

MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 14, 2009 Time: 1:30 P.M	Agenda Item No.: 7
Project Description: Combined Development Permit including: (1) a General Development Plan, associated with: (a) Industrial Commercial Uses except for auto repair, and (b) inclusion of tradesmen's shops and other light commercial uses. The General Plan is for two buildings, providing a total of 37,680 square feet; (Building A: 21,280 Square Feet; Building B: 16,640 Square Feet). Grading is approximately 132 cubic yards cut and 6,890 cubic yards fill, on a 2.23 acre site.	
Project Location: 2 Spreckels Lane, Salinas	APN: 207-053-006-000
Planning File Number: PLN070391	Name: Steve Wayne Shook Tr Et Al, Property Owner/Agent
Plan Area: Greater Salinas Plan Area	Flagged and staked: Yes
Zoning Designation: : HC [Heavy Commercial]	
CEQA Action: Mitigated Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission:

- (1) Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan in **Exhibit D**;
- (2) Approve the Combined Development Permit based on Findings and Evidence in **Exhibit C** and subject to conditions of approval in **Exhibit D**.

PROJECT SUMMARY:

The project is a two single story tilt-up multi-tenant commercial/industrial buildings totalling 37,680 square feet of space on a 2.23 acre site. The project requires approvals of a General Development Plan. More detail is provided below and in the attached (Exhibit B).

GENERAL DEVELOPMENT PLAN

PLN070391's proposed General Development Plan provides for the construction of two (2) one-story concrete tilt-up industrial buildings (Building A: 21,280 square feet; Building B: 16,640 square feet), providing a total of 21 independent commercial/industrial units, drive aisles, and 75 required parking spaces; allowed Industrial and Commercial Uses, and provides for the inclusion of Tradesmen's Shops and other Light Commercial Uses; and a Demolition Permit for the removal of 12 residential units, associated hardscape, and grading (approximately 132 cubic yards of cut and 6,890 cubic yards of fill) on a 2.23 acre site.

Although based on generalized uses allowed within the Heavy Commercial zone, the General Development Plan proposes to allow certain uses onsite and not to allow other uses which could result in disposal of hazardous materials, such as auto repair.

OTHER AGENCY INVOLVEMENT:

- ✓ Salinas Rural Fire Protection District
- ✓ California Department of Transportation, District 5
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Regional Water Quality Control Board

The above checked agencies and departments have reviewed this project. Conditions recommended by the RMA Planning Department, Salinas Rural Fire Department, Water Resources Agency, Environmental Health and Public Works Department have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project site is located at the boundary of Spreckles land use area, and, as an industrial project replacing an existing residential use, was submitted as a courtesy to the Spreckles Design Review Committee for their review and comment on November 28, 2007.

Melody Gillette, Senior Planner
(831) 769-6056, gillemtem@co.monterey.ca.us
December 10, 2008

cc: Front Counter Copy; Planning Commission Members (10); County Counsel; Salinas Rural Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Taven Kinison Brown, Planning Services Manager; Melody Gillette, Planner; Carol Allen; Steve Wayne Shook Tr Et al, Applicant; Mike Lindstrom, Agent; File PLN070391.

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Recommended Findings and Evidence
Exhibit D Recommended Conditions of Approval and Mitigation Monitoring and Reporting Program
Exhibit E Applicant's General Development Plan
Exhibit F Site Plan, Floor Plan and Elevations
Exhibit G LUAC Minutes
Exhibit H Project Correspondence
Exhibit I Mitigated Negative Declaration
Exhibit J Technical Reports
Exhibit K Comments on Mitigated Negative Declaration
Exhibit L Vicinity Map

This report was reviewed by Taven Kinison Brown, Planning Services Manager and Carl Holm, Deputy Director

EXHIBIT A

Project Information for PLN070391

Project Title: SHOOK STEVE WAYNE TR ET AL

Location:	2 SPRECKELS LN SALINAS	Primary APN:	207-053-006-000
Applicable Plan:	Greater Salinas Area Plan	Coastal Zone:	No
Permit Type:	Combined Development Permit	Zoning:	HEAVY COMMERCIAL
Environmental Status:	MND	Plan Designation:	Commercial
Advisory Committee:	N/A	Final Action Deadline (884):	6/3/2008

Project Site Data:

Lot Size:	97138.8	Coverage Allowed:	GDP
Existing Structures (sf):	DEMO	Coverage Proposed:	38.7
Proposed Structures (sf):	37680	Height Allowed:	35
Total Sq. Ft.:	37680	Height Proposed:	30.5
		FAR Allowed:	GDP
		FAR Proposed:	GDP

Resource Zones and Reports:

Environmentally Sensitive Habitat:	Erosion Hazard Zone:	LOW TO HIGH
Biological Report #: LIB070544	Soils Report #:	LIB070543
Forest Management Rpt. #: N/A		
Archaeological Sensitivity Zone: LOW	Geologic Hazard Zone:	HIGH
Archaeological Report #: LIB070547	Geologic Report #:	LIB070541
Fire Hazard Zone: LOW	Traffic Report #:	LIB070545

Other Information:

Water Source:	WELL	Sewage Disposal (method):	SEPTIC
Water Dist/Co:		Sewer District Name:	N/A
Fire District:	SALINAS RURAL	Grading (cubic yds.):	7,022.0
Tree Removal:	3/WILLOWS		

Date Printed: 12/10/2008

EXHIBIT B

PROJECT DISCUSSION

BACKGROUND

The proposed site currently is developed with twelve (12) residential structures, ten of which are relocated portions of barracks originally located at Fort Ord, and one of which is a storage building; these were moved to the project site by 1947 and are now abandoned, non-conforming structures, having been vacant for more than a year. Demolition of these structures is therefore allowed; however, they are clad in asbestos siding, which needs to be removed in accordance with hazardous materials removal requirements. The twelfth residential structure, more recently built, will also be demolished to provide for the proposed project.

A portion of Old Salinas-Monterey Highway 117, which runs parallel to the existing SR-68, is also required to be processed as an abandonment of a public right of way, to provide for project development. This action has been requested, as noted on Plan Sheet PC-1.

Although easements are required across the project site for utilities and public agency access, no easement requirements within the Spreckles Lane right-of-way are associated with the project; as a condition of approval, Public Works requires an encroachment permit for site access from the Spreckles Lane cul-de-sac.



CREDIT: GOOGLE EARTH

The project site is located within a 100-year floodplain, and has been subject to flooding, along with a large portion of the southerly properties, located on the Salinas River, over the area's historic life. Proposed development is required to conform to U.S. Army Corps of Engineers standards for commercial development within a 100 year floodplain. The project will conform to those requirements under the General Development Plan and Site Plan.

PLN070391

Shook Commercial Industrial Building

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PROJECT PROPOSAL

The project will replace twelve (12) non-conforming structures currently on the project site with two one-story industrial-style buildings and required commercial/industrial parking. The General Development Plan has been designed to allow flexibility for renting these spaces. Prior to development, the closure of wells located onsite as well as the removal of a 100 gallon and 1500 gallon septic tank is required.

The project site is located outside of the Spreckles sphere of influence, but was submitted to the Spreckles LUAC on December 6, 2007 for their review. Because the site was not within the Spreckles LUAC, no vote on the project was taken; however, comments were favorable for the development of the proposed commercial/industrial buildings. Staff has discussed design improvements with the architect and was provided on September 20, 2008, with renderings showing the design to be enhanced by providing a two-toned color palette. There is minor scoring and texturing which will be included in the façade through the texturing of the form used to pour these tilt-up panels.

The project site is adjacent to SR-68, a designated scenic highway. It will be possible to briefly view Building B, the nearest proposed structure to SR-68, through existing trees. As noted, structures are to be painted in varying shades of green to blend with surrounding trees. Viewsheds from other portions of SR-68 are obscured by mature trees on adjacent properties.

