

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

RESOLUTION NO. 07010

A. P. # 173-121-013-000

**FINDINGS AND DECISION**

In the matter of the application of  
**Larry and Betty Ann Denier (PLN060236)**

**WHEREAS:** The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, consisting of: 1) a Use Permit and Design Approval for development of an approximately 18,877 square foot, two-story professional medical office building, a 254 feet-long retaining wall around the driveway and parking areas and grading of approximately 7,600 cubic yards (approximately 3,700 cubic yards of cut and 3,900 cubic yards of fill) and removal of two protected Oak trees; 2) an Administrative Permit for development in the "S" (Site Review) Zoning District; and 3) a Use Permit to allow development of a portion of the access driveway on slopes greater than 30%. The project is located at 24560 Silver Cloud Court (Lot 13, Laguna Seca Office Park Subdivision), Greater Monterey Peninsula Area Plan, and came on regularly for hearing before the Planning Commission on March 14, 2007.

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

**FINDINGS OF FACT**

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

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

(b) The property is located at 24560 Silver Cloud Court (Assessor's Parcel Number 173-121-013-000), Greater Monterey Peninsula Area Plan. The parcel is zoned "VO/B-6-UR-D-S" (Visitor Serving/Professional Office with Building Site, Urban Reserve, Design Review and Site Review Overlays). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.

(c) The project planner conducted site inspections on June 15, 2006 and January 16, 2007 to verify that the project on the subject parcel conforms to the plans listed above.

(d) The project application was reviewed by the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) on July 5, 2006. The Committee recommended approval of the application (3-0 vote with one committee member absent)

(e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060236.

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

- EVIDENCE:** (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- (b) The Certified Environmental Impact Report for Laguna Seca Office Park Subdivision (EIR No. 80-109) concluded that there are not physical or environmental constraints that would indicate that the site is not suitable for the development of the proposed medical office building.
- (c) Staff conducted a site inspection on June 15, 2006 and January 16, 2007 to verify that the site is suitable for this use.
- (d) Materials in Project File PLN060236.

**3. FINDING:** CEQA – On the basis of the whole record before the Monterey County 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 Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:** (a) The proposed project is subject to environmental review due to the potential for significant environmental effects pursuant to CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration).
- (b) The Initial Study and proposed Mitigated Negative Declaration are on file in the office of the RMA - Planning Department and are hereby incorporated by reference (Planning File No. PLN060236). Mitigation Measures have been identified and recommended to reduce the impacts to less than significant levels. All mitigation measures have been incorporated into the project and/or are made conditions of approval (Exhibit C). Substantial evidence supports the conclusion that impacts will be less than significant with the incorporated mitigation.
- (c) The Initial Study and intent to file a Negative Declaration were circulated for public review from January 25, 2007 to February 13, 2007. The Initial Study identified that development of the proposed 18,877 square foot two-story professional medical office building and ancillary facilities would have potentially significant impacts relative to air quality. Comments were received from the Monterey Bay Unified Air Pollution Control District related to potential impacts from construction on air quality. Pursuant to the comments from the Air District and in consultation with staff from the District, the originally recommended condition of approval addressing air quality impacts has been revised and relabeled a mitigation measure in the Initial Study. As revised, the mitigation measure would more effectively address the construction-related air quality impacts identified in the Initial Study circulated for public review. The change has been included in the Mitigation Measure/Condition Compliance Reporting Plan. Implementation of the mitigation measure as revised would assure that the impacts from the project on air quality would be less than significant.
- (d) The Monterey County Resource Management Agency - Planning Department, (located at 168 W. Alisal Street, 2<sup>nd</sup> Floor, Salinas, CA, 93901) is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.
- (e) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is designed to ensure compliance with conditions and that mitigation measures are monitored and reported during project implementation. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and Reporting Program" as a condition of project approval.

- (f) For purposes of implementing Section 753.5 of Title 14, California Code of Regulations, the project will not cause changes to the resources listed under Section 753.5. Therefore, payment of the Fish and Game fee is not required for the proposed project.
- (g) Evidence that has been received and considered includes the application, plans, materials, and technical reports, which are listed under Section IX (References) of the Initial Study and contained in project file PLN060236.

4. **FINDING:** Recirculation of the Mitigated Negative Declaration is not required pursuant to the provisions of Section 15073.5 (c) (4) of the CEQA Guidelines.

