

MONTEREY COUNTY PLANNING COMMISSION

Meeting: April 9, 2008 Time: A.M/P.M	Agenda Item No.:
Project Description: Combined Development Permit (PLN070600) consisting of: Coastal Development Permit to construct highway and intersection improvements at Highway One and Salinas Road; Amendment to Monterey County Code, Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation Plan; Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat, Coastal Development Permit to allow development on slopes exceeding 25%.	
Project Location: Approximately a 1.6-mile stretch of State Highway One between Jensen Road and Trafton Road (Post Mile 99.9/r101.5), North County, Coastal Zone	APN: 117-011-010, 012; 117-021-002, 004; 117-022-001; 117-052-010, 014, 016, 017; 117-062-020, 021, 023; 117-072-004; 117-571-005-000
Planning File Number: PLN070600	Name: California Department of Transportation (Caltrans), Property Owner
Plan Area: North County Coastal Land Use Plan	Flagged and staked: No
Zoning Designation: “CAP (CZ)” (Coastal Agricultural Preserve, Coastal Zone), “AC (CZ)” (Agricultural Conservation), “PQP (CZ)” (Public Quasi-Public, Coastal Zone) (roadway)	
CEQA Action: Mitigated Negative Declaration prepared by Lead Agency (Caltrans)	
Department: RMA - Planning Department	

RECOMMENDATION: Staff recommends that the Planning Commission:

- 1) **CERTIFY** that the Commission reviewed and considered the information, and affirms the conclusions contained in the Mitigated Negative Declaration and Mitigation Monitoring Program adopted on June 1, 2006 by the State of California Department of Transportation; and submitted to U.S. Department of Transportation, Federal Highway Administration;
- 2) **APPROVE** a Combined Development Permit for proposed Salinas Road and Highway One improvements as described above (PLN070600/Caltrans) based on the Findings and Evidence (**Exhibit B**) and subject to proposed Conditions (**Exhibit B1**).
- 3) **ADOPT** Resolution (**Exhibit B**) **RECOMMENDING** that the Board of Supervisors **AMEND** the North County Coastal Implementation Plan, Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) to allow public safety improvements to certain properties in Monterey County (**Exhibit B3, draft Ordinance**).

PROJECT SUMMARY:

The California Department of Transportation (Caltrans) and the Federal Highway Administration, in cooperation with the Transportation Agency of Monterey County proposes to build an interchange at Salinas Road/Highway One and make operational improvements to the highway between Jensen Road and Trafton Road in Monterey County. New right-of-way would be purchased that includes the purchase and development of agricultural lands.

On balance, the project is consistent with policies in the North County Land Use Plan related to visual resources, traffic, land use, agriculture, and environmentally sensitive habitat areas. However, the North County Implementation Plan, Section 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) limits the interpretation of incidental public services with regard to filling of coastal wetlands and Section 20.144.080 (Agricultural Development Standards) limits conversion of agricultural lands to projects involving erosion control. Therefore, the project proposes an amendment to the CIP in order to allow this type of safety project in an agriculturally designated area. Because the Coastal Act emphasizes protection of coastal dependent agricultural uses, the proposed CIP amendment limits applicability of this amendment to public highway improvement projects. In addition, the CIP amendment includes mitigation standards for the loss of agricultural lands, similar to the measures already required to offset unavoidable impacts to coastal wetlands.

Caltrans, as “lead agency”, prepared and certified a Mitigated Negative Declaration **Exhibit E**) pursuant to the California Environmental Quality Act (CEQA). The County is a “responsible agency” because of its permitting authority. As the decision-making body of a Responsible Agency, the Planning Commission must certify that it reviewed and considered the information contained in the Lead Agency's (Caltrans) environmental documents (and affirm the conclusions therein prior to acting upon or approving the project.

In accordance with CEQA, Caltrans prepared a draft environmental document that was circulated for comments from July 14, 2005 to August 14, 2005. Issues addressed in the Initial Study were farmlands, visual qualities, water quality, environmentally sensitive habitat and land use. Caltrans adopted a Mitigated Negative Declaration on June 1, 2006 finding that all potentially significant adverse impacts could be mitigated to a less than significant level. No unresolved issues remain.

See **Exhibit A** for a more detailed discussion of the project.

OTHER AGENCY INVOLVEMENT: The following agencies and departments have reviewed this project:

- ✓ North County Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Agricultural Commissioners Office
- ✓ California Coastal Commission
- ✓ Transportation Agency of Monterey County
- ✓ California Department of Transportation, District 5

Conditions recommended by the Fire Department have been incorporated into the condition compliance reporting plan (**Exhibit B1**).

The aesthetic design of the bridge was reviewed and approved by the North County Aesthetics Design Advisory Committee (ADAC) on March 6, 2008. (**Exhibit D**)

The proposed project was reviewed by the North County Coastal Land Use Advisory Committee (LUAC) on December 17, 2007. The LUAC recommended approval of the project by a vote of 4-0 (**Exhibit C**). The committee complimented the presenters on a nice presentation which was very thorough and informative. Everyone agreed the project was needed.

The Salinas Road Project Development Team meets monthly to discuss ongoing progress and updates of structure design, utility relocation, right of way acquisition, and agricultural mitigation.

Note: Since the project includes an amendment to the CIP, the project must also be considered by the Board of Supervisors and Coastal Commission. Approval of this Coastal Development Permit must therefore be considered conceptual or provisional, pending approval of the CIP by the Board of Supervisors and certification by the California Coastal Commission.

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April 1, 2008

cc: Front Counter Copy; Planning Commission Members (10); County Counsel; North County Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Monterey County Transportation Agency; AMBAG; California Coastal Commission; Carl Holm, Assistant Planning Director; Laura Lawrence, Planning Manager; Elizabeth A. Gonzales, Planner; Carol Allen; Caltrans, Applicant; File PLN070600

Attachments:

Exhibit A	Discussion of Proposed Project
Exhibit B	Draft Resolution with Findings and Evidence to Recommend Adoption of Zoning Amendment, including the following attachments: 1) Recommended Conditions of Approval (Matrix) 2) LCP Consistency Matrix 3) Draft Ordinance Amending Section 20.144.080 (CIP)
Exhibit C	LUAC Meeting Minutes
Exhibit D	Final Aesthetic Design
Exhibit E	Initial Study/Mitigated Negative Declaration (Project Plans)
Exhibit F	Project Location Map

This report was reviewed by Carl Holm, AICP, Assistant Planning Director

EXHIBIT A
DISCUSSION OF PROPOSED PROJECT
PLN070600/Caltrans
April 9, 2008

A. INTRODUCTION

Setting

Salinas Road intersects with Highway One in an at-grade “T” intersection, between Jensen Road and Trafton Road in northern Monterey County. From Jensen Road to Salinas Road, Highway One is a rural two-lane highway intersected by multiple at-grade roads and driveways. From Salinas Road to Trafton Road Highway One is a controlled access freeway with two lanes going each way.

Jensen Road runs west from Highway One, providing access to agricultural lands and recreational sites near the Pacific Ocean. Salinas Road commences at the “T” intersection that runs east connecting traffic to County Routes G-11 and G-12 and a local road network serving the Monterey County communities of Pajaro, Las Lomas, Aromas and Prunedale, and the Santa Cruz County community of Watsonville.

The project area is sparsely populated, with large parcels of agricultural land. An industrial complex of agriculture-related services known collectively as Hilltop Industries lies just southwest of the Salinas Road intersection. A vegetable sales stand (Dominic’s) sits at the northwest corner of the intersection of Highway One and Jensen Road.

Purpose

The purpose of this project is to improve the safety and function of the intersection at Highway One and Salinas Road in a cost effective and timely manner, while minimizing environmental, social and economic impacts.

The high volume of traffic traveling on Highway One and the number of vehicles making left turns across Highway One at Salinas Road exceeds the operational capacity of the intersection. This combined with the uncontrolled entry and exit of vehicles from private drives onto the highway has resulted in a high number of collisions and long delays for backed up traffic near that intersection, particularly during the weekday commute and on summer weekends when recreational traffic increases.

Despite the past completion of improvements recommended by the Highway One Safety Corridor Task Force, the number of collisions at the intersection is about double the statewide average for similar intersections. Growth in housing, population and employment in the surrounding area is expected to increase traffic an average of 1.7% per year through 2030, resulting in a 50% increase from the current traffic volume by 2030. Without further improvement of the intersection, the collision rate and long delays are expected to increase.

Project Description

The applicant, Caltrans, requests permits to construct a highway and intersection improvements at Highway One and Salinas Road. A task force of professionals and local residents was created to review multiple alternatives for this project. After much review and discussion, three alternatives were selected for consideration in the initial study. As the analysis unfolded the proposed project was selected because it had the least impact to agricultural lands and biological resources. The resulting design includes an interchange at Salinas Road with a frontage road connecting to Jensen Road so that truck traffic can avoid using the Jensen Road turn lane. A frontage road on the east side serves a similar function to provide alternate access so that agricultural traffic will no longer enter Highway One directly.