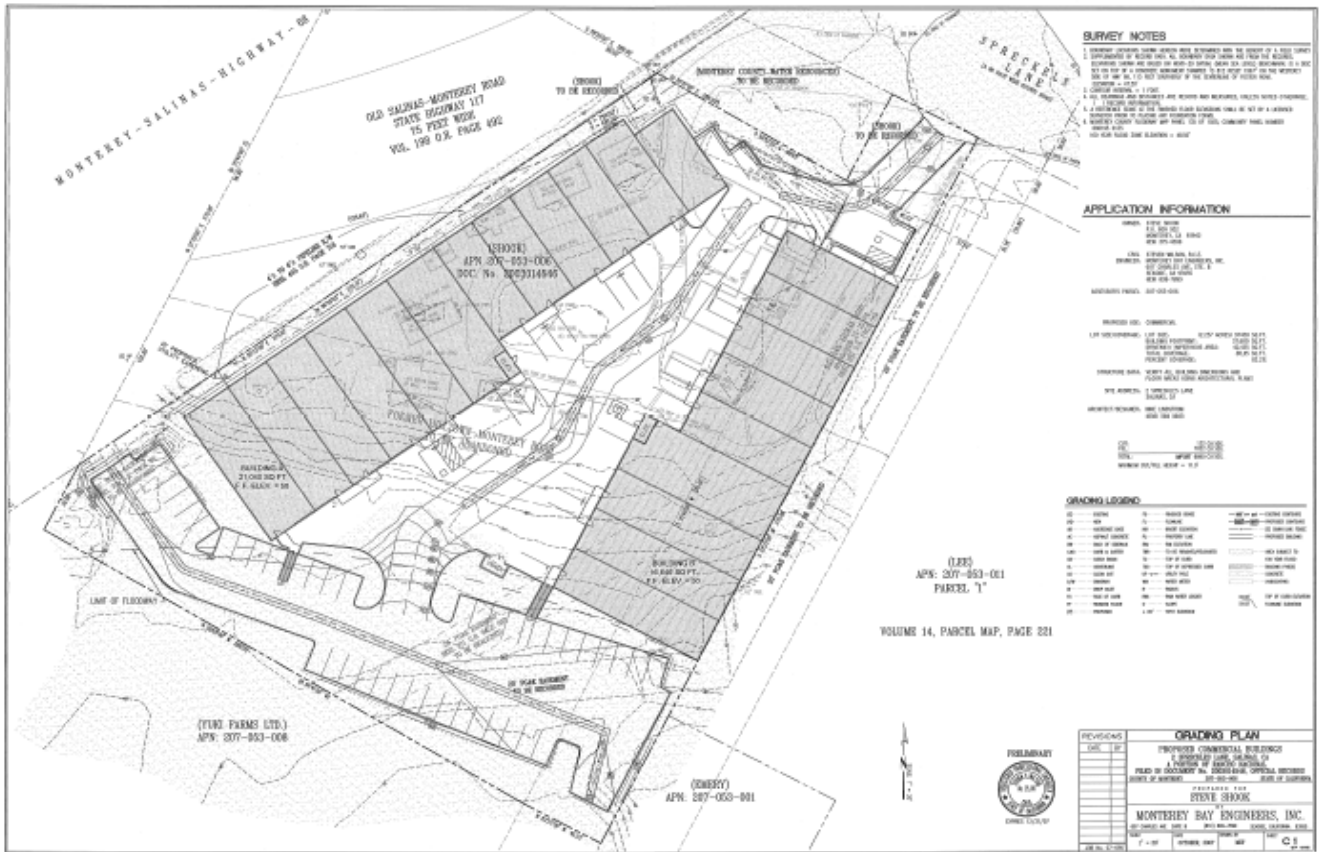
A biological report was prepared for the project site (Vern Yadon, July 14, 2006) and no statute protected threatened or endangered plants or animals were found on the property, nor were any listed plants found on the property requiring CEQA review. Measures have been included in the conditions of approval to ensure any found habitat or species will be preserved.

An existing well on the site has provided water for the residential units, however, in order to provide required fireflow and to place the well uphill and out of the area of the proposed structures, a larger replacement well is to be installed at the front of the property.



EXISTING STRUCTURES VIEWED FROM SR68 : NOTE THAT APPROXIMATE HEIGHT OF VIEW IS AT APPROXIMATELY 48 FEET ABOVE THE ROAD LEVEL.

CREDIT: GOOGLE EARTH



SITE PLAN

100-Year Flood Plain impacts to structures have been addressed according to the requirements of the US Army Corps of Engineers by requiring that the proposed structures be built at an elevation of 50 feet above mean sea level, as shown on the site plans and addressed by the General Development Plan in its discussion of site fill requirements.

REGULATORY CONTEXT

PLN070391 was originally submitted as a Combined Use Permit, including Use Permits identified below and the General Development Plan. In accordance with project requirements, the use permits described below are associated with the General Development Plan and are subcategories of that plan. For convenience, the references submitted on the original application are included in this description to ensure identification of the project is not lost with coverage of the project under the umbrella provision of a General Development Plan.

GENERAL DEVELOPMENT PLAN

As noted in the project summary, Buildings “A” and “B” are tilt-up buildings, supported by concrete pads and requiring minimal construction time. Structures are to be a two single story structures, with nine units in Building “A” and 12 units in Building “B”. The structural heights of these buildings provides a maximum height of 23 feet above finish floor level, which is lower than the maximum allowed structure height of 35 feet.

PURPOSE

The proposed development is to provide commercial/industrial compliance building space for tenant use. These uses are not specifically identified within the General Development Plan but are characterized as being speculative in nature. The proposed structures provide small storage, manufacturing, light industrial and/or commercial/retail space which will serve either those businesses which were originally small enough to be cottage industries but have outgrown residential use allowances because they require staffing, storage, display and public access due to their growth or, as conceived, require formal retail and/or small office, industrial or crafting space but are still too small for larger commercial spaces. Two car parking spaces are provided for each unit, in addition to extra onsite parking. Due to limitations of sewage processing capacity and the proximity of the site to the Salinas River, some uses are limited on the project site. Any uses which would require the washing of goods, equipment, water in the processing of goods, or for human habitation have been identified as uses which are not allowed or strictly limited on the project site.

The following uses are allowed uses or allowed with an administrative or use permit in the Heavy Commercial Zone:

<p>Allowed Uses: Water system facilities including wells and storage tanks serving four or fewer service connections Cultivation, cutting or removal of Christmas trees</p> <p>Uses Allowed by Administrative Permit: Offices less than 5,000 square feet in floor area Auto repair facilities Service stations Shops for tradesmen such as plumbers, electricians, furniture makers and repairmen, appliance repairmen and similar uses Caretaker unit for onsite security Mini-warehouse storage facilities less than 5,000 square feet in floor area Small water system facilities including wells and storage tanks for 5 to 14 service connections Accessory structures and accessory uses to permitted uses which do not intensify the permitted use Photography studio Picture framing business Shoe shop Shoe store Shops of a light commercial character and conducted within a structure Stationery and office supply store Clothing manufacturer</p>	<p>Automobile and truck tow and storage operations Boat and auto sales Agricultural processing plants Furniture manufacturing, finished paper products from paper stock All residential uses provided that the gross square footage of the residential use does not exceed the gross square footage of the commercial use Trucking operations, including offices and facilities for the repair, servicing, fueling, storage, and dispatching commercial trucks Hotels, motels, restaurants and similar visitor facilities Contractors yards and offices Chemical laboratories, electronic products and instrument manufacturing Research laboratories Warehouses for the collection, packaging and distribution of agricultural and horticultural products Day care centers The exploration for and the removal of oil and gas Other uses similar in character, density and intensity Expansion of legal nonconforming uses Changes of legal nonconforming uses to similar uses Zoological gardens for wild animals</p>
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<p>Day care center for on-site employees and employees on the same lot or subdivision</p> <p>Boarding kennels</p> <p>Additions to existing approved wireless communications facilities</p> <p>Uses Allowed by Use Permit:</p> <p>Office complexes greater than 5,000 square feet in area</p> <p>Automobile and recreational vehicle storage yards</p> <p>Contractor's equipment storage facility</p> <p>Retail sales which are accessory and incidental to the uses permitted</p> <p>Bag cleaning or rag works</p> <p>Water well drilling business</p> <p>Public utility uses and accessory structures, including corporation yards or similar uses</p> <p>Wholesale distributors of petroleum products, contractor yards, welding shops and other similar uses</p>	<p>Public and quasi-public uses including churches, parks, playgrounds, schools, public safety facilities, etc.</p> <p>Ridgeline development</p> <p>Removal of minerals and natural materials for commercial purposes</p> <p>Wholesale and retail establishments distributing materials and products essential to agriculture and farming operations, except manure</p> <p>Propane distributorship and sales and service, wholesale distributors of petroleum</p> <p>Lumber yards</p> <p>Bottling works</p> <p>Wholesale stores and storage</p> <p>Storage garages</p> <p>Service Centers</p> <p>Open air retail and wholesale sales</p> <p>Wireless communications facilities, per Section 21.64.310.</p>
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Wastewater processing on site is limited because of the height of the water table and the proximity of the Salinas River downslope. The onsite sewage treatment is designed to process a wastewater flow of less than 630 gallons per day. Therefore, project uses have been restricted to those uses which are low in consumption in water. The following uses are prohibited or limited uses to be included in the project approval are identified in Condition 6:

