

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

RESOLUTION NO. 08038

A. P. # 030-166-002-000, 030-  
166-003-000, 030-166-008-000  
and 030-166-009-000

**FINDINGS AND DECISION**

In the matter of the application of  
**Mid-Peninsula Housing Coalition (PLN070566)**

**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 Lot Line Adjustment to combine four existing lots (total 67,229 square feet) into two new lots of 58,502 square feet and 8,720 square feet; and 2) A General Development plan for a mixed-use development including 40, 100% affordable apartments, an 1,850 square feet community center, and 750 square foot retail/office/commercial uses; 3) Site Plan And Design Review for development in the Castroville Community Plan Merritt Street Corridor Opportunity Area. The project includes a 1,850 community center for residents; grading is approximately 20,000 cubic yards fill and 20 cubic yards cut. The property is located at 10860 Merritt Street, Castroville, Castroville Community Plan and North County Non-Coastal Area, and came on regularly for hearing before the Planning Commission on September 24, 2008.

**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, North County Area Plan, North County Area Plan Inventory and Analysis, Castroville Community Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.

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

(b) The property is located at 10860 Merritt Street, Castroville (Assessor's Parcel Number 030-166-002-000, 030-166-003-000, 030-166-008-000 and 030-166-009-000), North County Area Plan. The CCP MU-C land use designation allows residential and commercial, office and/or public uses on the same site or in the building and clustered housing units. (primarily retail, office, and or public uses to encourage activity centers and pedestrian orientation. The project site is currently zoned "LC-Z", Light Commercial Improvement Zoning District (Title 21), which allows for commercial development in conjunction with residential, as long as it doesn't exceed the commercial development square footage and requires improvements including curbs, gutters and sidewalks. The Monterey County Resource Management Agency is in the process of amending Title 21

to be consistent with the adopted Community Plan land use designations, which would rezone this site as "MU-C" for all Castroville. Therefore, the property is suitable for the proposed development.

- (c) The General Plan supersedes the current zoning code and the Monterey County Resource Management Agency is in the process of amending Title 21 to be consistent with the adopted Community Plan land use designations, which would rezone this site as "MU-C".
- (d) The developer has requested a reduction in site developments standards for parking allowed by the State Density Bonus Law Section 65915(p)(1). The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.
- (e) The lots are legal lots shown on the map of Castroville Subdivision B lot 2 block 1. Lots 030-165-008 and 009 are lots 1 of Block 2 and a portion of Rico Street abandonment recorded on reel page 332, page 1555, Official Records. The lots are legal lots by a grant deed, Document No. 2006013328.
- (f) Instead of referral to the North County Non-Coastal Land Use Advisory Committee, the project was reviewed by the Castroville Citizen's Advisory Committee. The CCP Implementation Plan Section D, includes CAC review of private projects. Appendix B, Development Standards Section 1.1. requires CAC Design Approval applications for projects considered by the Zoning Administrator or the Planning Commission. The Monterey County Board of Supervisors amended the Monterey County General Plan and North County Plan to incorporate the Castroville Community Plan (Resolution No. 07-102) requiring Site Plan and Design Guidelines review per Appendix A. The CAC reviewed the project on March 25, 2008. At the August 27, 2008 meeting the CAC voted unanimously that the project is consistent with the CCP and recommended approval of the project design to the Planning Commission. CAC members expressed concerns regarding on-going maintenance, selection of tenants and parking control. The applicant will conduct tours of their other properties prior to a special CAC meeting on September 22, 2008, present their "house rules" and other information concerning management and maintenance.
- (g) The project planner conducted a site inspection on 12/19/07, 2/13/08 and 4/3/08 to verify that the project on the subject parcel conforms to the plans listed above.
- (h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN070566.

**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, (North County Fire) Protection District, Parks, 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) Technical reports by outside biological, archaeological, and geological, geotechnical, hydrology, transportation consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:

- i. "Biological Resource Assessment" (LIB080113) by PMC, Monterey, CA, dated November 2007.
- ii. "Site Visit and Special Status Plant Survey", by PMC, Monterey, CA, dated April 29, 2008.

- iii. "Site Visit and *Special Status Plant Survey*" by PMC, Monterey, CA, dated June 27, 2008.
- iv. "Peak & Associates, Inc. *Determination of Eligibility and Effect for the Cynara Court Apartments Project City of Castroville, California*" (LIB080111) by Peak & Associates, Inc., El Dorado Hills, CA, dated November 2007.
- v. "*Geologic Hazards Assessment*" (LIB080114), by JF Consulting, Inc., Hayward, CA, dated February 26, 2008.
- vi. "*Geotechnical Investigation for Residential Buildings*" (LIB080113), prepared by AMSO Consulting Engineers, Hayward, CA, dated July 24, 2007.
- vii. "*Phase I Environmental Site Assessment*" (LIB080363) by Environmental Investigation Services, Inc., Los Gatos, CA, dated January 21, 2005.
- viii. "*Phase II Environmental Site Assessment*" (LIB 080365), by Environmental Investigation Services, Inc., Los Gatos, CA, dated March 15, 2005.
- ix. "Environmental Investigation Services, Inc. *Environmental Assessment Update*", by Environmental Investigation Services, Inc., Los Gatos, CA, dated August 8, 2007.
- x. "*Draft Technical Memorandum*", by Schaaf & Wheeler Consulting Civil Engineers, Santa Clara, CA, dated December 10, 2007.
- xi. "*Verification of Proposed Sewer Connection for 40 Residential Units, Community Center, and Retail/Office with Castroville Community Services District*", by Castroville Community Services District, Castroville, CA, dated July 23, 2008.
- xii. "*Verification of Proposed Water Connection for 40 Residential Units, Community Center, and Retail/Office with Castroville Water District*", by Castroville Water District, Castroville, CA, dated July 23, 2008.
- xiii. "*Water Use and Wastewater Generation Analysis*", by LFR, Marina, CA, dated July 23, 2008.
- xiv. "*Preliminary Drainage/Stormwater Design*", by LFR, Marina, CA, dated July 21, 2008.
- xv. "*Transportation Impact Analysis Cynara Court I, Castroville, California*", (LIB08010) by Hexagon Transportation Consultants, Inc., dated January 23, 2008.

- (c) The project site is suitable for mixed use development near the northern entrance to the community of Castroville. The planned Artichoke Avenue Phase I Improvement Project, which will include intersection and pedestrian improvements at Merritt and Mead Streets, will further enhance the site suitability for the proposed use.
- (d) Staff conducted site inspections on 12/19/07, 2/13/08 and 4/3/08 to verify that the site is suitable for this use.
- (e) Materials in Project File PLN070566.

**3. FINDING: COMPLIANCE WITH THE CASTROVILLE COMMUNITY PLAN (CCP)** – The project application was submitted following the adoption of the CCP. Policy 1.2 and 1.5 of the CCP requires that new development shall be consistent with the Castroville Community Plan (CCP) Design Guidelines and Development Standards. The project is in compliance with all the applicable policies of the CCP and meets the criteria within the Design Guidelines.

**EVIDENCE:** (a) Policy 1.1: The Merritt Street Corridor Opportunity Area shall be improved through implementation of the Community Plan, as well as other adopted plans and redevelopment efforts, to create a walkable and vibrant downtown area with businesses

that serve the residents of Castroville and is attractive to visitors. The proposed project will replace an existing blighted vacant lot with a mixed use development, which is consistent with the CCP. Site improvements include new pedestrian improvements, sidewalks, curbs, gutters, a storm water system and drainage, street trees and landscaping and trash enclosures.

