDARD)</p> <p>The full text of all required fire conditions must be noted on all plans (Building and Grading) as “FIRE DEPARTMENT NOTES”. The Fire District will not accept or approve building or grading plans without the “FIRE DEPARTMENT NOTES”. (Carmel Valley Fire Protection District)</p>	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building or grading permit	

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