

MONTEREY COUNTY PLANNING COMMISSION

Meeting: February 29, 2012	Time: 9:00 AM	Agenda Item No.: 3
Project Description: Request for a two-year extension of an amendment (PLN070415) to a previously approved Combined Development Permit (PLN030646) consisting of a General Development Plan for the Carmel River Inn to increase the number of guest units from 43 to 69 and to create a Historic District; Coastal Administrative Permit and Design Approval for the remodel of 23 existing cottage units, demolition of one cottage, remodel of the main Inn to reduce the number of units from 19 existing to 6, construction of 5 new two-story structures each consisting of 8 guest units on the second floor with parking below, the conversion of an existing maintenance building into an employee unit, the abandonment of a portion of Oliver Road, and grading; Coastal Development Permit for the removal of 2 native trees (originally approved for 5); and a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. This amendment would revise the new two-story buildings by omitting unit 5, rotate buildings 1 and 4 out of the 150-foot riparian corridor, revise buildings 2 and 3 from 8 units to 10 units, and add 4 units to the main Inn building for a total of 10 units at the main Inn. The total number of proposed units remains unchanged (69). The property is located 26600 Oliver Road, Carmel (Assessor's Parcel Number 009-563-005-000), Coastal Zone.		
Project Location: 26600 Oliver Road, Carmel	APN: 009-563-005-000	
Planning File Number: PLN110577 (PLN070415)	Owner: IWF Carmel River Investors LP Agent: Paul E. Davis	
Planning Area: Carmel Area Land Use Plan	Flagged and staked: No	
Zoning Designation: VSC-D (CZ) RC-D (CZ); "Visitor Serving Commercial," and "Resource Conservation" both within a Design Control District in the Coastal Zone.		
CEQA Action: Previously adopted Mitigated Negative Declaration		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit C**) to approve PLN110577, based on the findings and evidence (**Exhibit C**)

PROJECT OVERVIEW:

A letter requesting a two-year Permit Extension to PLN070415 was received by the RMA – Planning Department on October 17, 2011. Due to financial difficulties stemming from the current economy, the project, approved on October 12, 2005 (PLN030646) and amended on November 14, 2009 (PLN070415), was unable to move forward.

A notice was sent to neighbors within 300 feet of the project area and posted from January 18, 2012 to January 31, 2012 stating that the permit, PLN070415, would be extended administratively unless opposing comments were received. Three comment letters were received on January 22, 2012, January 26, 2012 and February 1, 2012 regarding issues pertaining to the project. Therefore, the project has been referred to the Planning Commission which is the original approving body for PLN070415 and PLN030646. (**Exhibit B**)

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

- RMA - Public Works Department
- ✓ Environmental Health Bureau
- Water Resources Agency
- Carmel Highlands Fire Protection District

✓ Parks Department
California Coastal Commission

Agencies that submitted comments are noted with a check mark ("✓"). Conditions from PLN070415 have been reviewed for consistency with current regulations and policies. No changes are required (**Exhibit C**).

The extension request was not referred to the Carmel/Carmel Highlands Land Use Advisory Committee (LUAC). The extension does not change the project description of the previously approved project (PLN070415). According to Board Resolution 08-338, a permit extension is not listed on Exhibit A of the LUAC referral guidelines. Therefore, the permit extension was not referred to the LUAC.

Note: The decision on this project is appealable to the Board of Supervisors and appealable by the Coastal Commission.



Dan Lister – Assistant Planner
(831) 759-6617, listerdm@co.monterey.ca.us
January 31, 2012

cc: Front Counter Copy; Monterey County Planning Commission; Carmel Highlands Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Wanda Hickman, Planning Services Manager; Dan Lister, Project Planner; Bob Schubert, Senior Planner; Carol Allen, Senior Secretary; IWF Carmel River Investors LP, Owner; Paul W. Davis, Agent; The Open Monterey Project; LandWatch; Planning File PLN110577

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Discussion
	Exhibit C	Draft Resolution, including: <ul style="list-style-type: none">Site Plan, Floor Plan and Elevations, Parcel Map, Tentative Map from PLN070415
	Exhibit D	Conditions of Approval and Mitigation Monitoring and Reporting Program from PLN070415
	Exhibit E	Vicinity Map
	Exhibit F	Extension Request Letters
	Exhibit G	Comments on Permit Extension

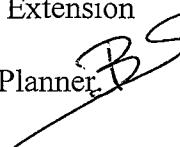
This report was reviewed by Bob Schubert, Senior Planner 

EXHIBIT B **DISCUSSION**

Project Description

A request was received from project agent, Paul E. Davis, by the RMA- Planning Department to extend the approval of PLN070415, an amendment to a previously approved Combined Development Permit (PLN030646), consisting of a General Development Plan for the Carmel River Inn to increase the number of guest units from 43 to 69 and to create a Historic District; Coastal Administrative Permit and Design Approval for the remodel of 23 existing cottage units, demolition of one cottage, remodel of the main Inn to reduce the number of units from 19 existing to 6, construction of 5 new two-story structures each consisting of 8 guest units on the second floor with parking below, the conversion of an existing maintenance building into an employee unit, the abandonment of a portion of Oliver Road, and grading; Coastal Development Permit for the removal of 2 native trees (originally approved for 5); and a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. This amendment would revise the new two-story buildings by omitting unit 5, rotate buildings 1 and 4 out of the 150-foot riparian corridor, revise buildings 2 and 3 from 8 units to 10 units, and add 4 units to the main Inn building for a total of 10 units at the main Inn. The total number of proposed units remains unchanged (69). The request of a two-year Permit Extension to PLN070415 was received on October 17, 2012. Due to financial difficulties stemming from the current economy, the project, originally approved on October 12, 2005 (PLN030646) and amended on November 14, 2009 (PLN070415), was unable to move forward.

Project Issues

A notice was sent to neighbors within 300 feet of the project area and posted from January 18, 2012 to January 31, 2012 stating that the permit, PLN070415, would be extended administratively unless opposing comments were received. Three comment letters were received on January 22, 2012, January 26, 2012 and February 1, 2012 regarding issues pertaining to the project. Therefore, the project has been referred to the Planning Commission which is the original approving body for PLN070415 and PLN030646.

The letters both express the following concerns:

- a) Increase of flood levels caused by the project
- b) Heightened noise and night light levels
- c) Intrusion on privacy and private views
- d) Negative impacts to property values
- e) Mitigated Negative Declaration disclosure in 2006
- f) Historic District area

Based on Staff's review of the project, the adopted Mitigated Negative Declaration (MND) and conditions and mitigation measures applied to the approval of PLN030646 and PLN070415 adequately address the above concerns. The increase in flood levels due to construction were addressed in the MND and Mitigation Measures were recommended and approved pertaining to the reduction in flooding of the area with hydrologic report updates before and after construction.