- (b) Policy 2.1: Work with developers to redevelop targeted areas within the downtown to promote a more pedestrian friendly commercial core, provide needed local and tourist serving businesses, and take advantage of the new community amenities (e.g., Tembladero Slough Enhancement and Castro Plaza). The proposed project would provide a community center and commercial uses within the commercial core consistent with Policy 2.
- (c) Policy 2.2: New development and redevelopment proposals, including infill development shall be reviewed with the appropriate Community Plan architectural Design Guidelines (Appendix A) and Development Standards (Appendix B) to ensure quality of design and compatibility. At the August 27, 2008 meeting, the CAC voted unanimously that the project is consistent with the CCP Mixed Use Design Guidelines and Development Standards and unanimously recommended approval of the project design to the Planning Commission. The building designs and strong ground level plane emphasizing its public place on Merritt Street promotes the main street character envisioned for Merritt Street Opportunity Area. Parking access for both uses is from the rear alley with most of the parking to the rear of the commercial building. Roof materials and colors are compatible with surrounding development. Both uses have design features including varied setbacks, arched entries and arcades, recessed openings, balconies, and architectural detailing to create visual interest.
- (d) Policy 3.1 encourages a mixture of residential and commercial uses in the downtown. The project is a mixed use residential and commercial development. The proposed project would provide 40 residential units, a 1,850 square foot community center and 750 square feet of commercial/retail use within the downtown area consistent with Policy 3.1. The project aligns the building front at the sidewalk edge to provide interest at street level, provides commercial and community center uses at ground level, and visibility of parking from sidewalk is minimized.
- (e) Policy 4.1 encourages a range of housing types in a mixed income format that meets the needs of Castroville's workforce and allows residents to stay within the community as their lifestyles and incomes change over the years. The project includes 40 affordable multifamily units with one, two, and three bedrooms for very low income (35% to 50% of AMI) and low income (50% to 60% of AMI); a community room, and exercise room, maintenance and administrative office for activities and classes, tot lot and other amenities for residents.
- (f) Policy 5.2 encourages compatible infill development and compact new development within the Community Plan area to efficiently use land resources. The project is compact, high density residential (30 units per acre) an 1,850 square foot community center, and a small (750 square foot) commercial space in the commercial core of Castroville. The proposed project would include a lot line adjustment that will establish a new 8,868 square foot lot that will be dedicated to the county for future flood control slough enhancements and pedestrian facilities, consistent with Policy 5.1.
- (g) Policy No. 10.1 requires that development meets urban infrastructure and service standards. The project will be serviced by the Castroville Community Services District (CSD) for water and sewer, sidewalks, curbs and gutters and a storm water system and drainage improvements. The CSD has determined that it can and will serve the project.

- (h) Policy No. 10.2 requires that new and redevelopment project contribute to the cost of infrastructure and service to meet the demand generated by the project. The project is required to pay district connection fees for water and sewer service as well as pay a fair share cost for local and regional transportation improvements. The project is required to pay fees for services including water and sewer, parks, schools, local and regional traffic improvements consistent with policy 10.2.
- (i) Policy 10.5: Flood control improvements shall be implemented to reduce the threat of flooding to the existing community and provide opportunities for new development in areas currently subject to flood hazards. The CCP requires that General Development Plans within the Merritt Street Corridor Opportunity Area, require that the project applicant(s) provide any necessary easement, within the project site, required for levee maintenance. Instead of dedicating an easement the applicant will dedicate a new 8,868 square foot parcel to include the area within 50 feet of the top of bank to the Tembladero Slough.

The subject site is located partially within Zone A11, 100-year Floodplain of the Tembladero Slough, as shown on FEMA Flood Insurance Rate Map, 060195-0055F, dated August 5, 1986. The project site is also located partially within the Floodway (Floodway Fringe). The base flood elevation (BFE) for the proposed development is 12 feet above mean sea level (NGVD 1929). The County requires standard conditions incorporated to reduce the potential for floodplain hazard to less than significant. Condition No. 45 requires the project to bring the grade level above 13 feet BFE and the lowest floor and attendant utilities for each building shall be at least one foot above the BFE. A Water Resources Agency Condition No. 46 and 47 require an Elevation Certificate certifying that the structures are constructed in accordance with Chapter 16.16 of the Monterey County Code. These conditions would ensure that the proposed project is constructed above the base flood elevation and that there would be no potential risk of exposure to 100-year flood hazards.

- (j) Policy No. 10.6 requires that development provide adequate park and recreational facilities which meet the needs of the community pursuant to the State Quimby Act. The project was reviewed by the Monterey County Parks Department and will be required to dedicate park are and/or pay Recreation in-lieu fees (see Condition 49).

**4. 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) During the review process of the Castroville Community Plan (CCP), an Environmental Impact Report (EIR) was prepared to evaluate environmental impacts and a Final EIR (SCH# 2005061132) was adopted in November 2006. Environmental impacts caused by the implementation of the CCP were analyzed, therefore mitigations requiring conditions of approval that pertain to the Cynara 1 project have been incorporated; specifically for: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards/Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, Recreation, Transportation/Traffic, and Utilities/Service Systems. This EIR is considered a program-level EIR and pursuant to Section 15168(c) (1) of the CEQA Guidelines, a new Initial Study was conducted to address project specific issues that were not previously examined in the program EIR. Further discussions regarding specific impacts, mitigations and conditions are found on Section

VI of the Mitigated Negative Declaration. Castroville Community Plan EIR mitigation measures and associated impacts that are applicable to the proposed project are provided in Appendix of the Initial Study prepared for the project found in file PLN070566. Site specific Mitigation Measures and Conditions of Approval are incorporated in the project approval.

- (b) To mitigate the physical impacts of the project, the following mitigation measures are required:

Mitigation Measures No. 1 and 2 will ensure that there are no potential adverse environmental impacts to biological resources.

1. Mitigation Measure 1 requires that the project applicant contract with the qualified wildlife biologist to conduct a survey for roosting special-status bat species, 30 days prior to the removal of any trees between March 1 and July 31.
2. Mitigation Measure No 2 requires if construction commences during the typical nesting season (February-August), the project applicant retain a qualified biologist to perform a pre-construction nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity. (Conditions of Approval nos. 50 and 51 and Mitigation Measures Nos. 1 and 2).

- (c) Aesthetics: The CCP EIR considered aesthetic resources to be a significant and unavoidable impact due to the permanent conversion, and the overall character and appearance of the community of Castroville being significantly altered with implementation of the Community Plan. The project site is a blighted vacant lot within the Merritt Street Opportunity Area of the Castroville Community Plan that is designated as an infill lot formerly a auto storage and tow operation. The proposed mixed-use development would be consistent with the existing urban character in the downtown corridor. A standard condition will ensure there are no potential impacts to aesthetic resources, by requiring approval of an exterior lighting plans and Design Review that no reflective materials shall be used for the project.

- (d) Air Quality: Castroville Community Plan EIR mitigation measures and associated impacts applicable to the proposed project are provided in Appendix A of the Mitigated Negative Declaration. The project as proposed will have a less than significant impact on Air Quality based on compliance with the Monterey Bay Unified Air Pollution Control District's (MBUAPCD) Air Quality Management Plan for the Monterey Bay Region; the project will not violate any air quality standards; and the project will not result in a cumulatively considerable net increase of any pollutant. Temporary construction related impacts will be less than significant as the project will be required to comply with the MBUAPCD guidelines which address dust control, truck idling etc. Conditions of Approval (Condition Nos. 19, 20, 21) require the applicant to implement best-available control measures (BACM) to reduce emissions of toxic air contaminants and reduce criteria air pollutants of ROG, NO<sub>x</sub>, CO and PM<sub>10</sub>, and air borne emissions as recommended by the Monterey Bay Unified Air Pollution Control District and in accordance with Policy 20.25.5 of the Monterey County General Plan.

- (e) Biological Resources: Two mitigation measures are incorporated for potential impacts to roosting special-status bat species and active raptor or migratory bird nests (see Evidence (b)). Although the project is near the Tembladero Slough the area is not a habitat for the California red-legged frog, the California tiger salamander or Steelhead trout as determined in the Biological Resource Assessment prepared by PMC, dated November 2007, or subsequent surveys dated April 29, 2008 and June 27, 2008. The project site does not include riparian area or wetland areas. The project site is an urban infill vacant lot surrounded on three sides by commercial uses. There are no trees, and native species

plants or wildlife found on the site and the site is partially paved and formerly a commercial development.