<p>Prohibited or Limited Uses</p> <p>Generally Allowed Uses</p> <ul style="list-style-type: none"> ▪ Water system facilities including wells and storage tanks serving four or fewer service connections ▪ Cultivation, cutting or removal of Christmas trees <p>Generally Allowed Under Administrative Permit</p> <ul style="list-style-type: none"> ▪ Offices less than 5,000 square feet in floor area ▪ Auto repair facilities (foregone by the applicant) ▪ Service stations with auto repair ▪ Shops for tradesmen such as plumbers, electricians, furniture makers and repairmen, appliance repairmen and similar uses ▪ Caretaker unit for onsite security ▪ Small water system facilities including wells and storage tanks for 5 to 14 service connections ▪ Accessory structures and accessory uses to permitted uses which do not intensify the 	<ul style="list-style-type: none"> ▪ Trucking operations, including offices and facilities for the repair, servicing, fueling, storage, and dispatching of commercial trucks (with repair and washing) ▪ Hotels, motels, restaurants and similar visitor facilities ▪ Bag cleaning or rag works ▪ Public utility uses and accessory structures, including corporation yards or similar uses ▪ Furniture manufacturing, finished paper products from paper stock ▪ All residential uses provided that the gross square footage of the residential use does not exceed the gross square footage of the commercial use ▪ Other uses similar in character, density and intensity ▪ Expansion of legal nonconforming uses ▪ Changes of legal nonconforming uses to similar uses ▪ Zoological gardens for wild animals ▪ Public and quasi-public uses including churches, parks, playgrounds, schools, public
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permitted use <ul style="list-style-type: none"> ▪ Photography studios (digital studios are allowed with Administrative Permit) ▪ Caretaker unit for onsite security ▪ Clothing manufacturer ▪ Day care center for on-site employees and employees on the same lot or subdivision ▪ Boarding kennels Generally Allowed Under Use Permit <ul style="list-style-type: none"> ▪ Automobile and truck tow and storage operations (with vehicle repair and washing) ▪ Boat and auto sales (with repair and washing) ▪ Agricultural processing plants 	safety facilities, etc. <ul style="list-style-type: none"> ▪ Chemical laboratories, electronic products and instrument manufacturing ▪ Research laboratories ▪ Warehouses for the collection, packaging and distribution of agricultural and horticultural products ▪ Day care centers ▪ Bottling works ▪ Wholesale stores and storage ▪ Service Centers (with auto repair) ▪ Open air retail and wholesale sales
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The applicant is required by the Conditions of Approval to submit a revised General Development Plan which identifies the above uses as the only ones allowed on the site. No other uses are allowed by the revised General Development Plan unless the Plan is formally revised and revisions approved in accordance with County requirements.

SITE PREPARATION

The following is required prior to construction:

- Demolition of the 12 residential structures onsite
- Development of a new well to be located adjacent to the cul-de-sac from Spreckles Lane.
- Closure of the existing 8 inch well interior to the site.
- Provision of utility rights-of-way across the property.
- Development of a septic system and leachfield.
- Grading of the site, including cut and fill within the area of the two new structures to bring the level of the buildings to the required 50 feet above mean sea level (49 feet required + 1 foot).
- Construction of a stormwater drainage system.
- Abandon Highway 71 right-of-way
- Complete easement process for utilities and water district access to the project site.

USES

In order to address these issues appropriately, a revised General Development Plan will be required as a Condition of Project Approval, including a list of allowed uses as follows:

<ul style="list-style-type: none"> ▪ Service stations ▪ Mini-warehouse storage facilities less than 5,000 square feet in floor area ▪ Photography studio (digital only) ▪ Picture framing business ▪ Shoe shop ▪ Shoe store ▪ Shops of a light commercial character and 	<ul style="list-style-type: none"> ▪ Boat and auto sales (no onsite repair or washing) ▪ Contractors yards and offices ▪ The exploration for and the removal of oil and gas ▪ Other uses similar in character, density and intensity ▪ Removal of minerals and natural materials
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<p>conducted within a structure</p> <ul style="list-style-type: none"> ▪ Stationery and office supply store ▪ Additions to existing approved wireless communications facilities ▪ Office complexes greater than 5,000 square feet in area ▪ Automobile and recreational vehicle storage yards (no onsite repair or washing) ▪ Contractor's equipment storage facility ▪ Retail sales which are accessory and incidental to the uses permitted ▪ Water well drilling business ▪ Wholesale distributors of petroleum products, contractor yards, welding shops and other similar uses 	<p>for commercial purposes</p> <ul style="list-style-type: none"> ▪ Wholesale and retail establishments distributing materials and products essential to agriculture and farming operations, except manure ▪ Propane distributorship and sales and service, wholesale distributors of petroleum ▪ Lumber yards ▪ Storage garages ▪ Service Centers (no auto repair) ▪ Wireless communications facilities, per Section 21.64.310.
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Included in the conditions of approval is the requirement from the Environmental Health Division that tenants having the following uses will require a Hazardous Materials permit from the Environmental Health Department.

- Service stations
- Wholesale distributors of petroleum products, contractor yards, welding shops and other similar uses
- Additions to existing approved wireless communications facilities
- The exploration for and the removal of oil and gas
- Wholesale and retail establishments distributing materials and products essential to agriculture and farming operations, except manure
- Propane distributorship and sales and service, wholesale distributors of petroleum
- Wireless communications facilities, per Section 21.64.310

GENERAL DEVELOPMENT PLAN

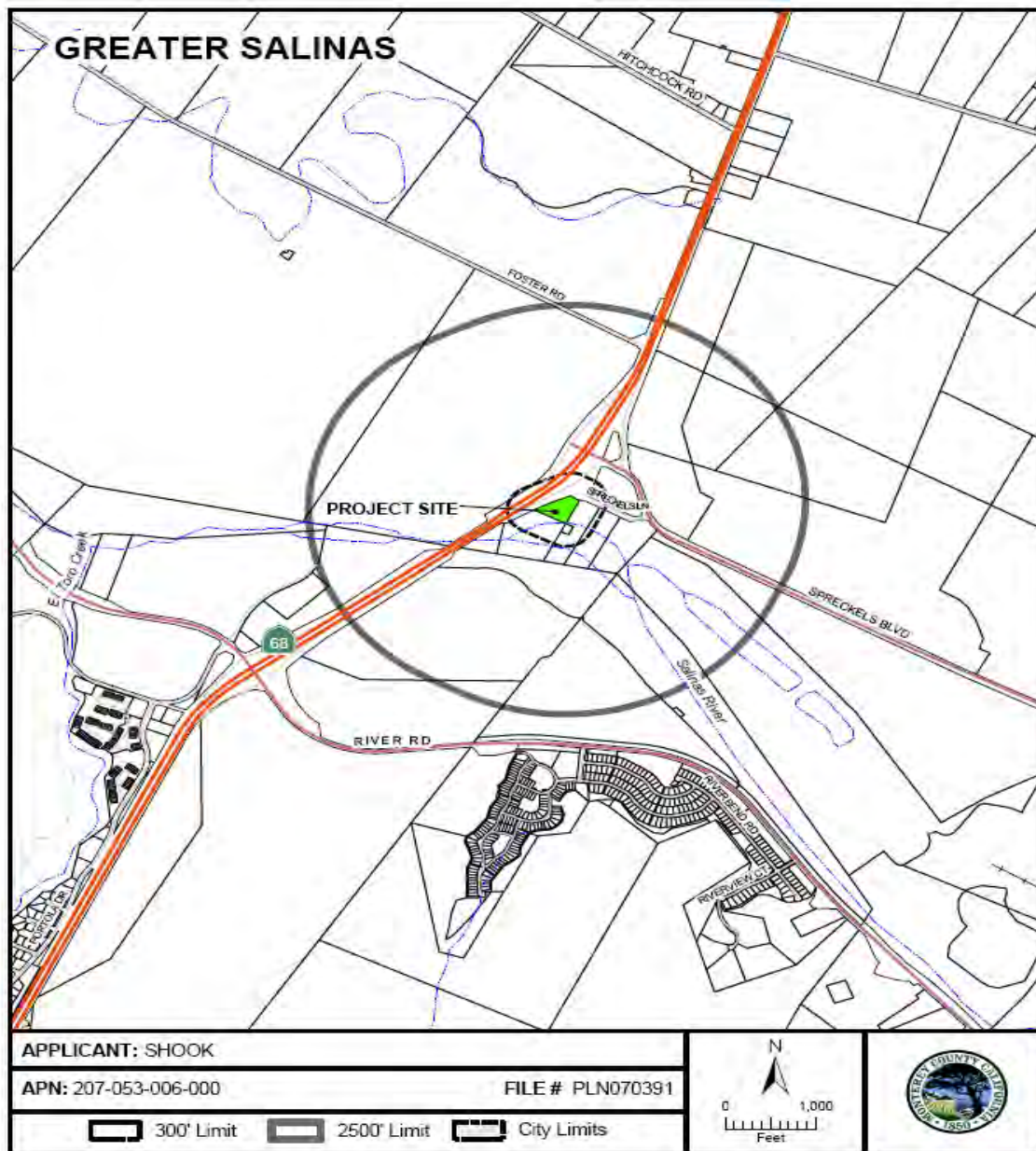
Planning Commission approval of a General Development Plan for the construction of the two proposed buildings totaling 37,680 square feet is required. In support of Planning Commission assessment of the project, an Initial Study, as well as the required reports listed in the main document, have addressed the potential impacts of the project and it has been determined that the project may be approved subject to the conditions of approval and measures identified by the Mitigated Negative Declaration for this Initial Study.