Monterey County Code requires the following permits for the project:

1. Amendment of Monterey County Code Section 20.144.060.C.2 and Section 20.144.080.D.2 of the North County Coastal Implementation Plan; and
2. A Coastal Development Permit to allow the construction of a highway and intersection improvements;
3. A Coastal Development Permit to allow development within 100 feet of ESHA consisting of man-made agricultural ditches;
4. A Coastal Development Permit to allow development on slopes exceeding 25%;

The permitting authority of Monterey County is limited to the Coastal Development Permit (CDP) to construct highway and intersection improvements at Highway One and Salinas Road. Although consistent with the Land Use Plan, Amendments to Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) are required in order for the project to meet development standards with regard to its effects on adjacent agricultural lands and delineated wetland areas. In addition, the CIP amendment includes mitigation standards for the loss of agricultural lands, similar to the measures already required to offset unavoidable impacts to coastal wetlands. The Amendment to the Coastal Implementation Plan must be adopted and certified by the California Coastal Commission before the CDP can become effective.

B. PROJECT ANALYSIS

Local Coastal Plan

A consistency analysis was prepared by Caltrans and incorporated into the Initial Study as Appendix I. This analysis represents applicant's provisional interpretation, and does not necessarily reflect the current interpretation by either the County or California Coastal Commission. It concludes that the project is consistent with both the LUP and the CIP. Since that time, staff has revised this matrix to reflect our independent judgment for consistency with the LCP. Staff has determined that the project is consistent with the LUP, but does require minor amendments to the CIP that would not trigger any revision to the CEQA analysis. Staff's matrix is included as **Attachment B2** of the draft resolution (**Exhibit B**).

Although consistent with the North County Land Use Plan, the project is not fully consistent with the corresponding Monterey County Coastal Implementation Plan zoning ordinances currently in effect. Therefore, amendment of the North County Coastal Implementation Plan,

specifically Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) are required in order for the project to meet development standards with regard to safety, protection of wetland habitats, and avoidance of agricultural land conversion.

Specifically, Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) limits the interpretation of incidental public services with regard to filling of coastal wetlands; and, Chapter 20.144.080 (Agricultural Development Standards) limits conversion of agricultural lands to public health and safety projects "...where there is an overriding need to protect [against]...adverse erosion or water quality/quantity impacts..." Therefore, the project proposes an amendment to the CIP in order to allow this type of transportation safety project in an agriculturally designated area. Because the Coastal Act emphasizes protection of coastal dependent agricultural uses, the proposed CIP amendment limits applicability of this amendment to public highway improvement projects.

Level of service is expressed as a range of traffic flow, designated as A through F. Currently, the intersection of Highway One and Salinas Road operates at level of service F during the peak hour. Because of the elevated rate of traffic collisions at this location, including injuries and fatalities, public safety is an overriding factor to consider in amending the Coastal Implementation Plan.

The Land Use Plan (LUP) traffic policies identify the need to improve the intersection of Highway One and Salinas Road. Although it also states that Highway One should be widened to four lanes, a periodic review recommendation drafted by Coastal Commission staff suggests that the LUP policy be modified to specify that Highway One south of Salinas Road be designated as a scenic highway and limited to two lanes of traffic. Although not part of the certified LCP, Caltrans has designed the improvement to meet the two-lane through-traffic standard recommended in the periodic review report that was accepted by the CCC, however not yet adopted.

Visual impact of the overpass bridge was identified as a concern. Therefore, Caltrans designed the bridge to not exceed the current grades on each side of Highway One, which reflect the original topographic profile of the hill crest. While the bridge would change the view within the highway corridor, views from Salinas Road would be minimally altered. In addition an Aesthetic Design Advisory Committee (ADAC), including residents from the area was established. The ADAC provided specific recommendations to Caltrans on how the bridge and surrounding landscape will be finished.

Some agricultural ditches and a fire suppression pond for Hilltop Industries would be impacted by this project. Nonetheless, the project is consistent with the applicable Monterey County Local Coastal Program and California Coastal Act policies that prohibit filling of coastal wetlands, except for incidental public service purposes. In this case, the project's wetland impacts are only incidental to the primary purpose of public safety improvement; there is no alternative that would further minimize impacts. The project includes mitigation measures that would replace and enhance wetland function and habitat in the project area. Therefore, as designed and mitigated,

the project is consistent with the applicable Local Coastal Program wetland protection policies and their counterpart California Coastal Act policies.

The North County Land Use Plan recognizes that under overriding circumstances, conversion of agricultural lands may be required for public health and safety reasons. However, the existing CIP standards disallow new road development in agricultural districts, and make no allowance for agricultural land conversion if the need is to improve an unsafe highway intersection. Therefore, approval of this project is predicated on adoption and certification of a CIP amendment that allows the proposed roadway safety improvements, as a specific public health and safety exception to the CIP's prohibition on conversion of designated agricultural lands.

Loss of designated agricultural lands for the project shall be offset through implementation of an agricultural mitigation plan. Appropriate mitigation measures include, but are not limited to: preservation of existing or potentially productive croplands that under existing land division patterns could otherwise be lost to development; stabilization of urban-rural boundaries; restoration or enhancement of unproductive or degraded agricultural lands; and community garden or educational programs that support coastal zone agriculture.

Caltrans is currently working with a non-profit land conservation organization to develop and implement a mitigation plan that will meet these criteria. This permit has been conditioned to require that such plan be submitted for review and approval by the County and Coastal Commission, and that the mitigation measures remain in place for the life of the project (Condition 6).

Development on Slopes in Excess of 25%

The project area lies in an agricultural (crop production) area and avoids all development to beach, dune and estuary areas. The project is essential to improve the health and safety of the traveling public. Highway One at Salinas Road has existing grade separation with steep man-made slopes that were created when the highway was developed. Designing the interchange using existing grades to minimize visual and grading impacts includes developing ramps along existing slopes.

There is no feasible alternative that would allow development to occur on slopes of less than 25%; and, it should be noted, these slopes comprise only man-made road cuts and ditches that were originally intended to accommodate future highway construction. Nonetheless, avoidance and minimization measures were developed to minimize the project's overall scale and footprint, such as:

- The profile of the proposed bridge placed at a lower elevation to match the existing landforms and reduce the scale and visibility of the structure;
- The new loop northbound on-ramp was scaled down to the smallest radius feasible to reduce the footprint of the interchange;
- Slopes were steepened from 1:4 to 1:2 where safety would not be compromised; and
- A design exemption was obtained to allow the western frontage road to be placed directly across from the on and off-ramps rather than several hundred meters to the west of the ramp intersection. This would substantially reduce the overall footprint of the interchange.

Therefore, the proposed development better achieves the goals, policies, and objective of the Monterey County Local Coastal Program than other development alternatives.

LUAC/Community Review

The proposed project was reviewed by the North County Coastal Land Use Advisory Committee (LUAC) on December 17, 2007. The LUAC recommended approval of the project by a vote of 4-0 (**Exhibit C**). The committee complimented the presenters on a nice presentation which was very thorough and informative. Everyone agreed the project was needed.

The aesthetic design of the bridge was reviewed and approved by the North County Aesthetics Design Advisory Committee (ADAC) on March 6, 2008. (**Exhibit D**)

The Salinas Road Project Development Team meets monthly to discuss ongoing progress and updates of structure design, utility relocation, right of way acquisition, and agricultural impact mitigation.

CEQA

On May, 2006, The U.S. Department of Transportation, Federal Highway Administration and the State of California Department of Transportation completed an Initial Study pursuant to the California Environmental Quality Act (CEQA). This Initial Study identified potentially significant impacts to biological resources, traffic, and farmland conversion. Site investigations and technical reports determined that as a result of the proposed project potential significant impacts that would occur could be reduced to insignificance. The Initial Study is on file in the office of RMA-Planning and is hereby incorporated by reference (PLN070600). A Mitigated Negative Declaration was circulated for public comment from July 14, 2005 to August 12, 2005.

As the “lead agency”, Caltrans is required to prepare and certify environmental documents pursuant to the California Environmental Quality Act (CEQA). The County is the “responsible agency” because of its permitting authority. As the decision-making body of a Responsible Agency, the Planning Commission must certify that it reviewed and considered the information contained in the Lead Agency's (Caltrans) Mitigated Negative Declaration (**Exhibit E**) and affirm the conclusions therein prior to acting upon or approving the project.