- (f) Cultural Resources: An archaeological report prepared by Peak & Associates, Inc. (LIB080111), did not reveal any of the indicators normally found on a prehistoric site in this region. A standard condition requires a stop work if during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site until a qualified professional archaeologist can evaluate it. A second condition requires that prior to start of construction, a qualified archaeologist shall conduct a worker training session for all construction personnel regarding procedures to follow.
- (g) Geology and Soils: According to JF Consulting's, Geological Hazards report, the project site is free of fault rupture hazard, liquefaction, lateral spreading and landsliding and no further soil or geologic investigations are necessary. Standard conditions require that construction is in accordance with the geological and geotechnical reports prepared for the project. To avoid any potential short-term soil erosion impacts during construction, a standard condition requires that the project adheres to the Monterey County Erosion Control Ordinance, which would require coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit and preparation of a Stormwater Pollution Prevention Plan (SWPPP) if the proposed project were to disturb an area greater than or equal to one acre.
- (h) Hazards/Hazardous Materials: Environmental Investigation Services (EIS), Incorporated prepared a Phase I ESA in January 2005, a Phase II ESA in March 2005 and an ESA update in August 2007. This updated site document review and site visit determined no new onsite concerns. According to EIS, there is no evidence of recognized environmental conditions.
- (i) Hydrology and Water Quality: Wastewater collection service will be provided by Castroville Community Services District (CWD). A Water Use and Wastewater Generation Analysis was prepared for the proposed project by LFR dated July 23, 2008. According to Castroville Community Services District (CWD), the estimated water demand is within the maximum allowable consumption of 108 AFY for near-term development, thus the proposed project would not substantially deplete the groundwater supplies. According to the certified EIR, the Community Plan would result in an overall decrease in water being extracted from the Salinas Valley Groundwater basin upon completion of the Salinas Valley Water Project's diversion project and that near-term development within the Merritt Street Corridor Opportunity Area, prior to the completion of the Salinas Valley Water Project diversion project, which was considered to be a potentially significant impact.

The project could result in an increase in impervious surface, which would subsequently increase surface water runoff in the planning area. A Preliminary Drainage/Stormwater Design memorandum was prepared by LFR July 23, 2008 and revised 8/13/08. According to the Preliminary Drainage/Stormwater memorandum, stormwater runoff from the project site would be collected in area drains/catch basins and discharged to a catch basin in the east corner of the project site and a manhole in the south corner of the project site, which would provide stormwater quality control. The Monterey County Water Resource Agency's conditions of approval require preparation of a drainage plan that address on-site and off-site impacts and inclusion of oil-grease/water separators for paved parking areas.

The subject site is located partially within Zone A11, 100-year Floodplain of the

Tembladero Slough, as shown on FEMA Flood Insurance Rate Map, 060195-0055F, dated August 5, 1986. The project site is also located partially within the Floodway (Floodway Fringe). The base flood elevation (BFE) for the proposed development is above 12 feet mean sea level (NGVD 1929). The County requires standard conditions incorporated to reduce the potential for floodplain hazard to less than significant. Condition No. 46 requires the project to bring the grade level above 13 feet BFE and the lowest floor and attendant utilities for each building shall be at least one foot above the BFE. A Water Resources Agency Condition No. 47 and 48 require an Elevation Certificate certifying that the structures are constructed in accordance with Chapter 16.16 of the Monterey County Code. These conditions would ensure that the proposed project is constructed above the base flood elevation and that there would be no potential risk of exposure to 100-year flood hazards. Instead of dedicating an easement the applicant will dedicate a new parcel to include the area within 50 feet of the top of bank to the Tembladero Slough. The CCP included mitigation measures that require project applicants to pay fair share slough enhancement impact fee incorporated as project conditions. At this time no impact fee program has been adopted, however, the project will contribute the dedicated lot.

To elevate the project site above the existing floodplain, the proposed project includes placement of fill and a retaining wall along the southwest side of the property within 50-foot setback from the top of bank of the Tembladero Slough. According to Schaaf & Wheeler, Consulting Civil Engineers Technical Memorandum in December 2007 the unaltered channel with the proposed retaining wall has no effect on the water surface elevation for the 100-year flood and the velocity of flow is not high enough to pose an erosion risk. Therefore, the proposed project will not alter the capacity of the watercourse or pose an erosion risk, which is consistent with County Floodplain Ordinance No. 3272.

- (j) Land Use Planning: The proposed project is a mixed use project proposed within the Merritt Street Corridor Opportunity Area of the Castroville Community Plan. The Castroville Community Plan was adopted and incorporated into the North County Area Plan in April 2007. The North County Area Plan was adopted and incorporated into the Monterey County General Plan in July 1984. According to the Community Plan (and North County Area Plan), the project site is designated as "MU-C", or mixed use which provides for residential development on the same site or in the same building as commercial, office and/or public uses. Appropriate residential uses include apartments, townhomes, condominiums, and clustered housing units. Residential development within the MU-C land use designation is allowed at a minimum density of 15 DU/A and a maximum of 30 DU/A. The proposed project would provide residential development at a density of approximately 30 DU/A based on the new 1.34 acre lot. The proposed project is consistent with the Castroville Community Plan, North County Area Plan and Monterey County General Plan.
- (k) Noise: The mixed use project is conditioned to comply with the Monterey County's noise criteria for land use compatibility and to implement feasible project specific mitigation measures. There are no adjacent noise-sensitive receptors, the site is located in a primarily commercial urban area and the site was previously considered and recognized for mixed use development as part of the Community Plan. There will be an increase in the ambient noise levels with the project but it is in compliance with the Noise Element of the General Plan and Monterey County Code Chapter 10.60. The Division of Environmental Health requires a noise study to provide recommendations for any special construction materials

to be incorporated into the building plans.

- (l) Public Services: The proposed project would be required to pay developer and impact fees to the various agencies for the increased demand associated with the proposed project, including fire, water, sewer, parks, and schools.
- (m) Recreation: North Monterey County Recreation and the Parks District provide park and recreation services to the Community of Castroville. The increased demand for the project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. A nonstandard Parks Department condition requires that the applicant pay an in lieu fee with a credit for on-site active recreation facilities for the construction of the proposed "tot lot" which is included in the project description as an on-site amenity.
- (n) Transportation/Traffic: The proposed project would generate additional traffic trips, increase the demand for parking and bicycle/pedestrian facilities and within the Castroville Community Plan area. A number of impacts were identified in the EIR as potentially significant impacts for the Castroville Community Plan including increased traffic to Castroville Boulevard/Highway 156 ramp intersections, increased demand for new bicycle and pedestrian facilities, transit service and facilities, parking in the Merritt Street Corridor Opportunity Area and emergency vehicle access to the area. Significant and cumulative impacts included Merritt Street intersections Highway 183, Highway 156, and Castroville Boulevard Blackie Road intersections resulting in a statement of overriding consideration (Resolution No. 07-101) for transportation impacts; however the benefits to the community of the Castroville Plan outweighed the adverse environmental impacts.

The CCP included mitigation measures that require project applicants to pay fair share local and regional traffic impact fee incorporated as project conditions. However, at this time no local traffic impact fee program has been adopted. Mitigation measure MM 3.14-1a (CCP COA 34) of the Community Plan EIR requires that project applicants for near-term development prepare project specific traffic impact analysis' that identify the number of trips the proposed development will generate in order to determine their fair share of future adopted fees. Until the local traffic impact fee program is adopted, near term development projects will be conditioned to pay their fair share of the local traffic impact fees, based on the project specific traffic impact analysis. Impact fees are required by condition including for signalized intersections, bus stops, pedestrian and bicycle improvements.

The proposed project, as conditioned would provide required parking for all proposed residential and commercial uses; however, the State Density Bonus Law allows up to three concessions for projects providing more than 30% affordable housing including a reduced parking criteria (Section 65915(p)(1)). The project provides 86% of the required parking spaces by Title 21 Section 21.64.030(83 spaces instead of 96).

- (o) Utilities/Service Systems: The Community Plan would result in an increased demand upon wastewater collection, treatment, and disposal facilities. CCP mitigations and conditions required submission of estimated waste water and water use submitted to the Castroville District and it was determined that the project generated use was within the thresholds for near-term development and no further conditions are required for the project. Wastewater collection service will be provided by Castroville Community Services District (CWD). A storm water and drainage system will be constructed as

improvements in the Castroville Community Plan. Existing bus stops include along Merritt Street and Crane Street, less than ¼ mile from the project site. Condition No. 23 requires that the project contribute a proportionate fair share towards providing additional bus shelters. The TAMC comments did raise any new issues that hadn't been already addressed by the project requirements and the project will not conflict with adopted policies, plans or programs.