The adopted MND and approved General Development Plan (GDP) both identify that all exterior is to be visually consistent with the character of the area. The only events mentioned are within the GDP where small weddings with no outdoor music are allowed to take place on the property. The GDP goes on to say that the site will be developed to enhance the riparian and natural character of the site with paths, common benches, and other passive use areas.

Based on staff's review of the project, all comments received have been addressed previously, and do not present new data that were not addressed in the adopted MND.

Environmental Review

An Initial Study and Mitigated Negative Declaration (MND) were prepared for the original project (PLN030646). The MND with Mitigation Measures were adopted by the Planning Commission on February 22, 2006. On November 14, 2007, the Planning Commission approved an Addendum to the adopt MND due to minor revisions to the project (PLN070415). Since the requested Permit Extension does not change the project description and no new issues were identified, the extension does not require additional environmental review, pursuant to 15164 of the CEQA Guidelines.

Recommendation

After reviewing the comment letters received opposing the project, staff believes that all comments have been adequately addressed in the adopted Mitigated Negative Declaration (MND) and associated conditions and mitigation measure, and do not provide information that was not addressed in the prior adoption and approvals. Therefore, staff recommends that the Planning Commission approved the project pursuant to the Findings and Evidences in the Draft Resolution, and apply the same conditions and mitigation measures that were approved in PLN070415.

EXHIBIT C
DRAFT RESOLUTION

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

In the matter of the application of:

IWF Carmel River Investors LP (PLN110577)

RESOLUTION NO. _____

Resolution by the Monterey County Hearing Body:

- 1) Find the exempt from CEQA review, pursuant to Section 15164; and
- 2) Approving the request for a two-year extension of an amendment (PLN070415) to a previously approved Combined Development Permit (PLN030646) consisting of a General Development Plan for the Carmel River Inn to increase the number of guest units from 43 to 69 and to create a Historic District; Coastal Administrative Permit and Design Approval for the remodel of 23 existing cottage units, demolition of one cottage, remodel of the main Inn to reduce the number of units from 19 existing to 6, construction of 5 new two-story structures each consisting of 8 guest units on the second floor with parking below, the conversion of an existing maintenance building into an employee unit, the abandonment of a portion of Oliver Road, and grading; Coastal Development Permit for the removal of 2 native trees (originally approved for 5); and a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. This amendment would revise the new two-story buildings by omitting unit 5, rotate buildings 1 and 4 out of the 150-foot riparian corridor, revise buildings 2 and 3 from 8 units to 10 units, and add 4 units to the main Inn building for a total of 10 units at the main Inn. The total number of proposed units remains unchanged (69). The property is located 26600 Oliver Road, Carmel (Assessor's Parcel Number 009-563-005-000), Coastal Zone.

[PLN110577 (PLN070415), IWF Carmel River Investors LP, 26600 Oliver Road, Carmel, Carmel

The IWF Carmel River Investors LP permit extension request (PLN110577) came on for public hearing before the Monterey County Planning Commission on February 29, 2012. 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 1982 Monterey County General Plan;
 - Carmel Area Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 4;
 - Monterey County Zoning Ordinance (Title 20).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 26600 Oliver Road, Carmel (Assessor's Parcel Number 009-563-005-000), Carmel Area Land Use Plan. The parcel is zoned VSC-D (CZ) RC-D (CZ); "Visitor Serving Commercial," and "Resource Conservation" both within a Design Control District in the Coastal Zone. The project was previously approved to modify an existing motel and cottage use (PLN030646/PLN070415). The request for a permit extension will not change the approved project. Therefore, the project is an approved land use for this site.
 - c) The project planner conducted a site inspection on January 26, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
 - d) On January 13, 2012 notices were mailed to residents within 300 feet of the project site and posted in at least three different public places on and near the subject property.
 - e) Two written objections were received during the notification period from January 18, 2012 to January 31, 2012. One comment letter was received on February 1, 2012 after the notification period (a total of three comments letters were received regarding the project). The comments received pertain to potential flood impacts due to construction, noise and light obtrusions, impacts to private viewshed, and negative property value impacts within the neighborhood. The comments were addressed in the adopted Mitigated Negative Declaration and mitigated for with the prior approval on the project (PLN030646/PLN070415). The comments do not identify impacts that have not been addressed.
 - f) The extension request was not referred to the Carmel/Carmel Highlands Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, a permit extension to a

- previously approved project is not listed as needing to be deferred to the LUAC for consistency.
- g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed amendment found in Project Files PLN070415 and PLN110577.
2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.
- EVIDENCE:**
- a) The permit extension has been reviewed by the following departments and agencies: RMA - Planning Department, Carmel Highlands Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency. No comments were received requesting any changes to what were previously approved.
 - b) Staff conducted a site inspection on January 26, 2012 to verify that the site is suitable for this use.
 - c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed amendment found in Project Files PLN070415 and PLN110577.
3. **FINDING:** **PERMIT EXTENSION REQUEST** - The County has received and processed a Permit Extension for PLN070415 (PLN110577).
- EVIDENCE:**
- a) A request for a Permit Extension was submitted on October 17, 2011 by the project agent, Paul E. Davis. The current permit is set to expire on November 14, 2011.
 - b) On November 14, 2007, the Planning Commission approved PLN070415, an amendment to a previously approved Combined Development Permit (PLN030646) under Resolution 07052. The permit was approved to expire on November 14, 2009. Per Ordinance No. 5155 adopted on March 16, 2010, an automatic two-year extension was given to all approved permits between January 1, 2006 and January 1, 2009.
 - c) No conditions or mitigation measures have been cleared since the approval by the Planning Commission on November 14, 2007. All Construction Permits applied for in association to the project have expired (BP060790, BP060846, BP060846, BP071035, BP071036, & BP071037).
 - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed amendment found in Project Files PLN070415 and PLN110577.
4. **FINDING:** **PERMIT EXTENSION (CHANGE IN CIRCUMSTANCE)** - The Permit Extension includes no changed circumstances from the previously approved permit(s). As approved and amended, permit number PLN110577 will become and be referred to as the approved permit.
- EVIDENCE:**
- a) The requested extension, pursuant to the specific regulations in Title 20.70.110 of the County Zoning Ordinance, does not propose a change in circumstances.
 - b) An extension request was received on October 17, 2011 from project

- representative, Paul Davis. Due to financial difficulties stemming from the current economy, an extension is required.
- c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed amendment found in Project Files PLN070415 and PLN110577.
5. **FINDING:** **PERMIT EXTENSION (CEQA REVIEW)** – A Mitigated Negative Declaration (MND) was previously adopted by the Planning Commission for the proposed project on February 22, 2006 (PLN030646).
- EVIDENCE:**
- a) The extension request does not propose any changes to what was approved in PLN070415. Pursuant to Section 15164, a subsequent EIR or Negative Declaration is only required if there is substantial changes that require additional information or presents new significant impacts. The proposed extension does not change the project or present new significant impacts.
 - b) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed amendment found in Project Files PLN070415 and PLN110577.
6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission
- EVIDENCE:**
- a) Section 20.86.030.A of the Monterey County Zoning Ordinance (Board of Supervisors)
 - b) Section 20.86.080.A of the Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because the project was previously appealed by the Coastal Commission which is located between the sea and the first public road, and the project is within 100 feet of Carmel River.