EXHIBIT B
RESOLUTION TO RECOMMEND AMENDMENT OF COUNTY CODE
PLN070600/Caltrans
April 9, 2008

**Before the Planning Commission in and for the
County of Monterey, State of California**

<p>Resolution No. _____</p> <p>Resolution of the Monterey County Planning Commission recommending that the Board of Supervisors approve : Combined Development Permit (PLN070600) consisting of: Coastal Development Permit to construct highway and intersection improvements at Highway One and Salinas Road; Amendment to Monterey County Code, Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation Plan; Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat, Coastal Development Permit to allow development on slopes exceeding 25%. Located on approximately a 1.6-mile stretch of State Highway One between Jensen Road and Trafton Road (Post Mile 99.9/r101.5), (Assessor's Parcel Numbers 117-011-010, 012; 117-021-002, 004; 117-022-001; 117-052-010, 014, 016, 017; 117-062-020, 021, 023; 117-072-004; 117-571-005-000) North County, Coastal Zone.</p>	
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A Combined Development Permit (**PLN070600**) consisting of: Coastal Development Permit to construct highway and intersection improvements at Highway One and Salinas Road; Amendment to Monterey County Code, Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation Plan; Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat,

Coastal Development Permit to allow development on slopes exceeding 25%. Located on approximately a 1.6-mile stretch of State Highway One between Jensen Road and Trafton Road (Post Mile 99.9/r101.5), (Assessor's Parcel Numbers 117-011-010, 012; 117-021-002, 004; 117-022-001; 117-052-010, 014, 016, 017; 117-062-020, 021, 023; 117-072-004; 117-571-005-000) North County, Coastal Zone came on for a public hearing before the Planning Commission on April 9, 2008. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission hereby approves a Combined Coastal Development Permit for the project, and recommends that the Board of Supervisors make the following Coastal Implementation Plan amendments with reference to the following facts:

RECITALS

1. Section 65300 et seq. of the California Government Code requires each county to adopt a comprehensive, long-term General Plan for the physical development of each county.
2. On September 30, 1982, the Board of Supervisors of the County of Monterey ("County") adopted a county-wide General Plan ("General Plan") pursuant to California Planning, Zoning and Development law.
3. Section 30500 of the Public Resources Code requires each County and City to prepare a Local Coastal Program (LCP) for that portion of the coastal zone within its jurisdiction.
4. On April 28, 1982, the Board of Supervisors adopted the North County Land Use Plan ("Land Use Plan") as part of the Local Coastal Program in the Coastal Zone pursuant the California Coastal Act. This separate mandate replaces policy guidance for most policy topics found in the General Plan and is applied in the Coastal Zone. The primary policy topics of noise and housing (to include other minor Monterey County specific policies) are not addressed under the LCP- Coastal Act mandate although they are still applicable in the Coastal Zone under the jurisdiction of the General Plan – Planning Zoning and Development law mandate.
5. On June 4, 1982 the California Coastal Commission acknowledged certification of the North County Land Use Plan ("Land Use Plan") as part of Monterey County's Local Coastal Program.
6. On January 5, 1988, Monterey County adopted the Coastal Implementation Plan (CIP) of the LCP consistent with Section 30512.1 of the Public Resources Code.
7. Section 30514 of the Public Resources Code provides for amendments to adopted LCP's.
8. On September 24, 1985 the Monterey County Board of Supervisors adopted procedures for amending the LCP-CIP.

9. Figure 1 (Land Use Plan) of the “Land Use Plan” in the North County Land Use Plan provides a graphic representation of the general distribution, location, extent and intensity of land uses and transportation routes in this planning area.
10. Pursuant to Public Resources Code sections 30000 et seq., the County may amend the adopted Local Coastal Program provided the County follows certain procedures, including that the County Planning Commission hold a noticed public hearing and make a written recommendation to the Board of Supervisors on the proposed amendment of the Coastal Implementation Plan (CIP) portion of the Local Coastal Program (LCP). The proposed amendment to Monterey County Code, Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation Plan is consistent with the adopted Land Use Plan (LUP).
11. Pursuant to Government Code sections 65350 et seq., the County may amend the adopted General Plan provided the County follows certain procedures, including that the County Planning Commission hold a noticed public hearing and make a written recommendation to the Board of Supervisors on the proposed amendment of the General Plan. In this case staff finds that the proposed Coastal Implementation Plan amendment to Monterey County Code, Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation) is consistent with the certified North County Land Use Plan and that all changes are otherwise consistent with Monterey County General Plan.
12. On April 9, 2008, the Monterey County Planning Commission approved a Coastal Development Permit to allow construction of highway and intersection improvements at Highway One and Salinas Road; Amendment to Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation Plan; Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; and Coastal Development Permit to allow development on slopes exceeding 25%.
13. All policies of the General Plan and the Land Use Plan have been reviewed by the Planning Department staff to ensure that the proposed amendments maintain the compatibility and internal consistency of the General Plan and the Land Use Plan (**Attachment B(2)**, Consistency Matrix). The Planning Commission finds that:
 - a. Development within the North County coastal zone shall be consistent with the land uses shown on the plan map and as described in the text of this plan. (Policy 4.3.5.8) Both Highway One and Salinas Road are clearly shown on the certified Land Use Plan map and were intended to be allowable uses. The project has been designed to correct existing unacceptable traffic safety issues. The proposed design addresses only the traffic volumes that are projected to occur with current planned growth, as directed by the Monterey County plans, through 2030, and will not induce additional growth. Transportation land use is given to existing

state highway rights-of-way. The project cannot be feasibly designed to avoid all potential impacts on agricultural lands; some conversion of agricultural lands will be necessary to achieve the desired highway safety function. Therefore, the project has been designed to minimize such necessary conversion, and to limit the impact to those lands that are immediately adjacent to the existing highway. These impacted lands are designated as CAP (Coastal Agriculture Preserve) and AC (Agricultural Conservation). The proposed amendment would allow the conversion of farmland to allow for public safety.

- b. Development in the "CAP (CZ)" and "AC (CZ)" designations may be considered when it is demonstrated that there is an overriding factor for safety:
 - (1) The purpose of the project is to improve the safety and function of the intersection at Highway One and Salinas Road in a cost effective and timely manner, while minimizing environmental, social, and economic impacts and providing avoidance, minimization and mitigation measures to affected areas.
 - (2) However, the North County Implementation Plan, Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) limits the interpretation of the exception for incidental public services with regard to filling of coastal wetlands for certain essential public roadway purposes; and, Chapter 20.144.080 (Agricultural Development Standards) limits conversion of agricultural lands to public health and safety projects "...where there is an overriding need to protect [against]...adverse erosion or water quality/quantity impacts...". Therefore, an amendment to the CIP is proposed in order to allow this type of safety project in an agriculturally designated area. Because the Coastal Act emphasizes protection of coastal dependent agricultural uses, the proposed CIP amendment limits applicability of this amendment to public highway improvement projects at the Salinas Road-Highway 1 intersection. In addition, the CIP amendment includes mitigation standards for offsetting the unavoidable loss of agricultural lands, similar to the restorative measures already required to offset impacts to coastal wetlands.
- c. Therefore, the proposed CIP Amendment meets the criteria required for development within agricultural districts by clarifying the existing exceptions to the prohibitions on filling of coastal wetlands, through amplification of the Coastal Implementation Plan's list of "incidental public service" examples in a way that would allow the proposed roadway public safety improvement. The proposed amendment would also allow for the conversion of farmland by expanding allowable circumstances for applying the health and safety exception to include improvements to the project that do not increase highway capacity south of the new overpass. Also, it specifies a requirement for agricultural mitigation, parallel to wetland mitigation already required by the Local Coastal Program.
- d. The proposed development is consistent with the policies of the North County Land Use Plan.

14. An initial study has been prepared for the project. This report analyzed the environmental impacts associated with the Land Use Plan and Zoning Map amendments. Issues addressed in the Initial Study were farmlands, visual qualities, water quality, environmentally sensitive habitat and land use. Caltrans adopted a Mitigated Negative Declaration on June 1, 2006 finding that all potentially significant adverse impacts could be mitigated to a less than significant level.
15. On April 9, 2008, the Monterey County Planning Commission held a duly noticed public hearing to consider and make recommendations to the Board of Supervisors regarding adopting the Negative Declaration and approving the Combined Development Permit, including amendments to the County's zoning ordinance. At least 10 days before the first public hearing date, notices of the hearing before the Planning Commission were published in both the Monterey County Herald and the Pajaronian, and were also posted on and near the property and mailed to property owners within 300 feet of the subject property.
16. This amendment is intended to be carried out in a manner fully in conformity with the California Coastal Act (Public Resources Code Sections 30512, 30513, and 30519).