Amendments to a General Development Plan may be waived by the Director of RMA - Planning Department, if no potential significant adverse impacts are found.

The provisions below are now under the umbrella approval of the General Development Plan. Original language in project descriptions included the identifications below. For this reason, those portions of the project now covered by the General Development Plan are maintained in this document under use and administrative permit requirements for reference purposes.

USE PERMIT

This is identified as section (a) in the project description. The original provisions of this Use Permit were to allow Industrial and Commercial uses, except for auto repair. As noted above, the limitations of sewage treatment on this site, in addition to the location of the project site within the 100- year flood zone, require that the uses on the site exclude or require tailoring to provide for a wastewater flow of less than 630 gallons per day of wastewater on the site is proposed. This also means that any use which has a large cleaning or manufacturing component which typically requires the regular and extensive use of water in its process would be inappropriate for the site. Approval of the project development will include conditions of approval which the property owner will be required to address as the units are leased. Because these curtailments are a reflection of the limitation of the sewer system, the system's own limits to some extent regulate the site's uses and capacity for development.



ADMINISTRATIVE PERMIT

This is identified as section (b) in the project description. The proposed project was identified in the General Development Plan to be for construction of Tradesmen's shops and other Light Commercial uses, which may be permitted with a General Development Plan allowed under Administrative Permit for the HC Heavy Commercial Zone. However, as noted above, this provision is further controlled by the above restrictions on use associated with sewerage limitations.

Traffic impacts of light residential use of a site as compared with the proposed uses has been reviewed in a traffic impact assessment and its potential traffic impacts are addressed by transportation management fees, with an estimate provided within the traffic report, "Spreckels Lane Industrial Center; Monterey County (Spreckels), California Project Trip Generation, Access and Traffic Impact Fee" (Pinnacle Traffic Engineering. June 18, 2008.)

The project site is located entirely within Zone A12, 100-year Floodplain of the Salinas River, as shown on the effective FEMA Flood Insurance Rate Map 060195-0315 D, dated January 30, 1984. The parcel is located partially within the Floodway; however, the proposed project is located within the Floodway Fringe. The Base Flood Elevation is 49 feet mean sea level (NGVD 1929).

As noted above, potential impacts of the existing 100-year floodplain upon which the project is sited have been addressed. The remainder of the property will be used for driveway and parking purposes, all of which are located outside of the Floodway itself, in accordance with US Army Corp of Engineers, state and local floodplain development requirements and project conditions.

Water supply for the project site is currently taken from an existing well, which will be replaced by a larger well, to be sunk at the northern portion of the property. Based upon assurances by well technicians, and with the determination of the Salinas Rural Fire District that, based upon the information at hand and the professional assurances provided, the new well would provide adequate fire flow, staff has agreed that the project preparation is adequate to submit PLN070391 to the Planning Commission for review.

Visual impacts are limited, based upon assessment of the existing shrub and trees onsite which are identified as remaining. Viewsheds from the south and west are most critical, since the project is viewed as part of the hillside above the Salinas River from the south, across Scenic Highway 68's bridge and to the east from the highway itself. Provisions of landscaping in the parking area, adding to the reduction of visual impact from the south along scenic Highway 68, are required to meet at minimum the landscaping requirements of ten percent for the HC zone, providing a minimum of 9,713 square feet of landscaping, either by existing plant materials or newly designed landscape areas.

Site review, photographic evidence, and the applicant's provision of staking support the determination that the project will be minimally visible from passing traffic along SR68. It is also noted that, while a scenic highway, SR68 provides a major view to the north and west of the project site; the site is currently, and upon completion of the project, will further be obscured by plant materials with landscape installation along the west side of Building "B".

Signage on the project site is addressed in the General Development Plan, which reflects the standards of the Monterey County Sign Ordinance (Ordinance No. 5099).

SITE IMPROVEMENTS

The project required site improvements include

- Grading of parking spaces at the south portion of the property in accordance with requirements that no significant volume of cut and fill be made adjacent to the flood channel.
- Installation of curbs and gutters for downslope areas.
- Provisions of methods to achieve conservation of sites with potential sensitive species, if found.
- Installation of landscaping identified in biological reports as outside of existing native areas not to be disturbed and as reflected in landscape plans.
- Installation of a six foot high chain link fence surrounding the property and a security gate at the front driveway.

ENVIRONMENTAL REVIEW - CEQA

In accordance with the California Environmental Quality Act, a Mitigated Negative Declaration was prepared in association with an Initial Study and filed with the County Clerk on October 31, 2008. The Mitigated Negative Declaration provided measures to avoid impacts to birds and traffic. A Notice of Intent to Adopt a Mitigated Negative Declaration was submitted for public review on October 31, 2008. Public review of this Initial Study/Mitigated Negative Declaration was provided from October 31, 2008 to December 1, 2008. During that period, staff received no public comments.

As noted above and in Finding No. 2, below, environmental review of the project site determined that Mitigation Measures were required to meet RMA - Planning Department, Salinas Rural Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency requirements and reduce the project's impacts to less than significant levels (**see Exhibit D**). Other associated issues, such as transportation and floodway impacts, have been addressed by payment of fees and project design. Revisions have been made to the project, Initial Study and its Mitigation Monitoring Plan as required and are presented herewith in support of the above required regulatory approvals.

ANALYSIS

The project as proposed conforms to the structural provisions of the Heavy Commercial zone; it will replace nonconforming, vacant residential structures with two tilt-up commercial type buildings. The design of the proposed project is minimally acceptable, having a slightly textured façade and color strips to reduce the impact of the buildings' flat, boxy surfaces. The site is screened from view from State Route 68 by existing trees located outside of the property. Landscape plans for the replacement of onsite trees as well as the planting of additional trees within the parking area and at the building façade lines will further reduce the visual impact, both from adjacent properties and roads and from the interior of the project site. Visual impact is also somewhat reduced by two-tone green paint. The applicant has provided an indication of signage with the footprint of a monument sign at the front of the project site and has noted in the General Development Plan that the project will basically conform to Sign Ordinance No. 5099.

With regard to natural habitat, the project site's biological study determined that none of note exist on this residential site, but also provides a means to address any habitat or species found during construction. During staff's site visit on September 24, 2008, it was noted that sand had been dumped on site preliminary to construction activities, over-covering what appear in the aerial photo, above, to be bare earth. Structures will be built in accordance with building requirements associated with commercial buildings within a 100-year flood plain; the floodway itself does not cross the property at any point, although it is located along the southwesterly property line.

The project will fill a need within the County of Monterey, where home occupations are allowed, but there is little available space in the County which provides an intermediate use, where employees can be onsite and an expanding business has facilities to provide for work, storage of goods and finished products. In addition, the project will provide small-scale storage facilities for warehousing personal property, such as recreational vehicles, and commercial goods. Although the site is limited by its ability to process sewage, limiting the uses to those which will not generate large volumes of waste water is intended to limit strain on the capacity of the system, and, although the number of uses are reduced, these limitations are not expected to reduce the potential for site use.