**EVIDENCE:** The changes made to the Initial Study after the public review period clarify and amplify the discussion contained in the initial Study related to the identified potential impacts on air quality and revise the mitigation measure to mitigate those impacts. No new impacts have been identified that would need additional mitigation measures requiring additional review.

5. **FINDING:** The revised air quality mitigation measure is equivalent or more effective in mitigating or avoiding the potential significant effects on air quality.

**EVIDENCE:** The options provided in the mitigation measure to mitigate the potential impacts from grading and the use of grading and construction equipment would effectively address and mitigate the construction-related air quality impacts by assuring that those activities are conducted without exceeding the Air District's thresholds of significance.

6. **FINDING:** The Director of Planning has waived the requirement of a General Development Plan pursuant to the provisions of Section 21.22.030 E of the Zoning Ordinance (Title 21).

**EVIDENCE:** The use permit approved for the proposed project and the mitigation measures and conditions of approval address the requirements of the general development plan and the potential impacts of the project. These include the long range operation of the project, operational changes, and mitigation measures for impacts on air quality.

7. **FINDING:** The proposed development of a portion of the access driveway within a designated scenic easement is consistent with the provisions of the respective Conservation and Scenic Easement Deed.

**EVIDENCE:** Conservation and Scenic Easement Deed recorded in Reel 2191, Pages 329 through 331 of County Records. The deed specifically provides for the construction of public or private roads within the area of the easement.

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

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

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

**EVIDENCE:** Preceding findings and supporting evidence.

- 10. FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.  
**EVIDENCE:** Section 21.80.040 D Monterey County Zoning Ordinance.

**FINDING FOR USE PERMIT FOR DEVELOPMENT ON SLOPES  
GREATER THAN 30%**


- 11. FINDING:** The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other alternatives.
- EVIDENCE:** (a) The project includes development of a portion of the vehicular access driveway on slopes greater than 30%. The driveway location is within a designated scenic easement required as part of the approval of the Laguna Seca Office Park. The layout of the proposed driveway wrapping around the building has been designed to provide better accessibility to building for fire-fighting purposes and to better comply with the Fire Code. The driveway alignment has been reviewed by the Salinas Rural Fire Protection District; the District agrees that the proposed driveway alignment provides better accessibility and compliance with the Fire Code.
- (b) Relocating the driveway to the inside of the building envelope would require the construction of a sizeable turn-around area at the western portion of the building site.
- (c) The area of the driveway proposed on slopes greater than 30% is a relatively small area of the subject lot where impacts from development, including necessary grading, can be addressed through implementation of the Grading Ordinance and would not result in significant removal of vegetation. In addition, the Scenic Easement Deed for the Scenic Easement contains provisions for development of the driveway.

**DECISION**

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

**PASSED AND ADOPTED** this 14th day of March, 2007, by the following vote:

**AYES:** Errea, Brown, Isakson, Padilla, Rochester, Diehl, Sanchez, Salazar, Vandevere  
**NOES:** None  
**ABSENT:** Ottone

  
MIKE NOVO, SECRETARY

A COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON MAR 19 2007

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 OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE MAR 29 2007

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 90<sup>th</sup> 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 Resource Management Agency  
 Planning Department  
 Condition Compliance and/or Mitigation Monitoring  
 Reporting Plan**

**Project Name: Denier / Jessen**

**File No: PLN060236**

**APN: 173-121-013-000**

**Approved by: Planning Commission Date: March 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.*

<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>
1.		<p><b>PBD029 - SPECIFIC USES ONLY</b>                      This Combined Development Permit (PLN060236) allows development of an approximately 18,877 square foot, two-story professional and medical/dental office building including required parking and landscaping areas, removal of two protected Oak trees, a 254 feet-long retaining wall around the driveway and parking areas and grading of approximately 7,600 cubic yards (approximately 3,700 cubic yards of cut and 3,900 cubic yards of fill). The property is located at 24560 Silver Cloud Court (Assessor's Parcel Number 173-121-013-000), Greater Monterey Peninsula Area 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 RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. <b>(RMA - Planning and Building Inspection)</b></p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	

