

MONTEREY COUNTY PLANNING COMMISSION

Meeting: March 9, 2011	Time: 1:30 P.M.	Agenda Item No.: 7
Project Description: Modification to an approved Combined Development Permit (PLN060102/Keehn, PLN000357/Gamboa) consisting of a Use Permit to allow a quasi-public use in the Low Density Residential zoning district, including site plan and design review for development of a 64-suite, 78-bed, assisted care living facility consisting of a 3-building complex totaling 43,400 square feet, 35 space parking lot including 4 handicap-accessible spaces, balanced grading (3,000 cy cut/3,000 cy fill), access and parking improvements across a neighboring lot (APN: 015-021-003-000) to Carmel Rancho Boulevard, improvements to Val Verde Drive for emergency access to Carmel Valley Road, an underground graywater and cistern systems, and on-site water detention ponds; a Use Permit to allow development on slopes exceeding 30%; and allocation of 4.8 acre feet of water to the project. Modifications to be considered include modification of a condition requiring the preservation of a non-protected Monterey pine and amending the project description to delete graywater and cistern systems, removing conditions requiring underground graywater and cistern systems, and amending landscaping conditions. Some modifications are related to Monterey Peninsula Water Management District Water Permit No. 25730 issued on July 27, 2008 wherein the District determined graywater was not required for a 78-bed facility subject to Special Conditions of Approval including specific design requirements.		
Project Location: 26245 Carmel Rancho Boulevard		APN: 015-021-036-000
Planning File Number: REF100047 Project Title: Carmel Cottages		Owner: Alta Land Company LLC Agent: Don Houpt
Planning Area: Carmel Valley Master Plan		Flagged and staked: N/A
Zoning Designation: Low Density Residential, with Building Site, Design Control and Site Plan Review overlay zoning districts (LDR/B-6/D/S)		
CEQA Action: Addendum to adopted Mitigated Negative Declaration		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission consider the Addendum to the adopted Mitigated Negative Declaration, together with the adopted Mitigated Negative Declaration, and adopt the permit amendment subject to the findings and revised conditions of approval.

PROJECT OVERVIEW: The project modifications were considered at a public hearing before the Planning Commission on February 9, 2011. After the public hearing, the Planning Commission passed a motion of intent and provided direction to staff to return with a resolution that does not delete the graywater requirements, as had been recommended in the February 9, 2011, staff report. The motion also included that the Planning Commission wanted to review the landscaping plan. The Planning Commission, as part of the motion, continued the matter to March 30, 2011. Due to the draft landscape plan and associated information being provided in February, staff was able to complete our review and schedule this item for March 9 for a decision on the modifications.

The draft landscaping plan proposes a mixture of trees and shrubs on the north and south property lines, as required by the conditions of approval. They also include riparian vegetation (willows) at both detention basins. The landscape architect has supplied a narrative describing the size of the vegetation on the north and south property lines in five years. See Exhibit A.

Staff has prepared cross sections (Exhibit D) showing how the vegetation will screen the facility in five years, and has also prepared 'elevations' (Exhibit E) showing how the vegetation screen will

look from in front of the north and south property lines at five years. The cross sections demonstrate the following with five years of growth:

- From the south: someone standing at the nearest structure would see the structure only through vegetation gaps. From the next property over, they would see only the top half of the structure.
- From the north (Carmel Valley Road): someone riding in a car westbound will see the very tops of the structures except where there are gaps in vegetation.

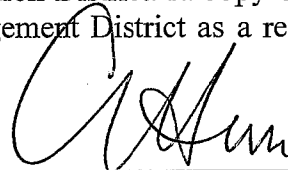
As can be seen in the elevations and cross sections, the facility, will be screened from the south side very well, due to the change in topography. From Carmel Valley Road, the buildings will be partially screened. The south elevation is drawn from a perspective of someone standing at the same height as the facility; however, as can be seen in the cross section, nearby views are from at least ten feet below the level of the facility and the facility will be almost entirely screened from view from the closest properties with two levels of plantings (lower landscaping--along the parking lot and upper landscaping--at the building level). Note: the elevations only show the locations of the vegetation along the north and south property edges intended to provide primary screening. A significant amount of other vegetation is located between those vegetated areas and the buildings, contributing significantly more lower-level screening, particularly on the Carmel Valley Road frontage.

As the landscape plan is still a draft being reviewed by staff, final water use numbers have not been submitted. The projected water use numbers for this draft plan are slightly below the water use limit for irrigation (1.12 acre-feet per year). After three years, water use is projected to decrease to 0.82 acre-feet per year.

OTHER AGENCY INVOLVEMENT: The condition matrix was circulated to the County departments involved with the original permit: Water Resources Agency, Environmental Health Bureau, Public Works Department, Cypress Fire Protection District. A copy of the staff report was circulated to the Monterey Peninsula Water Management District as a responsible agency for the water credits applied to this project.



Mike Novo, AICP, Planning Director
(831) 755-5192, novom@co.monterey.ca.us
March 2, 2011



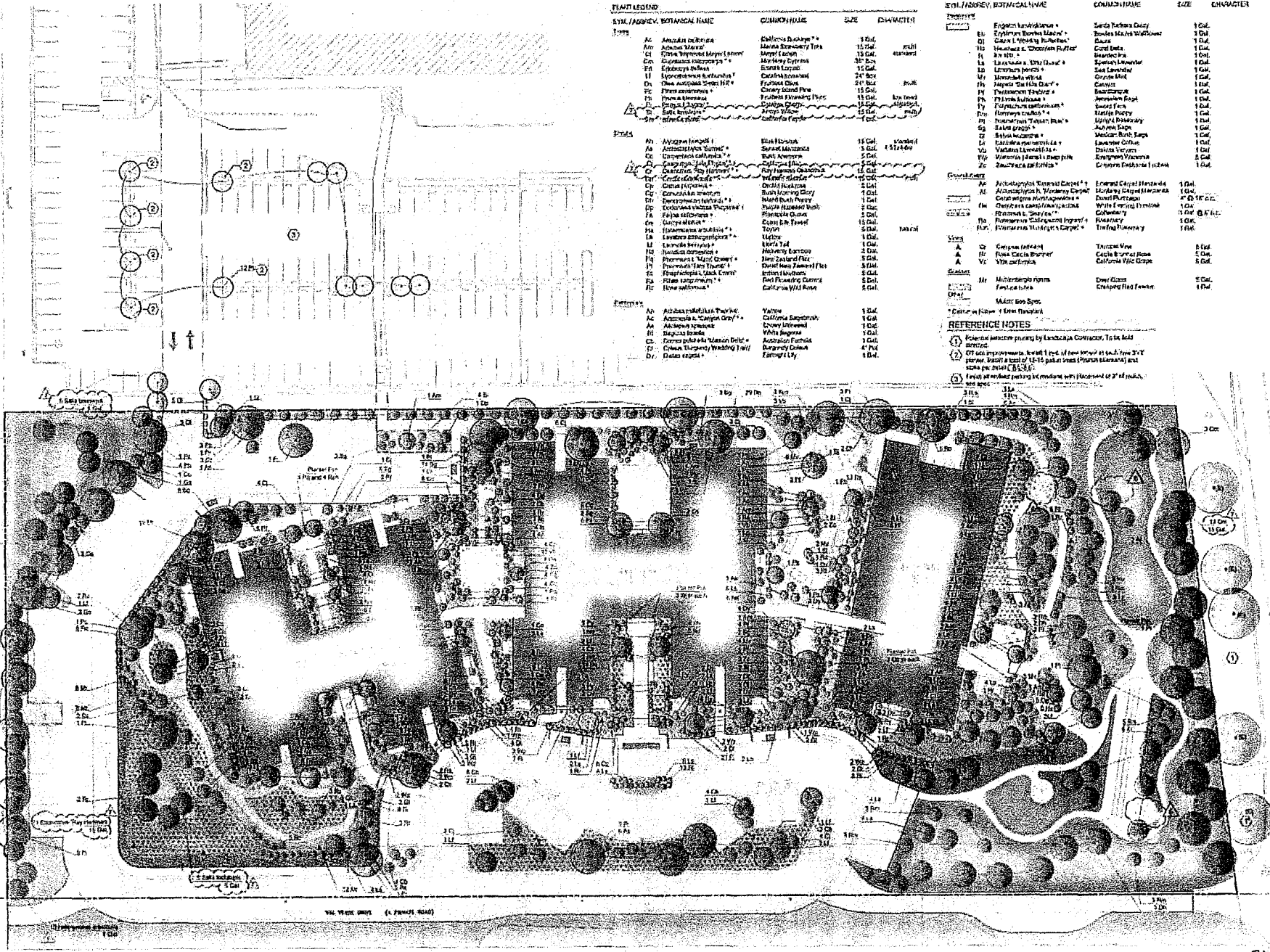
Carl Holm, AICP, Asst. Planning Director
(831) 755-5103, holmcp@co.monterey.ca.us

cc: Front Counter Copy; Planning Commission; Cypress Fire Protection District; Public Works Department; Environmental Health Bureau; Building Services Department, Water Resources Agency; Monterey Peninsula Water Management District; Carl Holm; Carol Allen; Don Houpt, Owner; Debbie Blue, List Engineering; Gary Knott, Pacific Engineering Group; Dee Ann Howe, Margaret Robbins, Molly Erickson, Christine Williams (Carmel Valley Association), Planning File REF100047

Exhibits: A – Draft Landscape Plan submitted February 14, 2011 (also included on compact disk provided to Planning Commission)
B – Draft Resolution
C – Addendum to Mitigated Negative Declaration (including adopted Mitigated Negative Declaration/ Initial Study found on compact disk)
D – Cross Sections
E – Landscaping Elevations
F – Correspondence

The February 9, 2011 staff report has been provided to the Planning Commission on a compact disk. The staff report can be found at http://www.in.co.monterey/planning/ccapc/2011/02-09-11/REF100047/Carmel_Cottages_REF100047.htm.

