

**PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 06003

A.P.# 261-052-011-000

FINDINGS & DECISION

In the matter of the application of
Kris & Bonnie Bartlebaugh dba Associated Rebar (PLN040688)

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, and General Development Plan to relocate an existing rebar fabrication yard and modular office on 1.7 acres, and to develop the remaining 3 acres in a subsequent phase with butler buildings to house independent shops for auto repair and for tradespersons such as electricians and plumbers, etc., consistent with the allowances of the HC-UR zoning district. The property is located at 1095 Madison Lane, Salinas, Boronda neighborhood, Greater Salinas Area, and came on regularly for hearing before the Planning Commission on January 11, 2006.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. FINDING: The subject Use Permit and General Development Plan (Associated Rebar/Bartlebaugh/Kimmich: PLN040688) to relocate an existing rebar fabrication yard and modular office on 1.7 acres, and to develop the remaining 3 acres in subsequent phases with butler buildings to house independent shops for auto repair and for tradespersons such as electricians and plumbers, etc., consistent with the allowances of the HC-UR Zoning District as described in Condition No. 1, and as conditioned, conforms to the plans, policies, requirements and standards of the Monterey County General Plan, the Greater Salinas Area Plan, the Boronda Neighborhood Improvement Plan, the Draft Boronda Community Plan, and the Monterey County Zoning Ordinance (Title 21 of the Monterey County Code). The property is located at 1095 Madison Avenue, Boronda Neighborhood, Salinas Area. Assessors Parcel Number 261-052-011-000. The parcel is designated as "General Commercial" in the Boronda Neighborhood Improvement Plan, and is zoned "HC/UR" (Heavy Commercial, Urban Reserve).
 - EVIDENCE: Application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development are located in project File No. PLN040688.
 - EVIDENCE: The Planning and Building Inspection staff reviewed the project, as set forth in the application and accompanying materials, for conformity with the General Plan, the Greater Salinas Area Plan, the Boronda Neighborhood Improvement Plan, Draft Boronda Community Plan and Chapter 21.20 of the Monterey County Zoning Ordinance (Title 21).
 - EVIDENCE: The project planner conducted an on-site inspection of the project to verify that the project on the subject parcel conforms to the plans listed above.
 - EVIDENCE: Conditions of Approval and Mitigation measures have been added to the project that will assure consistency with the above plans and policies.
 - EVIDENCE: The Planning Commission considered any written and verbal public testimony submitted at the public hearing on the subject Use Permit and General Development Plan.

2. FINDING: The project site is physically suitable for the proposed use as described in the project file.

EVIDENCE: The proposed development was reviewed by the Monterey County Planning and Building Inspection Department, Redevelopment and Housing Division, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, Salinas Rural Fire District, and the City of Salinas. There was no indication from these agencies that the site is not suitable for the proposed development. Each agency has recommended conditions for project approval.

3. FINDING: CEQA. On the basis of the whole record before the Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Initial Study/Mitigated Negative Declaration prepared for the project reflects the independent judgment and analysis of the County.

EVIDENCE: The Monterey County Planning and Building Inspection Department prepared an Initial Study on the project pursuant to the California Environmental Quality Act (CEQA). The Initial Study identified several potentially significant environmental effects, but the applicant has agreed to proposed mitigation measures that avoid or reduce the potential effects to a less than significant level. The Initial Study/Mitigated Negative Declaration was circulated for public review from May 25, 2005 to June 23, 2005. The County has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study/Mitigated Negative Declaration. The Initial Study/Mitigated Negative Declaration is on file at the Planning and Building Inspection Department in File No. PLN0404688, and is hereby incorporated by reference.

EVIDENCE: Evidence that has been received and considered in preparation of the Initial Study/Mitigated Negative Declaration includes:

- (A) Project application with revised site plan dated, June 5, 2002.
- (B) Monterey County General Plan
- (C) Boronda Neighborhood Improvement Plan, a part of the Greater Salinas Area Plan, adopted by the Monterey County Board of Supervisors on July 14, 1987.
- (D) Site visit by Taven M. Kinison Brown, Senior Planner, Monterey County Planning and Building Department, May 2005.
- (E) Boronda Neighborhood Improvement Plan Environmental Impact Report, prepared by ESA – Planning and Environmental Services for Monterey County, June 1987.
- (F) Flood Insurance Rate Maps for Monterey County, California, Panel 060195 0068 D, prepared by the Federal Emergency Management Agency, effective January 30, 1984.
- (G) CEQA Air Quality Guidelines, prepared by Monterey Bay Unified Air Pollution Control District, Adopted 1995 and last revised in September 2004.
- (H) 2004 Air Quality Management Plan For The Monterey Bay Region, Fourth Revision To The 1991 Air Quality Management Plan for the Monterey Bay Region, Prepared by the Monterey Bay Unified Air Pollution Control District, September 2004.