On September 22, 2008 the planner spoke with Michael Zeller at TAMC for clarification and response to comments. The above required conditions implement the mitigation measures identified in the Castroville Community Plan EIR to ensure that the project will not result in any potentially significant environmental impacts.

(b) See preceding and following findings and supporting evidence.

**6. FINDING:** **LOT LINE ADJUSTMENT** - A lot line adjustment application may be granted based upon the following findings: 1) the lot line adjustment is between two (or more) existing adjacent parcels; 2) a greater number of parcels than originally existed will not be created as a result of the lot line adjustment; 3) the parcels resulting from the lot line adjustment conforms to County zoning and building ordinances.

**EVIDENCE:** (a) The lot line adjustment is between four adjacent parcels owned by one property owner, Assessor's Parcel Numbers: 030-166-002-000, 030-166-003-000, 030-166-008-000 and 030-166-009-000.

(b) The lot line adjustment will result in two lots instead of four existing lots of record.

(c) The lot line adjustment is required for the following reasons: to consolidate multiple lots to allow one development, and allow one lot for dedication to the County for the Tembladero Slough enhancements and flood control maintenance. The resulting 58,502 square foot and 8,720 square foot lots will conform to County zoning and building ordinances.

**7. FINDING: DESIGN APPROVAL** - The Castroville Community Plan Policy 2.2 requires that new development and redevelopment proposals, including infill development, shall be reviewed with the appropriate Community Plan architectural Design Guidelines (Appendix A) and Development Standards (Appendix B) to ensure quality of design and compatibility. The CCP Implementation Plan Section D, includes CAC review of private projects. Appendix B, Development Standards Section 1.1 requires CAC Design Approval applications for projects considered by the Zoning Administrator or the Planning Commission.

**EVIDENCE:** (a) At the August 27, 2008 meeting the CAC voted unanimously that the project is consistent with the CCP Mixed Use Design Guidelines and Development Standards and unanimously recommended approval of the project design to the Planning Commission. CAC members expressed concerns regarding on-going maintenance, selection of tenants and parking control. The applicant will conduct tours of their other developments prior to a special CAC meeting on September 22, 2008, present their "house rules" and other information concerning management and maintenance.

(b) The proposed architectural style of the development is "Mediterranean/Craftsman" and is consistent with the Design objectives contained in Appendix A, Design Guidelines of the CCP (See Consistency Analysis Exhibit I). The design includes a "main street" concept with a mix of commercial and residential uses, a pedestrian scale presence with a zero lot line building placed at the sidewalk on Merritt Street, street trees and landscaping, with

arched entries, and architectural detailing to create visual interest. Parking is along a side access driveway with most parking to the rear of the building. The roof material is compatible with surrounding development. To reduce the massing, second and third floors are setback and feature balconies and roof overhangs. Colors and materials are consistent with the Design Guidelines for architectural style encouraged for buildings in the Merritt Street corridor.

- (c) No reflective construction materials are proposed consistent with CCP MM-3.3-1a-3b (CCP COA 2) to minimize day-time glare.

**8. FINDING: INCLUSIONARY HOUSING REQUIREMENT** –The proposed project complies with the Inclusionary Housing Ordinance as codified in Chapter 18.40 of the Monterey County Code.

**EVIDENCE:** (a) The proposed project has been reviewed by the Resource Management Agency – Housing and Redevelopment Office for conformance with the Inclusionary Housing Ordinance.

- (b) Section 18.40.070 of the Monterey County Code requires that all residential development which provides inclusionary units on-site must construct inclusionary units in the amount equal or greater to 20% of the total number of units. The project proposes to provide 40 units of 100% affordable housing units that are affordable to incomes ranging from low income households earning 35 percent of the average median income (AMI) to units for low income households earning 60 percent of the AMI.
- (c) The owner/developer shall record deed restrictions on the project site, to the satisfaction of the Redevelopment and Housing Director, restricting rents and addressing other related affordability issues for a period of not less than 55 years in conformance with project funding requirements and state redevelopment law (See Condition No. 24).

**9. FINDING: STATE BONUS DENSITY LAW -**

- (a) Government Code Section 65915(a): When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the jurisdiction of a city, county, or city and county, that local government shall provide the applicant incentives or concessions for the production of housing units and child care facilities as prescribed in this section.
- (b) Section 65915(d)(1): An applicant may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, that the concession is not required to provide affordable housing or would have an adverse affect on the public health and safety, or physical environment. Subsection (C) allows three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a common interest development.
- (c) Section 65915(g)(2) defines a "density bonus" as a density increase of at least 20 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the city, county, or city and county.
- (d) Section 65915(k): The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.

required and drainage and recycling plan are required by conditions.

- (p) The Mitigated Negative Declaration was circulated for public review from August 17, 2008 to September 16, 2008.
- (q) 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.
- (r) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is designed to ensure compliance with conditions and 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.
- (s) For purposes of implementing Section 753.5 of Title 14, California Code of Regulations, the project may cause changes to the resources listed under Section 753.5. Therefore, payment of the Fish and Game fee is required.
- (t) See preceding and following findings and supporting evidence.

**5. FINDING:** CEQA – Comments received on the project did not present substantial evidence of any unmitigated significant environmental effects.

**EVIDENCE:** (a) Letter from Transportation Agency for Monterey Bay (TAMC) dated 9/16/08.

The letter stated that to mitigate cumulative impacts the project should pay fair share contribution of regional traffic mitigation fees as a condition of approval including Highway 1 and Highway 183, and Artichoke Avenue. Applicable transportation mitigations applicable to the project from the CCP EIR are implemented as Conditions of Approval. Condition of Approval No. 28 requires that the project shall pay pro-rata share of improvements in the Castroville Community Plan. Condition No. 29 requires that the project pay TAMC regional traffic mitigation fee. Condition No. 23 requires that the project contribute a proportionate fair share towards providing additional bus shelters. Alternative trip generation rates have been submitted to TAMC for review to calculate fair share fees.

The letter stated that the project design include alternative forms of transportation such as pedestrian access to crosswalks, sidewalks, transit stops, and bicycle facilities. The traffic analysis concluded that no specific physical improvements are warranted by the project. Stoplights, crosswalks and driveway cuts are restricted by CalTrans on Highway 183/Merritt Street. A future stoplight and crosswalk are planned at Preston and Merritt Streets for the Castroville community. Title 21 requires lockable bicycle racks (Condition 18, Exhibit F, site plans), Sidewalks are existing and are required to be installed (Condition No 30). Existing bus stops include along Merritt Street and Crane Street, less than ¼ from the project site. The project should connect with existing plans for bike paths and walkways. The project will connect with the existing Monterey County Bike Route along Merritt Street, connecting to a Class 1 bike route along Haro Street to Highways 1 and 156 and the Pacific Coast Bike Route (North County Trails Plan, adopted 10/10/89). Another comment was that the project should provide bicycle racks, lockers and adequate lighting. Title 21 requires lockable bicycle racks (Condition 18, Exhibit F, site plans) and are shown on the plans near the commercial component. In response to updating the Initial Study Checklist, Section 15 (Transportation) the project is consistent with adopted plans policies or programs supporting alternative transportation including transit. Condition of Approval No 28 requires that the project shall pay pro rata share of

(e) Section 65915(p)(1): "Upon the request of the developer, no city, county, or city and county shall require a vehicular parking ratio, inclusive of handicapped and guest parking, of a development meeting the criteria of subdivision (b), that exceeds the following ratios:

(A) Zero to one bedrooms: one onsite parking space.

(B) Two to three bedrooms: two onsite parking spaces.

(C) Four and more bedrooms: two and one-half parking spaces.

(2) If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide "onsite parking" through tandem parking or uncovered parking, but not through on-street parking.

(3) This subdivision shall apply to a development that meets the requirements of subdivision (b) but only at the request of the applicant. An applicant may request additional parking incentives or concessions beyond those provided in this section, subject to subdivision (d)."

**EVIDENCE:** (a) The development is 100% affordable housing to very low and low income households as defined in Section 50079.5 of the Health and Safety Code. The development provides 100% affordable housing units therefore exceeding the requirement of 15% very low to low income levels to qualify for a density bonus, incentives and concessions.