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	1.	<p><b>PD – AIR POLLUTION – NON STANDARD LANGUAGE</b></p> <p>In order to reduce construction- and grading-related potentially significant air quality impacts, grading and the overall development of the project shall comply with the following mitigation measures from the MBUAPCD as reviewed and approved by the District. Dust reducing measures shall include the basic control measures contained in Section 8-2 of the CEQA Air Quality Guidelines (Adopted October 1995. Last Revision September 2004.) as follows:</p> <ol style="list-style-type: none"> <li>a. Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.</li> <li>b. Apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at the construction site.</li> <li>c. Cover all trucks hauling dirt, sand, or loose materials.</li> <li>d. Plant vegetative ground cover in disturbed areas as soon as possible.</li> <li>e. Cover inactive storage piles.</li> <li>f. Sweep streets if visible soil material is carried out from the construction site.</li> <li>g. Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance).</li> <li>h. The applicant shall use construction equipment which is 2003 or newer, or which is equipped with a Diesel Oxidation Catalyst (DOC). Any other equipment is only to be used on weekends or</li> </ol>	<ol style="list-style-type: none"> <li>1. Prepare Grading Plan that complies with the requirements of the Air Pollution Control District.</li>   <li>2. Provide evidence from the Unified Air Pollution Control District indicating that the District has reviewed and approved the Grading and construction plan and that the plan complies with the mitigation measure.</li> </ol>	<p>Applicant</p> <p>Applicant</p>	<p>Before issuance of grading permit</p> <p>Before issuance of grading and building permit</p>	

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		<p>outside of normal business hours. Any activity which occurs on weekends or after hours shall only be done if the tenants of lots 12, 14, or 15 receive a minimum of 72 hours notice of the activity which will be taking place.</p> <p><b>(RMA – Planning Department)</b></p>				
2.		<p><b>PBD025 - NOTICE-PERMIT APPROVAL</b>  The applicant shall record a notice which states: "A permit (<b>Resolution No. 07010</b>) was approved by the Planning Commission for Assessor's Parcel Number 173-121-013-000 on March 14, 2007. The permit was granted subject to 1 mitigation measure and 28 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 RMA - Planning Department prior to issuance of building permits or commencement of the use.</p> <p><b>(RMA - Planning Department)</b></p>	<p>Proof of recordation of this notice shall be furnished to RMA - PD.</p>	<p>Owner/ Applicant</p>	<p>Prior to Issuance of grading and building permits or start of use.</p>	
3.		<p><b>PBD030 - STOP WORK - RESOURCES FOUND</b>  If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(RMA - Planning Department)</b></p>	<p>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.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	



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4.		<b>PW0007 – PARKING STD</b> The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning. Inspection. <b>(RMA - Public Works; RMA – Planning Department)</b>	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
5.		<b>WR40 - WATER CONSERVATION MEASURES</b> The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. <b>(Water Resources Agency)</b>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
6.		<b>WR43 - WATER AVAILABILITY CERTIFICATION</b> 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. <b>(Water Resources Agency)</b>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
7.		<b>WR8 - COMPLETION CERTIFICATION</b> The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that drainage facilities have been	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	

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		constructed in accordance with approved plans. <b>(Water Resources Agency)</b>	drainage plan.			
8.		<b>DRAINAGE PLAN (NON-STANDARD WORDING)</b> The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer 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. <b>(Water Resources Agency)</b>	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading and/or building permits	WRA
9.		<b>FIRE002 - ROADWAY ENGINEERING</b> The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. <b>(Salinas Rural Fire District)</b>	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	

<i>Permit Cond. Number</i>	<i>Ming. 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>
10.		<p><b>FIRE011 - ADDRESSES FOR BUILDINGS</b>  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. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Salinas Rural Fire Protection District).</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<i>Applicant or owner</i>	Prior to issuance of building permit.	
			<p>Applicant shall schedule fire department clearance inspection</p>	<i>Applicant or owner</i>	Prior to final building inspection	
11.		<p><b>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</b>  Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys.</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	

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		Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of RMA- Planning Department. <b>(Salinas Rural Fire Protection District)</b>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
12.		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. <b>(Salinas Rural Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			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	
13.		<b>FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL)</b> 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. <b>(Salinas Rural Fire Protection District)</b>	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	