EXHIBIT A
DRAFT LANDSCAPE PLAN



PLANT LEGEND

SYM./ABBREV.	BOTANICAL NAME	COMMON NAME	SIZE	CHARACTER
1. Tree				
2. Shrub				
3. Groundcover				
4. Climber				
5. Palms				
6. Ferns				
7. Grasses				
8. Water				
9. Rock				
10. Other				

SYMBOLS, BOTANICAL NAME, COMMON NAME, SIZE, CHARACTER

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	CHARACTER
1. Tree				
2. Shrub				
3. Groundcover				
4. Climber				
5. Palms				
6. Ferns				
7. Grasses				
8. Water				
9. Rock				
10. Other				

Beltinger Foster Steinmetz
 Landscape Architects Inc.
 2250 7th Street, Suite 100
 San Francisco, CA 94114
 Tel: 415.774.1111
 Fax: 415.774.1112

Collages of Carmel
 Carmel, CA

Don H. Hays

Scale: 1" = 10'

North Arrow

Legend:

- 1. Tree
- 2. Shrub
- 3. Groundcover
- 4. Climber
- 5. Palms
- 6. Ferns
- 7. Grasses
- 8. Water
- 9. Rock
- 10. Other

Planting Plan

Scale: 1" = 10'

North Arrow

Legend:

- 1. Tree
- 2. Shrub
- 3. Groundcover
- 4. Climber
- 5. Palms
- 6. Ferns
- 7. Grasses
- 8. Water
- 9. Rock
- 10. Other

FOR REVIEW
 10/14/00
 10/14/00
 10/14/00

February 22, 2011

Applicant
Submittal

COTTAGES OF CARMEL

Planting Buffer Narrative - 5 year condition
Based on Planting Plans

Northern Property Line

The Carmel Valley roadway right of way at Carmel Cottages includes some young native sycamores and coast live oak. If left unpruned, these ROW trees will provide a mixed deciduous/evergreen visual buffer for at least 50% or the ROW length.

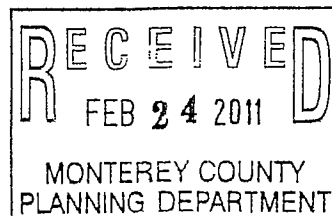
Looking from the roadway on the northerly property line, an informal row of 16 cypress trees (*Cupressus macrocarpa*) are planted at 15' to 20' spacing behind the existing ROW trees. In 5 years, these cypress trees will be 6' - 8' in diameter, providing a 80 - 90% complete evergreen planting screen 10 feet tall, in addition to the existing trees.

Southern Property Line

There is no existing maturing vegetation along this property line. The proposed toyon (*Heteromeles arbutifolia* - 5 gal), silk tassel (*Garrya elliptica* - 15 gal) and ceanothus (*Ceanothus* 'Ray Hartmann' - 15 gal) will be installed at a 24 - 30" height. In addition to the large shrubs are Catalina Cherry (*Prunus* "Lyoni" - 15 gal) and Arroyo Willow (*Salix lasiolepis*).

In 5 years, the shrub planting at the edge of the parking lot will be 6' - 7' tall and provide a 90% screen at ground level. The trees will be at least 12' tall and provide a 5'-6' spreading evergreen canopy over the shrubs.

-end-



**EXHIBIT B
DRAFT RESOLUTION**

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

In the matter of the application of:

ALTA LAND COMPANY LLC (REF100047)

RESOLUTION NO. ----

Resolution by the Monterey County Planning
Commission:

- 1) Considering the Addendum to the adopted Mitigated Negative Declaration, together with the adopted Mitigated Negative Declaration; and
- 2) Approving an Amendment (REF100047) to an approved Combined Development Permit (PLN060102/Keehn, PLN000357/Gamboa) consisting of a Use Permit to allow a quasi-public use in the Low Density Residential zoning district, including site plan and design review for development of a 64-suite, 78-bed, assisted care living facility consisting of a 3-building complex totaling 43,400 square feet, 35 space parking lot including 4 handicap-accessible spaces, balanced grading (3,000 cy cut/3,000 cy fill), access and parking improvements across a neighboring lot (APN: 015-021-003-000) to Carmel Rancho Boulevard, improvements to Val Verde Drive for emergency access to Carmel Valley Road, an underground graywater and cistern systems, and on-site water detention ponds; a Use Permit to allow development on slopes exceeding 30%; and allocation of 4.8 acre feet of water to the project. Modifications include modification of a condition requiring the preservation of a non-protected Monterey pine and amending landscaping conditions.

(REF100047, Alta Land Company LLC, 26245 Carmel Rancho Boulevard, CARMEL VALLEY MASTER PLAN (APN: 015-021-036-000))

The Carmel Cottages application (REF100047) came on for public hearing before the Monterey County Planning Commission on March 9, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING: CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies, which designate this area as appropriate

for development.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the Monterey County General Plan,
- Carmel Valley Master Plan,
- Monterey County Zoning Ordinance (Title 21)

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 26245 Carmel Rancho Boulevard (Assessor's Parcel Number 015-021-036-000, Carmel Valley Master Plan. The parcel is zoned Low Density Residential, 1 acre per unit (LDR/B-6/D/S), which allows public/quasi-public uses with a Use Permit. A use permit was granted by Monterey County on July 13, 2004, subject to 60 conditions. Therefore, the project is an allowed land use for this site.
- c) Mitigated Negative Declaration adopted with the project (July 2004).
- d) An amendment to the permit is needed to modify Conditions 48 and 49/Mitigation Measures 1, which states in part: "Retain the 26-inch pine along the south property lines plus all of the mature trees along Carmel Valley Road." The tree is not a protected tree under the Carmel Valley Master Plan; however, it was to be retained in order to help screen the development. Due to clearance issues with tree limbs and the new driveway and parking area, in addition to failing health of the tree, it was determined that the tree could not be retained in a healthy, safe manner. The landscape plan will be required to address screening of the facility from neighboring land uses to address the lack of this tree. The pine was tall and limbs would have been significantly above the ground level, so new landscape plantings with a mixture of trees and understory vegetation will provide equally or more effective screening than the pine tree.
- e) 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.
- f) The project amendment, which involves landscape screening issues, has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Environmental Health Bureau, Monterey Peninsula Water Management Agency, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- g) 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 REF100047.
- h) Board of Supervisors Resolution Nos. 01-497 (water allocation) and 04-253 (project approval), incorporated herein by reference.

2. **FINDING:** **SUBSTITUTION OF MITIGATION MEASURES** – The new mitigation measures are equivalent or more effective in mitigating or avoiding potential significant effects and themselves will not cause any potentially significant effect on the environment.

EVIDENCE: a) Mitigation Measure 1 has been revised as follows: “In order to reduce lighting impacts and preserve the visual character of the area, the developer shall submit Landscape Plans prepared by a licensed Landscape Architect that:

- Identify the location, species and size of the proposed landscaping material.
- Include species that are botanically appropriate to the area, including but not limited to Monterey Pine, Cypress, and Oak trees.
- Include planting of arroyo willows and other riparian associated species around both detention ponds.
- Identify all existing trees within the project area including the site, Val Verde Drive right-of-way, and along Carmel Valley Road. Indicate all trees to be removed.
- ~~Retain~~ Replace the 26-inch pine along the south property lines plus ~~and retain~~ all of the mature trees along Carmel Valley Road.
- Provide a mix of mature plants and species to screen or soften the visual impact of new development.
- Provide notes on the plans to eradicate invasive vegetation for areas on or near the project area including on-site, within the right-of way adjacent to the project site, along the Carmel Valley Road frontage, and along Rio Road.
- Address Sheriff Department standards for Crime Prevention through Environmental Design (CPTED).”

The mitigation measure is included in the project conditions of approval as condition 49.

- b) June 14, 2004 Initial Study, including but not limited to pages 7-10, 14-17, 32, 36, 39, 42-43, 65-71.
- c) Board of Supervisors Resolution No. 04-253.

3. **FINDING:** **CEQA (Addendum):** - An Addendum to a previously adopted Mitigated Negative Declaration (MND) was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted MND.

- EVIDENCE:**
- a) An MND for the project was prepared and certified by the Board of Supervisors on July 13, 2004 (Board Resolution 04-253)
 - b) An Addendum to the project MND was prepared pursuant to Code of Regulations, Title 14, Section 15164 (CEQA Guidelines).
 - c) The Addendum attached as Exhibit C to the March 9, 2011, Staff Report to the Planning Commission, reflects the County’s independent judgment and analysis. The Addendum and original Initial Study were prepared by County staff. County staff discussed the project and the amendment with outside agencies with jurisdiction over project resources prior to preparing these documents.
 - d) Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project that would require major revisions to the prior MND. See evidence for Findings 1 and 2, above.

- e) Pursuant to Section 15162 of the CEQA Guidelines, there is no new information of substantial importance that was not known at the time the MND was adopted.

4. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors
EVIDENCE: Section 21.08.040.D, Monterey County Zoning Ordinance.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- A. Consider the Addendum to the adopted Mitigated Negative Declaration, together with the adopted Mitigated Negative Declaration; and
- B. Approve an Amendment (REF100047) to an approved Combined Development Permit (PLN060102/Keehn, PLN000357/Gamboa) consisting of a Use Permit to allow a quasi-public use in the Low Density Residential zoning district, including site plan and design review for development of a 64-suite, 78-bed, assisted care living facility consisting of a 3-building complex totaling 43,400 square feet, 35 space parking lot including 4 handicap-accessible spaces, balanced grading (3,000 cy cut/3,000 cy fill), access and parking improvements across a neighboring lot (APN: 015-021-003-000) to Carmel Rancho Boulevard, improvements to Val Verde Drive for emergency access to Carmel Valley Road, an underground graywater and cistern systems, and on-site water detention ponds; a Use Permit to allow development on slopes exceeding 30%; and allocation of 4.8 acre feet of water to the project. Amendments include modification of conditions requiring the preservation of a non-protected Monterey pine and amending landscaping conditions. The approval shall be in general conformance with the attached sketch and subject to the conditions **(Exhibit 1)**, both exhibits being attached hereto and incorporated herein by reference. These conditions of approval supersede the conditions of approval found in Board of Supervisors Resolution No. 04-253.