(b) The development provides more than 30% of the total units to lower income levels and 15 percent to very low income households, qualifying the project for at least three incentives or concessions. The applicant has requested reduction in development standards for reduced parking.

(c) The development provides 100% affordable housing units to a range of very low to low income levels based on the median income (AMI), qualifying the project for a density bonus of at least 20 percent. The maximum allowable density with or without the density bonus would be 15 to 30 dwelling units per acre based on the "Mixed Use" development standards in the adopted Castroville Community Plan.

(d) The County cannot require additional discretionary permit such as a Use Permit for reduced parking (Title 21 Section 21.58.050(C)) to grant the concession unless a finding can be made that the concession is not required to provide for affordable housing costs, or would have an adverse effect on the public health, safety or the physical environment.

(e) The developer has requested a reduction in site development standards for reduced parking from the required 96 spaces required by Title 21.64.030 to 83 spaces allowed by Government Code Section 65915(p)(1), letter dated August 29, 2008.

**10. FINDING: GENERAL DEVELOPMENT PLAN** – The Monterey County Zoning Ordinance, Section 21.18.030.A requires a General Development Plan (GDP) prior to the establishment of any development in a Light Commercial district if there is no prior approved GDP, and if: 1) the lot is in excess of one acre; or, 2) the development proposed includes more than one use; or, 3) the development includes any form of subdivision. The proposed project meets the size and number of uses criteria; therefore, a GDP is required to be approved by the Planning Commission prior to new development, changes in use, expansion of use, or physical improvement of the site. A GDP is also required by the CCP for mixed-use development.

**EVIDENCE:** (a) The project as described in the application and accompanying materials was reviewed by the Planning Department, (North County Fire) Protection District, Parks Department, Public Works Department, Environmental Health Division, Sheriff, and the Water Resources and Redevelopment and Housing Office. The respective departments 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. The General Development Plan addresses uses, operating hours, site improvements, parking, lighting, signage and operation and maintenance.

- (b) Staff conducted site inspections on 12/19/07, 2/13/08 and 4/3/08 to verify that the project on the subject parcel conforms to the plans and uses.
- (c) Condition of Approval No. 18 requires that the General Development Plan shall be recorded on the deed.
- (d) Materials in Planning File No. PLN070566.

**11. 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.

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

**EVIDENCE:** (a) Preceding findings and supporting evidence.  
(b) Castroville Community Services District will provide water and waste water service.

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

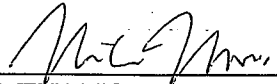
**EVIDENCE:** Section 21.80.40 .D Monterey County Zoning Ordinance (Title 21).

### DECISION

**THEREFORE**, it is the decision of the Planning Commission Zoning 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 24th day of September, 2008, by the following vote:

AYES: Brown, Pessagno, Diehl, Rochester, Isakson, Salazar, Ottone, Sanchez, Padilla, Vandever  
NOES: None  
ABSENT: None

  
MIKE NOVO, SECRETARY

A COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON

SEP 30 2008

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 Mid-Peninsula Housing Coalition (PLN070566)

CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR  
BEFORE **OCT 10 2008**

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 RMA - Planning and RMA - Building Services Department offices 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: Mid-Peninsula Housing Cynara 1**

**File No: PLN070566**

**APNs: 030-166-002-000, 030-166-003-000,  
030-166-008-000 and 030-166-009-000**

**Approved by: Planning Commission**

**Date: September 24, 2008**

*\*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>PD001 - SPECIFIC USES ONLY</b></p> <p>This Combined Development Permit consists of: 1) A Lot Line Adjustment to combine four existing lots (total 67,222 square feet) into two new lots of 58,502 square feet and 8,720 square feet; and 2) A General Development plan for a mixed-use development including 40, 100% affordable apartments, an 1,850 square feet community center, and 750 square foot retail/office/commercial uses; 3) Site Plan And Design Review for development in the Castroville Community Plan Merritt Street Corridor Opportunity Area. The project includes a 1,850 community center for residents; grading is approximately 20,000 cubic yards fill and 20 cubic yards cut. The property is located at 10860 Merritt Street, Castroville (Assessor's Parcel Numbers 030-166-002-000, 030-166-003-000, 030-166-008-000 and 030-166-009-000, North County Area Plan/Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

		modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. <b>(RMA - Planning Department)</b>				
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution 08038) was approved by the Planning Commission for Assessor's Parcel Numbers 030-166-002-000, 030-166-003-000, 030-166-008-000 and 030-166-009-000, on September 24, 2008. The permit was granted subject to 51 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. <b>(RMA - Planning Department)</b>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use	
3.		<b>PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT</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 shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

		<b>(RMA - Planning Department)</b>				
4.		<p><b>PDSP003 CULTURAL RESOURCES (NONSTANDARD)</b></p> <p>Prior to start of initial grading, a qualified archaeologist shall conduct a worker training session for all construction personnel regarding procedures to follow if bone is found involving cessation of work near the discovery site and immediate notification of the Monterey County Coroner. The Coroner will determine if the bone is human and Native American, and the Native American Heritage Commission will be notified. They will in turn notify a person deemed to be the most likely descendant, who will come to the site and assess the findings, and determine next steps. A fact sheet or other supporting materials containing this information shall be prepared and posted on-site. Upon completion of training, employees shall sign a form stating that they attended the training and understand all the conservation and protection measures. Educational programs shall be conducted for new personnel before they join construction activities. The crew foreman shall be responsible for ensuring that all crew members comply with the guidelines. <b>(RMA – Planning Department)</b></p>	<p>A qualified archaeologist shall conduct a worker training session for all construction personnel. Prepare a fact sheet or other supporting materials containing this information and post on the site in both Spanish and English. Upon completion of training, employees shall sign a form stating that they attended the training and understand all the conservation and protection measures. Conduct educational programs for new personnel before they join construction activities until initial grading is complete. The crew foreman will be responsible for ensuring that all crew members comply with the guidelines. Submit the documentation including the training date(s), names of workers to the RMA-Planning Department, demonstrating compliance.</p>	<p>Applicant or owner with qualified archaeologist and crew foreman</p>	<p>Prior to any grading and issuance of grading or building permit</p>	
5.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b></p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever</p>	

		attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)			occurs first and as applicable	
6.		<b>PD005 - FISH AND GAME FEE-NEG DEC/EIR</b> Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)	Submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	Within 5 working days of project approval	
			If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	Prior to the recordation of the final map, the start of use or the issuance of building or grading permits	
7.		<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.	1) Enter into agreement with the County to implement a Mitigation Monitoring Program.	Owner/ Applicant	Prior to the issuance of grading and building permits	

		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>	2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.			
8.		<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	
9.		<b>PD008 - GEOLOGIC CERTIFICATION</b> Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report. <b>(RMA - Planning Department and Building Services Department)</b>	Submit certification by the geotechnical consultant to the RMA - Planning Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
10.		<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	
11.		<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	Submit an Erosion Control Plan 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	

		during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. <b>(RMA - Planning Department and RMA - Building Services Department)</b>	Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
12.		<b>PD012(G) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING)</b> The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. <b>(RMA - Planning Department)</b>	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			The landscaping shall be installed and inspected.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
			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	

13.		<p><b>PD041 – HEIGHT VERIFICATION</b></p> <p>The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. <b>(RMA – Planning Department and Building Services Department)</b></p>	<p>1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection</p> <p>2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.</p>	Owner/ Applicant	<p>Prior to the issuance of grading or building permits</p> <p>Prior to final inspection</p>	
14.		<p><b>PD016 – NOTICE OF REPORT</b></p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:</p> <ol style="list-style-type: none"> <li>1. A “<i>Biological Resource Assessment</i>” report (LIB080113) report was prepared by PMC, Monterey CA, dated November 2007.</li> <li>2. A “<i>Site Visit and Special Status Plant Survey</i>” report was prepared by PMC, Monterey, CA, dated April 29, 2008.</li> <li>3. A “<i>Site Visit and Special Status Plant Survey</i>” report was prepared by PMC, Monterey, CA, dated June 27, 2008.</li> <li>4. A “<i>Peak &amp; Associates, Inc. Determination of Eligibility and Effect for the Cynara Court Apartments Project City of Castroville, California</i>” (LIB080111) report was prepared by Peak &amp; Associates, Inc., El Dorado Hills CA, dated November 2007.</li> <li>5. A “<i>Geologic Hazards Assessment</i>” (LIB080114) report was prepared by JF Consulting, Inc., Hayward CA Dated February 26, 2008.</li> <li>6. A “<i>Geotechnical Investigation for Residential Buildings</i>” (LIB080113) report was, prepared by</li> </ol>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	Owner/ Applicant	Prior to the issuance of grading and building permits	