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14.		<b>FIRE026 - ROOF CONSTRUCTION (STANDARD)</b> All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. ( <b>Salinas Rural Fire District</b> )	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
15.		<b>FIRE030 – NON-STANDARD CONDITIONS ROAD ACCESS</b> 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. ( <b>Salinas Rural Fire District</b> )	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.	
16.		<b>FIRE030 – NON-STANDARD CONDITIONS - FIRE ALARM SYSTEM - (COMMERCIAL)</b> 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. <b>Responsible Land Use Dept: Salinas Rural Fire District.</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	<i>Applicant or owner</i>	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	<i>Applicant or owner</i>	Prior to rough sprinkler or framing inspection	
17.		<b>FIRE030 –NON-STANDARD CONDITIONS – EMERGENCY ACCESS KEYBOX –</b> Emergency access keybox shall be installed and maintained. The type and location shall be approved by the fire department. The fire department shall be	Applicant shall incorporate specification into design and 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)
		notified when locks are changed so that the emergency access keybox can be maintained with current keys. <b>Responsible Land Use Department: Salinas Rural Fire District.</b>	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection.	
18.		<b>FIRE030 – NON-STANDARD CONDITIONS – PORTABLE FIRE EXTINGUISHERS –</b> Portable fire extinguishers shall be installed and maintained in accordance with Uniform Fire Code Standard 10-1. <b>Responsible Land Use Department: Salinas Rural Fire District.</b>	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner Applicant or owner	Prior to issuance of building permit. Prior to final building inspection.	
19.		<b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b> 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 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.	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. The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of building permits. Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
20.		<b>PD011 – TREE AND ROOT PROTECTION</b> Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines 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 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 evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	
			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/ Arborist	During Construction	
			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	
21.		<b>PD010 - EROSION CONTROL PLAN AND SCHEDULE</b> 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	Evidence of compliance with the 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.	Owner/ Applicant	Prior to the issuance of grading and building 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 Department and Director of RMA - Building Services Department.	Owner/ Applicant	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		control planting becomes established. This program shall be approved by the Director of RMA - Planning Department and Director of RMA - Building Services Department. <b>(RMA - Planning Department and RMA - Building Services Department)</b>	Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
22.		<b>PD007 - GRADING-WINTER RESTRICTION</b> 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. <b>(RMA - Planning Department and Building Services Department)</b>	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	
23.		<b>PD009 - GEOTECHNICAL CERTIFICATION</b> Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. <b>(RMA - Planning Department and Building Services Department)</b>	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	
24.		<b>PD012(A) - LANDSCAPE PLAN AND MAINTENANCE (NON STANDARD)</b> 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 materials including planting for	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	

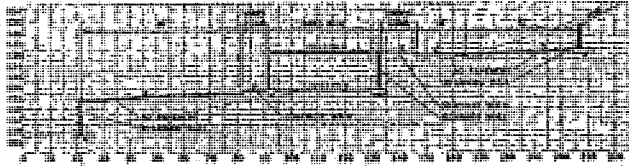


Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		screening of the parking lot and the location of two replacement Oak trees, and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. 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. <b>(RMA – Planning Department)</b>	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	
25.		<b>PD042 – GRADING/EASEMENT STAKING</b> The conservation and scenic easement(s) and proposed grading shall be staked with 18” stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department. The staking shall be verified at the grading pre-site inspection by the grading inspector. <b>(RMA – Planning Department and Building Services Department)</b>	The easement(s) and proposed grading shall be staked with 18” stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department.	Owner/ Applicant	At presite inspection by the grading inspector	
26.		<b>PWSP0XX – CONSTRUCTION LOGISTICS PLAN (NONSTANDARD CONDITION)</b> The applicant shall submit a Construction Logistics Plan for review and approval by the Public Works and Planning Departments. The purpose of the Plan shall be to minimize construction traffic during peak hours of travel and ensure that construction traffic enters and leaves the project site in a safe and efficient manner. The plan shall include the following information: a. A narrative describing the following: • Proposed truck routes; • Proposed hours of operation for construction truck	1. Prepare a Construction Logistics Plan for review and approval by the Public Works and Planning Departments.  2. Provide evidence from the Department of Public Works that the Logistics Plan has been reviewed and approved by that Department	Applicant  Applicant	Before issuance of grading and building permits  Before issuance of grading and building permits	