DECISION

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

1. Find the project exempt from CEQA review, pursuant to Section 15164; and
2. Approve the request for a two-year extension of an amendment (PLN070415) to a previously approved Combined Development Permit (PLN030646) consisting of a General Development Plan for the Carmel River Inn to increase the number of guest units from 43 to 69 and to create a Historic District; Coastal Administrative Permit and Design Approval for the remodel of 23 existing cottage units, demolition of one cottage, remodel of the main Inn to reduce the number of units from 19 existing to 6, construction of 5 new two-story structures each consisting of 8 guest units on the second floor with parking below, the conversion of an existing maintenance building into an employee unit, the abandonment of a portion of Oliver Road, and grading; Coastal Development Permit for the removal of 2 native trees (originally approved for 5); and a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. This amendment would revise the new two-story buildings by omitting unit 5, rotate buildings 1 and 4 out of the 150-foot riparian corridor, revise buildings 2 and 3 from 8 units to 10

units, and add 4 units to the main Inn building for a total of 10 units at the main Inn. The total number of proposed units remain unchanged (69), in general conformance with the attached sketch and subject to the attached conditions and subject to the attached General Development Plan, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 29th day of February, 2012 upon motion of _____, seconded by _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair, Paul C. Getzelman, Planning Commission

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 PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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.

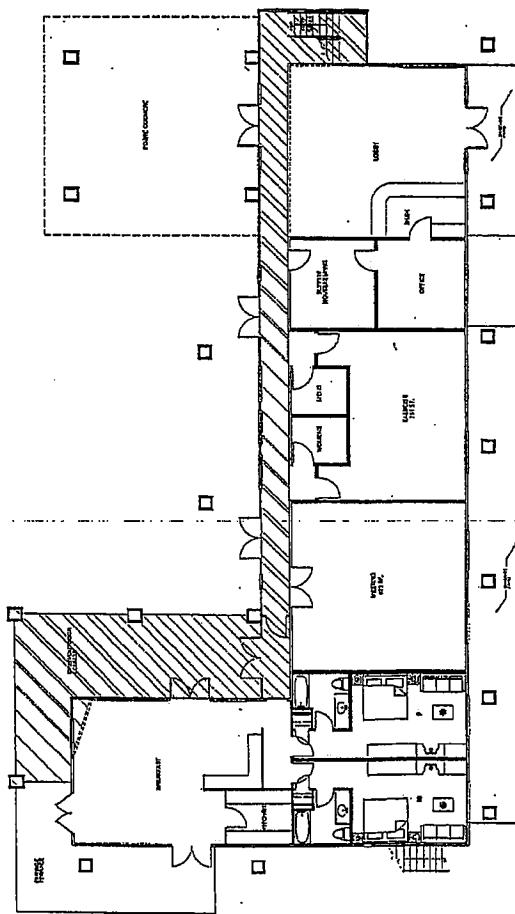
Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after 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 2 years after the above date of granting thereof unless construction or use is started within this period.

Punktooths

FLOOR PLAN - MAIN INN (LEVEL-1)



FLOOR PLAN
MAIN INN
LEVEL 1

WALL LEGEND
EXISTING WALLS TO REMOVE
PROPOSED NEW WALLS
EXISTING WALLS TO BE DOWNSIZED

Sheet Number

A 2.0

SHEET NOTES

CARMEL
RIVER INN
U.S. HIGHWAY 1
P.O. BOX 21600
CARMEL, CA 93922
APPS#08-080

THE
PAUL DAVIS
PARTNERSHIP
ARCHITECTS PLANNERS

101 CARMEL PLAZA, CARMEL, CA 93923
TELEPHONE (408) 625-2111

Printed / Drawn:

CARMEL RIVER
U.S. HIGHWAY 1
@ CARMEL RIVER
P.O. BOX 221600
CARMEL, CA 93722

SHEET NOTES

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THE PAUL DAVIS PARTNERSHIP
ARCHITECTS & PLANNERS

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THE BENGALI SONGS, PART ONE, IN EIGHT

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Brave
Bowing Order
Proud Order
Caste System
Religious
Beliefs

Drawn by
**PARTIAL FLOOR
PLAN MAIN INN
LEVEL 2**

9
9
8

WALL LEGEND



EXISTING WALLS TO REMAIN
PROPOSED NEW WALLS

PARTIAL EMISSIONS - MAIN (NN (LEVEL-2))

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Plumb 45

Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: IWF Carmel River Inn Investors
 File No: PLN070415
 Approved by: Planning Commission

APNs: 009-563-005-000
 Date: November 14, 2007

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

Permit Mitigation Code Number	Conditions of Approval and Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed Where applicable, certified professional is required for action to be accepted	Responsible Party for Compliance	Timing for Compliance (name/date)	Verification
1.	PD001 - SPECIFIC USES ONLY This Combined Development permit (PLN070415, Revision to PLN030646) allows a General Development Plan for the Carmel River Inn to Increase the number of guest units from 43 to 69; a Coastal Administrative Permit and Design Approval for the remodel of 23 existing cottage units, demolition of one cottage, remodel of the main inn to reduce the number of units from 19 existing to 10, construction of four (4) new two-story structures, two containing eight units (Combo Units 1 & 4) and two containing ten (10) units (Combo Units 2 & 3), all with parking below, the conversion of an existing maintenance building into an employee unit, the abandonment of Oliver Road, and grading; and a Coastal Development Permit to allow the removal of one oak tree. The property is located at 26600 Oliver Road Carmel (Assessor's Parcel Number 009-563-005-000), Carmel Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Prior to the issuance of grading and building permits or commencement of use.	Owner/ Applicant
2. PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 07052) was approved by the (Planning Commission) for Assessor's Parcel Number 009-563-005-000 on (November 14, 2007). The permit was granted subject to 55 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Ongoing	Owner/ Applicant/ Archaeologist

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

5.	PD005 - FISH AND GAME FEE-NEG DECE/EIR Pursuant to the State Public Resources Code § 735.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department. If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	Within 5 working days of project approval.
6.	PD006 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.
7.	PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department (RMA - Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing

8.	PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection
9.	PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits. Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of grading and building permits Ongoing
10.	PD011 – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy drip-lines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is	Submit evidence of tree protection to the RMA - Planning Department for review and approval. Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant Owner/ Applicant/ Arborist	Prior to the issuance of grading and/or building permits During Construction

		any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)	Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required	Owner/ Applicant	Prior to final inspection
11.	PD012(B) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING)	The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	At least three (3) weeks prior to final inspection or occupancy
12.	PD014(B) – LIGHTING – EXTERIOR LIGHTING PLAN (VISUAL SENSITIVITY DISTRICT/ RIDGELINE DEVELOPMENT)	All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.