PASSED AND ADOPTED this 9th day of March, 2011 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

EXHIBIT 1

Monterey County Planning and Building Inspection Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: Gambon/Sunrise Assisted Living Hout/Cottages of Carmel

File No: PLN000357/REF100047

APNs: 015-021-036-000

Approval by: Planning Commission

Date: March 9, 2011

**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>PBD029 - SPECIFIC USES ONLY</p> <p>Approval consists of an amendment and extension of a Combined Development Permit that includes: a Use Permit to allow a quasi-public use in the low density residential zone including site plan and design review for development of a 64-suite, 78-bed, assisted care living facility consisting of a 3-building complex totaling 43,400 square feet, 35 space parking lot including 4 handicap-accessible spaces, balanced grading (3,000 cy cut/3,000 cy fill), access and parking improvements across a neighboring lot (APN: 015-021-003-000) to Carmel Rancho Boulevard, improvements to Val Verde Drive for emergency access to Carmel Valley Road, an underground graywater and cistern systems, and on-site water detention ponds; a Use Permit to allow development on slopes exceeding 30%; and allocation of 4.8 acre feet of water to the project. <u>Modifications include amending landscaping conditions:</u> This is a 4.5 acre, vacant parcel located at the southwest corner of Carmel Valley Road and Val Verde Drive, east of Carmel Rancho Boulevard, Carmel Valley (APN: 015-021-036-000). This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant <u>PBI</u> <u>Planning</u>	Ongoing unless other-wise stated	

		unless additional permits are approved by the appropriate authorities. References in these conditions of approval to "property owner" or "owner" shall include Elvira Gamboa and any and all of her successors in interest or assignees, and references to "applicant" shall include any lessee or operator of the facility approved hereto, including Sunrise Development Incorporated, and any and all of their successors in interest or assignees.			
2		PBD025 - NOTICE-PERMIT APPROVAL The applicant and owner shall record a notice which states: "A permit (Resolution _____) was amended and extended for three years by the Planning Commission for Assessor's Parcel Number <i>015-021-036-000</i> on March 9, 2011 . The permit was granted subject to 60 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use.	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant <u>PBI</u> <u>Planning</u>	Prior to issuance of grading and building permits or start of use.
3		PBD016 - INDEMNIFICATION AGREEMENT The property owner and applicant agree as a condition and in consideration of the approval of this discretionary development permit that the property owner and applicant will enter into an agreement with the County to defend, indemnify and hold harmless the County of Monterey and 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. The property owner and applicant 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 the property owner and applicant of their 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, or 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.	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to <u>PBI Planning</u>	Owner/ Applicant <u>PBI</u> <u>Planning</u>	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

4		PBD012 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code, State Fish and Game Code; and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) calendar days of project approval – prior to filing of the Notice of Determination. This fee shall be paid on or before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid.	Proof of payment (\$1,275) shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first.	Owner/ Applicant PBI Planning	Prior to issuance of building and grading permits.	
5		PBD022 - MITIGATION MONITORING PROGRAM The property owner and 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/applicant submits the signed mitigation monitoring agreement.	Enter into agreement with the County to implement a Mitigation Monitoring Program. Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant PBI Planning	Prior to issuance of grading and building permits.	
6	5	MMRP – BIOLOGY IMPACT 2 In order to allow the Dusky-footed woodrat to escape and find new homes outside of the building area, the applicant/owner shall consult with a qualified biologist to dismantle any nest found in or near the project area before any heavy equipment is used to clear the site.	A qualified biologist shall provide a report to the Director of Planning and Building Inspection that certifies the proper removal of all Dusky-footed woodrat nests within the project area.	Biologist PBI Planning	Prior to issuance of grading permits or any heavy equipment allowed on site	
7	6	MMRP – BIOLOGY IMPACT 3 In order to assure that no nesting birds are disturbed, the developer shall consult with a qualified biologist to survey trees on or near the project area for nesting birds, particularly if tree removal and grading are scheduled to begin prior to August 1 st . If nesting birds are discovered on or near the project area, the applicant shall contact the	A qualified biologist shall provide a report to the Director of Planning and Building Inspection that certifies the proper removal of all nesting birds within the project area.	Biologist PBI Planning	Prior to any tree removal and/or grading	

		California Department of Fish and Game regarding measures to avoid impacts.				
8		PBD – CIRCULATION PLAN (NON STANDARD) The applicant shall submit a parking and interior circulation plan for the entire project, including access/pedestrian improvements from the site to Carmel Rancho Boulevard for review and approval of the Director of Planning and Building Inspection and the Director of Public Works.	Submit a Parking/Circulation Plan for review and approval.	Owner/ Applicant PBI Planning PW	Prior to issuance of permits	
9		WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form.	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant WRA	Prior to issuance of any building permits	
10		WR22 - FLOODPLAIN RECORDATION The owner shall provide the Water Resources Agency a recorded Floodplain Notice stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions."	Submit the recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant WRA	Prior to issuance of any grading or building permits	
11		EH6 – WATER SERVICE CAN/WILL SERVE Provide to the Division of Environmental Health written certification, and any necessary certification from State agencies that California American Water Company can and will supply sufficient water flow and pressure to comply with both Health and fire flow standards.	Submit written certification to the Division of Environmental Health for review and approval.	CA Licensed Engineer /Owner/ Applicant EH	Prior to issuance of a building permit	
12		EH24 – SEWER SERVICE CAN/WILL SERVE Provide certification to the Division of Environmental Health that Carmel Area Wastewater Management District can and will provide sewer service for the proposed property/project.	Submit certification to Environmental Health for review and approval.	Owner/ Applicant EH	Prior to issuance of a building permit.	

13		FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD & PEBBLE BEACH CSD) All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner Cypress FPD	Prior to issuance of building permit.	
14	14	MMRP – NOISE IMPACT 2 To reduce noise impacts during construction, construction activities shall be restricted between the hours of 8:00 a.m. and 5:00 p.m. No work may occur on weekends or holidays, unless pre-approved for unique circumstances in writing by the Director of Planning and Building Inspection. Violation of these restrictions may result in a stop of work for up to 48 hours for each violation.	Place a note on the grading and construction plans identifying the restricted times of construction project Violation of these restrictions may result in a stop of work for up to 48 hours for each violation. Manager/Contractor shall certify compliance by signed letter	Applicant/Owner Contractor PBI Planning	Prior to issuance of any permits During Construction Upon completion of project construction.	
15	17	MMRP –TRAFFIC IMPACT 1 Since all projects in the area are subject to the Carmel Valley Road Traffic Impact Fees, the applicant shall pay the applicable Mitigation Fee in effect at the time the building permit is issued. Said fee shall be based on floor area as required for commercial development.	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Carmel Valley Road Traffic Impact Fee has paid.	Applicant/Owner PBI Planning PW	Prior to issuance of a building permit	
16	18	MMRP –TRAFFIC IMPACT 2A Since all trips to be generated by the proposed project (13 trips per hour) would utilize the Rio Road/Carmel Rancho Boulevard intersection, the applicant shall contribute their proportional share of the total cost (2.7% or \$4,050) towards installing future traffic signals at this intersection.	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Rio Road/Carmel Rancho Boulevard intersection improvement mitigation fee has been paid.	Applicant/Owner PBI Planning PW	Prior to issuance of a building permit	
17	19	MMRP –TRAFFIC IMPACT 2B Since the project will generate 13 peak hour trips along Rio Road during the cumulative peak evening hours, the applicant shall contribute their proportional share of the total cost (3.0% or \$225) towards the retiming of traffic signals along Rio Road.	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Rio Road Signal Retiming mitigation fee has been paid.	Applicant/Owner PBI Planning PW	Prior to issuance of a building permit	

18	20	MMRP –TRAFFIC IMPACT 3 In order to reduce congestion in the area, the applicant/owner shall contribute their proportional share of the total cost (2.8% or \$3,500) toward a second northbound right turn lane on Carmel Rancho Boulevard at Carmel Valley Road.	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Carmel Rancho Boulevard at Carmel Valley Road turn lane mitigation fee has been paid.	Applicant/Owner PBI Planning PW	Prior to issuance of a building permit	
19	21	MMRP –TRAFFIC IMPACT 4 In order to encourage the use of mass transit and avoid peak hour traffic trips, the applicant/owner shall contribute their proportional share of the total cost (3.3% or \$2,640) toward a bus turnout and shelter on the south side of Carmel Valley Road, in front of the proposed facility.	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Bus Turnout mitigation fee has been paid.	Applicant/Owner PBI Planning PW	Prior to issuance of a building permit	
20	22	MMRP –TRAFFIC IMPACT 5 In order to address the project's proportional share of impact to Carmel Valley Road, the applicant/owner shall pay their proportional share (0.2% or \$9,800) of the County/State program to address LOS deficiencies.	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the required LOS Deficiency mitigation fee has been paid.	Applicant/Owner PBI Planning PW	Prior to issuance of a building permit	
21	23	MMRP –TRAFFIC IMPACT 6 In order to address the project's proportional share of impact to Highway One, the applicant/owner shall contribute \$51,025 as the project's pro-rata share of the cost of constructing the State Highway One long-term improvement project in the Transportation Agency for Monterey County (TAMC) Project Study Report dated December 19, 2001. The calculation of this contribution may be adjusted annually based on the <i>Engineering News Record Construction Cost Index</i> .	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the TAMC mitigation fee has been paid.	Applicant/Owner PBI Planning PW	Prior to issuance of a building permit	
22	26	MMRP –TRAFFIC IMPACT 9 In order to reduce long term traffic impacts on Highway One from added trips for a graywater system maintenance employee/service and potential off-site laundry services, the applicant owner shall pay an additional mitigation fee of \$1,632.80 (0.8 trips * \$2,041/trip).	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the mitigation fee for added trips relating to a graywater system maintenance employee and/or off-site laundry services has been paid.	Applicant/Owner PBI Planning PW	Prior to issuance of a building permit	
23		EH35 - CURFFL All improvements shall comply with the California Uniform Food Facilities Law as approved by the Director of Environmental Health. If necessary, submit plans and necessary review fees for review and approval prior to obtaining a building permit/final inspection.	Submit plans and necessary review fees to the Division of Environmental Health for review and approval.	Owner/Applicant EH	Prior to issuance of building permits.	