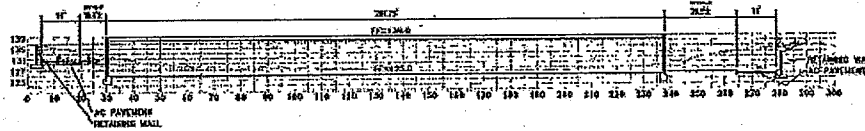
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>and grading equipment traffic;</p> <ul style="list-style-type: none"> <li>• Estimated number of daily truck trips;</li> <li>• Estimated duration (in months) of the overall construction period as well as each phase;</li> <li>• Maximum number of construction workers that will be on the site on a daily basis during each phase;</li> <li>• Proposed traffic control system for affected roads during construction.</li> </ul> <p>b. Scaled site plan for each phase showing the following:</p> <ul style="list-style-type: none"> <li>• Limits of construction work during each phase;</li> <li>• Location of parking area for construction workers during each phase of construction;</li> <li>• Location of any on-site construction staging areas and/or storage areas.</li> </ul> <p>Prior to the commencement of construction activities, the applicant shall post a publicly visible sign that outlines the specifics of the construction management plan, the telephone number of the on-site contractor and telephone number of the person to contact regarding complaints. This contact person shall respond to complaints and take corrective action within 24 hours. The telephone number of Monterey County Public Works Department shall be posted on the sign. <b>(Public Works)</b></p>	<p>3. Adhere to the provisions of the Logistics Plan</p>	<p>Applicant</p>	<p>During construction</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
27.		<p><b>PD006 - MITIGATION MONITORING PROGRAM</b>  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. <b>(RMA - Planning Department)</b></p>	<p>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.</p> <p>2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</p>	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
28.		<p><b>PD – NON STANDARD – USES ALLOWED</b>  The long range uses of the property shall be professional and medical/dental offices and similar office uses where the parking requirements would not exceed 72 parking spaces. No additional uses of the property, physical expansion or new development shall be allowed without securing the required entitlements per the provisions of Chapter 21.22 of the Zoning Ordinance (Title 21). <b>(RMA – Planning Department)</b></p>	The use of the building shall comply with the list of uses during the life of the project	Owner	Ongoing	