		21.06.195, are prohibited. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing
13.	PDSP001 – HISTORIC DISTRICT (NON-STANDARD)	The applicant shall apply to have the appropriate area of the project site included in the California Register of Historic Places as a Historic District and apply for listing on the National Register consistent with recommendations contained in the "Historical and Architectural Evaluation" prepared by Kent Survey. The applicant shall formally request the director to re-zone the historic district into "HR" zoning district. The district shall include the relocated "Sherman" Unit #22.	Provide evidence of applications to the California, and National Registers to the RMA-Planning Department and request the RMA – Planning Department to amend the zoning map to include a "HR" over lay on the section of the property containing the historic cabins, including the relocated cabin #22.	Owner/ Applicant	Prior to Occupancy
14.	PDSP002 – CONSTRUCTION NOISE /ACTIVITY (NON-STANDARD)	The applicant shall limit construction activity to the hours of 7:00 am to 6:00 pm during weekdays and limit minimal interior construction on Saturday (8:00 am to 6:00 pm) and no construction activities on Sunday. The applicant shall post a sign at least 3 foot by 4 foot in size in a conspicuous location containing a phone number and message for neighbors to contact for noise complaints. The applicant shall log noise complaints and respond appropriately where reasonable and contact the County to report complaints on a monthly basis and how those complaints were resolved. (RMA – Planning Department)	Provide evidence of installation and maintenance of sign during construction.	Owner/ Applicant	Prior to issuance of building permits.

15.	<p>PDSP003 – DEED RESTRICTION TRAIL, EMPLOYEE UNIT- OLIVER ROAD/GATE CLOSURE (NON-STANDARD)</p> <p>The applicant shall implement and record a deed restriction to include the following three items containing the following statements subject to approval by the RMA-Planning Director:</p> <ol style="list-style-type: none"> 1. The applicant/owner and successors in interest agree to record a 1.5 foot wide public access easement over the length of the property in an east/west direction and obtain permits (where appropriate) and implement a trail management plan consistent with requirements of the public access requirements contained in the Carmel Area Land Use Plan and Coastal Implementation Plan within 1 year of the County approval of a formally adopted trail plan for the related trail segment shown in Figure 3 of the Carmel Area Land Use Plan. 2. The applicant/owner and successors in interest shall restrict the rent received from renters residing in the employee unit created as part of County permit approval PLN070415 to the amount of rent designated for low and moderate income renters as determined in the Monterey County Inclusionary Ordinance. The applicant/owner and successors in interest shall provide evidence of compliance every 5 years in the form of a report to be approved by the Director. <p>The applicant/owner and successors in interest shall restrict the use of the easterly gate onto Oliver Road as shown in permit plans PLN070415 to emergency access and not allow visitor/employee or construction access through the gate, and make the barrier on Oliver Road as shown in permit plans PLN070415 with boulders and landscaping and only allow access to the Inn from Highway 1 over the abandoned Oliver Road up to the barrier. (RMA – Planning Department)</p>	<p>Provide draft Deed restriction for approval by the Director and show proof of approved recorded deed restriction.</p> <p>Submit trail easement and trail management plan to the RMA-Planning Director for approval within 6 months of County approval of trail segment. Provide evidence of recorded easement and trail management plan with one year of County approval of related Figure 3 trail segment.</p> <p>Provide evidence of rental income consistent with low an moderate income levels.</p> <p>Maintain restricted access and barriers at Oliver Road.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p> <p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to issuance of building permits</p> <p>6 months and 1 year after County approval of trail segment</p> <p>Every 5 years after permit approval</p> <p>Ongoing</p>
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16.	PDSP004 – TREE REPLACEMENT (NON-STANDARD) The applicant shall implement tree replacement in accordance with the recommendations contained in the Forestry Evaluation prepared by Glenn C. Flamik of Forest City Consulting, dated May 7, 2004. The one oak tree proposed for removal shall be replaced by planting one oak tree at the site. Said replacement shall be demonstrated in the form of photos or a letter from a County- approved forester or arborist prior to final building inspection. (RMA – Planning Department)	Submit evidence of the tree replacement in the form of photos and a receipt or a letter from a County- approved forester or arborist to the RMA-Planning Department	Owner/ Applicant/ Forester	Prior to final building inspection
17.	EH55 – EMPLOYEE HOUSING Comply with Employee Housing Regulations found in the California Health and Safety Code Section 17000-17062.5 and the California Code of Regulations Title 25, Division 1, Chapter 1, Subchapter 3 Sections 600-940. (Environmental Health)	Obtain a health permit for the Employee Housing from the Division of Environmental Health.	CA Licensed Engineer/ Owner/ Applicant	Prior to occupancy/ Continuous Cond.
18.	EHSP001- EXISTING SEPTIC SYSTEMS (NON-STANDARD) All existing septic systems on the property shall be properly abandoned as per Monterey County Code, Chapter 15.20. A permit for the septic system abandonment shall be obtained from the Monterey County Health Department, Division of Environmental Health. (Environmental Health)	Division of Environmental Health must approve plans and perform inspection as part of the septic permit.	Engineer/ Applicant	Prior to Final or Occupancy
19.	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." (Water Resources Agency)	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	Prior to issuance of any grading or building permits

	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:	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ occupancy
20.	a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)			
21.	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. (Water Resources Agency)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits
22.	WR45 - WELL INFORMATION The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits

23.	WRSP001 - DRAINAGE PLAN (NON-STANDARD) The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include oil-grease/water separators for the paved parking areas. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits
24.	WRSP002 - ZONE A1-A30 ELEVATION REQUIREMENTS (NON-STANDARD) The lowest floor and attendant utilities for the proposed units shall be constructed, at a minimum, to the following elevations (Combo Units 3 and 4 = 25.3 feet; Combo Units 1 and 2 = 26.2 feet; Employee Building No. 22 = 27.3 feet NGVD 1929). The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the elevation certification of the lowest floor. (Water Resources Agency)	Submit a letter, certifying the reference marker has been established, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits
25.	WRSP003 - FOUNDATION PLAN – ENCLOSURES/GRADE ELEVATIONS (NON-STANDARD) All fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area shall be provided. The bottom of all openings shall be no higher than one foot above grade. The applicant shall provide the Water Resources Agency a foundation plan, for each new unit and the main inn, prepared by a registered civil engineer showing the internal and external grade elevation, as well as, the location and dimensions of all vents. (Water Resources Agency)	Submit a foundation plan, for each new unit, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits

	WRSP004 - NON-RESIDENTIAL FLOODPROOFING REQUIREMENTS (NON-STANDARD) The applicant shall provide the Water Resources Agency certification from a registered civil engineer that the proposed laundry/house keeping/storage rooms in the Combo Units will meet the following floodproofing provisions: 1. The structures, together with attendant utilities and sanitary facilities, are watertight to the base flood elevation provided by the Water Resources Agency, at a minimum, with walls substantially impermeable to the passage of water. 2. All structural components are capable of resisting hydrostatic and hydrodynamic forces, including the effects of buoyancy, and anticipated debris impact forces. (Water Resources Agency)	Submit a letter, plans, and supporting calculations, prepared by a registered civil engineer, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading and/or building permits
26.	WRSP005 - CONCRETE SLAB INSPECTION (NON-STANDARD) The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the minimum lowest floor elevation requirement. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate, for each new unit, based on building under construction, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to the foundation pre-pour inspection
27.	WRSP006 - ELEVATION CERTIFICATE (NON-STANDARD) The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate, based on finished construction, for each new unit. The Elevation Certificates shall be completed by a registered civil engineer or licensed surveyor to certify each structure has been constructed in accordance with Chapter 16.16 of the Monterey County Code. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate, for each new unit, based on finished construction, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to final inspection

				Prior to Building/ Grading Permits Issuance
29.	PW0007 – PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance
30.	PWSP001 – CIRCULATION (NON-STANDARD) The circulation plan shall be approved by the Department of Public Works. (Public Works)	Applicant's engineer or architect shall prepare a circulation plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance
31.	PWSP002 – TRAFFIC IMPROVEMENTS FEE (NON-STANDARD) The applicant shall pay to the County a pro rata share of the cost of short term improvements to Highway One. (Public Works)	Applicant shall submit payment to the Department of Public Works	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance
32.	PWSP003 – AREA 50 ACCESS (NON-STANDARD) Provide for access to County Service Area 50 facilities. (Public Works)	Applicant shall provide evidence of access to the satisfaction of the Public Works Department	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance
33.	PWSP004 – TAMC FEE (NON-STANDARD) The applicant shall pay the Transportation Agency for Monterey County (TAMC) Regional Traffic Mitigation Fee identified in the TAMC nexus study. (Public Works)	Applicant shall submit payment to the Department of Public Works and TAMC where appropriate.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance

34.	FIRE007 - DRIVEWAYS	<p>Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 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.</p> <p>Responsible Land Use Department: Carmel Highlands Fire District.</p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.
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35.	<p>FIRE008 - GATES</p> <p>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. Responsible Land Use Department: Carmel Highlands Fire District.</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Prior to issuance of grading and/or building permit.</p>
36.	<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material.</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Prior to issuance of building permit.</p>

		<p>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. <i>Responsible Land Use Department: Carmel Highlands Fire District.</i></p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>
37.		<p>FIRE0015 - 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 or 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 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. <i>Responsible Land Use Department: Carmel Highlands Fire District.</i></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>

38.	FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS) 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 completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. <i>Responsible Land Use Department: Carmel Highlands Fire District.</i>	Applicant shall enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner Applicant or owner	Prior to issuance of building permit. Prior to framing inspection
39.	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. Responsible Land Use Department: Carmel Highlands Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans. Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner Applicant or owner	Prior to issuance of building permit. Prior to rough sprinkler or framing inspection

40.	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 IBCO Class A roof construction. <i>Responsible Land Use Department: Carmel Highlands Fire District.</i>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.
41.	FIRESP001- OTHER (NON-STANDARD) The Applicant shall provide the following: 1) A minimum eight (8) inch water main to feed new buildings and hydrants (Looped system) 2) Hydrants are to be model #3775-JONES 3) A single FDC connection for the four combo buildings with a hydrant and the PIV in the area of the turn into the combo units 4) An additional hydrant in the area of cottage #16 5) Stand pipes on all combo units and Inn 6) A fire department turn around west of the new combo units 7) All water mains up-grades must be done prior to commencement of construction of the new Combo Units.	Applicant shall enumerate as "Fire Dept. Notes" and identify locations of hydrants and turn around on plans. The turnaround shall be located out of the 100 foot environmentally sensitive habitat buffer.	Owner/ Applicant/ Contractor	Prior to Issuance of building or grading permits

		MITIGATION MEASURE 1 <i>In order to avoid a substantial adverse change in the significance of a historical resource, cabin #22 ("Sherman"), which is one of the original cabins built ca. 1934, shall be relocated on the property within the Historic District adopted by the Board of Supervisors on July 24, 2007 (instead of demolished), consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, with the Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, as deemed appropriate and approved by a qualified historian.</i>	Monitoring Action 1 – Prior to the issuance of grading or building permits, the applicant shall submit a revised site plan indicating the proposed new location of cabin #22, as well as a relocation and rehabilitation plan prepared by a qualified historian, which verifies that the plan is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, with the Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, as deemed appropriate. The revised site plan and relocation and rehabilitation plan for cabin #22 shall be subject to approval by the RMA – Planning Director.	Applicant or Owner	Prior to the issuance of grading or building permits
42.	1.	MITIGATION MEASURE 2 <i>In order to reduce the risk of impacts from seismic-induced liquefaction to less-than-significant levels, the preparation of a final design-level geotechnical report will be required which includes geotechnical criteria for</i>	Monitoring Action 2.A – Prior to the issuance of grading or building permits, the applicant shall submit a final design-level geotechnical report to the RMA- Planning and Building Departments for review and approval.	Applicant or Owner	Prior to the issuance of grading or building permits.
43.	2.				