FINDINGS AND EVIDENCE

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, North County Coastal Land Use Plan, Coastal Implementation Plan (Part 2) (Chapter 20.144 MCC), Monterey County Grading Ordinance (Title 16), and the Monterey County Zoning Ordinance (Title 20/Coastal Implementation Plan, Part 1) which designates this area as appropriate for development.

EVIDENCE:

- (a) The RMA Planning Department staff reviewed the project, as contained in the application and accompanying materials, for conformity with:
 - 1982 Monterey County General Plan, as amended.
 - North County Land Use Plan, as amended
 - Coastal Implementation Plan – Part 2 (Chapter 20.144 MCC)
 - Chapter 20.30 MCC – Coastal Agriculture Preserve, as amended
 - Chapter 20.70 MCC - Coastal Development Permits.Upon adoption and certification of the CIP amendment, there would be no conflict or inconsistencies with the regulations of these plans or policies. No testimony, either written or oral, was received during the course of public hearing to indicate that there is any inconsistency with the North County Land Use Plan or the Monterey County General Plan.
- (b) Existing Conditions. The existing 14 individual parcels (Assessor's Parcel Numbers 117-011-010, 012; 117-021-002, 004; 117-022-001; 117-052-010, 014, 016, 017; 117-062-020, 021, 023; 117-072-004; 117-571-005-000), are located between the Jensen Road intersection and the Trafton

Road undercrossing. These parcels are designated as Coastal Agriculture Preserve (CAP (CZ)), North County Coastal Land Use Plan. However, portions of parcels APN 117-052-010 and 117-062-020 fall within the Agriculture Conservation AC (CZ) zoning district as well. There is existing farming facilities located on the some of the parcels, and an agricultural produce stand (Dominic's) is located at the northwest corner of Jensen Road and Highway One.

- (c) Proposed Project. On November 20, 2007, California Department of Transportation (Caltrans) filed an application requesting a Combined Development Permit that includes a Coastal Development Permit to construct highway and intersection improvements at Highway One and Salinas Road; Amendment to Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Chapter 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation Plan; Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; and, a Coastal Development Permit to allow development on slopes exceeding 25%.
- (d) Environmentally Sensitive Habitat (Section 20.144.040 NC LUP). The project is consistent with policies of the North County Implementation Plan (NC CIP) dealing with environmentally sensitive habitat. The proposed project is located within 100 feet of Coastal Wetlands. A biological survey identified man-made agricultural ditches which are subject to frequent rerouting and clean out of vegetation by landowners/farmers to maintain their function of conveying agricultural runoff. Proposed improvements would create a minimum of 0.60 acre of wetland by converting developed land. The Mitigated Negative Declaration adopted with this project requires mitigation to replace the loss of these areas (*Finding 8*). The environmental analysis completed for this project determined that all potential impacts can be reduced/mitigated to a level of insignificance.
- (e) Forest Resources The study of the project area identified 3.81 acres of coast live oak woodlands in the quadrant north of Salinas Road and west of Highway One. The project would remove three oak trees (8 inches, 12 inches, and 18 inches DBH), an area of approximately 0.06 acre of the oak woodland found in the project area. Development within oak woodland on 25% slope or less shall be sited to minimize disruption of vegetation and habitat loss. (Policy 2.3.3.A.4) The Coast Live Oaks removed will be replaced onsite at a ratio of five trees for every tree removed.
- (f) Visual Resources (Section 20.144.030 NC LUP). The project occurs at a slight rise on a marine terrace, in the landform between the Salinas River and Pajaro River valleys, less than a mile from Elkhorn Slough and about two miles from the outer shoreline of Monterey Bay. The visual character is influenced by agriculture and a proximity to the Pacific Ocean. Much of what is visible from the highway is developed in terms of agricultural crops and businesses. There are no views of the ocean. (*Finding 4*)

- (g) Transportation The intent of this section is to provide development standards which will result in the upgrading of the State highway; expand and manage major County roads to accommodate traffic volumes at Service Level C. (Section 20.144.120 LUP). The purpose of the project is to improve the safety and function of the intersection at Highway One and Salinas Road. The high volume of traffic traveling on Highway One and the number of vehicles making left turns across Highway One at Salinas Road exceeds the operational capacity of the intersection.
- (h) Zoning. Development within the North County coastal zone shall be consistent with the land uses shown on the plan map and as described in the text of this plan. (Policy 4.3.5.8) Both Highway One and Salinas Road are clearly shown on the certified Land Use Plan map and were intended to be allowable uses. The project has been designed to correct existing unacceptable traffic safety issues. The proposed design addresses only the traffic volumes that are projected to occur with current planned growth, as directed by the Monterey County plans, through 2030, and will not induce additional growth. Transportation land use is given to existing state highway rights-of-way. The project can not be feasibly designed to avoid all potential impacts on agricultural lands; some conversion of agricultural lands will be necessary to achieve the desired highway safety function. Therefore, the project has been designed to minimize such necessary conversion, and to limit the impact to those lands that are immediately adjacent to the existing highway. These impacted lands are designed as CAP zoning (Coastal Agriculture Preserve) and AC zoning (Agricultural Conservation).
- (i) Land Use. The proposed use is consistent with the North County Land Use Plan. However, the proposed development is not fully consistent with the Coastal Implementation Plan, which designates the properties being affected as Coastal Agricultural Preserve zoning "CAP (CZ)." The project entails the unavoidable disruption of agricultural ditches which because they are regularly reconfigured and maintained, act as minimally functioning wetlands. The North County Implementation Plan, Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) limits the interpretation of the exception for incidental public services with regard to filling of coastal wetlands for certain essential public roadway purposes; and, Chapter 20.144.080 (Agricultural Development Standards) limits conversion of agricultural lands to public health and safety projects "...where there is an overriding need to protect [against]...adverse erosion or water quality/quantity impacts...". Therefore, an amendment to the CIP is proposed in order to allow this type of safety project in an agriculturally designated area. Because the Coastal Act emphasizes protection of coastal dependent agricultural uses, the proposed CIP amendment limits applicability of this amendment to public highway improvement projects at the Salinas Road-Highway 1 intersection. In addition, the CIP amendment includes mitigation standards for offsetting the unavoidable loss of agricultural lands, similar

to the restorative measures already required to offset impacts to coastal wetlands.

- Therefore, the proposed CIP Amendment meets the criteria required for development within agricultural districts by clarifying the existing exceptions to the prohibitions on filling of coastal wetlands, through amplification of the Coastal Implementation Plan's list of "incidental public service" examples in a way that would allow the proposed roadway public safety improvement. The proposed amendment would also allow for the conversion of farmland by expanding allowable circumstances for applying the health and safety exception to include improvements to the project that do not increase highway capacity south of the new overpass. Also, it specifies a requirement for agricultural mitigation, parallel to wetland mitigation already required by the Local Coastal Program.
 - Therefore, an Amendment to Chapter 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards and Chapter 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation Plan is required. The land adjacent to the proposed project site is expected to remain in its current use, and the proposal is not expected to affect existing land use patterns in the area.
- (j) Prime and productive farmland shall be preserved for agricultural use to the fullest extent possible as consistent with the protection of environmentally sensitive habitats and the concentration of development. (Policy 2.6.2.1) The project has incorporated avoidance, minimization and mitigation measures that would preserve agricultural lands to the fullest extent possible.
- (k) Divisions of prime and productive farmland, designated as Agricultural Preservation, or Agricultural Conservation, shall be permitted only when such division does not adversely affect the land's long term agricultural viability. (Policy 2.6.2.2) The proposed project is consistent with the policy, because it has demonstrated that the remainder parcels will remain viable or can be made viable for agriculture after the parts needed for highway improvements are divided from the existing property.
- (l) Conversion of Agricultural Conservation lands to non-agricultural uses shall be allowed only if such conversion is necessary to: (a) establish a stable boundary between agriculture and adjacent urban uses or sensitive habitats; or (b) accommodate agriculture-related or other permitted uses which would economically enable continuation of farming on the parcel and adjacent lands. (Policy 2.6.3.5) The proposed project is to provide improved safety and operational benefits to the intersection of Salinas Road and Highway One. The project features will further separate the boundaries of the highway system from local farming operations through the addition of frontage roads. The project will provide a stable boundary between the state transportation use and the agricultural uses in the area without impacting access to the highway system. The project improves agricultural operations

and provides a safe transportation facility for farm workers, as well as safe access for the adjacent large agricultural processing facility.