		<p>AMSO Consulting Engineers, Hayward CA, dated July 24, 2007.</p> <p>7. A "Phase I Environmental Site Assessment" (LIB080363) report was prepared by Environmental Investigation Services, Inc., Los Gatos, CA, dated January 21, 2005.</p> <p>8. A "Phase II Environmental Site Assessment" (LIB 080365) report was prepared by Environmental Investigation Services, Inc., Los Gatos, CA, dated March 15, 2005.</p> <p>9. A "Environmental Investigation Services, Inc. Environmental Assessment Update", was prepared by Environmental Investigation Services, Inc., Los Gatos, CA, dated August 8, 2007.</p> <p>10. A "Draft Technical Memorandum", was prepared by Schaaf &amp; Wheeler Consulting Civil Engineers, Santa Clara, CA, dated December 10, 2007.</p> <p>11. A "Verification of Proposed Sewer Connection for 40 Residential Units, Community Center, and Retail/Office with Castroville Community Services District" report was prepared by Castroville Community Services District, Castroville, CA, dated July 23, 2008.</p> <p>12. A "Verification of Proposed Water Connection for 40 Residential Units, Community Center, and Retail/Office with Castroville Community Services District", was prepared by Castroville Community Services District, Castroville, CA, dated July 23, 2008.</p> <p>13. A "Water Use and Wastewater Generation Analysis", was prepared by LFR, Marina, CA, dated July 23, 2008.</p> <p>14. A "Preliminary Drainage/Stormwater Design", was prepared by LFR, Marina, CA, dated July 21, 2008.</p> <p>15. A "Transportation Impact Analysis Cynara Court I, Castroville, California" (LIB080110) report was prepared by Hexagon Transportation Consultants, Inc., dated January 23, 2008.</p> <p>These reports are on record in the Monterey County RMA</p>				
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		- Planning Department . All development shall be in accordance with this report." (RMA – Planning Department)				
15.		<p><b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b></p> <p>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. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)</p>	<p>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.</p>	Owner/ Applicant	Prior to the issuance of building permits	
			<p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Prior to Occupancy /Ongoing	
16.		<p><b>PDSP004 DEDICATION OF LAND (NON-STANDARD)</b></p> <p>The CCP requires that for General Development Plans within the Cypress Residential and Merritt Street Corridor Opportunity Area, the County of Monterey shall require that the project applicant(s) dedicate to the Monterey County Water Resources Agency any necessary easement, within the project site, required for levee maintenance. Instead of dedicating an easement the applicant will dedicate to the County a new 8,868 square foot parcel created by the Lot Line Adjustment. (RMA – Planning Department, RMA – Redevelopment and Housing Office)</p>	<p>Provide the Record of Survey to the County of Monterey for review and approval. Applicant's surveyor shall prepare description of area to be dedicated.</p> <p>Applicant shall enter into an agreement with the County for the new lot dedication and the agreement shall address maintenance. The agreement shall be submitted for action by the Board of Supervisors.</p>	Owner/ Applicant/ Surveyor	Prior to Recordation of Record of Survey and prior to issuance of any grading or building permits	
17.		<p><b>PDSP005 – TRAFFIC CONSTRUCTION MANAGEMENT PLAN (NON STANDARD WORDING)</b></p> <p>The property owner/applicant shall prepare a Traffic Construction Management Plan (TCMP) for staff review and approval prior to grading or construction activities. The plan shall include a pavement survey along Merritt</p>	<p>Submit plans to RMA- Planning Department for review and approval.</p>	Owner/ Applicant/ Engineer	Prior to issuance of a grading permit and final grading permit	

		Street between the intersections of Crane and Rico Streets before and after construction activities. The applicant shall be responsible for reconstruction and repair should damage occur from grading or construction activities related to this project. Repairs shall be made prior to final for grading permit. The TCMP shall recommend measures to minimize impacts to traffic on impacted roads, including from any fill operations, as approved by the Department of Public Works. <b>(RMA – Planning Department and Public Works Department)</b>				
18.		<p><b>PDSP006 GENERAL DEVELOPMENT PLAN</b> - Record a notice that states:</p> <p>“General Development Plan for Cynara Court 1</p> <ol style="list-style-type: none"> <li>1. <u>Uses allowed</u>: Uses allowed in the commercial component shall include: office, retail, barber or beauty shop or similar uses, and are limited to those not requiring more than 1 space per 250 square feet according to Title 21.60.030, Regulations for Parking.</li> <li>2. <u>Parking Spaces</u>: All parking spaces shall be assigned for each residential unit, commercial unit and guest spaces. All parking walkways and exterior area shall be maintained in a litter and weed free condition. Parking spaces shall be used only for parking registered vehicles owned by residents on site. No inoperative or abandoned vehicles or vehicle maintenance allowed on site.</li> <li>3. <u>Residences</u>: Prior to occupancy the developer shall submit “House Rules” to be approved by the RMA-Planning Director and to the RMA- Redevelopment and Housing Director. House rules shall spell out tenant responsibilities and requirements including but not limited to occupancy limits, on-site parking restrictions, maintenance, limitations on noise, and what can be stored on balconies or areas outside of a unit.</li> <li>4. <u>Operating hours</u>: The commercial and community room components hours shall be limited to 7 a.m. to 10 p.m., 7 days per week.</li> <li>5. <u>Landscaping</u>: All landscaping shall be in accordance</li> </ol>	Proof of recordation of this notice shall be furnished to RMA - Planning.	Owner/ Applicant	Prior to issuance of grading and building permits	

		<p>with an approved landscaping and irrigation plan. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</p> <p>6. <u>Site Improvements</u>:</p> <ul style="list-style-type: none"> <li>• Curbs gutters, sidewalks, storm drainage system shall be installed by the owner as approved by the RMA Public Works Department.</li> <li>• Minimum 83 parking spaces, and per Monterey County Parking Standards including 3 spaces designated for the commercial component for employees or customer use.</li> <li>• Bike Racks: nine spaces on-site that enable bikes to be locked to the rack</li> <li>• Fences, retaining walls, trash enclosures and landscaping shall be maintained, and free of litter, or weeds, and replaced as needed. Trash shall be stored only inside approved enclosed containers.</li> </ul> <p>7. <u>Signage</u>: Signage shall conform to the Title 21.60 and shall be consistent with an approved sign plan.</p> <p>8. <u>Exterior Lighting</u>: An exterior lighting shall be according to an approved lighting plan approved by the RMA- Planning Director.</p> <p>9. <u>Tot lot</u>: On-site recreation shall only be used by residents tenants and their guests.</p> <p>(RMA – Planning Department, RMA – Redevelopment and Housing Office)</p>				
19.		<p><b>PDSP008 CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION AIR QUALITY – (NONSTANDARD) (MM 3.3-1a, CCP COA 4)</b> The County of Monterey shall require that the project applicant(s), for General Development Plans and other discretionary approvals associated with the proposed Community Plan, implement Best Management Practices on construction (grading/excavation, and building) activities to reduce emissions of particulate matter, as</p>	<p>Refer to Tables 5-1 and 5-2 of the MBUAPCD CEQA Air Quality Guidelines for thresholds of significance, and implement the following mitigations measures, as needed:</p> <ul style="list-style-type: none"> <li>♦ Limit grading to 8.1 acres per day, and grading and excavation to</li> </ul>	Owner/ Applicant/ Contractor	Prior to the issuance of building permits and During grading/excavation and building	MC Code Enforcement or Owner / Contractor