		Monitoring Action 2.B – Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the recommendations of the final design-level geotechnical report required by Monitoring Action 2.A. All applicable grading and building plans shall be signed and wet-seal stamped by the consulting registered geotechnical engineer as evidence of verification that they are consistent with the recommendations of the final design-level geotechnical report.	Applicant or Owner	Prior to issuance of grading or building permits.
44.	3.	MITIGATION MEASURE 3 <i>In order to reduce the risk of flooding of the project site, the hydraulic analysis and report prepared by Balance Hydrologics, dated July 23, 2004, shall be updated to reflect the new cross-sections resulting from the construction of stone columns and the placement of associated fill material. The proposed project shall not result in any increase in the base flood elevation. The updated hydraulic analysis shall be submitted to the Water Resources Agency for review and approval.</i>	Monitoring Action 3 – Prior to issuance of any grading or building permits, the applicant shall submit the updated hydraulic analysis and report to the Water Resources Agency for review and approval.	Applicant or owner
45.	4.	MITIGATION MEASURE 4 <i>In order to reduce the risk of flooding of the project site, the applicant shall provide the Water Resources Agency “as-built” final grading plans for review and approval.</i>	Monitoring Action 4 – Prior to finalizing the grading permit, the applicant shall submit a copy of the “as-built” grading plans to the Water Resources Agency for review and approval.	Applicant or Owner

46.	5.	MITIGATION MEASURE 5: <i>In order to reduce onsite and offsite drainage impacts to less-than-significant levels, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include oil-grease/water separators for the paved parking areas. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency.</i>	Monitoring Action 5 – Prior to issuance of any grading or building permits, the applicant shall submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Applicant or Owner Prior to issuance of grading or building permits
47.	6.	MITIGATION MEASURE 6: <i>In order to reduce the risk of flooding of the new combo units to less-than-significant levels, the lowest floor and attendant utilities for the proposed units shall be constructed, at a minimum, 1-foot above the base flood elevation provided by the Water Resources Agency. The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the floodproofing and certification of the lowest floor elevation.</i>	Monitoring Action 6 – Prior to issuance of any grading or building permits, the applicant shall submit a letter, certifying the reference marker has been established, to the Water Resources Agency for review and approval.	Applicant or Owner Prior to issuance of grading or building permits
48.	7.	MITIGATION MEASURE 7: <i>In order to reduce the risk of flooding of the new combo units to less-than-significant levels, all fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area shall be provided. The bottom of all openings shall be no higher than one foot above grade. The applicant shall provide the Water Resources Agency a foundation plan, for each new unit and the main inn, prepared by a registered civil engineer showing the internal and external grade elevation, as well as, the location and dimensions of all vents.</i>	Monitoring Action 7 – Prior to issuance of any grading or building permits, the applicant shall submit a foundation plan, for each new unit to the Water Resources Agency for review and approval.	Applicant or Owner Prior to issuance of grading or building permits

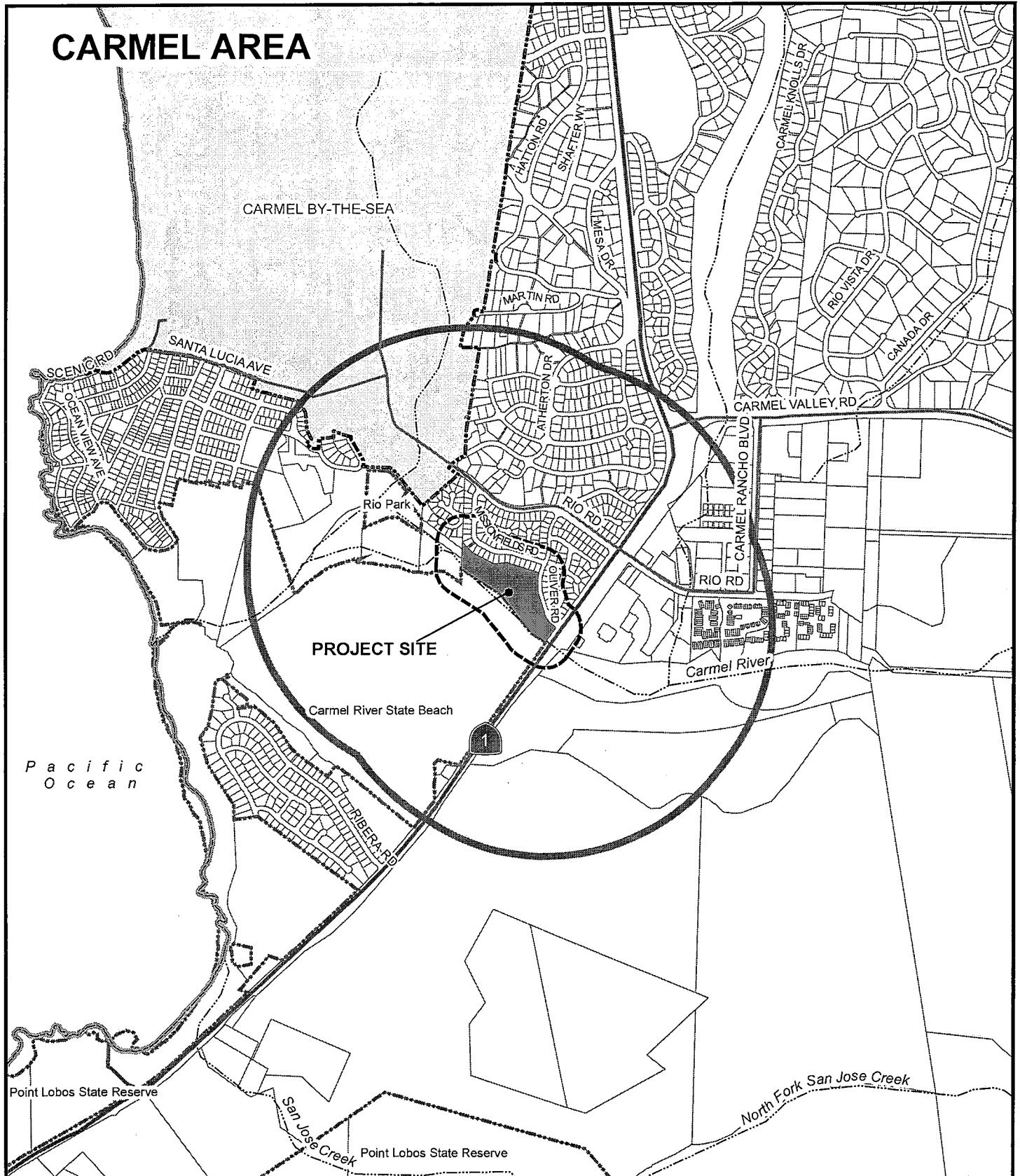
49.	8.	MITIGATION MEASURE 8 In order to reduce the risk of flooding of the new combo units to less-than-significant levels, the applicant shall provide the Water Resources Agency certification from a registered civil engineer that the proposed laundry/house keeping/storage rooms in the Combo Units will meet the following floodproofing provisions: 1. The structures, together with attendant utilities and sanitary facilities, are watertight, at a minimum, to 1 foot above the base flood elevation provided by the Water Resources Agency with walls substantially impermeable to the passage of water. 2. All structural components are capable of resisting hydrostatic and hydrodynamic forces, including the effects of buoyancy, and anticipated debris impact forces.	Monitoring Action 8 – Prior to the issuance of any grading or building permits, the applicant shall submit a letter, plans, and supporting calculations, prepared by a registered civil engineer, to the Water Resources Agency for review and approval.	Applicant or owner Prior to issuance of grading or building permits
50.	9.	MITIGATION MEASURE 9 In order to avoid conflict with the Regulations for Floodplains in Monterey County, the applicant shall provide the Water Resources Agency a FEMA Elevation Certificate completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the minimum lowest floor elevation requirement.	Monitoring Action 9 – Prior to the foundation pre-pour inspection, the applicant shall submit a completed FEMA Elevation Certificate, for each new unit, based on building under construction, to the Water Resources Agency for review and approval.	Applicant or Owner Prior to pouring of foundation
51.	10.	MITIGATION MEASURE 10 In order to avoid conflict with the Regulations for Floodplains in Monterey County, the applicant shall provide the Water Resources Agency a FEMA Elevation Certificate, based on finished construction, for each new unit and the main inn. The Elevation Certificates shall be completed by a registered civil engineer or licensed surveyor to certify each structure has been constructed in accordance with Chapter 16.16 of the Monterey County Code with the exception of the existing 23 cottages that have been granted a Variance form the requirements of this chapter due to their historic nature (PLN070420)	Monitoring Action 10 – Prior to final inspection, the applicant shall submit a completed FEMA Elevation Certificate, for each new unit, based on finished construction, to the Water Resources Agency for review and approval.	Applicant or Owner Prior to final inspection