- (m) All future development within the North County coastal segment must be clearly consistent with the protection of the area's significant human and cultural resources, agriculture, natural resources, and water quality. (Policy 4.3.4) Throughout the environmental review and certification of the proposed project Caltrans has designed an alternative and worked with the local community and resources agencies to avoid, minimize and mitigate impacts to visual resources, agricultural resources, and biological resources identified in the project area.
- (n) LUAC. On December 17, 2007, the North County Coastal LUAC recommended approval of the project by a vote of 4-0. The committee complimented the presenters on a nice presentation which was very thorough and informative. Everyone agreed the project was needed.
- (o) CEQA. An Initial Study was prepared by Caltrans which determined that no significant adverse impacts were identified and all potentially adverse impacts would be mitigated to a level of less than significant. See *Finding 8*)
- (p) Planning Commission. On, April 9, 2008, the Monterey County Planning Commission considered findings, evidence, and conditions for approving a Combined Development Permit (PLN070600/Caltrans) in the North County Coastal Land Use Plan area.
- (q) Site Visits. The project planner conducted on-site inspections on December 17, 2007 to verify that the project on the subject parcel conforms to the plans and reports listed above.
- (r) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN070600.

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

EVIDENCE:

- (a) Agency Review. The project has been reviewed for suitability by staff from Planning and Building Inspection Department, Public Works Department, Water Resources Agency, Environmental Health Division, and the North County Fire Protection District. There has been no indication from these agencies that the site is not suitable for the proposed development. Recommended conditions have been incorporated.
- (b) Traffic. The proposed project has been reviewed by the Monterey County Department of Public Works and there is no indication from that Department that the site is not suitable for development or that the use will adversely impact traffic conditions in the area. As part of the environmental review done by Caltrans, technical reports by outside biological, historic and traffic consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. (*Finding 8*)

- (c) Site Inspection. The project planner conducted a site inspection on December 14, 2007, and determined that the proposed improvements will not present an unsightly appearance, impair the desirability of residences in the same area, limit the opportunity to obtain the optimum use and value of land improvements or impair the desirability of living conditions of the same or adjacent area.
- (d) Project File. The application, plans, photographs and support materials submitted by the project applicant to the Monterey county Planning and Building Inspection Department for the proposed development, found in the project file (PLN070600).

3. FINDING: AMENDMENT TO COASTAL IMPLEMENTATION PLAN- The proposed project is consistent with the allowable uses established in the North County Land Use Plan, as well as the Coastal Implementation Plan; provided, that the Coastal Implementation Plan is amended as recommended. Specifically, the Planning Commission is recommending that the Board of Supervisors amend Section 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Section 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation:

EVIDENCE:

- (a) All policies of the General Plan and the Land Use Plan have been reviewed by the RMA Planning Department staff to ensure that the proposed amendment maintains the compatibility and internal consistency of the General Plan and the Land Use Plan.
- (b) Development in the "CAP (CZ)" designation may be considered when it is demonstrated that the need for public health and safety is an overriding factor in the decision:
- The purpose of the project is to improve the safety and function of the intersection at Highway One and Salinas Road in a cost effective and timely manner, while minimizing environmental, social, and economic impacts and providing avoidance, minimization and mitigation measures to affected areas.
 - The North County Implementation Plan, Section 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) limits the exception for the interpretation of incidental public services with regard to filling of coastal wetlands for certain essential public roadway purposes; and, Section 20.144.080 (Agricultural Development Standards) limits conversion of agricultural lands to public health and safety projects "...where there is an overriding need to protect [against]...adverse erosion or water quality/quantity impacts...". Therefore, an amendment to the CIP is proposed in order to allow this type of safety project in an agriculturally designated area. Because the Coastal Act emphasizes protection of coastal dependent agricultural uses, the proposed CIP amendment limits applicability of this amendment to public highway improvement projects at the Salinas

Road-Highway 1 intersection. In addition, the CIP amendment includes mitigation standards for offsetting the unavoidable loss of agricultural lands, similar to the restorative measures already required to offset impacts to coastal wetlands.

- The proposed CIP Amendment meets the criteria required for development within agricultural districts by clarifying the existing exceptions to the prohibitions on filling of coastal wetlands, through amplification of the Coastal Implementation Plan's list of "incidental public service" examples in a way that would allow the proposed roadway public safety improvement. The proposed amendment would also allow for the conversion of farmland by expanding allowable circumstances for applying the health and safety exception to include improvements to the project that do not increase highway capacity south of the new overpass. Also, it specifies a requirement for agricultural mitigation, parallel to wetland mitigation already required by the Local Coastal Program.
- (c) Public and quasi-public uses such as public utilities and roads are consistent land uses under all land use designations and in all zoning district except for CAP (CZ), AC (CZ), and RC (CZ) zoning districts. (Section 20.64.260 (MCC)) The proposed project will unavoidably encroach on adjacent lands zoned CAP (CZ). Therefore, the project proposes an amendment to the CIP in order to allow this type of roadway safety project in an agriculturally designated area.
- (d) An Agricultural Viability Report shall be required for the subdivision of parcels in "CAP" (Coastal Agricultural Preservation) "AC" (Agricultural Conservation) zoning districts or any parcel under Williamson Act contract. (20.144.080.B.1 CIP) The remainder parcels will remain viable or can be made viable for agriculture after the parts needed for highway improvements are divided from the existing properties.
- (e) Public and quasi-public uses should be located in areas where they will be compatible with adjacent land uses and local traffic conditions. (Policy 4.3.6.G.3) The proposed project will correct dangerous local traffic conditions at a major highway intersection and packing plant entrance. The project will concurrently reduce conflicts between agriculturally-related vehicle movements and mainstream highway traffic through installation of frontage roads.

4. FINDING: VISUAL RESOURCES: The project as proposed is consistent with policies of the North County Land Use Plan dealing with visual resources and will have no significant impact on the public viewshed.

EVIDENCE:

- (a) The proposed project is visible from a public viewshed as defined in Chapter 20.144 of the Monterey County Coastal Implementation Plan, however, the project is essential to improve the health and safety of the traveling public.
- (b) An on-site investigation by the project planner, pursuant to Chapter 20.144 of the Monterey County Coastal Implementation Plan, was conducted on

December 14, 2007. The proposed project was evaluated in terms of the impact upon a public road as seen from Salinas Road and Highway One and will not create a significant visual impact as viewed from a public viewing area.

- (c) The rural character of the coastal area of North County with its predominant agricultural low-density residential and open space land use shall be retained. (Policy 4.3.5.1) The following features have been incorporated into the project design to reduce potential visual impacts:
- The profile of the proposed bridge was placed at a lower elevation to match the existing landforms and reduce the scale and visibility of the structure;
 - To reduce and narrow the overall area of new pavement through the project area, the proposed highway widening of 2 lanes to 4 lanes was not carried through to Jensen Road;
 - The new loop northbound on-ramp was scaled down to the smallest radius feasible to reduce the footprint of the interchange;
 - Slopes were steepened from 1:4 to 1:2 where safety would not be compromised;
 - A design exemption was obtained to allow the western frontage road to be placed directly across from the on and off-ramps rather than several hundred meters to the west of the ramp intersection. This substantially reduced the overall footprint of the interchange.

The result of these design changes was to reduce visual impact and to allow the new interchange to follow as closely to the existing alignment as was feasible while still allowing the project to meet the safety standards and project purpose.

- (d) Staff site visit and project photos.
- (e) Application plans and materials located in project file number PLN070600.

5. FINDING: PUBLIC ACCESS: The project is in conformance with the public access and public recreation policies of the California Coastal Act and the Monterey County Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4).

- **First public road and applicable Coastal Act policies.** As mapped at the time of LCP certification in 1986, only the northernmost extremity of the project at Jensen Road comprises the “through public road nearest the sea”--which at this juncture is in reference to the outer shoreline of Monterey Bay. However, the Elkhorn Slough estuary, which lies entirely *inland* from Highway 1 at this point, comprises an inland extension of the sea. Therefore, all of the project site is arguably subject to the requirements of Coastal Act Sections 30212 regarding the provision of public access in new development projects seaward of the first public road, as well as Section 30210 providing for public access opportunities to be maximized.