24	28	MMRP –UTILITY IMPACT 2 In order to verify that the California-American Water Company has adequate water capacity to serve the proposed project the applicant shall submit proof of approval from the Monterey Peninsula Water Management District.	Demonstrate that the California-American Water Company has adequate capacity to serve the project as follows: <ul style="list-style-type: none"> - Submit a can and will serve letter from the California-American Water Company to the Director of Environmental Health. - Obtain all necessary approvals for a water connection permit from the Monterey Peninsula Water Management District (MPWMD) for not more than the amount of water allocated in the Board of Supervisors resolution for project approval. - Obtain approval from the Board of Supervisors adding or amending any permit conditions if necessitated by any subsequent water connection permit issued by the MPWMD Board. - If the MPWMD determines that the amount of water allocated (4.8 afy) is insufficient for the project as approved, the project shall be reduced in unit size to correspond to the number of units for which MPWMD determines the 4.8 afy water supply is sufficient, with any amended design subject to the approval of the Director of Planning and Building Inspection, the General Manager of the Water Resources Agency - General Manager of the Monterey Peninsula Water Management District, or subject to approval by the Board of Supervisors subject to a referral from Planning or Water Resources pursuant to their discretion. If the actions by the MPWMD necessitate changes to the project or conditions of approval other than design, such changes shall require approval by the Board of Supervisors. Submit to the Director of Planning and Building Inspection a plan for the annual monitoring of water use. The plan shall include but not be limited to monitoring methods, schedules and contingency plans for the reduction in water use should the monitoring report indicate the project used or	Applicant/ Owner MCHD PBI Planning WRA MPWMD CalAm	Prior to issuance of any permits	
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27	4	MMRP – BIOLOGY IMPACT 1 In order to avoid impact to significant oak trees protected under the Carmel Valley Master Plan, the applicant/owner shall provide plans to improve Val Verde Drive that include protection and avoidance of all significant oak trees in the project area to the satisfaction of the Director of Planning and Building Inspection. The applicant/owner shall install fencing along the edge of the drip line of the oaks trees to avoid impacting said trees during grading activity.	A. Submit improvement Plans including the accurate location of the trunk and drip lines of all significant oak trees both within the site and within the right of way for Val Verde Drive and Carmel Valley Road to the Director of Planning and Building Inspection and the Director of Public Works.	Applicant/ Owner PBI Planning PW	Prior to issuance of grading permits	
			B. Install fencing around the drip line of all significant oak trees to be maintained during construction to the satisfaction of the Director of Planning and Building Inspection. Project Manager/Contractor shall certify compliance by signed letter upon completion of project construction.	Applicant/ Owner PBI Planning	Prior to issuance of grading permits	
28	12	MMRP – HYDROLOGY IMPACT 1 To prevent runoff from moving soil off-site and to prevent post construction erosion, appropriate Best Management Practices shall be implemented and the soil shall be re-vegetated within 60 days of completing construction.	Contact the Planning and Building Inspection Department for a representative to inspect the project area relative to compliance with Mitigation Measure 12.	Applicant/ Owner PBI Planning	Prior to Final Permit Approval	

29	13	<p>MMRP – HYDROLOGY IMPACT 2</p> <p>In order to address water runoff for the project, the applicant/owner shall submit a detailed drainage plan to the Monterey County Water Resources Agency prior to issuance of any permit. Said plan shall include:</p> <ul style="list-style-type: none"> - Design data identifying, and evaluating impacts to, the 100-year flood elevation, flood height, and the Rio Road tie back levee. - Routing natural drainage around the proposed development in a manner that does not impact down slope development. Routing of downstream flows shall be shown along with any new appurtenant drainage structures, erosion protection of existing structures or watercourses, and need for additional right-of-way. - Routing storm water runoff from the paved, vehicle areas to an oil/grease/water separator before discharge into a detention pond. - Construction of storm water detention facilities to limit impervious surface storm water runoff to the 10-year predevelopment rate and store the difference between the 100-year post-development and 10-year pre-development runoff. Any detention design requires showing engineering details for the containment structure; including any berms that would create shallow detention using parking areas. An erosion protected spillway shall be designed into the berm to provide a predictable overflow point. - Fencing of detention ponds for public safety. - Maintenance and cleaning schedules for oil/grease traps, detention ponds, and the graywater system in accordance with County regulations to insure that all drainage systems are properly maintained and functioning. - Installation of oil/grease traps adjacent to roadways and parking lots that are designed to remove at least 90% of all storm water contaminants during the first rains. 	<p>A. Submit a detailed drainage plan prepared by a registered civil engineer to the satisfaction of the Monterey County Water Resources Agency and Public Works Department. Impacts identified during the review of said plans shall be fully mitigated through construction and/or “fair-share” mitigation fees to be determined by the Monterey County Public Works Department and Water Resources Agency.</p>	<p>Applicant/ Owner</p> <p>Civil Engineer</p> <p>WRA</p> <p>PW</p>	<p>Prior to issuance of any permit</p>	
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		<ul style="list-style-type: none"> - Any roadside improvements that could prevent erosion (e.g. curb/gutter or paved swale) and which down slope properties may be affected before water need to be analyzed. - "Best Management Practices" to prevent reaches the river, degradation of water quality in the Carmel River. - Designing the proposed detention ponds (with the exception of the proposed cistern) to increase infiltration rates for runoff such that the detention ponds function as percolation ponds. - Operation and maintenance procedures for the proposed water cistern to assure long-term viability. <p>The applicant shall implement all on-site and off-site improvements related to drainage as determined necessary by the Monterey County Public Works Department and Water Resources Agency.</p>	B. Submit weekly activity reports, including photographs and activity logs where applicable, that document how all construction Best Management Practices and recommended mitigations measures were followed during project construction and these conditions. Said reports shall be submitted to the Director of Planning and Building Inspection by the end of the working day on Monday. Project Manager/Contractor shall certify compliance by signed letter upon completion of project construction.	Applicant/ Owner PBI <u>Planning</u>	During grading	
30		<p>WR36 – MAINTENANCE AGREEMENT (NON-STANDARD)</p> <p>The property owner, Monterey County and the Monterey County Water Resources Agency shall enter into a maintenance agreement, which shall provide for the maintenance of roads, drainage facilities, and open spaces. The agreement shall be approved by the Director of Public Works, the Director of Planning and Building Inspection, and the General Manager of the Monterey County Water Resources Agency and shall be recorded by the property owner, prior to issuance of grading and/or building permits. The agreement shall run with the land and shall include</p>	A. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI <u>Planning</u> .	Applicant/ Owner Civil Engineer PBI <u>Planning</u> WRA PW	Prior to issuance of grading permit	

		provisions for regular monitoring and maintenance of the road and drainage facilities. The agreement shall also require a yearly report by a registered Civil Engineer that identifies needed/performed maintenance and/or certifies that the roads and drainage facilities are operating as designed.	B. Submit Annual Report to WRA for review and approval.		Annually following completion	
31	3	MMRP – AIR QUALITY IMPACT 1 To reduce short-term, localized air quality impacts due to dust generated during site preparation/construction and exhaust from construction vehicles, the applicant shall submit a program for how air quality control measures will be implemented during construction activities. Said plan shall include, but not be limited to the following: <ul style="list-style-type: none"> - Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil condition, and wind exposure. - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites to the satisfaction of the Director of Planning and 	A. Submit a program with the grading and building plans identifying how all air quality control measures will be implemented throughout construction. Said plan shall be subject to review and approval of the Planning and Building Inspection Department.	Applicant/ Owner <u>PBI Planning</u>	Prior to issuance of a grading permit	

		<p>Building Inspection.</p> <ul style="list-style-type: none"> - Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites. - Cover stockpiles of debris, soil, sand or other materials that may be blown by the wind. - Sweep construction areas and adjacent streets of all mud and dust daily or as needed. - Landscape or cover completed portions of the site as soon as construction is complete in that area. <p>Grading activity shall not exceed 2.2 acres of excavation or 8.1 acres of grading per day.</p>	<p>B. Implement all air quality control measures to the satisfaction of the Planning and Building Inspection Department. Project Manager/Contractor shall certify compliance by signed letter upon completion of project construction.</p>		During Construction	
32		<p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS- FIRE SPRINKLER SYSTEM (STANDARD)</p> <p>The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior</p>	<p>A. Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner Cypress FPD</p>	<p>Prior to issuance of building permit.</p>	

		to requesting a framing inspection.	B. Applicant shall schedule fire dept. rough sprinkler inspection		Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection		Prior to final building inspection	
33		FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL) The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection	A. Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner Cypress FPD	Prior to issuance of building permit.	
			B. Applicant shall submit fire alarm plans and obtain approval.		Prior to rough sprinkler or framing inspection	
			C. Applicant shall schedule fire alarm system acceptance test.		Prior to final building inspection	