52.	11.	MITIGATION MEASURE 11 In order to reduce potential cumulative traffic impacts to less-than-significant levels at the Highway 1/Rio Road intersection, the applicant shall contribute toward the improvements necessary to provide a free right-turn lane from westbound Rio Road to northbound Highway 1 based on the estimated 0.55% of traffic generated by the proposed project under estimated cumulative conditions.	Monitoring Action 11 Prior to issuance of grading or building permits, the applicant shall pay a fee to be determined by the Public Works Department for improvements necessary to provide a free right-turn lane from westbound Rio Road to northbound Highway 1 based on the estimated 0.55% of traffic generated by the proposed project under estimated cumulative conditions.	Applicant or Owner	Prior to issuance of grading or building permits
53.	12.	MITIGATION MEASURE 12. In order to reduce potential safety hazards at the intersection of Highway 1 and Oliver Road to less-than-significant levels, the applicant shall improve corner-sight distances, the stop bar shall be moved to four (4) feet from the southbound Highway 1 travelway, the vegetation between Oliver Road and the Carmel River Bridge shall be cleared, and the Caltrans road condition sign shall be relocated either south of the Carmel River Bridge or north of Oliver Road.	Monitoring Action 12.A – Prior to issuance of grading or building permits, the applicant shall solicit from either Caltrans or the Monterey County Public Works Department, as applicable, a memorandum of agreement that the agency with jurisdiction will carry out the work required by Mitigation Measure 12 prior to final inspection of the Combo Units.	Applicant or Owner	Prior to issuance of grading or building permits

		MITIGATION MEASURE 13 In order to reduce peak hour construction/grading traffic generation to a less-than-significant level, the applicant shall arrange for construction/grading activities to begin by 7:00 AM and end by 3:30 PM. Deliveries to the construction site shall occur between 9:00 AM and 4:00 PM only.	Monitoring Action 13 – During construction and grading operations, the applicant shall submit monthly reports that include the daily truck trip log showing travel times to the RMA – Planning Director for review and approval. The contractor shall submit a signed certification to contain an “under penalty of perjury” clause. Failure to comply shall cause revocation of permit.	Applicant or Owner	Ongoing during construction.
54.	13.	MITIGATION MEASURE 14 The applicant shall adhere to revised site excavation plans that provide for no impact to flood levels over existing conditions and incorporate design changes to elevation to the two northern most combo units.	Monitoring Action 14 – The applicant shall incorporate revised site excavation plans consistent with information submitted and approved by the Planning Commission on February 22, 2006 on the final grading plans.	Applicant/ Owner/ Architect/ Engineer	Prior to issuance of grading or building permits.
55.	14.				

END OF CONDITIONS

CARMEL AREA



APPLICANT: IWF CARMEL RIVER INVESTORS LP

APN: 009-563-005-000

FILE # PLN070415

300' Limit

2500' Limit

City Limits

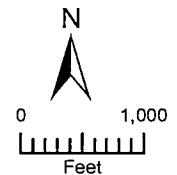


Exhibit E

Page 1 of 1 Pages

PLANNER: SPENCER

THE
PAUL DAVIS
PARTNERSHIP, LLP
ARCHITECTS & PLANNERS

October 17, 2011

Craig Spencer
RMA – Planning Department
County of Monterey

Re: Carmel River Inn – Combined Development Permit PLN 070415 – Extension

Dear Craig,

We request an extension of PLN 070415, Combined Development Permit for Carmel River Inn. Due to the recession of the past years and difficulty obtaining financing, it has not been possible to move ahead with this project. It is unclear how long the recession will have an impact on the tourist industry. This is a good project and the owners still want to pursue it.

Attached is our check in the amount of \$4,988.63 for processing the extension.

Please let me know if you need anything else or have any questions.

Thank you for your assistance.

Sincerely,



Paul E. Davis, AIA
Architect

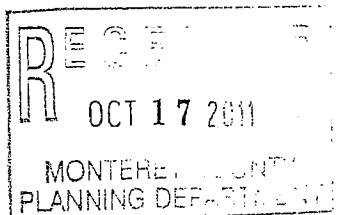
PED/cpm

cc: Dirk Winter
Tom Aura

Exhibit F

Page 1 of 1 Pages

The Paul Davis Partnership, LLP.
286 El Dorado Street
Monterey, CA 93940
831-373-2784 Fax: 831-373-7459



Lister, Daniel M. x6617

From: Candice Gregory [candice.gregory@gmail.com]
Sent: Sunday, January 22, 2012 5:39 PM
To: Lister, Daniel M. x6617
Cc: Troy Ishikawa
Subject: re: Permit # PLN070415

Dear Mr. Lister,

Recently, my neighbors and I received a letter from the Monterey County Planning Department regarding the "Notice of Extension" of a previously approved development permit for the Carmel River Inn (**Permit # PLN070415 & #PLNO3064**). The Planning Department has notified us that, if no written objections are received by January 31, 2012, approval will be automatic and final.