- (I) California Department of Toxic Substances Control (DTSC), "DTSC's Hazardous Waste and Substances List" (Cortese List), n.d., www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm?county=27 (January 28, 2003)
- (J) Monterey County Zoning Ordinance, Chapter 21.58 – Parking, pages 161-168.
- (K) Monterey County Zoning Ordinance, Title 21, Chapter 21.20 – regulations for Heavy Commercial Zoning Districts or "HC" Districts," pages 63-69.
- (L) Revised Project Referral Sheet of March 30, 2005, from Dorothy Priolo, Deputy Fire Marshall – Salinas Rural Fire District.
- (M) Project Referral Sheet of November 23, 2004, from Bryce Hori, Monterey County Public Works Department.
- (N) Project Referral Sheet of November 22, 2004 from Shauna Juarez, Monterey County Water Resources Agency.
- (O) Project Referral Sheet of November 22, 2004, from Patrick Treffry, Land Use Program, County of Monterey Health Department.
- (P) Preliminary Archaeological Reconnaissance of APN 261-052-011 in Salinas, Monterey County California by Archaeological Consulting, Project 3569, Dated March 15, 2004.
- (Q) Traffic Impact Study, Associated Rebar Industrial Park, Boronda, Monterey County California, Higgins Associates, dated October 20, 2004.
- (R) Geotechnical Investigation for Proposed Residential (SIC) Development, 1095 Madison Lane, Monterey County, California, Prepared for Associated Rebar, Inc. by Haro, Kasunich and Associates, Inc., dated August 2004.
- (S) Preliminary Erosion Control Plan for Associated Rebar Inc., 1095 Madison Lane Salinas, CA., prepared by Mid Coast Engineers Job # 04108, dated October 25, 2004.
- (T) Staff Report to the Boronda Redevelopment Citizens Advisory Committee, prepared by Jared Ikeda, Senior Administrative Analyst, Dated May 4, 2005.
- (U) EMLpw_PLN040688. Electronic Mail from Enrique Saavedra to Taven Kinison Brown regarding Boronda Area Development Fee Mitigations, Dated May 17, 2005.

EVIDENCE: A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation. The Applicant must enter into an "Agreement to Implement a Mitigation Monitoring and Reporting Plan" as a condition of project approval.

4. FINDING: CEQA Substitution of Mitigation Measures: The new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.

EVIDENCE: Several Mitigation measures circulated in the Proposed Negative Declaration, but not adopted prior to this action are recommended for alteration.

EVIDENCE: Mitigation Measures MM8-1, MM15-1 and MM16-1 involve fees to pay for fair share contributions required to mitigated potential impacts to hydrology and water quality, increases to traffic and cumulative impacts and for impacts to new water and wastewater systems.

EVIDENCE: County Staff, the City of Salinas and the Transportation Agency for Monterey County have determined that revised mitigation measures will be equivalent and as effective as those circulated in the Proposed Mitigated Negative Declaration in mitigating or avoiding potential significant effects.

EVIDENCE: The revised mitigation measures are acceptable to the applicants.

EVIDENCE: Discussion in Exhibit A.

EVIDENCE: Letter acknowledging acceptable mitigation fees by TAMC.

EVIDENCE: Letter acknowledging acceptable mitigation fees by City of Salinas.

EVIDENCE: Condition Compliance and Mitigation Monitoring Reporting Plan.

5. FINDING: With approval of the subject Use Permit and General Development Plan, the subject property will be in compliance with all rules and regulations pertaining to zoning uses, and any other applicable provisions of Title 21, and all zoning violation abatement costs have been paid.

EVIDENCE Application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development located in project File No. PLN040688 and staff review of other Monterey County Planning and Building Inspection Department records.

6. FINDING: For Purposes of the Fish and Game Code, the project will have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends.