		recommended by the MBUAPCD and in accordance with Policy 20.2.5 of the Monterey County General Plan during construction activities. Requirements for stationary sources under permit to the Air District shall be specified in the permit(s) issued by the Air District. (RMA – Planning Department)	<p>2.2 acres per day.</p> <ul style="list-style-type: none"> <li>♦Water graded / excavated areas at least twice daily. Frequency should be based on the type of operations, soil and wind exposure.</li> <li>♦Prohibit all grading activities during periods of high wind (over 15 mph)</li> <li>♦Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days)</li> <li>♦Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations, and hydro-seed area.</li> <li>♦Haul trucks shall maintain at least 2'0" of freeboard.</li> <li>♦Cover all trucks hauling dirt, sand, or loose materials.</li> <li>♦Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.</li> <li>♦Plant vegetative ground cover in disturbed areas as soon as possible.</li> <li>♦Cover inactive storage piles.</li> <li>♦Install wheel washers at the entrance to construction sites for all exiting trucks.</li> <li>♦Pave all roads at construction sites.</li> </ul>		activities	
20.		<b>PDSP009 CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION AIR QUALITY – (NONSTANDARD) (MM 3.3-1b, CCP COA 5)</b> The County of Monterey shall require that the project applicant(s), for General Development Plans and other	<p>Refer to MBUAPCD CEQA Air Quality Guidelines, Chapter 9, Toxics, as applicable.</p> <p>Comply with CCR Title 13,</p>	Owner/ Applicant/ Contractor	Prior to the issuance of building permits and	

		discretionary approvals associated with the proposed Community Plan, implement Best Management Practices to reduce emissions of toxic air contaminants, as recommended by the MBUAPCD and in accordance with Policy 20.2.5 of the Monterey County General Plan during construction activities. (RMA – Planning Department)	§ 2485. Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (a) Purpose. The purpose of this airborne toxic control measure is to reduce public exposure to diesel particulate matter and other air contaminants by limiting the idling of diesel-fueled commercial motor vehicles. (b) Applicability. This section applies to diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways.		During grading/excavation and building activities	
21.		<b>PDSP0010 CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION AIR QUALITY – (NONSTANDARD) (MM 3.3-2, CCP COA 6)</b> The County of Monterey shall require that project applicant(s), for General Development Plan and other discretionary approvals associated with the proposed Community Plan, implement Best Management Practices to reduce criteria air pollutants of ROG, NO <sub>x</sub> , CO and PM <sub>10</sub> as recommended by the MBUAPCD and in accordance with Policy 20.2.5 of the Monterey County General Plan (1982), during operations. Requirements for stationary sources under permit to the Air District shall be specified in the permit(s) issued by the Air District. (RMA – Planning Department)	Refer to Table 5-3 of the MBUAPCD CEQA Air Quality Guidelines for thresholds of significance.	Owner/ Applicant/ Contractor	Prior to the issuance of building permits.	
22.		<b>PDSP0011 CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION AIR QUALITY – (NONSTANDARD) (MM 3.3-3, CCP COA 7)</b> The project applicant(s) involving non-residential uses shall coordinate with the MBUAPCD to assess the potential for the proposed non-residential use(s) to generate	Provide proof of implementation of best-available control measures (BACM) reducing airborne emissions that may affect nearby receptors during construction activities. Include a note on the grading plans.	Owner/ Applicant/ Contractor	Prior to the issuance of building permits.	

		airborne emissions that may affect nearby receptors, in accordance with Monterey County General Plan Policy 20.2.1. New facilities in which sensitive receptors are located shall be sited away from significant sources of air pollution. <b>(RMA – Planning Department)</b>	Should measures not be met, or are not successful, the RMA-Director of Planning shall require work to be halted until required measures are in place to reduce emissions of particulate matter during construction activities.			
23.		<b>PDSP0011 TRAFFIC (NONSTANDARD) (CCP MM 3.14-8, CCP COA 44)</b> The County of Monterey shall require that the project applicant(s) contribute their proportionate fair share towards providing additional bus shelters along northbound Merritt Street at the intersections of Mead and Union Streets and along southbound Merritt Street at the intersection with Fajaro Street. <b>(RMA - Planning Department)</b>	Submit the fee to the DPW, payable to County of Monterey.	Owner/ Applicant	Prior to issuance of building permits	
24.		<b>HRSP001 - AFFORDABLE HOUSING REQUIREMENTS (NON-STANDARD)</b> Prior to the issuance of the grading or building permit the developer shall record deed restrictions on the project site, to the satisfaction of the Redevelopment and Housing Director, restricting rents and addressing other related affordability issues for a period of not less than 55 years in conformance with project funding agreements and state redevelopment law. <b>(RMA – RMA - Redevelopment and Housing Office)</b>	Submit a deed restriction in a form to be approved by the RMA - Redevelopment and Housing Office. Execute and record the deed restriction.  Provide a copy of the agreement and of the Recorder's stamped page 1 to the RMA - Redevelopment and Housing Office.	Owner/ Applicant	Prior to issuance of building permits	
25.		<b>PW0007 – PARKING STD</b> The parking plan shall provide 83 parking spaces and be approved by the Director of Public Works and the Director of Planning and Building Inspection. <b>(Public Works)</b>	Applicant's engineer or architect shall prepare a parking plan for review and approval.  The applicant shall provide 83 parking spaces on site including 80 for the residential use and 3 for the commercial use.	Owner/ Applicant	Prior to issuance of building permits	

26.		<b>PW0034 – LOT LINE ADJUSTMENT</b> Obtain a survey of the new line and have the line monumented. <b>(Public Works)</b>	Owner shall have a surveyor monument the new lines. Evidence of completion of monumentation shall be submitted to DPW for review and approval.	Owner/ Applicant/ Surveyor	Prior to Recordation of Record of Survey	
27.		<b>PW0035 – RECORD OF SURVEY</b> File a Record of Survey showing the new line and it's monumentation. <b>(Public Works)</b>	Owner's Surveyor to prepare record of survey and submit to DPW for review and approval.	Owner/ Applicant/ Surveyor	Prior to Recordation of Record of Survey	
28.		<b>PWSP001 – CASTROVILLE TRAFFIC MITIGATION FEES (NON- STANDARD)</b> Applicant shall contribute a pro rata share of the cost improvements in the Castroville Community Plan. Subdivider's traffic engineer shall determine the amount of the pro rata share subject to the approval of the Department of Public Works. <b>(Public Works)</b>	Submit the fee to the DPW and payable to County of Monterey.	Owner/ Applicant	Prior to issuance of building permits	
29.		<b>PWSP002 – TAMC FEES (NON-STANDARD)</b> Applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. <b>(Public Works)</b>	Submit the fee to the DPW and payable to County of Monterey.	Owner/ Applicant	Prior to issuance of building permits	
30.		<b>PWSP003 – SIDEWALK (NON-STANDARD)</b> Obtain an encroachment permit from Caltrans and construct sidewalk along the frontage of Merritt Street. <b>(Public Works).</b>	Obtain a permit from Caltrans Region 5. All improvements shall be shown on the plans to be reviewed and approved by the DPW.	Owner/ Applicant	Prior to or concurrently with building permit and construction completed prior to final building permit	
31.		<b>PW0024 – STOP SIGN (NONSTANDARD)</b> Install and maintain a stop sign on the driveway intersection of the driveway and Merritt Street. <b>(Public Works)</b>	Applicant shall install and maintain stop sign.	Applicant/ Owner	Prior to occupancy and ongoing	