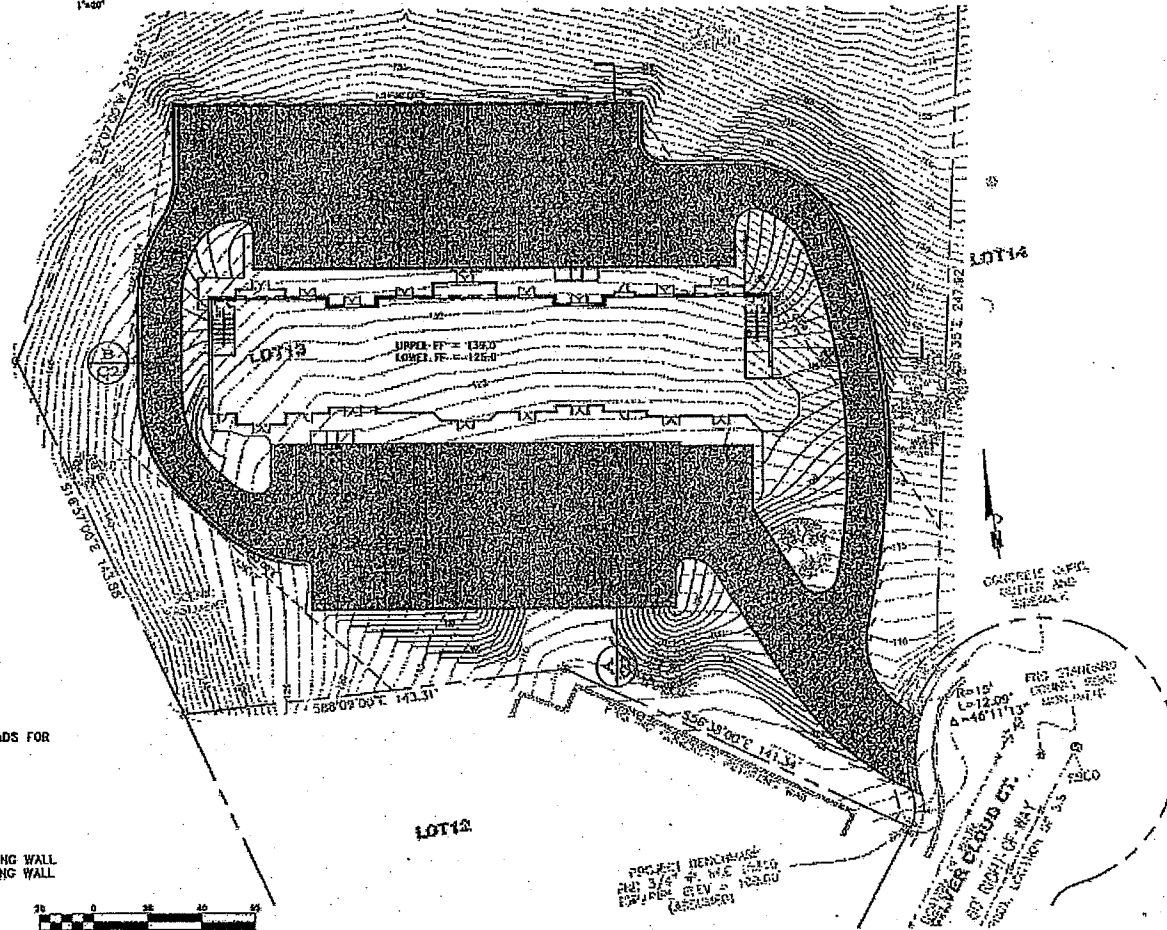
END OF CONDITIONS



SECTION A-A

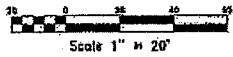


SECTION B-B



**GRADING NOTES**

1. THE ULTIMATE PURPOSE FOR GRADING IS TO CREATE LEVEL PADS FOR THE PROPOSED BUILDING AND PARKING AREAS.
2. EARTHWORK:  
CUT 3700 YDS  
FILL 3900 YDS  
NET 200 YDS FILL
3. EXCAVATION/EMBANKMENT:  
MAXIMUM EXCAVATION -11.1 FEET @ NORTH WEST RETAINING WALL  
MAXIMUM EMBANKMENT +11.6 FEET @ SOUTH WEST RETAINING WALL