34	10	MMRP – GEOLOGIC IMPACT 1 In order to address geotechnical conditions identified for the project site, the applicant/owner shall submit grading plans that incorporate all recommendations of the Kleinfelder Geotechnical Investigation onto said grading plans as specifications for the proposed project. In order to monitor geotechnical conditions identified for the project site, the applicant shall submit reports from a certified geotechnical engineer that inspect, test and approve all geotechnical aspects of the project construction including, but not limited to: site preparation and grading, site drainage improvements, foundation and retaining wall excavations prior to placement of steel and concrete, location and design of graywater system, and excavations for utilities prior to placement of conduits. Grading plans and reports shall be subject to review and approval by the Direction of Planning and Building Inspection.	A. Submit grading plans stamped by a certified geotechnical engineer and completed in accordance with geotechnical recommendations to the satisfaction of the Planning and Building Inspection Director. The Director shall verify the existence of said recommendations as specifications on the Grading Plans prior to issuance of the grading permit.	Applicant/ Owner Engineer PBI Planning	Prior to issuance of a grading permit	
			B. A certified geotechnical engineer shall inspect, test and approve all geotechnical aspects of the project construction and report all findings to the Director of Planning and Building Inspection s. Project geotechnical engineer shall certify compliance with all geotechnical recommendations by signed letter prior to final grading approval		Prior to final grading approval	
			C. A certified geotechnical engineer shall inspect and approve all cut slopes and all key way excavations, if any, and report all findings to the Director of Planning and Building Inspection.		Prior placement of engineered fill	

35	2	MMRP – AESTHETIC IMPACT 3 In order to reduce lighting impacts and preserve the nighttime views of the area, the applicant shall submit a Lighting Plan including photometrics for the site for review and approval by the Director of Planning and Building Inspection and the Monterey County Sheriff. Said plan shall include, but not be limited to: <ul style="list-style-type: none"> - Low intensity lighting with 90-degree cut-off shields for all exterior light fixtures. - No light source shall extend beyond the project boundary. - Parking lot lights shall not exceed 14 feet in height. - Incorporate landscaping to screen glare from surrounding areas and meet Sheriff Department standards for Crime Prevention through Environmental Design (CPTED). 	A: Submit a Lighting Plan for review and approval of the Director of Planning and Building Inspection and Monterey County Sheriff.	Applicant/ Owner PBI Planning Sheriff	Prior to issuance of any building permit	
			B: Install lighting in accordance with the approved Lighting Plan to the satisfaction of the Director of Planning and Building Inspection.	Applicant/ Owner PBI Planning	Prior to occupancy	
36		FIRE001 - ROAD ACCESS 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 of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide	A. Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner Cypress FPD	Prior to issuance of grading and/or building permit.	

		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.	B. Applicant shall schedule fire dept. clearance inspection for each phase of development.		Prior to final building inspection	
37		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 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.	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner Cypress FPD	Prior to issuance of grading and/or building permit.	
			B. Applicant shall schedule fire dept. clearance inspection for each phase of development.		Prior to final building inspection	
38		FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner Cypress FPD	Prior to issuance of grading and/or building permit.	

		on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.	B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	
39		FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required.	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant Cypress FPD	Prior to issuance of grading and/or building permit.	
			B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	
40		FIRE010 -ROAD SIGNS 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 shall be a color that is	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on improvement plans.	Applicant or owner Cypress FPD	Prior to issuance of building permit(s)	

		reflective and clearly contrasts with the background color of the sign. All materials 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	B. Applicant shall schedule fire dept. clearance inspection for each phase of development.		Prior to final building inspection	
41		FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner Cypress FPD	Prior to issuance of building permit.	

		separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance	B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	
42		FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL) For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available.	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner Cypress FPD	Prior to issuance of grading and/or building permit.	
			B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	
43		FIRE015 - FIRE HYDRANTS/FIRE VALVES A fire hydrant or fire valve is required. 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. The hydrant serving any	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner Cypress FPD	Prior to issuance of grading and/or building permit.	

		building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the "State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways", May 1988.	B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	
44		EH38 - SEPARATE RECYCLABLES All persons shall separate all recyclables from other solid waste generated at their premises and shall place such recyclables into a different approved container to facilitate segregation at a solid waste facility (MCC 10.41.020.B).	Submit a plan to the Division of Environmental Health for review and approval.	Owner/ Applicant EH	Prior to issuance of building permits/ Continuous condition	
45		EH40 - MEDICAL WASTE Storage, transportation, and disposal of biohazardous/medical wastes shall be in compliance with of Title 22, Division 20, Chapter 6.1 of the California Code of Regulations.	The operation shall register and shall maintain a valid permit from the Division of Environmental Health.	Owner/ Applicant EH	Prior to issuance of building permits/ continuous condition	
46	9	MMRP – CULTURAL IMPACT 1 If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 150 feet of the find until a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archeologist (i.e.; an archeological registered with the Society of Professional Archeologists) shall be immediately contacted by the responsible individual on-site. When contacted, the project planner and the archeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Monitor the site for cultural materials in the soils. If any materials are found, the responsible individual on-site shall halt all grading activity within 150 feet of the find and immediately contact the Monterey County Planning and Building Inspection Department and the project archeologist who will visit the site and determine proper mitigation based on the findings.	Applicant PB1 Planning	During Grading	

47	11	MMRP – HAZARD IMPACT 2 Because the MCHD has never evaluated the actual performance of graywater technology in a facility of this type, this graywater system will be treated as a pilot project that shall be monitored for the life of the use permit. All services, testing, and modifications required by the Director of Health shall be in accordance with and subject to any amendments of Monterey County Code Chapter 15.20. The provisions of this mitigation shall be at the owner's expense.	A. Submit an operation and maintenance training plan/schedule (either in-house or by the manufacturer) to MCHD for review and approval.	Applicant/ Owner Maint. Company MCHD	Prior to issuance of any permits	
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			<p>B. Submit detailed plans of the proposed graywater system to MCHD for review and approval. In order to minimize the possibility for an assisted care living facility generating graywater with substances that are not of a quality consistent with the intent of Appendix G (Section G 13) of the California Plumbing Code, the system shall be designed as follows:</p> <ul style="list-style-type: none"> - All unused or expired pharmaceuticals shall be disposed of in accordance with the Medical Waste Management Act, Section 117600 through 118360 of the California Health & Safety Code. No pharmaceuticals shall be discharged down any fixture connected to the graywater system. - No laundry that includes soiled diapers may be included with the graywater for the facility. - Only resident bathroom lavatories, showers and bathtubs, restroom lavatories, and laundry fixtures shall be connected to the graywater system. All other building fixtures shall be connected to the sanitary sewer system. - No chemicals, disinfectants, and/or wastewater prohibited by Appendix G (Sections G 2 and G 13) shall be discharged into fixtures connected to the graywater system. Separate fixtures that do not connect to the graywater system shall be installed for disposing of cleaning chemicals, disinfectants, and/or wastewater. Fixtures connected to the graywater system may use minimal amounts of institutional chemicals or disinfectants for cleaning of those fixtures only. - This graywater system shall incorporate sand filtration and ozone disinfection of the graywater (as proposed by the applicant) prior to distribution for irrigation. 		Prior to issuance of any permits	
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			C. Provide documentation demonstrating that the company and/or staff responsible for maintaining and operating the graywater system has the technical and managerial skills necessary in the maintenance and operation of all components of the system (plumbing cistern, ozone, etc).		Prior to occupancy of the facility	
			D. MCHD staff will inspect the system two (2) times per year.		For the first five (5) years after installation	
			E. MCHD shall perform a final evaluation of the system and the technology with the potential for permanent approval should the technology prove itself.		On-Going after Year Five	
			F. Submit a report completed by the person(s) responsible for maintenance and operation of the graywater system to the Director of Health for review and approval. Said report shall record and report all diversions of the graywater to the sewer as a result of ponding/surfacing of graywater, system back up, system overflow, and the reason for said diversion.		By Dec. 1 st of each year following completion	

48	<p>PBD018(B) - LANDSCAPE PLAN AND MAINTENANCE (NON-STANDARD)</p> <p>The site shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. Said plans shall be prepared by a licensed Landscape Architect and must:</p> <ul style="list-style-type: none"> - Identify the location, species and size of the proposed landscaping material. - Include species that are botanically appropriate to the area, including but not limited to native species such as Monterey Pine, Cypress, and Oak trees. - Include planting of arroyo willows and other riparian associated species around both detention ponds. - Identify all existing trees within the project area including the site, Val Verde Drive right-of-way, and along Carmel Valley Road. Indicate all trees to be removed. - Retain Replace the 26-inch pine along the south property lines with a 24-inch box cypress or equivalent for screening, and retain plus all of the mature trees along Carmel Valley Road. - Limit planting so that irrigation will not exceed 1.12 af of water per year. - Provide a mix of mature plants and species to screen or soften the visual impact of new development. - Provide notes on the plans to eradicate invasive vegetation for areas on or near the project area including on-site, within the right-of way adjacent to the project site, along the Carmel Valley Road frontage, and along Rio Road. <p>Address Sheriff Department standards for Crime Prevention through Environmental Design (CPTED).</p>	<p>Submit landscape plans and contractor's estimate to <u>PBI Planning Department</u> for review and approval.</p> <p>All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition</p>	<p>Owner/ Applicant</p> <p><u>PBI Planning</u></p> <p>Sheriff</p> <p>Owner/ Applicant</p> <p><u>PBI Planning</u></p>	<p>At least 60 days prior to final inspection or occupancy</p> <p>On-going</p>	
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49	1 and 8	<p>MMRP – AESTHETIC IMPACT 2</p> <p>In order to reduce lighting impacts and preserve the visual character of the area, the developer shall submit Landscape Plans prepared by a licensed Landscape Architect that:</p> <ul style="list-style-type: none"> - Identify the location, species and size of the proposed landscaping material. - Include species that are botanically appropriate to the area, including but not limited to Monterey Pine, Cypress, and Oak trees. - Include planting of arroyo willows and other riparian associated species around both detention ponds. - Identify all existing trees within the project area including the site, Val Verde Drive right-of-way, and along Carmel Valley Road. Indicate all trees to be removed. - Retain Replace the 26-inch pine along the south property lines <u>plus and retain</u> all of the mature trees along Carmel Valley Road. - Provide a mix of mature plants and species to screen or soften the visual impact of new development. - Provide notes on the plans to eradicate invasive vegetation for areas on or near the project area including on-site, within the right-of way adjacent to the project site, along the Carmel Valley Road frontage, and along Rio Road. - Address Sheriff Department standards for Crime Prevention through Environmental Design (CPTED). 	<p><u>A: Submit a Landscape and Irrigation Plan, with the required review fee, for review and approval.</u></p> <p><u>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."</u></p> <p><u>Submit one (1) set landscape plans of approved by the RMA – Planning Department, Maximum Applied Water Allowance (MAWA) calculation, and a completed "Non-Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.</u></p> <p><u>Submit an approved water permit from the MPWMD to the RMA – Building Services Department.</u></p> <p><u>B: Install landscaping in accordance with the approved Landscape and Irrigation Plan to the satisfaction of the Director of Planning and Building Inspection.</u></p>	<p>Applicant/ Owner</p> <p>PBI Planning</p> <p>Sheriff</p>	<p>At least three weeks prior to occupancy</p>	
				<p>Applicant/ Owner</p> <p>PBI Planning</p>	<p>Prior to occupancy</p>	