MITIGATED NEGATIVE DECLARATION

An Initial Study was prepared which identified potential environmental affects to aesthetics, air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality and transportation/traffic. As a result of the study, it was determined that the proposed project would result in no impacts to cultural resources, land use planning as it related to habitat conservation and natural communities, mineral resources, population, or recreation facilities.

Issues which required further discussion included the impacts of a septic system on groundwater and adjacent property wellwater, as well as potential impacts of flooding on structures on site. Limitations to the types of projects allowed served to curtail impacts on the volumes of sewage entering the septic system through conditions of the Environmental Health Division. Requirements for fireflow increases and discussion of the scheduled provision of available water were supported to the satisfaction of the Salinas Rural Fire Department. Payment of transportation fees serve as a substitute for transportation reduction measures during construction and site use. These measures reduced the project's potential environmental impact to a determination that the project would not cause significant environmental effects due to the above revisions and, subsequently a Mitigated Negative Declaration has been prepared and submitted for public review from October 30, 2008 to December 1, 2008. No comments were received from the public.

CONCLUSION

Staff concludes that, with the conditions placed upon the project, and the proposed mitigation measures, the project's potential impacts will not be significant, and that the project will serve a need within the community which is not generally addressed by developers. The project, as conditioned and in accordance with mitigation measures, complies with the requirements of a Combined Development Permit. Therefore, staff recommends that the Planning Commission approve the Combined Development Permit for PLN070391 – Shook Commercial/Industrial Building as conditioned and its Mitigated Negative Declaration or direct staff regarding additional conditions or other actions.

EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY** – The project proposed, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, the Greater Salinas Area Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

(b) The property is located at Assessor's Parcel No. 207-053-006-000, Greater Salinas Area Plan. The parcel is zoned Heavy Commercial ("HC") which allows, by Use Permit, the development of the proposed project for two multi-use tilt-up buildings to be provided for multiple types of uses. Uses have been reviewed and revised to reduce septic system demand. Landscaping has been proposed which will reduce visual impact of the project site on SR68, a scenic highway, and provide internal visual relief from the downslope view of the project's parking areas.

(c) Uses on this site are restricted, by the ability of the site's wastewater system to process only a minimal daily wastewater level. The property is suitable for the proposed development, in that it provides for commercial/industrial uses consistent with the Heavy Commercial (HC) zoned property, conforms to requirements for development within a 100-year flood plain, is located within an area already obscured from view by existing trees, and will add other trees to further conceal the structure from passing view along SR68.

(d) County Planning staff and the environmental consultant have conducted numerous site inspections, including a site inspection on September 24, 2008 to verify that the project on the subject parcel conforms to the plans listed above.

(e) The project site includes the demolition of twelve structures, ten of which were originally military barracks buildings, relocated around 1947 from Fort Ord to the project site. In 1957, they were clad in asbestos siding, which was later over-covered with aluminum siding. In addition, a two-story residential structure building was constructed in 2002. Review of the project site determined that the structures lack historic importance and over the years their structural integrity has been compromised. These structures do not provide significant examples of a particular style or period of structure.

(f) The project will be developed within a 100-year floodplain in accordance with US Army Corp of Engineers, state and county requirements to reduce potential risks to property and human safety to the extent possible.

(g) On November 28, 2007, the project was heard by the Spreckles Design Committee and, although the project is immediately adjacent to and outside the Spreckles area, the proposed use was seen as a positive step. This is a subjective view, but is based on the valuation of an existing

abandoned non-conforming structure in comparison with a proposed development which conforms to commercial/industrial uses.

- (h) An Initial Study was required, due to the following issues: 1) Potential impacts of the proposed demolition of residential units and construction of speculative commercial/industrial buildings; 2) The need to determine historic significance of existing residential uses; 3) The difference in parking and traffic typical for each use; 4) The location of the entire site within a 100-year flood plain; 5) Construction impacts on the riverine areas adjacent to the site; and 6) The location of the project site at the boundary of Highway 68, a scenic vista highway. The project has undergone an Initial Study and associated site studies of geologic, biologic, historic, transportation, and archeological issues, with proposed mitigation incorporated herewith as conditions of approval.
- (h) 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 PLN070391.

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

EVIDENCE: (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. Conditions recommended by these agencies have been incorporated.

- (b) Technical reports by outside biological (Ray Parks and Associates, July 14, 2006), traffic (Higgins Associates, June 27, 2006), historical (Kent L. Seavey, June 20, 2006), archaeological (Archeological Consulting, June 2, 2006), and geological (Craig S. Harwood, November 3, 2006) consultants indicated that there are wastewater handling constraints which require that the project be restricted in its uses to provide adequate wastewater handling onsite; these requirements are physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:

- i. “A Biological Report for Spreckels Warehouse, 2 Spreckels Lane, Salinas California 93908, APN-207-0530006(sic)” (LIB 070543) prepared by Vern Yadon for Ray Parks and Associates, Carmel, California, July 14, 2006 (fieldwork: July 13, 2006).
- ii. “Spreckels Contractor Center Trip Generation” (LIB 070545) prepared by Higgins Associates, Civil and Traffic Engineers, Carmel, California, June 27, 2006).
- iii. “Preliminary Archeological Reconnaissance for Assessor’s Parcel 207-053-006, Spreckels, Monterey County, California” (LIB070747) prepared by Archeological Consulting for Ray Parks and Associates, Carmel, California, June 2, 2006).

- (c) Staff conducted a site inspection on September 24, 2008 to verify that the site is suitable for this use.
- (d) As reviewed in detail in the Initial Study and the proposed Mitigated Negative Declaration, the site is suitable for the development proposed in that Geologic hazards are low, Erosion hazards have been addressed in accordance with 100-Year Flood zone development protocols, three trees

proposed for removal will be replaced, and the property is not considered Environmentally Sensitive Habitat. Review of the site for potentially significant archeological resources has determined that the area does not contain surface evidence of potentially significant archeological resources. Furthermore, existing on-site structures do not qualify as historically important. Mitigation measures have been proposed to mitigate to less than significant levels potential impacts to Cultural Resources, Biological Resources, Hydrology and Water Quality, Land Use and Planning, Fire Protection, and Transportation (see Conditions 1- 29). Evidence supports the conclusion that impacts would be less than significant with mitigation incorporated for these resource subjects and that the site is suitable as conditioned for the uses proposed in the General Development Plan for the Shook Commercial Industrial Building.

- (e) The project is located at 2 Spreckles Lane, Salinas, and is subject to the Monterey County General Plan and the Greater Salinas Area Plan. As described in Evidence for Finding #1, the Spreckles Commercial Industrial building proposal is consistent with the rules and regulations pertaining to zoning uses and other applicable provisions of Title 19 and Title 21, and is therefore suitable for the proposed development.
- (f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency – Planning Department for the proposed development found in Project File PLN070391.

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

- EVIDENCE:**
- (a) The proposed project is subject to environmental review due to the potential for significant environmental effects pursuant to CEQA Guidelines Section 15070) Decision to Prepare a Negative or Mitigated Negative Declaration).
 - (b) Potentially adverse environmental effects were identified during staff review of the development application.
 - (c) The Monterey County and Denise Duffy Associates prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the office of the RMA-Planning Department and is hereby incorporated by reference (file No. PLN070391). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. The Initial Study Identified potentially significant effects relative to Cultural Resources, Biological Resources, Hydrology and Water Quality, Land Use and Planning, Fire Protection, and Transportation (see Conditions 1- 29). Substantial evidence supports the conclusion that impacts will be less than significant with mitigation incorporated for these issues.
 - (d) The Mitigated Negative Declaration was circulated for public review from October 30, 2008 to December 1, 2008.
 - (e) The Monterey County Resource Management Agency – Planning Department (located at 168 W. Alisal Street, 2nd Floor, Salinas, CA 93901) is the custodian of documents and other materials that constitute the