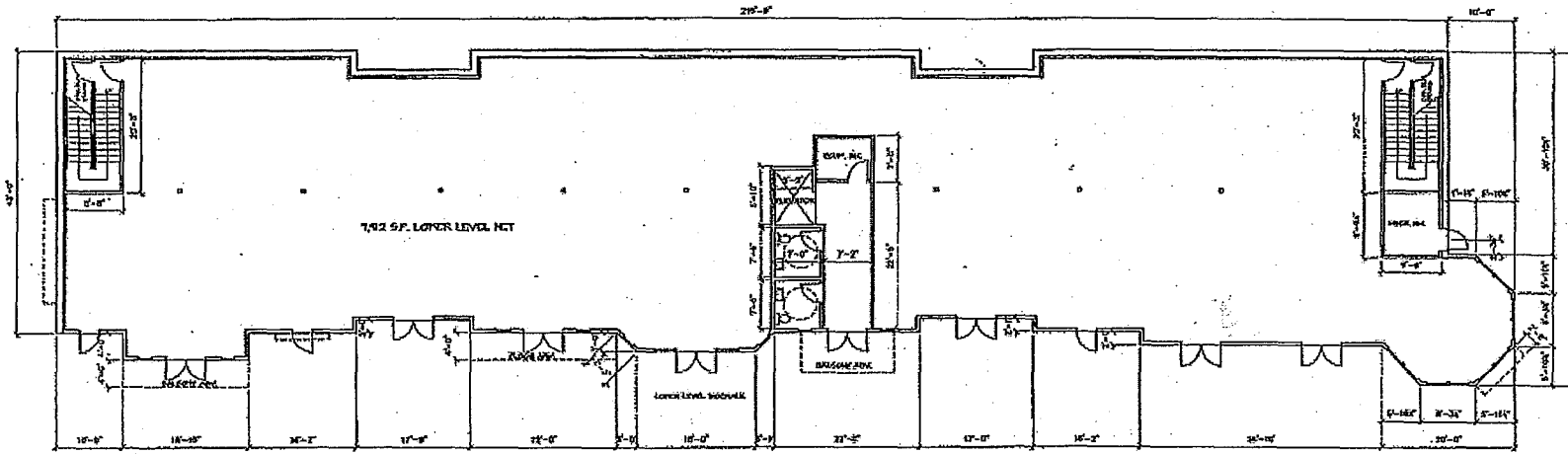
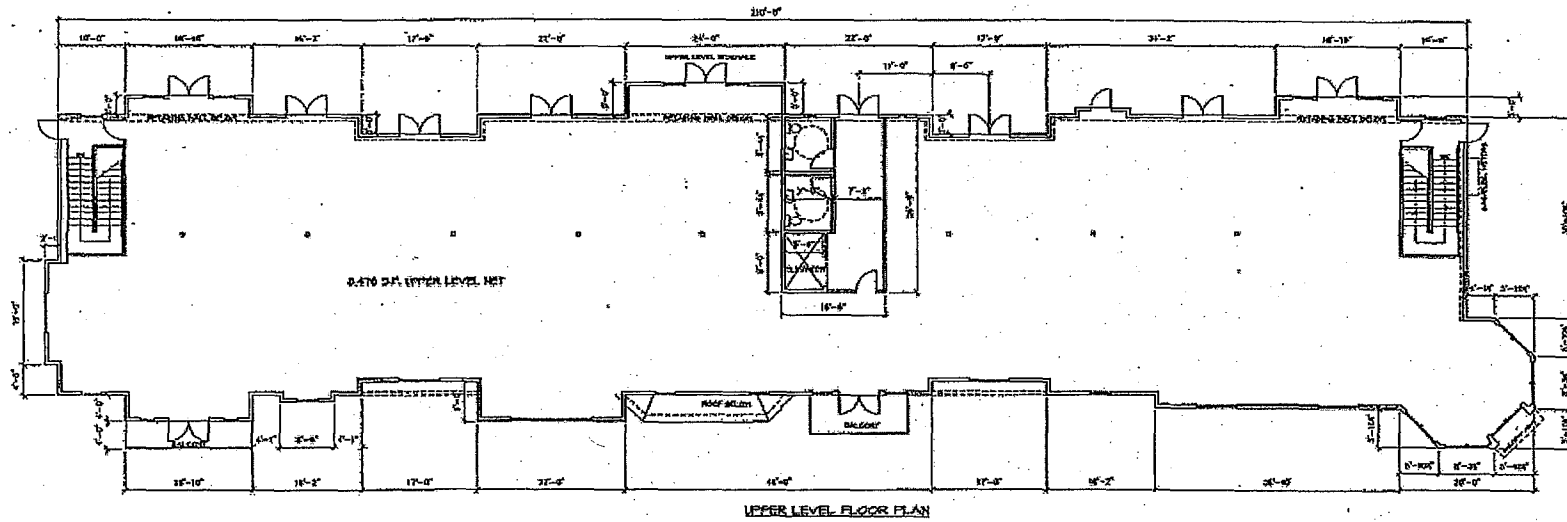
GRADING & DRAINAGE PLAN

**C3 Engineering**  
Civil Engineering Land Development Drafting  
128 Berkeley Park, Suite C, Menlo Park, CA 94025  
Tel: 650-321-1122  
www.c3eng.com



**GRADING PLAN**  
**SILVER CLOUD**  
**OFFICE BUILDING**  
Project Location: 7440 SILVER CLOUD COURT  
MOUNTAIN VIEW, CA 94039

ISSUED FOR	AS SHOWN
DATE	11-18-2010
DESIGN BY	JULI
CHECKED BY	CAG
PROJECT NO.	744
SHEET NUMBER	<b>C2</b>
OF SHEETS	10/20/10