EVIDENCE: Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. As soils will be disturbed by the addition of paved surfaces required for the project, conditions have been for erosion control. Also required of the project are waste management plan submittal, drainage plan submittal and Hazardous Materials Disclosure and Response Plans (if necessary).

EVIDENCE: Initial Study and Mitigated Negative Declaration contained in the project file.

7. FINDING: The establishment, maintenance, or operation of the use or structures applied for will not, under the circumstances of the particular case, be detrimental to 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 improvement in the neighborhood, or to the general welfare of the County.

EVIDENCE: The project as described in the application and accompanying materials was reviewed by the Planning and Building Inspection Department, Redevelopment and Housing Division, Environmental Health Division, Public Works Department, Water Resources Agency, Salinas Rural Fire District, Monterey County Redevelopment Agency, and the City of Salinas. The respective departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood, or the County in general.

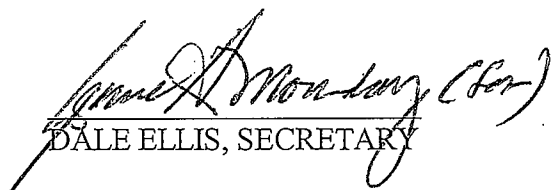
8. FINDING: This project is appealable to the Board of Supervisors.
EVIDENCE: Section 21.80.040.D of Title 21 (Zoning) of the Monterey County Code sets forth the procedures for an appeal.

DECISION

THEREFORE, it is the decision of the Planning Commission of the County of Monterey that the Mitigated Negative Declaration and Program for Mitigated Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Use Permit and General Development Plan be granted as shown on the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 11th day of January, 2006, by the following vote:

AYES: Errea, Hawkins, Padilla, Vandevere, Diehl, Sanchez, Salazar, Rochester, Wilmot
NOES: None
ABSENT: Parsons


DALE ELLIS, SECRETARY

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON FEB 01 2006

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE FEB 11 2006

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 and Building Inspection Department office in Salinas.

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

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

Project Name: Bartlebaugh/Associated Rebar

File No: PLN040688

APNs: 261-052-011-000

Approval by: Planning Commission

Date: January 11,, 2005

**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>This Use Permit and General Development Plan (File # PLN040688) allows the relocation of an existing rebar fabrication yard and modular office on 1.7 acres, and to develop the remaining 3 acres in a subsequent phase with butler buildings to house independent shops for auto repair and for tradespersons such as electricians and plumbers, etc., (See next condition for the allowances of the General Development Plan). The property is located at 1095 Madison Lane, Salinas. Boronda Neighborhood (Assessor's Parcel Number: 261-052-011-000).</p> <p>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 unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other- wise stated	