record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

- (f) A Condition Compliance and Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is designed to ensure compliance with conditions and that mitigation measures are monitored and reported during project implementation. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and Reporting Program” as a condition of project approval.
- (g) For purposes of implementing Section 753.5 of Title 14, California Code of Regulations the project may cause changes to the resources listed under section 753.5. Therefore, payment of the Fish and Game fee is required.
- (h) Evidence that has been received and considered includes the application, plans, materials, and technical reports, which are listed under Section IX (References) of the Initial Study and contained in Project File PLN070391.
- (i) Comments received on the project did not present substantial evidence of any unmitigated significant impact. During the circulation period for the Proposed Mitigated Negative Declaration (October 30, 2008 to December 1 2008) no comments were received.
- (j) To mitigate the physical impacts of the project, the following is a summary of the mitigation measures proposed:
 - Cultural Resources: One mitigation measure for potential impacts to Cultural Resources is in the proposed Mitigated Negative Declaration. This requirement is to ensure that any uncovered cultural, archeological, historical or paleontological resources will result in stoppage of work and evaluation by a professional archeologist. (Condition PD-3a).
 - Biological Impacts: Two mitigation measures for Biological resources are in the proposed Mitigated Negative Declaration. Both measures are associated with preconstruction surveys of nesting birds and worker training, and are time driven, based upon construction dates. (Mitigation Measures MM1 and MM2).
 - Hydrology and Water Quality: Three mitigation measures for potential impacts to Hydrology are in the proposed Mitigated Negative Declaration: of these, one requirement for a drainage plan to be prepared in accordance with the requirements and approval of the Water Resources Agency; the structural height is required to be 50 feet above mean sea level, in accordance with floodproofing requirements and concrete slab inspection is required to achieve a FEMA Elevation Certificate for each building, submitted to the Water Resources Agency in compliance with floodplain structural stability requirements (Conditions WR01-WR03).
 - Land Use and Planning: Eight mitigation measures regarding compliance with the plans as proposed (Conditions 1 – 7 and 9) from the Planning Department. In addition, two conditions of approval restricting land use to ensure reduction of septic system use from Environmental Health (Conditions 8 and 22).
 - Fire Protection: Seven mitigation measures regarding fire access, sprinkler installation, hydrant installation and fireflow requirements to ensure site fire safety (Conditions 10-16).
 - Transportation: One mitigation measure requiring payment of a Transportation Agency of Monterey County’s (TAMC) regional traffic

mitigation fee, calculated to be \$43,000, for improvements to the regional circulation network (Mitigation Measure MM3).

- Comments received on the project did not present substantial evidence of any unmitigated significant environmental effects.

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

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

5. FINDING: HEALTH AND SAFETY - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: (a) The project site is restricted to uses which will not exceed the site's ability to provide sewage processing (631 gpd), as noted in 1(b). This requirement is to be recorded as part of the project approval.

(b) Structures are to be developed in accordance with requirements for commercial structures adjacent to floodways and within 100-year flood plans, as evidenced in site plans.

(c) Potential transportation impacts are addressed by mitigation measures consisting of a share of the regional traffic mitigation.

(d) Potential water quality and usage requirements have been met to the satisfaction of the Environmental Health Division, as conditioned.

3. FINDING: APPEALABILITY - The decision on this project is appealable to the Board of Supervisors and not the California Coastal Commission.

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

**Department: County of Monterey Resource Management Agency – Planning Department
Condition Compliance & Mitigation Monitoring
and/or Reporting Plan**

Project Name: **SHOOK INDUSTRIAL/COMMERCIAL PROJECT**

File No: PLN070391 APNs: 207-053-006-000

Approval by: _____ Date: _____

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/ date)
1.		<p>PD001 SPECIFIC USES ONLY This Combined Development Permit (PLN070391) allows the construction of two (2) one-story, concrete tilt-up industrial buildings a total of 37,680 square feet (Building A: 21,280 square feet; Building B: 16,640 square feet). The property is located at 2 Spreckles Lane (Assessor's Parcel Number 207-053-006-000), Greater Salinas Area Plan/Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning 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.</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/ date)</i>
		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.				
2.		PD002 NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution #070391) was approved by the Planning Commission for Assessor's Parcel Number 207-053-006-000 on (January 14, 2009). The permit was granted subject to ___ 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.	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.		PD003a CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/ date)</i>
4.		<p>PD004 INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless.</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

<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>
5.		<p>PD005 FISH AND GAME FEE-NEG DEC/EIR</p> <p>Pursuant to the State Public Resources Code § 753.5, 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.</p>	<p>The applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p>	Owner/ Applicant	Within 5 working days of project approval.	
			<p>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.</p>	Owner/ Applicant	Prior to the recordation of the final map, the start of use or the issuance of building or grading permits	
6.		<p>PD006 MITIGATION MONITORING PROGRAM</p> <p>The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement.</p>	<p>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.</p> <p>2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</p>	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	

<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>
SALINAS RURAL FIRE DISTRICT						
10.		<p>FD030 NON-STANDARD CONDITIONS ROAD ACCESS</p> <p>Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum width of 20 feet with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (Salinas Rural Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	Applicant or owner	Prior to final building inspection.	
11.		<p>FD030 FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</p> <p>Any building having a total floor area greater than 5,000 square feet shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-</p>	<p>Applicant shall enumerate as “Fire Dept. Notes” on plans.</p>	Applicant or owner	Prior to issuance of building permit.	
			<p>Applicant shall schedule fire dept. rough sprinkler inspection</p>	Applicant or owner	Prior to framing inspection	

<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>
		16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Salinas Rural Fire District)	Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
12.		FD030 NON-STANDARD CONDITIONS - FIRE ALARM SYSTEM - (COMMERCIAL) Any sprinklered building having 50 or more fire sprinklers shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. (Salinas Rural Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
13.		FD030 NON-STANDARD CONDITIONS – HYDRANTS AND FIRE FLOW- Hydrants for fire protection shall be provided at locations approved by the Salinas Rural Fire District and shall conform to the following requirements: a. FIRE FLOW - Pursuant to Uniform Fire Code	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.	

<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>Appendix III-A, the minimum fire flow requirement for 21,040 square foot commercial facilities built with Type V-N construction is 4,000 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 4 hours. Fire flow for facilities protected with automatic fire sprinkler systems may be reduced to 1,500 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 4 hours.</p> <p>b. TIMING OF INSTALLATION - Approved fire protection water supply systems must be installed and made serviceable prior to the time of construction.</p> <p>c. HYDRANT/FIRE VALVE (ADDITION) – A new hydrant shall be installed.</p> <p>d. HYDRANT/FIRE VALVE (LOCATION) - The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway.</p> <p>e. FIRE HYDRANTS - Hydrants shall be installed in accordance with spacing set forth in Uniform Fire Code Appendix III-B and in accordance with the following specifications:</p>	<p>Applicant shall provide improvement plans to the fire district. Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of Building Permit</p>	

<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>f. HYDRANT SIZE - The hydrant shall have a minimum of two (2) 2-1/2 inch outlets NST and one (1) 4-1/2 inch outlet NST. The riser shall be a minimum of six (6) inches and shall be wet barrel type with a coefficient of 0.9.</p> <p>g. SIGNING OF WATER SOURCES - Hydrant or fire valve identification may be allowed as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Salinas Rural Fire District)</p>				
14.		<p>FD030 NON-STANDARD CONDITIONS – EMERGENCY ACCESS KEYBOX – Emergency access keybox shall be installed and maintained. The type and location shall be approved by the fire department. The fire department shall be notified when locks are changed so that the emergency access keybox can be maintained with current keys. (Salinas Rural Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	Applicant or owner	Prior to final building inspection.	
15.		<p>FD030 NON-STANDARD CONDITIONS – PORTABLE FIRE EXTINGUISHERS – Portable fire extinguishers shall be installed and maintained in accordance with Uniform Fire Code Standard 10-1. (Salinas Rural Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of building permit.	

<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>
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection.	
16.	FD007	FD007 FIRE PROTECTION SYSTEM – Applicant shall install a well and generator system sufficient to provide, pursuant to Uniform Fire Code Appendix III-A, the minimum fire flow requirement for 21,040 square foot commercial facilities built with Type construction is 4,000 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 4 hours. Fire flow for facilities protected with automatic fire sprinkler systems may be reduced to 1,500 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 4 hours (Salinas Rural Fire Department)	Prior to the issuance of a building permit, the water system plans must be submitted and approved, and the water system installed, tested and accepted.	Applicant or owner	Prior to issuance of a building permit	
MONTEREY COUNTY PUBLIC WORKS DEPARTMENT						
17.	PW005	PW005 ENCROACHMENT (STD DRIVEWAY) Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to (Spreckels Lane). (Public Works)	Prior to the issuance of a building permit, an encroachment permit shall be obtained	Applicant or owner	Prior to the issuance of a building permit.	