I am writing you to object to this final approval. I believe our neighborhood needs more information and time to study the impact of extending the permit for this proposal. Some potential effects of the Inn's additions are:

- increased flood water levels in our neighborhood,
- heightened noise and night light levels,
- compromised view sheds,
- intrusion into the privacy of bordering homes, all of which would result in
- possible negative impacts on property values.

We also need clarity whether this permit allows outdoor group events. If so, are there limitations? A few months ago, a large outdoor party, including a live, amplified band was held on the River Inn site. The noise levels were overwhelmingly high and annoying in our quiet neighborhood. This kind of commercial use is not well matched with our residential community.

These are some of my concerns, as well as many of my neighbors. We ask that they be thoughtfully considered before automatic, final approval is given to extending the River Inn permit.

Thank you for your consideration of this matter.

Sincerely,

Candice Gregory

"How lovely to think that no one need wait a moment, we can start now, start slowly changing the world. How lovely that everyone, great and small, can make their contribution...how we can always, always give something, even if it is only kindness"
- Anne Frank (1929-1945), Holocaust Victim

Candice Gregory, MSW, LCSW
PO Box 22153
Carmel 93922

Exhibit G
Page 1 of 4 Pages

Lister, Daniel M. x6617

From: Troy Ishikawa [ishikawatroy@yahoo.com]
Sent: Thursday, January 26, 2012 11:18 AM
To: Lister, Daniel M. x6617
Subject: (PLN070415) IWF Carmel River Investors (PLN110577)

January 19, 2012

Monterey County Resource Management Agency
Planning Department
ATTN: Dan Lister, Asst. Planner
168 W. Alisal St. 2nd Floor
Salinas, CA 93901
listerdm@co.monterey.ca.us

Dear Monterey County Resource Management Agency Planning Department:

We, the neighbors of Mission Fields in Carmel, California adamantly object to a two-year time extension to the previously approved combined development permit (PLN070415) IWF Carmel River Investors (PLN110577).

An extension of a combine development permit granted to the IWF Carmel River Investors to construct four, 2-story combo-units will increase noise, vibrations, add more light pollution that already exists from the Carmel River Inn due to commercial usage of outdoor lighting, traffic from the entrance/exit gate located on Oliver Rd., higher roof heights than houses adjacent to the project, encroachment of our view-shed, and increased flood liability all contributing to a permanent change to our neighborhood's safety, environment, and quality of life.

Five facts why the neighbors of Mission Fields in Carmel, California oppose the IWF Carmel River Investors' combined development permit extension:

Fact 1. How did the Monterey County Planning Commissioners approve the mitigated negative declaration for a Combined Development permit at the February 21, 2006 meeting to the IWF Carmel River Investors without full disclosure: reviewing and allowing the public to review the IWF Carmel River Investor's purported January 2006 hydrology report?

There was no full disclosure about the January 2006 hydrology report performed by the IWF Carmel River Investors. This report should had been made available to the planning commissioners and the public to review before the meeting. The planning commissioners and public only heard of this purported hydrology report at the February 21, 2006 public hearing from the IWF Carmel River Investor's architect, Paul Davis. What occurred at the February 21, 2006 Monterey County Planning Commissioner meeting ended in a vote to approve the Combined Development permit without any public viewing period.

Fact 2. Increased flood liability, according to the Monterey County Floodplain Management Plan 2003, "The County is responsible for prohibiting encroachments, including fill, new construction, and substantial improvements, within the regulated floodway unless it has been demonstrated through hydrologic and hydraulic analyses that the proposed encroachment will not increase flood level." (Monterey County Floodplain Management Plan, pg. 38.)

Is the Monterey County Resource Management Agency permitting the IWF Carmel River Investors to flood our neighborhood? There should be an Environmental Impact Report and analyses required that investigates the probability of increase stream velocity and diverting the flow.

Fact 3. The IWF Carmel River Investors proposed expansion will increase flood levels within the Mission Fields neighborhood by 0.41-0.56 feet (East-West direction), according to their figures, as reported in their plans.

Exhibit G

Page 2 of 4 Pages

Fact 4. The approval of the mitigated negative declaration for a Combined Development Permit negates the 2003 Monterey County Floodplain Management Plan and will contribute to future flooding throughout the Mission Fields neighborhood.

Fact 5. How can the IWF Carmel River Investors create an "historic district" if they are allowed to build four, 2-story combo-units of 40 rooms that do not reflect the 1-story single and duplex cabins already in existence?

In the Carmel River Inn's permit application they specifically state a desire to create an "historic district." In other words, the cabins that were originally built in the 1930's would be restored and not changed from their architectural design. This leads us to question, how does constructing four 2-story combo-units, each will include 10 rooms respectively conform to an "historic district?" If that was the case, the 2-story combo-units would be 1-story "single" or "duplex" cabins as is already represented. Secondly, why endanger the properties and possibly lives of people who live immediately adjacent to the Carmel River Inn's expansion project? Has the planning department forgotten the January and March 1995 floods that inundated our neighborhood and the February 1998 Carmel River flood?

Finally, Mission Fields is a quiet, peaceful and primarily residential neighborhood. As resident homeowners we have a stake in protecting our home and lives and any additional floodwater into our neighborhood caused by the Carmel River Inn expansion must be prevented.

These buildings and expansion project should not go forth in any shape or form.

Sincerely,
Troy Ishikawa
Roy Ishikawa

02/01/2012

Lister, Daniel M. x6617

From: Nancy Callahan [nancy@cpabythesea.com]
Sent: Wednesday, February 01, 2012 1:34 PM
To: Lister, Daniel M. x6617
Cc: Troy Ishikawa; Candice Gregory
Subject: (PLN070415) IWF Carmel River Investors (PLN110577)

February 1, 2012

Monterey County Resource Management Agency
Planning Department
ATTN: Dan Lister, Asst. Planner
168 W. Alisal St., 2nd Floor
Salinas, CA. 93901
listerdm@co.monterey.ca.us

Dear Monterey County Resource Management Agency Planning Department:

We are writing to inform you that we understand that written objections to the two-year time extension to the amendment to the previously approved Combined Development Permit (PLN030646) were received by your department.

We have read a copy of the email dated January 26, 2012 sent to your department by Mr. Troy Ishikawa and Mr. Roy Ishikawa, and we concur with their objections to the extension. Our property is directly behind the Carmel River Inn on Mission Fields Road.

We VEHMENTLY oppose any activity that will increase flood levels within the Mission Fields neighborhood, as we were evacuated at 5:10 a.m. in the midst of the flooding by the sheriff's department bullhorns in 1995.

We will be on the alert for your re-notice regarding when this matter will again be scheduled for hearing.

Sincerely,

Richard, Nancy & Patrick Callahan
26530 Mission Fields Road, Carmel, Ca. 93923