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2.		<p>NON STANDARD WORDING - GENERAL DEVELOPMENT PLAN</p> <p>All development shall be in substantial conformance with the Plans Received by the Planning Department November 3, 2004, and as modified by the following standards drawn from the Draft Boronda Community Plan:</p> <ul style="list-style-type: none"> • Parking lots and outdoor work storage areas shall be screened from public view by buildings, fences, landscaping or berms. • Landscaping shall be provided within setback areas between the front fencing or building and the back of sidewalk or public right of way. • Fences and walls (shall) not display blank or unattractive frontages to streets and adjacent development, and shall incorporate: <ul style="list-style-type: none"> ○ An appropriate height (6 feet in this case) ○ Articulation ○ Complimentary materials and detailing (disallowing barbed wire, concertina wire, shards of glass and razor wire. • Rooftop equipment shall be screened form view of adjacent streets and commercial development. • To reduce the visual impacts of service and loading areas and temporary trash and recycling storage areas: <ul style="list-style-type: none"> ○ Service areas and ground-mounted equipment shall be screened from view by fences or walls that conform to the style and materials of the accompanying building. <p>Section 21.20.050 Uses Allowed:</p> <p>Administrative Permits Granted with this General Development Plan</p> <table border="1" data-bbox="338 995 1627 1245"> <tr> <td data-bbox="338 995 779 1245"> <ul style="list-style-type: none"> ▪ Offices less than 5,000 s.f. ▪ Auto repair facilities ▪ Service Stations ▪ Shops for tradesmen ▪ Caretaker unit ▪ Mini Warehouse ▪ Small water systems ▪ Accessory structures </td> <td data-bbox="779 995 1199 1245"> <ul style="list-style-type: none"> ▪ Photography studio ▪ Picture framing ▪ Shoe Shop ▪ Shops of light commercial character ▪ Stationary and office supply ▪ Storage, rental of irrigation equipment </td> <td data-bbox="1199 995 1627 1245"> <ul style="list-style-type: none"> ▪ Manufacture of clothing ▪ Day care center for use of on-site employees ▪ Boarding kennel ▪ Additions to existing, approved wireless communication facilities ▪ Other uses of a similar character to those listed here </td> </tr> </table>	<ul style="list-style-type: none"> ▪ Offices less than 5,000 s.f. ▪ Auto repair facilities ▪ Service Stations ▪ Shops for tradesmen ▪ Caretaker unit ▪ Mini Warehouse ▪ Small water systems ▪ Accessory structures 	<ul style="list-style-type: none"> ▪ Photography studio ▪ Picture framing ▪ Shoe Shop ▪ Shops of light commercial character ▪ Stationary and office supply ▪ Storage, rental of irrigation equipment 	<ul style="list-style-type: none"> ▪ Manufacture of clothing ▪ Day care center for use of on-site employees ▪ Boarding kennel ▪ Additions to existing, approved wireless communication facilities ▪ Other uses of a similar character to those listed here 				
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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)
		<p>Section 21.20.060 Uses Allowed: Use Permits Granted with this General Development Plan</p> <ul style="list-style-type: none"> ▪ Contractor yards and offices ▪ Contractor's equipment storage facility including vehicles within a building ▪ Research laboratories provided such use does not produce undue odor, noise, smoke, or other objectionable effects ▪ Office complex greater than 5,000 s.f. ▪ And other uses of a similar character, density and intensity to those listed above (as determined by the Director of Planning and Building Inspection Department) (Planning and Building Inspection) <p><u>Additional Uses Permitted by Planning Commission January 11, 2006</u></p> <ul style="list-style-type: none"> ▪ Automobile and recreational vehicle storage yard (inside only) ▪ Mini-warehouse and storage greater than 5000 sq. ft. ▪ Auto and truck tow and storage operations (inside only) ▪ Retail sales accessory and incidental to approved/allowed uses ▪ Water Well drilling business ▪ Furniture manufacturing ▪ Wholesale and retail establishments distributing materials/products for agriculture/farming (except manure) ▪ Warehouses for collection, packaging and distribution of agricultural/horticultural products ▪ Wholesale stores and storage ▪ Storage garages 				
3.		<p>PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 06003) was approved by the Planning Commission for Assessor's Parcel Number 261-052-011-000 on January 11, 2006. The permit was granted subject to 32 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. (Planning and Building Inspection)</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4.		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. (Planning and Building Inspection)	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	Ongoing	
5.		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 filling 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. (Planning and Building Inspection)	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.	Owner/ Applicant	Prior to the issuance of building and grading permits.	
6.		PBD022 - 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	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	Prior to issuance of grading and building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		mitigation monitoring agreement. (Planning and Building Inspection)				
7.		<p>NON-STANDARD WORDING– NOTICE OF REPORTS Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: The following reports have been prepared for this parcel</p> <p>(A) Preliminary Archaeological Reconnaissance of APN 261-052-011 in Salinas, Monterey County California by Archaeological Consulting, Project 3569, Dated March 15, 2004.</p> <p>(B) Traffic Impact Study, Associated Rebar Industrial Park, Boronda, Monterey County California, Higgins Associates, dated October 20, 2004.</p> <p>(C) Geotechnical Investigation for Proposed Residential (SIC) Development, 1095 Madison Lane, Monterey County, California, Prepared for Associated Rebar, Inc. by Haro, Kasumich and Associates, Inc., dated August 2004.</p> <p>(D) Preliminary Erosion Control Plan for Associated Rebar Inc., 1095 Madison Lane Salinas, CA., prepared by Mid Coast Engineers Job # 04108, dated October 25, 2004.</p> and are on record in the Monterey County Planning and Building Inspection Department Library All development shall be in accordance with these reports." (Planning and Building Inspection)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of grading and building permits	
8.		<p>PBD014 - 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 Planning and Building Inspection. (Planning and Building Inspection)</p>	None	Owner/ Applicant	Ongoing	