			C: Maintain landscaping in accordance with the approved Landscape and Irrigation Plan to the satisfaction of the Director of Planning and Building Inspection. The applicant shall submit a report every 5 years for the next 15 years demonstrating long term compliance with the Landscape and Irrigation plan. <u>All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</u>	Applicant/Owner <u>PBI</u> <u>Planning</u>	On going	
50		WR8 - COMPLETION CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans.	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor WRA	Prior to final inspection	
51		WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant WRA	Prior to final building inspection/occupancy	
52	24	MMRP -TRAFFIC IMPACT 7 In order to provide adequate emergency access and reduce the impact of emergency vehicle traffic on Val Verde Drive, the applicant shall: - Improve Val Verde Drive to a width of 12 feet (maximum) from the northern most project entry to Carmel Valley Road; - Install posting/restrictions along this segment for	Provide the Director of Planning and Building Inspection with written verification that appropriate restrictions are in place for the emergency access segment to the satisfaction of the local fire jurisdiction, Monterey County Sheriff's Department, and the Department of Public Works.	Applicant/ Owner <u>PBI</u> <u>Planning</u> Sheriff	Prior to occupancy	

		<p>emergency access only;</p> <ul style="list-style-type: none"> - Install an emergency gate on Val Verde Drive at the intersection with Carmel Valley Road that is secured from general vehicle traffic; - Install an emergency gate on Val Verde Drive at the southerly end of the property that is secured from general vehicle traffic; and - Install an emergency vehicle pre-empt system on the signal at the intersection of the Brinton's driveway with Carmel Rancho Boulevard subject to the approval of the Department of Public Work. 		PW		
53	25	<p>MMRP –TRAFFIC IMPACT 8</p> <p>In order to reduce impacts of generating traffic at peak times, the applicant shall schedule employee arrivals/shift changes at non-peak hours (7:00-9:00 AM and 4:00-6:00 PM) and also coordinate this to vary from the peak operation times of the Community Life Center. Deliveries may occur only between the hours of 10:00 am and 3:00 pm.</p>	<p>Submit an operation plan that identifies peak traffic periods for the area and Community Life Center and based on such establishes employee schedules (shift changes) and delivery schedules that will not impact these peak periods. Said plan shall be submitted to review and approval of the Director of Planning and Building Inspection.</p>	<p>Applicant/ Owner PBI Planning</p>	Prior to occupancy	

54	27	<p>MMRP –UTILITY IMPACT 1</p> <p>To ensure that the project does not exceed the 4.8-acre foot water allocation, or an alternative lesser allocation approved by the Board which could cause a significant impact to the local water supply, the applicant/owner shall contract with an approved qualified engineer to monitor and provide water use reports. The engineer shall be approved by, and reports shall be submitted to the Director of Planning and Building and the General Manager of Water Resources Agency consistent with the schedule in the following monitoring actions. Said reports shall identify the actual water use of the facility at various stages of occupancy with recommended action(s) if the facility is nearing its water limit as directed in the following monitoring actions.</p>	<p>A: During the first two years of operation after approval of building permits, submit monthly reports to the Director of Planning and Building Inspection and the General Manager of Water Resources Agency prepared by a qualified engineer that identifies the actual water use of the facility. If any report finds that this facility is operating at or over their proportional capacity, Mitigation Number 27C below shall be implemented accordingly based on these findings.</p>	<p>Qualified Engineer</p> <p>PBI Planning</p> <p>WRA</p>	<p>1st day of each month immediately following occupancy and for the first two years of operation</p>	
			<p>B: During Years 3-5 of operation, submit semi-annual reports to the Director of Planning and Building Inspection and the General Manager of Water Resources Agency prepared by a qualified engineer that identifies the actual water use of the facility. If the facility is not at full buildout and operation during years 3-5, then these semi-annual reports shall continue to be required until the facility is operating at full build out for two years. If any report finds that this facility is operating at, near, or over their proportional capacity, Mitigation Number 27C below shall be implemented accordingly based on these findings.</p>		<p>Jan 1st and July 1st each year during years 3-5 of operation</p>	

			<p>C: In the event that the project at any time exceeds the water allocation approved by the Board, the consultant engineer shall recommend implementation of and applicant shall implement one or more actions to reduce water consumption to the satisfaction of the Water Resources Agency. Said action may include, but are not limited to:</p> <ul style="list-style-type: none"> - Remove on-site laundry and provide off-site laundry service only. <u>In order to reduce long term traffic impacts on Highway One from added trips for a graywater system maintenance employee/service and potential off-site laundry services, the applicant owner shall pay an additional mitigation fee of \$1,632.80 (0.8 trips * \$2,041/trip).</u> - Implement further staff/client water saving measures through review of water use practices in conjunction with client attrition to reduce the number of beds occupied. - Reduce the allowed number of beds that may be occupied. If the facility is operating with a reduced occupancy (e.g.; 65 beds) when the reports noted in Mitigation Measures 27A or 27B find the facility is nearing its proportional capacity, then that level of occupancy shall be the new limit of occupancy until a future report identifies available water to use for additional beds. 		<p>If any report directed by Monitoring Action 27A or 27B identifies that the facility has used more than 90% of the allocation for any calendar year</p>	
55	8	<p>MMRP – BIOLOGY IMPACT 5 To replace the habitat of the arroyo willows that will be removed, arroyo willows and/or other riparian associated species shall be planted around the detention ponds to the satisfaction of the Director of Planning and Building <u>Inspection.</u></p>	<p>A. Contact the Planning and Building Inspection Department for a representative to inspect the project area relative to compliance with Mitigation Measure 8.</p>	<p>Applicant <u>PBI</u> <u>Planning</u></p>	<p>Prior to Occupancy</p>	

			C. A qualified biologist shall review the project site and provide the Director of Planning and Building Inspection with a report of site conditions relative to successful establishment of the riparian habitat around the detention ponds. Said report shall include recommended remediation where tree planting is unsuccessful. If remediation is determined to be necessary, the monitoring timeframe shall be extended another two years and consistent with the monitoring action above, the biologist shall verify the completion and effectiveness of said remediation in a manner consistent with this mitigation monitoring action. Subsequent remediation measures and extended monitoring actions may be required until full mitigation is achieved pursuant to approval from the Director of Planning and Building Inspection .	Biologist PBI Planning	Two years following occupancy	
56	15	MMRP – NOISE IMPACT 3 To reduce the long term ambient noise, the applicant shall prepare an emergency response plan that limits use of sirens for emergency services for this facility. Said plan shall be subject to review and approval of the Monterey County Sheriff Department and Cypress Fire Protection District.	Submit an emergency response plan for review and approval of the Monterey County Sheriff Department and Cypress Fire Protection District.	Applicant/ Owner Sheriff Cypress FPD	Prior to occupancy	
57	16	MMRP – NOISE IMPACT 4 To reduce long-term noise impacts, the facility shall not install or use any exterior sound devices, including a public address system, bull horn and other similar equipment at any time. No outdoor activities may take place after 7:00 pm on the subject site.	Place a note on the building plans that the facility may not install or use any exterior sound devices at any time. No outdoor activities may take place after 7:00 pm on the subject site.	Applicant PBI Planning	On-going	
58		WR37– DRAINAGE & FLOOD CONTROL SYSTEMS AGREEMENT (NON STANDARD) The Maintenance Agreement described in Condition 29 shall provide that if the property owner fails to properly maintain, repair, or operate the roads, drainage and/or flood control facilities for the project, the County of Monterey and the Monterey County Water Resources Agency shall have the right to enter any and all portions of the property to	Properly maintain, repair, or operate the roads, drainage and/or flood control facilities for the project in accordance with recorded Maintenance Agreement.	Applicant Owner WRA	On-Going	

		perform repairs, maintenance, or improvements necessary to properly maintain or operate the drainage and flood control facilities in the project. The County of Monterey and the Monterey County Water Resources Agency shall have the right to collect costs for said repairs. Said costs shall be included upon their property tax bills, upon a noticed hearing by the Board of Supervisors as to the appropriateness of the cost.				
59		PBD030 - STOP WORK - RESOURCES FOUND 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 Planning and Building Inspection 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 Planning and Building Inspection 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 PBI <u>Planning</u>	Ongoing	
60		EH28 - HAZ MAT BUSINESS RESPONSE PLAN Comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health.	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant EH	Continuous	

END OF CONDITIONS

EXHIBIT C

Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164

Carmel Cottages (formerly Gamboa) Planning File Nos. PLN000357, PLN060102 and REF100047 78-Bed Assisted Care Living Facility

1. Introduction

The original approved Combined Development Permit (PLN060102/Keehn, PLN000357/Gamboa) consists of a Use Permit to allow a quasi-public use in the Low Density Residential zoning district, including site plan and design review for development of a 64-suite, 78-bed, assisted care living facility consisting of a 3-building complex totaling 43,400 square feet, 35 space parking lot including 4 handicap-accessible spaces, balanced grading (3,000 cy cut/3,000 cy fill), access and parking improvements across a neighboring lot (APN: 015-021-003-000) to Carmel Rancho Boulevard, improvements to Val Verde Drive for emergency access to Carmel Valley Road, an underground graywater and cistern systems, and on-site water detention ponds; a Use Permit to allow development on slopes exceeding 30%; and allocation of 4.8 acre feet of water to the project.