<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>
18.	PW007	PW007 PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)	Parking standards shall be met on plan and parking spaces shall be located, striped and identified in accordance with approved plans.	Applicant or owner	Prior to the release of a certificate of occupancy	
19.	PW000	PW000 NON-STANDARD – TAMC FEES Prior to issuance of building permits, applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. (Public Works)	Transportation fees shall be paid by the applicant or owner to the Transportation Agency of Monterey County.	Applicant or owner	Prior to issuance of building permits.	
MONTEREY COUNTY ENVIRONMENTAL HEALTH						
20.	EHSP01	EHSP01 DEED NOTIFICATION – Commercial Use Prior to approval of building or grading permits, a deed notification shall be recorded with the Monterey County Recorder which states: "Commercial uses on this property must be subject to the following: Only uses with minimal water consumption will be allowed. Commercial uses allowed on the property are those specified by the light commercial uses contained in Section 21 .18.050 of the Title 21 Zoning Ordinance. (Environmental Health)	Record deed notification and submit proof of recordation to Environmental Health.	Owner/ Applicant	Prior to issuance of grading or building permits	

<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>
7.		<p>PD001 PROHIBITED USES</p> <p>Based upon the requirements of water and sewer service, the project site shall not include the following uses, normally included within the provisions of the HC Zone: Caretaker unit, bottling works, shops of a light commercial nature, agricultural processing plants, and electronic products or instrument manufacturing. (Environmental Health)</p>	The applicant/owner shall enter into an agreement with the County of Monterey which identifies those allowed uses, in accordance with Title 21 of the Monterey Zoning Code and prohibiting uses on the project site identified by Environmental Health as inappropriate and excessive uses for the project site.	Applicant/ RMA-PD	Prior to site occupancy as approved by the County of Monterey.	

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8.		<p>ENVIRONMENTAL HEALTH – HAZARDOUS MATERIALS PERMITS</p> <p>Tenants having the following uses will require a Hazardous Materials permit from the Environmental Health Department.</p> <ul style="list-style-type: none"> ▪ Service stations ▪ Wholesale distributors of petroleum products, contractor yards, welding shops and other similar uses ▪ Additions to existing approved wireless communications facilities ▪ The exploration for and the removal of oil and gas ▪ Wholesale and retail establishments distributing materials and products essential to agriculture and farming operations, except manure ▪ Propane distributorship and sales and service, wholesale distributors of petroleum ▪ Wireless communications facilities, per Section 21.64.310 	<p>Prior to obtaining building permits, the tenant shall submit plans and a description of his operation to the Environmental Health department to ensure Hazardous Materials permits are obtained and compliance has been achieved.</p>	Applicant/Tenant	Ongoing	
WATER RESOURCES AGENCY						

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20.		WR01 DRAINAGE PLAN (WR) Prior to issuance of any grading or building permits, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts, that includes routing stormwater runoff from the paved parking areas to oil-grease/water separators. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	
21.		WR02 ZONE A1-A30 ELEVATION REQUIREMENTS The lowest floor and attendant utilities for each building shall be constructed at a minimum elevation of 50 feet mean sea level (NGVD 1929). The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the floodproofing and certification of the lowest floor elevation. (Water Resources Agency)	Submit a letter to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	
22.		WR03 CONCRETE SLAB INSPECTION The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate for each building, completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the minimum lowest floor elevation requirement. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate for each building, based on building under construction,	Owner/ Applicant	Prior to the foundation pre-pour inspection	

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23.		WR04 ELEVATION CERTIFICATE The applicant shall provide a FEMA Elevation Certificate for each building, prior to final inspection. The elevation certificates shall be completed by a registered civil engineer or licensed surveyor, and all elevations shall be based on finished construction. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate for each building, based on finished construction, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to final inspection	
MITIGATION MONITORING MEASURES						
24.	MM1	PRECONSTRUCTION SURVEYS – NESTING BIRDS 30 days prior to start of construction, pre-construction surveys shall be conducted for nesting birds within 300 feet of proposed construction activities if construction is to be initiated between February 15 and August 1. If nesting raptors (or any other nesting birds) are identified during the pre-construction surveys, CDFG shall be contacted for an appropriate buffer that will be imposed within which no construction activities or disturbance can take place (generally 300 feet in all directions for raptors; other avian species may have species specific requirements) until the young of the year have fledged, as determined by a qualified biologist. Alternatively, construction activities that may affect nesting raptors or other protected avian species can be timed to avoid the nesting season. (RMA-PD)	If construction is to be initiated between February 15 and August 1 prior to the issuance of a grading or building permit, a pre-construction raptor survey by a qualified biologist shall be submitted to the Director of Planning for review and approval.	Owner/Applicant/qualified Biologist	30 days before start of construction	

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25.	MM2	<p>WORKER TRAINING SESSIONS – HABITAT SENSITIVITY</p> <p>Prior to start of construction, a qualified biologist shall conduct a worker training session for all construction personnel regarding habitat sensitivity, identification of special-status species including pond turtle (<i>Actinemys marmorata pallida</i>), and required practices. The training shall include a brief review of the biology of these species, the general measures that are being implemented to conserve these species as they relate to the project, guidelines to avoid impacts to these species during the construction period, and the penalties for non-compliance, and the boundaries of the project area. A fact sheet or other supporting materials containing this information shall be prepared and distributed to all of the workers onsite. Upon completion of training, employees shall sign a form stating that they attended the training and understand all the conservation and protection measures. Educational programs shall be conducted for new personnel before they join construction activities. The crew foreman shall be responsible for ensuring that all crew members comply with the guidelines. RMA-PD</p>	<p>Prior to any construction and issuance of a demolition, grading or building permit, the applicant shall submit signed forms from each employee to evidence training completion to the Director of Planning for review and approval.</p>			
26.	MM3	<p>TAMC SHARE – MITIGATION FEE</p> <p>Prior to issuance of building permits, the applicant shall pay the project's proportional share for the Transportation Agency of Monterey County's (TAMC) regional traffic mitigation fee, calculated to be \$43,000, for improvements to the regional circulation network. RMA-PD</p>	<p>Prior to the issuance of building permits, the applicant shall submit payment to the Transportation Agency of Monterey County for review and approval. Proof of submittal shall be provided to the Planning Department for recordation.</p>	Applicant	Prior to issuance of building permits.	

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27.	MM4	<p>GENERAL DEVELOPMENT PLAN (NON STANDARD)</p> <p>Preparation for the construction of Buildings “A” and “B” includes:</p> <ul style="list-style-type: none"> • Development of a well to be located adjacent to the cul-de-sac which provides access from Spreckels Lane to the site. • Training of construction staff to ensure sites identified as the location of sensitive species will not be disturbed. • Provision of utility rights-of-way across the property. • Development of a septic system and leachfield. • Grading of the site, including cut and fill within the area of the two new structures to bring the level of the buildings to the required 50 feet above mean sea level. • Construction of a stormwater drainage system. 	Applicant shall demonstrate to the Director, RMA-Planning Department, that any proposed construction and uses are consistent with the General Development Plan	Property Owner/ Lessee	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>Project required site improvements include:</p> <ul style="list-style-type: none"> • Grading of parking spaces to the south of the buildings in accordance with flood zone requirements. • Installation of curbs and gutters for downslope areas. • Installation of irrigation systems serving the building site and downslope parking landscape areas. • Conservation of sites with potential sensitive species. • Installation of landscaping identified in biological reports as outside of existing native areas not to be disturbed and as reflected in landscape plans. <p>(RMA- Planning Division)</p>				

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28.	MM5	<p>GENERAL DEVELOPMENT PLAN (NON STANDARD)</p> <p>Proposed Use: The building is speculative, in a heavy commercial zoning district. Future tenants will be of the type permitted by the zone ordinance as uses allowed, or uses allowed with a required use permit, providing the use conforms with the parking ordinance, and number of available parking stalls.</p> <p>Number of Parking Spaces: Per site plans, 67 standard, 9 compact, 4 ADA accessible, 6 bike racks.</p> <p>34,580 sq.ft. of space will be used for required parking at 1:500 sq. ft. such as: appliance repair, building material, equipment rental, farm equipment and supplies, retail of large items, warehouse.</p> <p>1,600 sq. ft. of space will be for for uses requiring parking at 1:400 sq. ft. such as digital photography shops.</p> <p>1,500 sq. ft. of space will be for industrial offices that require parking at 1:300 sq. ft. of space.</p> <p>It is anticipated that because of the rural location that customer visits will be low. It is also anticipated that most contractor type employees will be working off site.</p> <p>In order to address these issues appropriately, a revised General Development Plan will be required as a Condition of Project Approval, including a list of allowed uses as follows:</p>	<p>Applicant shall demonstrate to the Director, RMA-Planning Department, that any proposed construction and uses are consistent with the General Development Plan</p>	<p>Property Owner/ Lessee</p>	<p>Ongoing</p>	
<p>PLN070391 Shook Commercial Industrial Building</p>		<p>Allowed Uses: Service stations; Mini-warehouse storage facilities less than 5,000 square feet in floor area; Photography studio</p>	<p>Page 37 of 42</p>			