- **Highway 1 and route G12 as public access corridors.** At this location, Highway 1 is a critical public access corridor for all motorized and bicycle recreational traffic moving along the coast, around the perimeter of Monterey Bay. Salinas Road, via County road corridor G12, also provides an efficient connection between the end of the Highway 1 freeway south of Watsonville, and the Highway 101 freeway north of Salinas, thereby facilitating north-south through traffic between Santa Cruz County and the southern coast of the State. However, increasing congestion and a dangerous left turn across oncoming traffic impairs this important access option, and cumulatively impacts the minimal remaining capacity of the rural, 2-lane Highway 1 segment south of the Salinas Road intersection. The proposed Salinas Road intersection improvements, including the proposed grade separation structure, will correct the cross-traffic left turn hazard, and thus help to restore the ability of the public to move unimpaired along the coast. No feasible alternative to the grade separation structure has been identified for this purpose.
- **Pedestrian and transit access modes.** For hikers, coastal lateral access is already possible along the shoreline through Zmudowski State Beach. In addition, an existing Monterey-Salinas Transit bus route provides service to/from Salinas/Amtrak, Monterey Peninsula, and Watsonville. For beach hikers, a coastal trail/transit bus connection is available at Moss Landing, several miles to the south. An improved transit bus stop is included in the project design, near the entrance to the Hilltop Industries packing plant complex. This will substantially improve conditions for the relatively large numbers of field and packing plant workers in the area.
- Because the potential shoreline beach destinations are approximately two miles distant across intervening privately-owned, intensely-cultivated agricultural lands, the transit stop will have utility primarily for commuting workers. Although no other significant pedestrian traffic is anticipated, foot traffic will nonetheless be able to walk on the shoulders of the non-freeway legs of the project roadway connections.
- For the future, the Transportation Agency for Monterey County (TAMC) has developed a master plan to extend the Monterey Bay Sanctuary Scenic Trail northwards from Moss Landing, well seaward of project site. This improved multi-mode recreational route is conceived as a segment of the California Coastal Trail. By relieving the increasingly severe congestion impairment at the Salinas Road intersection, the current Highway 1 project, while several miles distant, will nonetheless facilitate highway and transit access to the planned Moss Landing trailheads.
- **Bicycle access along the coast.** Portions of the existing roadway comprise segments of the designated Pacific Coast Bike Route (shown in the North County Land Use Plan, Figure 6, under its previous identification of “Bicentennial Bicycle Route”). All paved non-freeway legs of the project, including Salinas Road and the frontage road connecting the intersection with Jensen Road, are designed to include paved shoulders 4 to 8 ft. in width, together with appropriate pavement markings to facilitate safe

bicycle use. This will be of particular benefit for non-motorized traffic going to and from the City of Watsonville and northern Monterey County.

- **Summary for applicable Coastal Act public access and recreation policies.** This project will significantly help to relieve an increasingly severe impairment to motorized public access along the coast, including bus transit connections around the perimeter of Monterey Bay and from urban population centers to the coast. The project incorporates an improved bus transit stop, as well as enhancements for mobility via bicycle (which will also improve safety for the occasional pedestrian). Accordingly, as designed, the project provides the types of public access improvements appropriate to the context, and is consistent with the above-cited Coastal Act public access policies for new development seaward of the first public road.
- **Summary for Monterey County Local Coastal Program.** The project consists entirely of improvements that will help maintain and enhance public access along the coast, primarily for automobile, bus transit and bicycle modes. The proposed improvements are consistent with, and will serve to carry out the applicable public access policies of the Monterey County Local Coastal Program. No additional public access facilities, beyond those that are already included in project design, are required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

EVIDENCE:

- (a) The subject property is not identified as an area or location where the Local Coastal Program requires public access improvements (Figure 6, Shoreline Access/Trails, in the North County Land Use Plan).
- (b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property, other than along the public roads comprising the project site and shown on historic maps of the area.
- (c) Public access to the shoreline and along the coast shall be protected and provided, and opportunities for recreational hiking access shall be enhanced. (Land Use Plan Policy 6.2) The project does not affect specific coastal access points for recreational hiking access. However, Highway One provides the primary public access corridor for visitors traveling along the Monterey Bay shoreline. This project will protect and enhance the capacity of the highway to provide safe and enjoyable mobility to coastal destinations.
- (d) A temporary frontage road at Jensen Road and along Highway One will allow access for the public during construction and to facilitate safe access to and from adjacent agricultural operations.
- (e) The project is in conformance with the public access and public recreation policies of the California Coastal Act and Monterey County Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Section 20.144.150 CIP). No further public access facilities

are required as part of the project, as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150.B of the Monterey County Coastal Implementation Plan, can be demonstrated.

- 6. 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) State Highways within the North County coastal area should be upgraded to provide for a safe and uncongested flow of traffic. (Policy 3.1.1) The purpose of the of the proposed project is to improve the safety and function of the intersection at Highway One and Salinas Road in a cost effective and timely manner, while minimizing environmental, social and economic impacts.
- (b) The certified Land Use Plan states that Highway One should be widened on the existing alignment to four lanes of traffic with necessary left-turn lanes as soon as possible to serve increasing traffic volumes and provide safer and less congested traveling conditions provided mitigation for any adverse wetland impacts, has been included in the project and will be complete in conjunction with road construction such that the design does not require wetland fill. (Policy 3.1.2) The design of the proposed project provides for termination of the existing 4-lane freeway at the Salinas Road intersection, and provides for transition to an improved 2-lane rural highway south of the proposed overpass structure. The layout of the project is designed to avoid wetland fill as much as possible. No natural wetlands will be altered. Upgrading the road for the purpose of safety will require minor but unavoidable impacts to man-made wetlands. However, reconfiguring and enhancing of these wetlands will be mitigated at a ratio of 3:1. Taken together, these measures will assure that wetland alterations will in fact only be incidental to the primary public safety and service purposes of the project.
- (c) Construction of access roads to Highway One should be limited due to impacts on the safe and free flow of traffic and should be consolidated to provide fewer points where vehicles can turn onto or off of the highway. (Policy 3.1.2.3) The project includes frontage roads that will accomplish this purpose.
- (d) The major arterial roads in North County should be upgraded as necessary to serve the planned growth of North County. (Policy 3.1.2.5) The improvements at Salinas Road and Highway One, major roads in North County, will accommodate anticipated increased traffic from planned growth, thereby maintaining existing service levels and access to the coast without inducing additional growth.

- (e) Due to limited capacity of Highway One, coastal dependent uses shall be given priority over non-coastal dependent development where Highway One provides the major transportation access. (Policy 3.1.3.1) Highway One provides the only northerly major transportation access for coastal dependent uses, including access to the commercial fishing port at Moss Landing. Also, the surrounding area comprises the heart of one of California's most important commercial production areas for coastal agricultural crops, particularly including strawberries and artichokes. By relieving the increasing congestion bottleneck at the Salinas Road intersection, the project will support coastal agriculture by maintaining and improving truck and employee access to the Hilltop Industries packing plant, the sole paved access to which is from Highway 1 between Salinas Road and Jensen Road. The proposed intersection improvements will help to assure that the ongoing growth of traffic generated by non-priority development will not overwhelm highway capacity needed for priority coastal uses to continue functioning.
- (f) Salinas Road should be designated as a major arterial road serving the North County coastal area. It should be upgraded as necessary to maintain Level of Service C traffic conditions. (Policy 3.1.3.2) The proposed improvements at Salinas Road and Highway One, major arterial roads in North County, will provide safe access to this area and provide Level of Service C on Salinas Road until the year 2025.
- (g) A program should be undertaken to provide public transit service to North County parks, North County state beaches and Moss Landing when feasible. (Policy 3.1.3.5) The proposed frontage road and transit stop facility west of Highway One, will provide improved transit services for North County in coordination with the Monterey Salinas Transit Service (MST).
- (h) The Bicentennial Bicycle Route (now known as the Pacific Coast Bike Route) should be improved by separating the bicycle path from Highway One traffic between the Pajaro River and Molera Road. (Policy 3.1.3.7) The proposed project will provide a safer way for northbound cyclists on the designated bike route to cross opposing Highway 1 traffic and access Jensen Road. It will also provide a separation for the southbound Highway One bike route between Salinas Road and Jensen Road. Bike detectors will be placed at the signals to improve bicycle access through the interchange.
- (i) A traffic study will be required for all development proposals with potential to significantly impact the service level of or traffic safety along Highway One. (Policy 20.144.120.A.1) Traffic studies and project planning are already completed and can be provided upon request.
- (j) Agency Review. The project was reviewed by RMA Planning, Public Works Department, Water Resources Agency, Environmental Health Division, and the North County Fire Protection District. The respective departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on

the health, safety, and welfare of persons either residing or working in the neighborhood. The applicant has agreed to these conditions as evidenced by the application and accompanying materials.

(k) Preceding findings and supporting evidence.

- 7. FINDING - NO VIOLATIONS:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision and any other applicable provisions of the County's zoning ordinance. No violations exist on the property, and all zoning violation abatement cost, if any, have been paid.

EVIDENCE:

- (a) Staff verified that the subject property is in compliance with all rules and regulations pertaining to the use of the property, that no violations exist on the property and that all zoning abatement costs, if any have been paid.
- (b) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations that exist on subject property.

- 8. FINDING: CEQA/MITIGATED NEGATIVE DECLARATION:** 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 County as the decision-making body of a Responsible Agency hereby certifies that it reviewed and considered the information contained in the Lead Agency's (Caltrans) Mitigated Negative Declaration and Mitigation Monitoring Program prior to acting upon or approving the project.