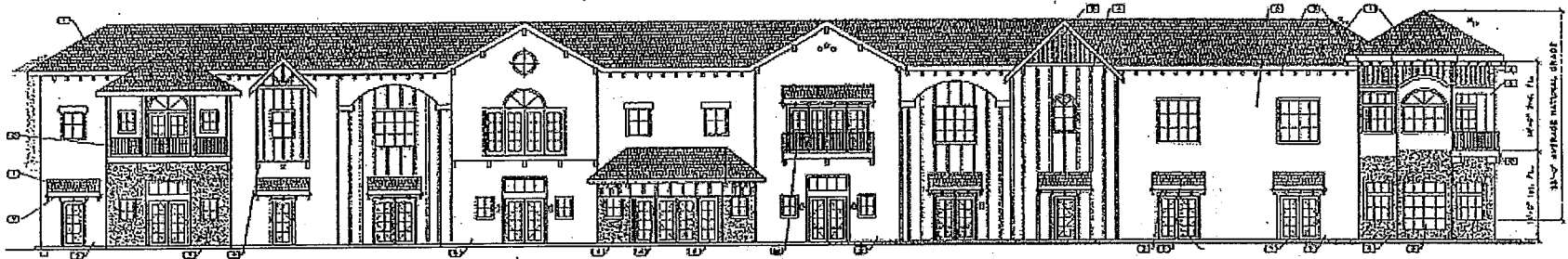


TOTAL (BOTH FLOORS) NET AREA = 10,000 SF.  
 NOTE: THE NET AREA-PARKING RATIO MEETS THE ZONING REQUIREMENTS (1 PARKING SPACE PER 200 SF) FOR MEDICAL OFFICES. THE NUMBER OF PARKING SPACES PROVIDED ALSO ALLOWS FOR GENERAL OFFICE USE (1 PARKING SPACE PER 250 SF). THE NET AREA DOES NOT INCLUDE STAIRWELLS, ELEVATOR, RESTROOMS, UTILITY ROOMS, HALLS, STRUCTURE, OR MECHANICAL SHAFTS.

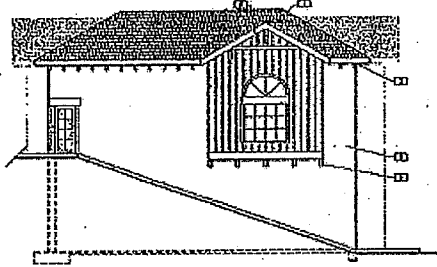
Silver Cloud Office Building  
 24560 Silver Cloud Court  
 Monterey, CA

Preliminary Lower & Upper & Level Floor Plans  
 Date: 5/31/06 Scale: 1/8"=1'-0" Sh.# A2 #0523



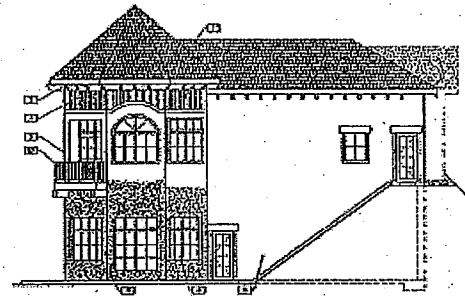


SOUTH ELEVATION

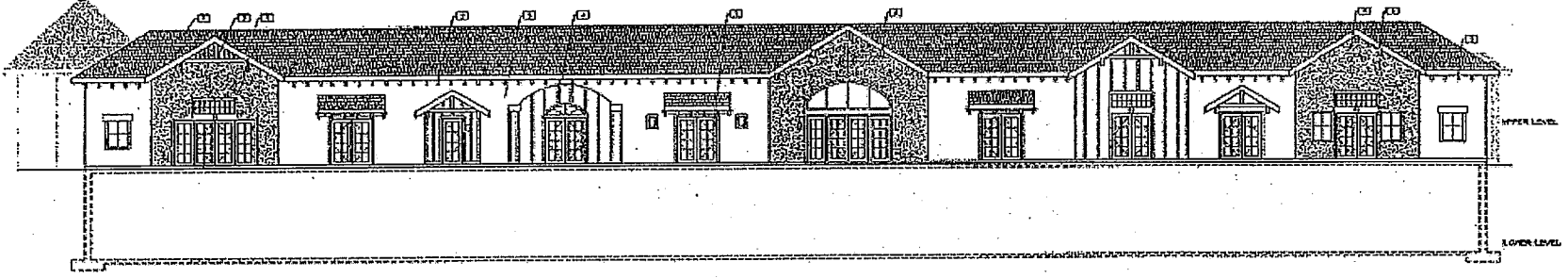


EAST ELEVATION

- ELEVATION KEY NOTES:
- 1 - SPANISH TILE ROOF
  - 2 - WOOD FRAMED STEEPWOOD PLASTER
  - 3 - WOOD SHING
  - 4 - WOOD BOARD & BATTEN
  - 5 - GYPSUM PLASTER
  - 6 - WOOD CLASH
  - 7 - WOOD FRAMED WINDOW
  - 8 - WOOD WINDOW
  - 9 - WOOD WINDOW
  - 10 - INTERIOR FINISH WITH RAILURE



WEST ELEVATION



NORTH ELEVATION

Silver Cloud Office Building

24560 Silver Cloud Court  
Monterey, CA

Preliminary Exterior Elevations

Date: 5/31/06 Scale: 1/8"=1'-0" Sh.# A4 #0523

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