<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>Allowed Uses: (contd) Boat and auto sales (no onsite repair or washing); Contractors yards and offices; The exploration for and the removal of oil and gas; Other uses similar in character, density and intensity Removal of minerals and natural materials for commercial purposes; Wholesale and retail establishments distributing materials and products essential to agriculture and farming operations, except manure; Propane distributorship and sales and service, wholesale distributors of petroleum; Lumber yards; Storage garages; Service Centers (no auto repair); Wireless Wireless communications facilities, per Section 21.64.310.</p> <p>Uses Not Allowed Inclusion of any other uses now identified by the Heavy Commercial (HC) zone are prohibited, subject to revision of the General Development Plan and approval as required by the Monterey County Title 21.</p>	<p>Applicant shall demonstrate to the Director, RMA-Planning Department, that any proposed construction and uses are consistent with the General Development Plan</p>	<p>Property Owner/Les see</p>	<p>Ongoing</p>	

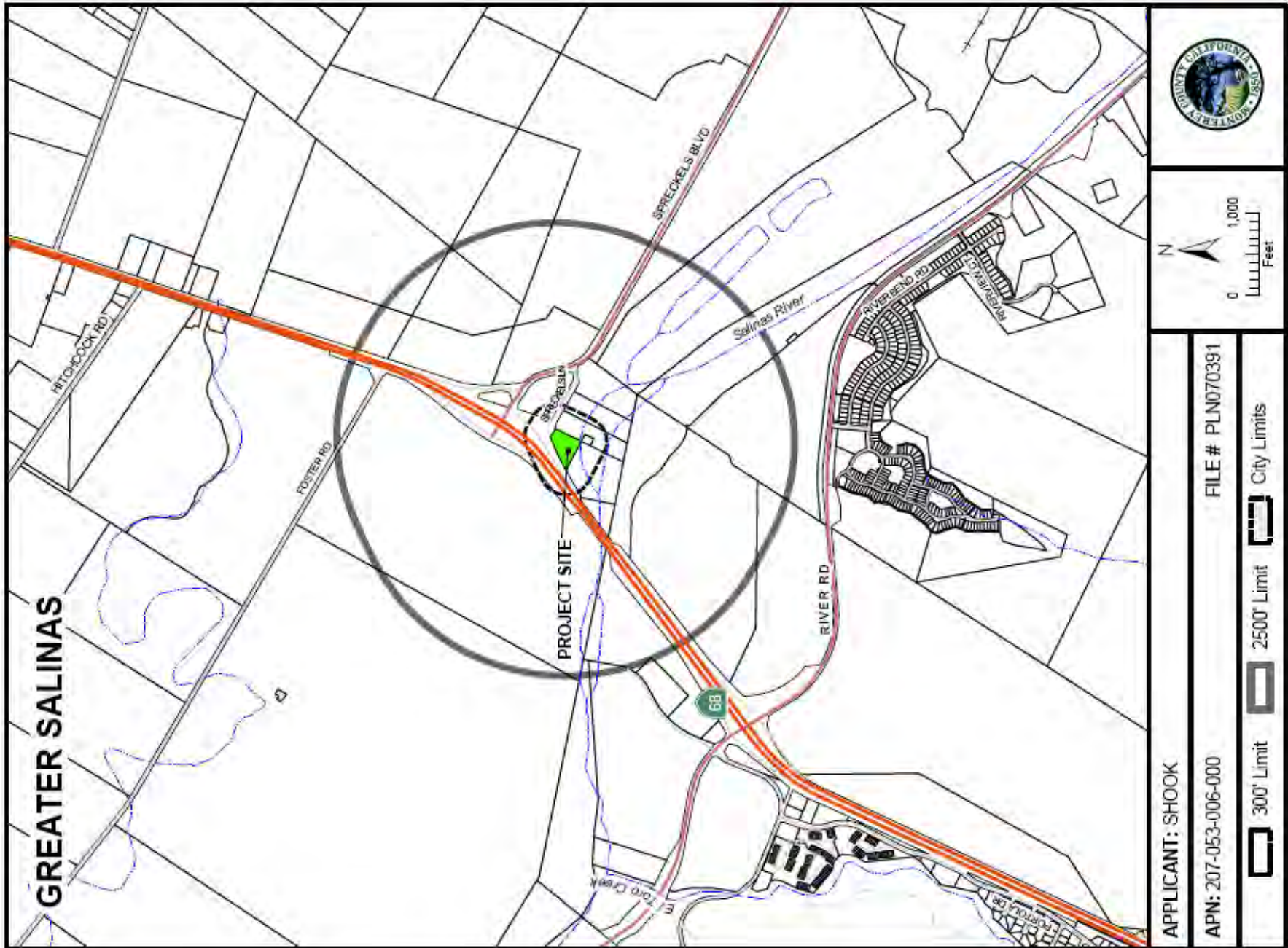
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verifica- tion of Compli- ance (name/ date)</i>
PLN070391	Shook Commercial Industrial Building	<p>Operation: Saturdays – 6 a.m. to 9:30 p.m. Sundays – 9:00 a.m. to 6:00 p.m. Weekdays – 6 a.m. to 9:30 p.m.</p> <p>Number of Employees: Projected average of 2 employees per unit, a total of 42 employees expected to be onsite during normal business hours.</p> <p>Buildings: 2 – One story tilt up concrete.</p> <p>Building Height: Based on average natural grade. Building “A” 26.5 feet high, (plus 50 feet required fill to achieve USA Corps of Engineers 100-year floodplain commercial development requirements) Building “B” 30.5 feet high (plus 50 feet required fill to achieve USA Corps of Engineers 100-year floodplain commercial development requirements)</p> <p>Fill: Approximately 6,890 cubic yards will be imported to raise the building portion of the site to a minimum of 1 foot above the 100 year flood occurrence.</p> <p>Site Improvements: Property frontage will be improved as required at Spreckles Lane. On site there will be curbs at landscape areas, asphalt paving through out, parking and driveways, trash enclosures, walkways, site security lighting and signage.</p>	Page 39 of 42			

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		<p>Landscaping Plan: Project will be fully landscaped as shown on preliminary landscape drawing with automatic irrigation system. Landscape screening will be used at the highway 68 frontage. Plants will be selected for low water use. “Stressed” crowded and dying willow trees as shown on the preliminary site plan previously submitted will be removed. As shown on development plans, replacement trees will be included within the parking plan areas.</p> <p>The entire site will be fenced with a 6 foot chain link fence with slats and have a keypad tube steel gate at the driveway entry.</p> <p>The landscape areas will be continually maintained by the owner.</p> <p>Sign Program: Signs will be limited to the requirements of the sign ordinance (Ordinance No. 5099): 1 sq.ft. per lineal foot of street/structure frontage. Each unit (up to 21 total units) will have small single sided signs attached to the lower portions of the buildings. All signage including the monument sign, will be addressed under separate application.</p> <p>Exterior Lighting Lighting will be from wall packs on the building face and poles in the open parking areas. All site lighting will be down-facing and at a minimum of 1 foot candle at all areas of the site. (RMA – Planning Division)</p>				

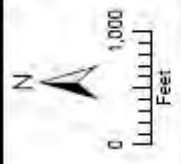
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29.	MM6	GENERAL DEVELOPMENT PLAN – COMMERCIAL PARCEL (NON-STANDARD) The applicant shall construct the improvements and facilities in the Commercial Parcel of the subdivision consistent with the approved General Development Plan. (RMA-Planning Department)	Applicant shall demonstrate to the Director, RMA-Planning Department, that any proposed construction and uses are consistent with the General Development Plan	Property Owner		

END CONDITIONS OF APPROVAL AND MITIGATION MEASURES

12-3-08



PLANNER: BRADLEY



APPLICANT: SHOOK
 APN: 207-053-006-000
 FILE # PLN070391
 300' Limit 2500' Limit City Limits

EXHIBIT L