EVIDENCE:

- (a) Environmental Assessment/Initial Study/Mitigated Negative Declaration (EA/IS/MND). The following documents are on file in the office of Planning and Building Inspection and are hereby incorporated by reference (PLN070600/Caltrans):
- (b) On May, 2006, The U.S. Department of Transportation, Federal Highway Administration and the State of California Department of Transportation completed an Initial Study pursuant to the California Environmental Quality Act (CEQA). This Initial Study identified potentially significant impacts to biological resources, traffic, and farmland conversion. Site investigations and technical reports determined that there are clearly no significant impacts that would occur as a result of the proposed project. The Initial Study is on file in the office of RMA-Planning and is hereby incorporated by reference (PLN070600). A Mitigated Negative Declaration was circulated for public comment from July 14, 2005 to August 12, 2005.
- (c) Comments. A public hearing was held July 28, 2005 at the Ohlone School auditorium, 21 Bay Farms Road, Watsonville. Comments received and responses to comments are included in the Initial Study document as Appendix H.

- (d) Technical Documents. The evidence in the record includes studies, data, and reports supporting the EA/IS/MND; additional documentation requested by staff; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. These reports are on file in the offices of RMA Planning (File PLN070600) and are incorporated by reference herein.
- (e) The Planning Commission hereby certifies the Mitigated Negative Declaration and Mitigation Monitoring Program adopted and amended by the State of California Department of Transportation (Caltrans) for the Salinas Road/Highway One Interchange project. This finding determines that although the project could have significant impacts, mitigation can reduce these potential impacts to a level of insignificance. This project requires the implementation of Avoidance, Minimization and Mitigation Measures.
- (f) Mitigation Monitoring Program. A Mitigation Monitoring Program was adopted by the California Department of Transportation, District 5, to ensure compliance during project implementation. The District, as Lead Agency, will be responsible to implement this program. As a Responsible Permitting Agency, the County has conditioned the project whereas Caltrans must provide evidence that these measures are implemented and have the intended effect.
- (g) The permitting authority of Monterey County is limited to the Coastal Development Permit to construct highway and intersection improvements at Highway One and Salinas Road. There are no changes in the project or unusual circumstances that exist which would necessitate additional environmental review by the County of Monterey.

9. FINDING: **25% SLOPE:** Development on slopes that excess 25% is prohibited unless there is no feasible alternative that would allow development to occur on slopes of less than 25%, or the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable Land Use Plan than other development alternatives.

EVIDENCE:

- (a) The project is essential to improve the health and safety of the traveling public. The project area lies in an agricultural (crop production) area and avoids all development to beach, dune and estuary areas. It is believed that the slopes in excess of 25% are the result, or partially the result, of grading performed at the time the existing freeway was constructed, and therefore do not reflect the natural contour of the ground surface. There is no feasible alternative that would allow the proposed development to occur on slopes of less than 25%;
- (b) Avoidance and minimization measures were developed to minimize the project's overall scale and footprint, such as:
- The profile of the proposed bridge placed at a lower elevation to match the existing landforms and reduce the scale and visibility of the structure;

- The new loop northbound on-ramp was scaled down to the smallest radius feasible to reduce the footprint of the interchange;
- Slopes were steepened from 1:4 to 1:2 where safety would not be compromised; and
- A design exemption was obtained to allow the western frontage road to be placed directly across from the on and off-ramps rather than several hundred meters to the west of the ramp intersection. This would substantially reduce the overall footprint of the interchange. Therefore, the proposed development better achieves the goals, policies, and objective of the Monterey County Local Coastal Program than other development alternatives.

10. FINDING: FISH & GAME FEE: For purposes of the Fish and Game Code, the project will not have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends.

EVIDENCE:

- (a) The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a “de minimis” (minimal) effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a “de minimis” effect were exempt from payment of the filing fees.
- (b) SB 1535 has eliminated the provision for a determination of “de minimis” effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.
- (c) Initial Study and Mitigated Negative Declaration contained in File No. PLN070600.

11. FINDING: APPEALABILITY - The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE:

- (a) Section 20.86.030 of the Monterey County Zoning Ordinance (Board of Supervisors)
- (b) Section 20.86.080.A.3 of the Monterey County Coastal Implementation Plan, Part 1 (Coastal Commission)
 1. The project site is located between the sea and first public road parallel to the sea.
 2. The project comprises a major public works project.
 3. The project requests an Amendment to the North County Coastal Implementation Plan.

DECISION

The Planning Commission of the County of Monterey, State of California, hereby recommends that the Board of Supervisors:

- 1) **CERTIFY** that the Board reviewed and considered the information, and affirms the conclusions contained in the Mitigated Negative Declaration and Mitigation Monitoring Program adopted on June 1, 2006 by the State of California Department of Transportation, and the U.S. Department of Transportation, Federal Highway Administration;
- 2) **APPROVE** a Combined Development Permit for the proposed Salinas Road and Highway One improvements as described above (PLN070600/Caltrans) based on the Findings and Evidence included herein and subject to Conditions attached hereto and incorporated herein by reference as **Attachment B(1)**
- 3) **RECOMMEND** that the Board of Supervisors AMEND the North County Coastal Implementation Plan, Section 20.144.060 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Section 20.144.080 (Agricultural Development Standards) to allow public safety improvements to certain properties in Monterey County (**Attachment B(3), draft Ordinance**).

Upon a motion of Commissioner _____,

seconded by Commissioner _____,

and carried by the following vote:

AYES:

NOES:

ABSENT:

ATTACHMENT B (3)
ORDINANCE TO AMEND NORTH COUNTY
COASTAL IMPLEMENTATION PLAN
PLN070600/CALTRANS
April 9, 2008

ORDINANCE NO.

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AMENDING SECTIONS 20.144.060.C.2 AND 20.144.080.D.2. OF THE MONTEREY COUNTY CODE (NORTH COUNTY COASTAL IMPLEMENTATION PLAN) TO CLARIFY THE OVERRIDING NEED FOR PUBLIC SAFETY IN THE COUNTY OF MONTEREY.

County Counsel Synopsis

This ordinance amends Section 1 and Section 2 of the Regulations of Development in the North County Land Use Plan, Coastal Implementation Plan, Part 2 (Chapter 20.144) to allow the conversion of designated agricultural lands located between Jensen Road (post mile 99.9) and Tafton Road under crossing (post mile R101.5) to build an interchange at Salinas Road and Highway One intersection (APNs: 117-011-010, 012; 117-021-002, 004; 117-022-001; 117-052-010, 014, 016, 017; 117-062-020, 021, 023; 117-072-004; 117-571-005-000) North County Coastal Zone

The Board of Supervisors of the County of Monterey ordains as follows:

ADD NEW COASTAL IMPLEMENTATION LANGUAGE IN SECTION 20.144.060.C.2.

Section of 20.144.060.C.2. Monterey County Code is hereby amended as shown below:

“2. The diking, filling, or dredging of coastal wetlands or estuaries shall be limited to restorative measures...and appropriate facilities associated with access, research, education,...If no wetland management plan has been approved for the area, appropriate facilities shall be limited to those consistent with Section 30233(a) of the Coastal Act, as follows:...e. incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines, and other such temporary disruptions, as well as limited expansion of roadbeds and bridges when no other alternative exists and the expansion is necessary to maintain existing traffic capacity...”

ADD NEW COASTAL IMPLEMENTATION LANGUAGE IN SECTION 20.144.080.D.2.

Section 20.144.D.2. Monterey County Code is hereby amended as shown below:

“2....conversion of cultivated land for non-agricultural uses shall be permitted only where there is an overriding need to protect the public health and safety from adverse erosion of water quality/quality impacts, or where the land is needed to infill existing ‘developed’ areas...Conversion of agricultural lands for public health and safety purposes may also be allowed as necessary to address the significant documented threat to life and property on Highway 1 in the vicinity of the Salinas Road-Highway 1 intersection, provided that such project does not expand the capacity of the rural 2-lane highway segment south of the proposed new grade separation structure at Salinas Road. Any necessary loss of designated agricultural lands for the Salinas Road-Highway 1 intersection project shall be offset through implementation of an agricultural mitigation plan, submitted to and approved by the County at the same time as the public health and safety project.”

Appropriate mitigation measures include, but are not limited to: preservation of existing or potentially productive croplands that under existing land division patterns could otherwise be lost to development; stabilization of urban-rural boundaries; restoration or enhancement of unproductive or degraded agricultural lands; and community garden or educational programs that support coastal zone agriculture. The permit for any such conversion shall be conditioned to require that the mitigation measures remain in place for the life of the project.”

SECTION 3. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Title is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Title. The Board of Supervisors hereby declares that it would have passed this Title and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 4. EFFECTIVE DATE.