Modifications to be considered (file number REF100047) include modification of conditions requiring the preservation of a non-protected Monterey pine and amending the project description to delete graywater and cistern systems, removing conditions requiring underground graywater and cistern systems, and amending landscaping conditions to reflect the project changes. Some of the modifications are related to Monterey Peninsula Water Management District Water Permit No. 25730, issued on July 27, 2008, wherein the District determined graywater was not required for a 78-bed facility subject to Special Conditions of Approval including specific design requirements.

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in a Mitigated Negative Declaration, adopted July 13, 2004, by the Board of Supervisors by Resolution No. 04-253. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

2. Scope and Purpose of this Addendum

The project description is being amended to eliminate the requirement for a graywater system and allowing the removal of a Monterey pine tree. These project changes do not require preparation of a subsequent Mitigated Negative Declaration (MND) as none of the conditions described in Public Resources Code section 21166 or CEQA Guidelines section 15162, calling for preparation of a subsequent MND, have occurred. Therefore, in compliance with CEQA Guidelines section 15164, preparation of this Addendum is appropriate.

Substantial evidence supports this conclusion, including:

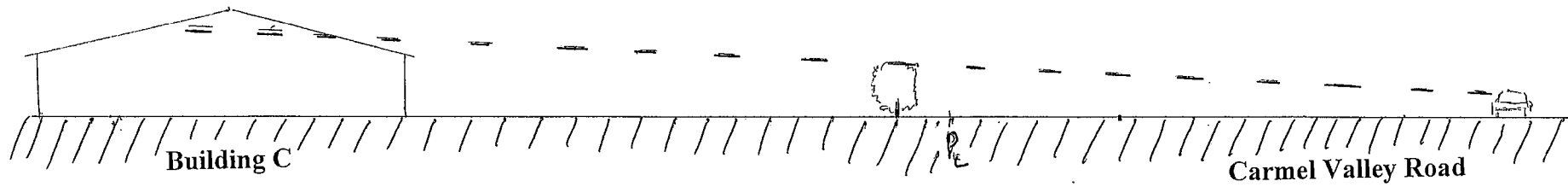
- The change to the project description, eliminating the need for a graywater system, and a change to the conditions of approval allowing replacement of landscaping in lieu of preserving a Monterey pine, does not result in any change to the approved water cap for the project.
- The water cap was placed on the project through mitigation measures and conditions of approval to assure that the county's water allocation for this area does not exceed the amount of water determined for the county's water use in this area. The proposed landscaping solution for the removal of the pine tree is to provide 13 new trees along the south property line and five more trees along the south side of Building A.
- The change to the project description, modifying the conditions of approval to allow replacement landscaping in lieu of preserving a single Monterey pine, does not result in an increase in aesthetic impacts identified in the original Initial Study.
- All policies and mitigation measures, adopted as part of the previous MND process and as modified, would continue to be followed under the revised project.
- None of the circumstances under which the revised project is being undertaken have changed such that revisions to the previous MND are required.

- No new information has become available that would change the analysis or conclusions in the previous MND.
- The revised project will not result in any significant effects not discussed in the previous MND adopted for this project.
- Documents that support the conclusions of this Addendum include the following documents:
 - Axiom Engineers study dated November 21, 2007 (“Expected Water Use Analysis for Cottages of Carmel, Carmel Valley”)
 - MPWMD letter dated September 10, 2010
 - MPWMD letter dated January 18, 2008
 - Rushforth letter dated September 3, 2010 (Condition Compliance #27 and #49)

The revised project will not increase the severity of any effects beyond what was disclosed and analyzed in the previous MND.

Attachment: Initial Study, Gamboa-Sunrise Assisted Care Living Facility

EXHIBIT D
Cross Section
Carmel Valley Road to Building C



Cross Section
Southern Parcels to Building A

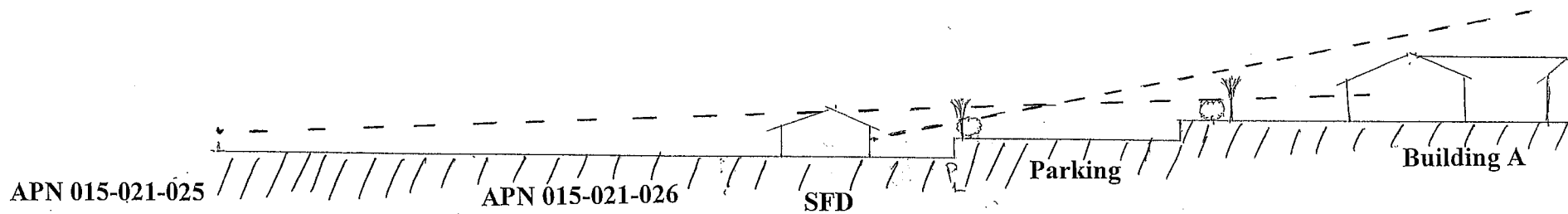
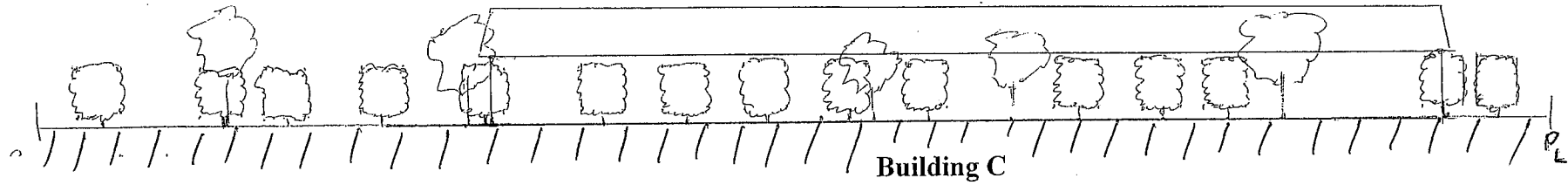


EXHIBIT E
Elevation -- North
Carmel Valley Road



Elevation -- South
Private Property

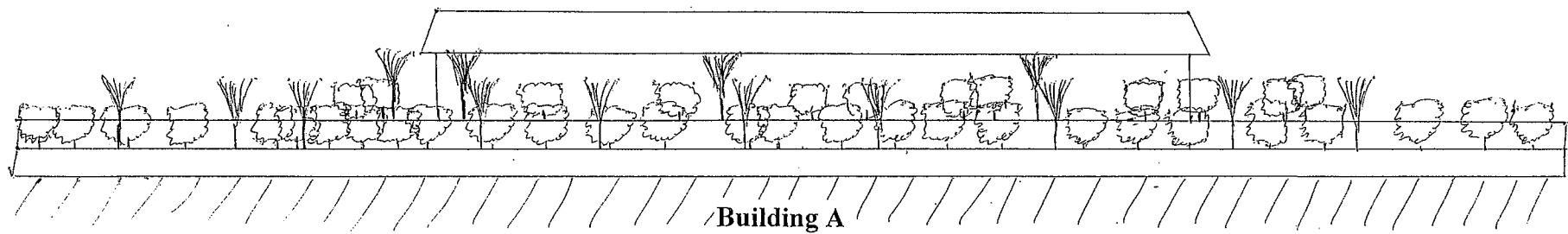


EXHIBIT F
CORRESPONDENCE

Novo, Mike x5192

From: Margaretmike@aol.com
Sent: Wednesday, March 02, 2011 1:34 PM
To: Novo, Mike x5192
Subject: Carmel Cottages for PC Packets

Madame Chair and Commissioners,

On Monday, four of us from Carmel Valley met with the applicant to review the latest landscape plan. We pointed out that several of the proposed trees were not appropriate and some trees were planted in inappropriate areas. At this point in time, I have no idea of what late changes have been made or what the actual water figure will be used. I did learn that one special water feature (a fountain near the memory cottage) is to be installed and that care will be taken so no one can fall into that fountain. However, I did not find out how much water this fountain will use. Even a sealed system will have some evaporation. After reviewing in detail the latest landscape plan, I ask that the water feature be eliminated. Every bit of water is needed for landscaping.

I find that latest plan unsatisfactory because it will not provide the kind of screening and landscaping we were lead to believe we could expect when the project was approved. (I will bring this plan to the meeting on March the since I have no way in getting it to Salinas in time to get it included in your I have named it "Landscape Light"! It has more than 50 percent less trees that we expected and almost 30% less square footage of landscaping. Plan that accompanied approval = 111,500 square feet of landscaping, New Plan= 79, 631 square feet of landscaping.

I checked the 5 year narrative with a couple of local nurseries. As for the proposed landscaping providing the height and coverage promised, both businesses said it was overly optimistic and much would depend on how much water was used.