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9.		PBD034 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (Planning and Building Inspection; Public Works)	None	Applicant/ Owner	Ongoing	
10.		PBD020 – LIGHTING - STREET LIGHTS All street lights in the development shall be approved by the Director of Planning and Building Inspection. (Planning and Building Inspection)	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to issuance of grading or building permits.	
11.		PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	
12.		PBD018(B) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING) 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	Submit landscape plans and contractor's estimate to PBI for review and approval.	Owner/ Applicant/ Contractor	At least 60 days prior to final inspection or occupancy	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	
PUBLIC WORKS						
13.		PW0001 – ENCROACHMENT (COM) Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to Madison Lane. The design and construction is subject to the approval of the Public Works Director. (Public Works)	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permit Issuance.	
14.		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	
15.		PW0008 - DEDICATION Applicant shall offer to dedicate a thirty-two (32) foot roadway easement along the westerly side of the property. The easement shall be offered to the County through as an Irrevocable Offer to Dedicate Agreement, which shall set forth the terms, conditions, restrictions, and location of the easement. (Public Works)	Applicant shall prepare the Irrevocable Offer to Dedicate Agreement and submit it to the Department of Public Works for approval. The property owner will be eligible for reimbursement or credit from the County for the fair-market value of the easement dedicated.	Owner/ Applicant/ Surveyor	Prior to Building	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
16.		PW0010 – SEWER CONNECTION Obtain a sewer connection permit from the Department of Public Works and pay all applicable fees. (Public Works)	Applicant shall apply for permit with Department of Public Works, obtain the permit, and pay applicable fees.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
17.		PW0012 – PLAN SUBMITTAL (SEWER) Submit plans to the Department of Public Works for approval and construct all necessary sewer improvements. (Public Works)	Applicant shall submit improvement plan to Department of Public Works for approval. Sewer improvements to be constructed in compliance with approved plans.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
ENVIRONMENTAL HEALTH						
18.		EH6 - WATER SERVICE CAN/WILL SERVE Provide to the Division of Environmental Health written certification, and any necessary certification from State agencies that California Water Services <u>can</u> and <u>will</u> supply sufficient water flow and pressure to comply with both Health and fire flow standards. (Environmental Health)	Submit written certification to the Division of Environmental Health for review and approval.	CA Licensed Engineer /Owner/ Applicant	<u>Phase I</u> Prior to issuance of a building permit	
19.		EH24 - SEWER SERVICE CAN/WILL SERVE Provide certification to the Division of Environmental Health that the Boronda Sanitation District can and will provide sewer service for the proposed property/project. (Environmental Health)	Submit certification to Environmental Health for review and approval.	Owner/ Applicant	<u>Phase I</u> Prior to issuance of a building permit.	

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20.		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. (Environmental Health)	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Phase I Continuo us	
21.		EH30 - HAZARDOUS WASTE CONTROL Comply with Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code (Hazardous Waste Control) as approved by the Director of Environmental Health. (Environmental Health)	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Phase I Continuo us	
22.		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. (Environmental Health)	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Phases II and III Continuo us	
23.		EH30 - HAZARDOUS WASTE CONTROL Comply with Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code (Hazardous Waste Control) as approved by the Director of Environmental Health. (Environmental Health)	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Phases II and III Continuo us	

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WATER RESOURCES AGENCY						
24.		<p>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:</p> <p>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.</p> <p>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)</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
25.		<p>WR47 - WASTE MANAGEMENT PLAN The applicant shall provide the Water Resources Agency a Construction Site Waste Management Plan prepared by a registered civil engineer that addresses the proper disposal of building materials and other construction site wastes including, but not limited to, discarded building materials, concrete truck washout, chemicals, litter and sanitary wastes. The Site Waste Management Plan must also address spill prevention, control and clean up of materials such as petroleum products, fertilizers, solvents, pesticides, paints and cleaners. (Water Resources Agency)</p>	Submit the plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	

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26.		DRAINAGE PLAN (NON-STANDARD WORDING) Prior to issuance of grading or building permits, a drainage plan shall be prepared by a registered civil engineer or architect addressing on-site and off-site impacts, to 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 permits	WRA
FIRE DEPARTMENT						
27.		FIRE030 – NON-STANDARD CONDITIONS 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 width of 20 feet with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. Responsible Land Use Department: Salinas Rural Fire District.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection.	
28.		FIRE030 – NON-STANDARD CONDITIONS FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) Any building having a total floor area greater than 5,000 square feet shall be fully protected with automatic fire	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