Following certification by the California Coastal Commission pursuant to Chapter 6, Article 2 of the California Coastal Act, this Ordinance shall become effective after formal adoption by the Board of Supervisors.

PASSED AND ADOPTED on this ___ day of _____ 2008, upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote, to-wit:

- AYES:
- NOES:
- ABSENT:

Fernando Armenta, Chair
Monterey County Board of Supervisors

Attest:
LEW C. BAUMAN, Clerk
of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:
Charles McKee, County Counsel

By: _____
Deputy

Attachment B (1) Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: <u>CALTRANS/Salinas Road-Highway One</u> File No: <u>PLN070600</u> APNs: <u>117-011-010, 012; 117-021-002, 004; 117-022-001; 117-052-010, 014, 016, 017; 117-062-020, 021, 023; 117-072-004; 117-571-005-000</u> Approved by: <u>Planning Commission</u> Date: <u>April 9, 2008</u>
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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 Deptment</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>
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<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Deptment</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>PD001 - SPECIFIC USES ONLY</p> <p>This Combined Development Permit (PLN070600) consisting of: Coastal Development Permit to construct highway and intersection improvements at Highway One and Salinas Road; Amendment to Chapter 20.144.080 (Agricultural Development Standards) of the North County Coastal Implementation Plan; Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat, Coastal Development Permit to allow development on slopes exceeding 25%. Located approximately a 1.6-mile stretch of State Highway One between Jensen Road and Trafton Road (Post Mile 99.9/r101.5), (Assessor's Parcel Numbers 117-011-010, 012; 117-021-002, 004; 117-022-001; 117-052-010, 014, 016, 017; 117-062-020, 021, 023; 117-072-004; 117-571-005-000) North County, Coastal Zone. 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 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)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 070600) was approved by the (Planning Commission) for Assessor's Parcel Numbers 117-011-010, 012; 117-021-002, 004; 117-022-001; 117-052-010, 014, 016, 017; 117-062-020, 021, 023; 117-072-004; 117-571-005-000 on (March 26, 2008). The permit was granted subject to 11 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.		PD012(H) - LANDSCAPING PLAN - NORTH COUNTY COASTAL NATIVE The site shall be landscaped. The use of native species consistent with and found in the project area shall be required in all landscaping plans as a condition of project approval. A list of appropriate native plant species identified in Attachment #2 and #3 in the North County Implementation Plan Development Regulations is available in brochure form (<i>Suggested Native Species Landscaping List - North County Coastal Zone</i>) from the RMA - Planning Department. (RMA – Planning Department)	Submit landscape plans and contractor's estimate to RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
4.		PD013 – LIGHTING - STREET LIGHTS All street lights in the development shall be approved by the Director of the RMA - Planning Department. (RMA – Planning Department)	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 grading or building permits for street lights.	

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			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	
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.	
				Owner/ Applicant	Prior to the recordation of the final map, the start of use or the issuance of building or grading permits	

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6.		<p>PDSP001 – MITIGATION PLAN FOR AGRICULTURAL LAND CONVERSION – (NON STANDARD)</p> <p>Prior to commencement of construction, permittee shall submit, for review and approval by the Director of Planning, a mitigation plan that will adequately offset the loss of agricultural lands necessitated by this project. Such plan shall also be submitted for review and approval by the Executive Director of the Coastal Commission, if required through resolution of appeal, or if required for review of recordable open space documents pursuant to Coastal Commission Regulations section 13574. Appropriate mitigation measures include, but are not limited to: preservation of existing or potentially productive croplands that under existing land division patterns could otherwise be lost to development; stabilization of urban-rural boundaries; restoration of enhancement of unproductive or degraded agricultural lands; and community garden or educational programs that support coastal zone agriculture. If the acreage of agricultural lands protected by these measures is less than the lands which are converted for the project, permittee shall demonstrate that the net public benefit of the proposed mitigation measures will nonetheless outweigh any diminution of available area dedicated to agricultural production. The permit for any such conversion shall be conditioned to require that the mitigation measures remain in place for the life of the project. (RMA - Planning Department)</p>	<p>Submit proposed mitigation plan to Planning Director, and potentially, Coastal Commission Executive Director, for review and approval. Consult with appropriate agricultural and/or land trust experts, including but not limited to, the local office of the USDA-Natural Resources Conservation Service.</p>	<p>Owner/ Applicant</p>	<p>Prior to commencement of construction</p>	

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7.		<p>PDSP002 – EFFECTIVE DATE AND ISSUANCE This Combined Development Permit/Coastal Development Permit (CDP) shall not be considered Final, and shall not issue, until and unless all of the following first occur: the Board of Supervisors has approved the associated Coastal Implementation Plan (CIP) amendment; the California Coastal Commission has approved the proposed CIP amendment; the Board of Supervisors has carried out all required subsequent actions for certification of the CIP amendment, pursuant to Sections 13551 and 13544 of Title 14, California Code of Regulations; and, the California Coastal Commission has acknowledged the adequacy of the County’s actions, as provided in these same Regulations. In event that the Board of Supervisors substantively modifies the associated CIP amendment, either before or in response to the California Coastal Commission’s action, this CDP shall not be considered Final, and shall not issue, until and unless the project and/or the terms of the permit have been modified as may be necessary to insure conformance with the amended CIP.</p>	Approval is pending FINAL approval of: the Board of Supervisors approval of the associated Coastal Implementation Plan (CIP) amendment AND the California Coastal Commission approval of the proposed CIP amendment; AND the Board of Supervisors has carried out all required subsequent actions for certification of the CIP amendment, pursuant to Sections 13551 and 13544 of Title 14, California Code of Regulations; AND the California Coastal Commission has acknowledged the adequacy of the County’s actions, as provided in these same Regulations	Applicant or Owner	Prior to approval of this Coastal Development Permit	
8.		<p>FIRE002 - ROADWAY ENGINEERING The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be</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.	

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		required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. North County Fire District	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
9.		FIRE009 - BRIDGES All new and reconstructed bridges shall be at least the width of the roadbed and berms, but in no case less than 12 feet wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS15-44 loading and have guardrails. Appropriate signage, including but not limited to, weight ratings or vertical clearance limitations, and one-way road or single-lane road conditions, shall be provided at both entrances to any bridge. One-lane bridges may be permitted if there is unobstructed visibility across the entire bridge, and turnouts are provided at both bridge ends. The fire authority may impose more stringent requirements for bridges. North County Fire 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.	

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10.		FIRE/SP001 -ROAD SIGNS – (NON STANDARD) Signage would be administered through Caltrans District 5 and would need to conform to Caltrans’ own sign standards in conjunction with North County Fire District to include: All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum 4-inch letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. North County Fire District	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on improvement plans.	Applicant or owner	Prior to filing of final map.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision.	

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11.		<p>FIRE/SP002-ELECTRONIC MEDIA SUBMITTAL (NON-STANDARD)</p> <ol style="list-style-type: none"> 1. An electronic copy of the parcel map shall be submitted to the North County Fire District, or the local fire jurisdiction. The parcel map shall be drawn using Auto CAD Version 14 or newer or an approved equal. The submitted map shall, at a minimum, contain the following entities: Property lines, Parcel numbers, Roads, streets, and driveways, Fire hydrants, Assessor Parcel Numbers, and Building envelopes; Approved media form shall be either CD or email. Files shall be in either *.dwg or *.dxf formal only. Electronic mail will be accepted at AA@ncfpd.org 2. Pre-notification of work schedule on a weekly basis, that 1) identifies any obstruction that would impact emergency response times negatively; 2) any road and/or street closures; 3) any construction process that could be hazardous to emergency responders, worker and public safety. Notifications shall be made to the North County Fire District via email or fax. fire@ncfpd.org or 1 831 633-2572 3. Notification by phone immediately (1 831 633-2578) of any unexpected obstructions, road closures, or hazards that may occur during construction that will negatively impact our response time to any emergency incident. 4. Provide the North County Fire District with a 24 hour phone number of the project manager or his/her representative that can be contacted for, 1) after hours emergencies in their construction sites, yards, and lay down areas; 2) any day to day problems that may arise that could impact worker and public safety. 			Prior to filing of Final parcel map.	

<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>
		<p>5. Have a single point of information, with as much “real-time” information available, such as live cams, lane closures, detours, etc. on a web site or other means; due to the numerous roadway projects that will be commencing and overlapping with different construction schedules throughout the North County Area.</p> <p>6. The North County Fire District responds to emergency incidents 24 hours per day and 7 days per week. The project must allow for the need of passage of Emergency vehicles at any time in any and all directions.</p> <p>7. During the fire suppression pond reconfiguration, the full capacity shall be available at all times providing emergency fire water for the Hilltop industries area.</p> <p>North County Fire District,</p>				