I find the interior water usage chart almost useless since it appears to be solely based on Assisted Living clients with no accounting for the substantial number of Alzheimer's clients with their special needs -- more laundry, more changes of bedding, towers, and such. It also depends on special water saving features which may not be feasible with these clients.

In addition, there are no water usage figures for the Bistro which will have coffee, tea and water available for clients, staff and visitors. When we toured the property, the owner pointed out the Beauty Salon and said this is where the ladies will have their hair and nails done. There is no allocation of water for manicures, pedicures, and massage therapy.

The salon figures are based on a normal salon with a large range of ages and conditions of hair -- many not needing special treatment. After taking with at least salon owners here are their comments: "Older ladies with long treated hair require at least three times as much water for their treatment,. Older ladies with short hair require at least two times as much water. Older ladies with permed

03/02/2011

hair require four times as much water.

Personal laundry water figures are on the low side. As a couple Carmel Valley Manor residents pointed out: "Personal laundry is done more than once a week. We have very limited closet and storage space so we have don't have a lot of clothes. So, we do laundry more often. Women are also disinclined to toss their fine lingerie into a washer. They prefer to launder these delicates by hand since they tend to last much longer.

On our tour of the facility, the owner pointed out that each of the suites will have a kitchenette--including a microwave, small refrigerator, and sink. A sink usually indicates an accompanying faucet and refrigerator use water for ice cubes. None of the potential water use is accounted for in the water usage reports.

In 2003, there were numerous memos Including but not limited to: May 7, 2003 letter from Tony Lombardo to Carl Holm, February 18, 2003 e-mail from Stephanie Pintar to Carl Holm, A series of e-mail starting December 200 between Carl Holm and Laura Lawrence (then Environmental Health) Carl Holm and Wendy Stremling,--all talking about a 56 bed scenario if grey water was not used. then August 16, 2010 Janna Faulkthat states an error was made by Environment Health in clearing the grey water condition. And to conform with the water balance of intent of the Board of Supervisors resolution 04-253 that one of the following actions be taken in regard to the Gamboa project (now Carmel Cottages):

"Reduce the number of beds to 56 or install a grey water system."

I totally agree with this either or approach. Thus, if it is too late to go back to the grey water system that was approved, the number of beds must be reduced to 56. I will go one step further and agree if Carmel Cottages can show after three years of operation that they can live comfortably within the 4.8 acre allocation, that they can apply for additional beds.

One final note: I spoke with the Ombudsman for the Alliance on Aging. There are strict rules about evictions from an Assisted Living Facility. Saying yo9u have run over your water allocation is not in the rules. To eliminate the possibility of grief, heartbreak and hardship on potential clients and their families, please stick with the 56 bed limits.

Thank you,

Margaret Robbins
3850 Rio Road #26
Carmel CA, 93923
March 2, 2011

P.S. I will bring all supporting documents to the meeting next Wednesday,

Carmel Valley Association
P.O. Box 157, Carmel Valley, California 93924
www.carmelvalleyassociation.org



Since 1949

Planning Commission

RE: Alta California Land Company LLC –REF100047
aka Carmel Cottages

March 2, 2011

Dear Chair Getzelman and Commissioners,

Carmel Valley Association, representing hundreds of residents up and down the entire Carmel Valley, have actively and carefully studied the project known as Carmel Cottages. Our volunteers have been involved throughout the process, since the early 2000's.

We have been told that there may not be public comment at this next hearing, due to the fact that the public comment was closed at the last hearing. We find it unsettling to impose such a limit, considering new information has come to light. Please allow public comment.

It has come to our attention that the water issue continues to be problematic as new information is discovered. For example, the Axiom study of 2007, does not mention kitchenettes in each of the 64 apartments. Yet, there are kitchenettes with sinks in them. How does that affect the water usage figures? What else did they leave out or report incorrectly? The idea that enough water saving devices could be injected into this project to save a significant amount of water, is hopeful, but is it accurate?

We would ask that you take a step back and think about the clients involved. The water issue is critical to "get right" as many lives will be disrupted and affected should the water saving devices not actually work as predicted. By approving 78 beds, with a condition that the assisted living facility "downsize" if they run low on water, is "pie in the sky" thinking. We don't just eject residents out of their homes. Mr. Houpt will have to wait for clients to either move out or die, to regain those empty beds and comply with Monitoring Action 27 (c), should it need to be utilized. That could take a very long time. In the meantime the water overdraft will continue.

Planning Commission: Carmel Cottage

From Carmel Valley Association, March 2, 2011

"To preserve, protect and defend the natural beauty and resources of Carmel Valley"

We question the wisdom of modifying the conditions to remove the requirement for the gray water system and cisterns. The gray water system is more than adequate for its purpose, the system allows for some "wriggle room" in water use limits, and the cisterns importantly provide water for fire suppression as well as to control runoff (see p 3 of June 14, 2004 Initial Study). We understand that installation of a second plumbing system for gray water costs only 15-20% more than the standard plumbing cost. Please continue to require it. If it is removed, and later found to be necessary, the applicant's costs would be astronomical to install later. In fact, it just wouldn't happen. Now is the time to get it done.

If in fact, as stated by Mr. McCormack at the February 9 hearing, installing a gray water system for a residential project is against State code, we request the details of that information. It appears that this is considered a quasi-quasi public project, not strictly residential, in any event. We ask that you postpone any decision until you have answers to these issues.

The original project was well studied and vetted. To so significantly change it by removing the gray water and cistern conditions at this point, without CEQA review, leaves the county open to legal challenge.

We ask that you leave in the conditions for the gray water and cisterns. If you deem that not possible, please require CEQA review, before changing it. We would ask, if you remove the condition for the gray water system and cisterns, that you allow only 56 beds for the first 2 years, giving time for the applicant to prove that the water usage works as efficiently as he hopes. If, at that time, the water use history proves workable, then he could be allowed to increase to a higher number of beds.

Thank you for your consideration.

Sincerely,

Christine Williams (signature)

Christine Williams, President

Holm, Carl P. x5103

From: deeannehowe@aol.com
Sent: Saturday, February 19, 2011 8:28 AM
To: Moss, Tom Ext.4968
Cc: Holm, Carl P. x5103
Subject: Re: Carmel Cottages project information request
Tom,

Condition #29, PLN 000357 states "**submit a detailed drainage plan to WRA....evaluating impacts to....the Rio Road tieback levee**". The same condition goes on to state "**Routing natural drainage around the proposed development in a manner that does not impact downslope development**". I believe the conditions of approval (specifically condition #29-party responsible for compliance is WRA) do require an analysis of the two questions I posed below. I am exceedingly surprised you are unaware of this condition.

I hope the statement "you are welcome to view our files and draw your own conclusions" does not mean that you are unwilling to provide information beyond a printed page to a constituent in Monterey County who has property directly affected by the consequences of this project. Please bear in mind Tom that any analysis directed by the condition above *follows* project approval and the public has no opportunity to comment or review. In that regard-we look to the WRA and it's employees for assistance and the benefit of your educated analysis and opinion. It seems reasonable to expect as much.

I would appreciate a response to my questions.

Thank you, DeeAnne Howe

-----Original Message-----

From: Moss, Tom Ext.4968 <mosst@co.monterey.ca.us>
To: deeannehowe@aol.com <deeannehowe@aol.com>
Cc: Holm, Carl P. x5103 <HolmCP@co.monterey.ca.us>
Sent: Fri, Feb 18, 2011 4:45 pm
Subject: RE: Carmel Cottages project information request

DeeAnne-

In my previous responses to you, I have guided you to the Agency files for information related to your questions. Agency staff is tasked with enforcing the applicable conditions of approval, and I understand there is an approved drainage plan with supporting calculations available for your review. I don't believe the conditions of approval required an analysis of the two questions you posed below. In that regard, you are welcome to view our files and draw your own conclusions.

If it is helpful, I understand the drainage facilities were designed to capture project runoff from a 100-year storm event. Additionally, the facilities are capable of conveying the design storm (100-year storm) to the Carmel River through an existing storm drain in Carmel Rancho Boulevard.

Tom

From: deeannehowe@aol.com [<mailto:deeannehowe@aol.com>]
Sent: Friday, February 18, 2011 2:27 PM
To: Moss, Tom Ext.4968
Cc: Holm, Carl P. x5103
Subject: Fwd: Carmel Cottages project information request

03/02/2011

Tom,

I am in receipt of the letter from Alice Henault, Public Records Coordinator, and she states "Please be advised that I am responding only to your request for documents and not any specific substantive questions. Those should continue to be addressed to the appropriate departments."

May I again, for the third time please ask you to address the questions which I copy and paste here from my previous emails?

I am interested to know in regard to PLN000357, Carmel Cottages (1) "the impacts of their drainage to the Rio Road Tieback Levee and downstream development" and is it (2) "possible for the retention ponds to be overtopped in a severe weather event and what impact that would have to the McDade property directly South of the project and to all of us downstream".

Thank you for your attention to my questions.

DeeAnne Howe

-----Original Message-----

From: deeannehowe@aol.com

To: mosst@co.monterey.ca.us

Cc: holmcp@co.monterey.ca.us

Sent: Thu, Feb 3, 2011 9:27 pm

Subject: Carmel Cottages project information request

Hi Tom,

I left you a voicemail earlier and as I am going to be in and out tomorrow it might be better to do email.

My inquiry is regarding the Carmel Cottages project -- it is my understanding the applicant was supposed to submit hydrology prior to obtaining a permit that addressed the impacts of their drainage to the Rio Road Tieback Levee and downstream development; I would be very grateful if you could share that report and information with me.

I also asked the question of Carl Holm if it is possible for the retention ponds to be overtopped in a severe weather event and what impact that would have to the McDade property directly South of the project and to all of us downstream.

The PC hearing for this project is next Wednesday, Feb 9th.

Thank you, DeeAnne Howe

03/02/2011