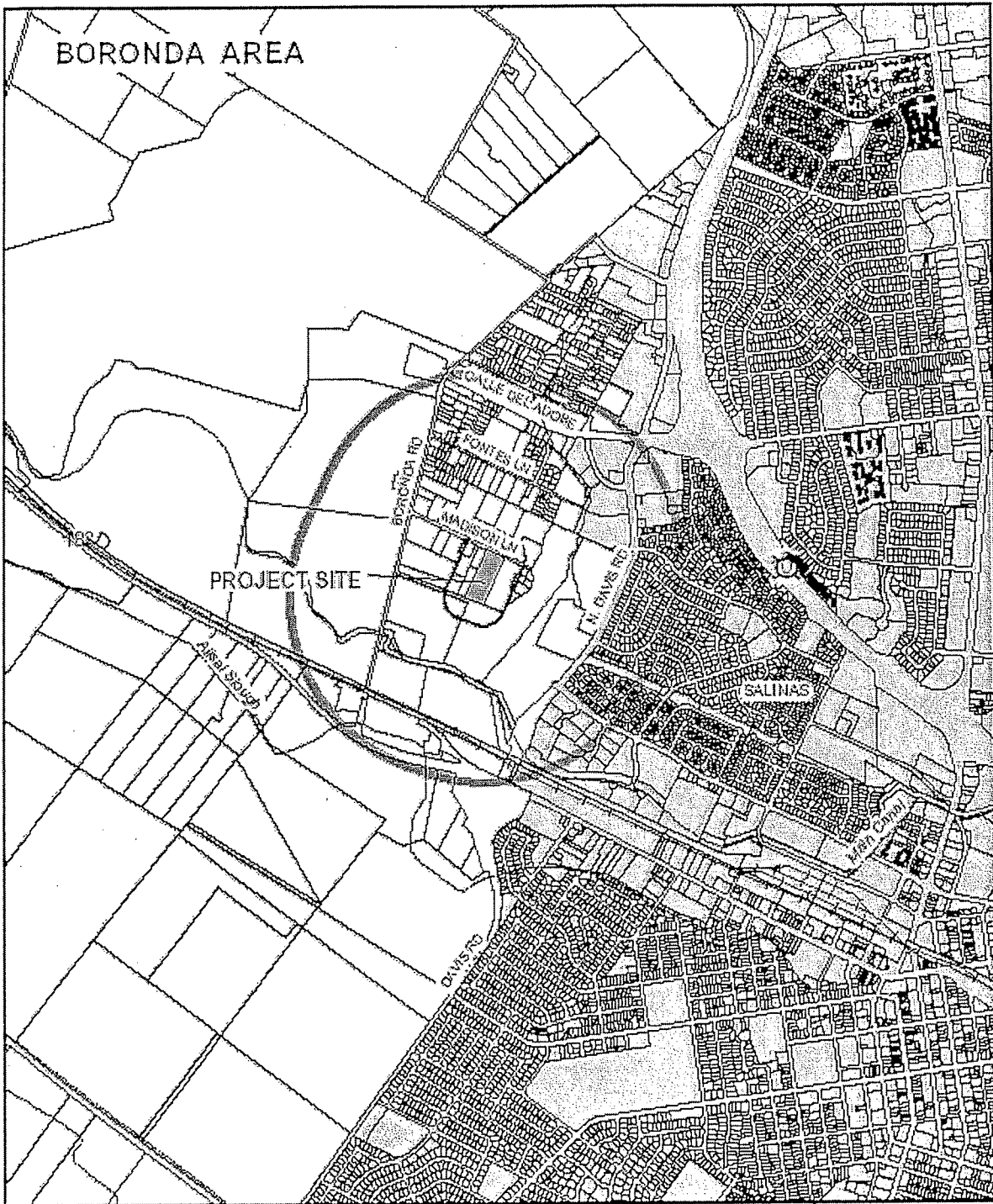
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
29.		FIRE030 – NON-STANDARD CONDITIONS - FIRE ALARM SYSTEM - (COMMERCIAL) Any sprinklered building having 50 or more fire sprinklers shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. Responsible Land Use Department: Salinas Rural Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
30.		FIRE030 –NON-STANDARD CONDITIONS – HYDRANTS AND FIRE FLOW- Hydrants for fire protection shall be provided at locations approved by the Salinas Rural Fire District and shall conform to the following requirements: a. FIRE FLOW - Pursuant to Uniform Fire Code appendix III-A, the minimum fire flow requirement for 8,700	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.	


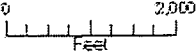




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			Applicant shall provide improvement plans to the fire district. Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to issuance of Building Permit	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
31.		FIRE030 –NON-STANDARD CONDITIONS – EMERGENCY ACCESS KEYBOX – Emergency access keybox shall be installed and maintained. The type and location shall be approved by the fire department. The fire department shall be notified when locks are changed so that the emergency access keybox can be maintained with current keys. Responsible Land Use Department: Salinas Rural Fire District.	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection.	
32.		FIRE030 – NON-STANDARD CONDITIONS – PORTABLE FIRE EXTINGUISHERS – Portable fire extinguishers shall be installed and maintained in accordance with Uniform Fire Code Standard 10-1.	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection.	
MITIGATION MEASURES						
	MM8-1	NON-STANDARD CONDITION-STORM DRAIN MASTER PLAN A. Prior to issuance of a building permit for Phase 1, applicant shall contribute \$56,126 (2005 dollars) toward the Boronda Redevelopment Area Storm Drain Master Plan. B. Prior to issuance of a building permit for Phase 2, applicant shall contribute \$56,126 (2005 dollars) toward	Applicant shall make payments of the storm drainage fees to County of Monterey prior to obtaining building permits for each phase.		See Table below for clarification on timing	

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		the Boronda Redevelopment Area Storm Drain Master Plan. C. Prior to issuance of a building permit for Phase 3, applicant shall contribute \$53,008 (2005 dollars) toward the Boronda Redevelopment Area Storm Drain Master Plan. The preceding figures shall be updated based on the Engineering News Record Construction Cost Index. (Public Works)				
	MM 15-1	NON-STANDARD CONDITION- TRAFFIC MITIGATION FEES A. Prior to issuance of a building permit for Phase 1, applicant shall contribute \$412 (2005 dollars) as a pro-rata share of the cost of improvements in the Boronda area. B. Prior to issuance of a building permit for Phase 2, applicant shall contribute \$8,249 (2005 dollars) as a pro-rata share of the cost of improvements in the Boronda area. C. Prior to issuance of a building permit for Phase 3, applicant shall contribute \$8,249 (2005 dollars) as a pro-rata share of the cost of improvements in the Boronda area. The preceding figures shall be updated based on the Engineering News Record Construction Cost Index. (Public Works)	Applicant shall make payments of the Boronda area traffic to County of Monterey prior to obtaining building permits for each phase.		See Table below for clarification on timing and fees	
	MM 15-1	NON-STANDARD CONDITION-TRAFFIC FEE ORDINANCE Prior to issuance of building permits for each phase, applicant shall pay the City of Salinas the project's pro-rata cost for improvements listed in the City's Traffic Fee Ordinance. (Public Works)	Applicant shall pay the traffic fee to the City of Salinas pursuant to the City of Salinas Traffic Fee Ordinance.		See Table below for clarification on timing and fees	
	MM 15-1	NON-STANDARD CONDITION-TAMC FEES Prior to issuance of building permits for each phase, applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. (Public Works)	Applicant shall pay the regional traffic fee pursuant to the TAMC nexus study.		See Table below for clarification on timing and fees	

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		Timing of Fees for Mitigation Measures						Prior to Occupancy being granted for each phase, the applicant shall demonstrate evidence of payment to the appropriate authority	
		Project Mitigation Fees	Phase I (1.62 acres)	Phase II (1.62 acres)	Phase III (1.53 acres)	Total			
		MM 8-1 and MM 16-1 Boronda Area Master Plan Drainage Fee	\$56,126	\$56,126	\$53,008	\$165,259			
		MM 15-1 City of Salinas TFO	\$12,488	0	0	\$12,488			
		MM 15-1 TAMC Fee	0	\$30,916.5	\$30,916.5	\$61,833			
		MM 15-1 Boronda Area Traffic Fee (unchanged)	\$412	\$8,249	\$8,249	\$16,910			
		Totals	\$69,026.00	\$95,291.50	\$92,173.50	\$256,490.00			



APPLICANT: KIMMICH		 	
APN: 261-052-011-000	FILE # PLN040688		
 300' Limit	 2500' Limit	 City Limits	

PLANNER: KINISON BROWN