32.		<b>EH4 - FIRE FLOW STANDARDS</b> Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. <b>(Environmental Health)</b>	Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency.	CA Licensed Engineer /Owner/ Applicant	Prior to installing or bonding water system improvements	
33.		<b>EH6 - WATER SERVICE CAN/WILL SERVE</b> Provide to the Division of Environmental Health written certification, and any necessary certification from State agencies that the Castroville Community Services District can and will supply sufficient water flow and pressure to comply with both Health and fire flow standards. <b>(Environmental Health)</b>	Submit written certification to the Division of Environmental Health for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to filing a final map and/or issuance of a building permit	
34.		<b>EH24 - SEWER SERVICE CAN/WILL SERVE</b> Provide certification to the Division of Environmental Health that the Castroville Community Services District can and will provide sewer service for the proposed property/project. <b>(Environmental Health)</b>	Submit certification to Environmental Health for review and approval.	Owner/ Applicant	Prior to issuance of a building permit	
35.		<b>EH37 - RECYCLABLES IN RENTAL HOUSING</b> Submit a written plan on how recyclables will be collected and stored for each of the multifamily rental housing units. <b>(Environmental Health)</b>	Submit a plan to the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to issuance of building permits	
36.		<b>EH38 - SEPARATE RECYCLABLES</b> All persons shall separate all recyclables from other solid waste generated at their premises and shall place such recyclables into a different approved container to facilitate segregation at a solid waste facility (MCC 10.41.020.B). <b>(Environmental Health)</b>	Submit a plan to the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to issuance of building permits/ Continuous condition	
37.		<b>EH41 - NOISE STUDY REQUIRED</b> Prepare and submit a Noise Study to the Division of Environmental Health for review and approval to confirm the project's compliance with the Noise Element of the General Plan and/or Monterey County Code Chapter 10.60. The Study shall recommend as necessary to comply with these regulations, and these shall be included on the site improvement plans and installed. <b>(Environmental Health)</b>	Submit study to the Division of Environmental Health for review and approval. The Study shall recommend any special construction materials as necessary to comply with these regulations, and these shall be included on the site improvement plans and installed.	Owner/ Applicant	Prior to issuance of building permits.	

38.		<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>(North County Fire) District</b>	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	Applicant or owner	Prior to final building inspection	
39.		<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	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	

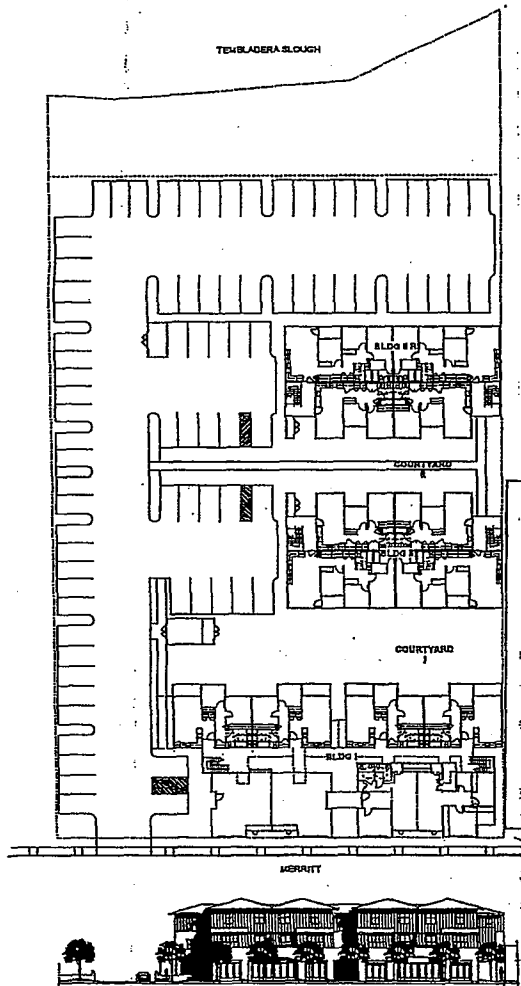
		and completed prior to requesting a framing inspection. (North County Fire) District				
40.		<b>FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL)</b> The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA 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. (North County 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	
41.		<b>FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING)</b> Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. (North County Fire) District	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
42.		<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. (North County Fire) District	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

43.		<b>WR22 - FLOODPLAIN RECORDATION</b> The owner shall provide the Water Resources Agency a recorded Floodplain Notice stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions." <b>(Water Resources Agency)</b>	Submit the recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to final inspection	
44.		<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	
45.		<b>WRSP001- DRAINAGE PLAN (NON-STANDARD)</b> Prior to issuance of any grading and/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. <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 or building permits	
46.		<b>WRSP002 - ZONE A ELEVATION REQUIREMENTS (NON-STANDARD)</b> The lowest floor and attendant utilities for each structure shall be constructed at a minimum elevation of <u>13</u> feet mean sea level (NGVD 1929). Prior to issuance of any grading or building permits for each building, the	Submit a letter to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to final building inspection	

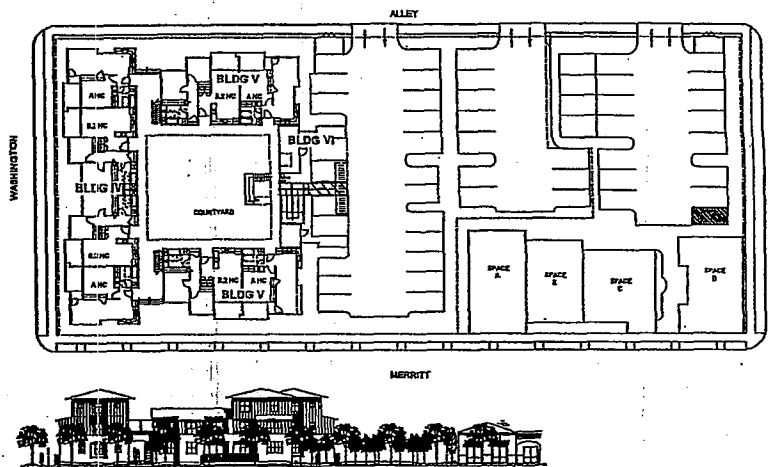
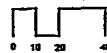
		applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the floodproofing and certification of the lowest floor elevation. <b>(Water Resources Agency)</b>				
47.		<b>WRSP003 - CONCRETE SLAB INSPECTION (NON-STANDARD)</b> The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate for each structure, completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the minimum lowest floor elevation requirement. <b>(Water Resources Agency)</b>	Submit a completed FEMA Elevation Certificate for each structure, based on building under construction, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to the foundation pre-pour inspection	
48.		<b>WRSP004 - ELEVATION CERTIFICATE (NON-STANDARD)</b> The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate for each structure, certifying the structures have been constructed in accordance with Chapter 16.16 of the Monterey County Code. The Elevation Certificate shall be completed by a registered civil engineer or licensed surveyor, and all information shall be based upon finished construction. <b>(Water Resources Agency)</b>	Submit a completed FEMA Elevation Certificate for each structure, based on finished construction, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to final inspection for each building	
49.		<b>PKSP001 – RECREATION REQUIREMENTS/LAND DEDICATION</b> The Applicant shall comply with Section 19.12.010 - Recreation Requirements, of the County Subdivision Ordinance, Title 19, and Sections 21.10.010 and 21.12.070- Special Regulations of the County Zoning Ordinance, Title 21, Monterey County Code, by dedicating land and recreation improvements in accordance with the provisions contained in Section 19.12.010(D) for park and recreation purposes and in Sections 21.10.070 B and 21.12.070 B for Medium and High Density developments reasonably serving the residents of the subdivision. The applicant shall also provide the Parks Department with a recreation plan and	The applicant shall submit a recreation plan and cost estimate for the improvements to be made on the dedicated parcels(s) to Parks Department for review and approval..	Owner/ Applicant	Prior to the Record-ation of the Final Map	

		cost estimate for the improvements to be made on the dedicated parcels(s). <b>(Parks Department)</b>				
<b>Mitigation Measures</b>						
50.	MM-4-1	<b>BIOLOGICAL RESOURCES</b> - The County of Monterey shall require that the project applicant contract with the qualified wildlife biologist to conduct a survey for roosting special-status bat species, 30 days prior to the removal of any trees between March 1 and July 31. If no bat roosts are detected, then no further action is required if the trees are removed prior to the next breeding season. If removal is delayed, than an additional preconstruction survey shall be conducted 30 days prior to removal of any trees or buildings to ensure that a new colony has not established itself. If a colony of bats is found roosting within the project site, physical and time-limited buffer zones shall be employed to ensure the continued success of the colony.	Project applicant shall contract with qualified biologist to conduct a survey for roosting special-status bat species 30 days prior to tree removal occurring between March 1 and July 31.	Project Applicant	Within 30 days prior to tree removal occurring between March 1 and July 31.	
51.	MM-4-2	<b>BIOLOGICAL RESOURCES</b> - If construction the proposed project commences during the typical nesting season (February-August), the County of Monterey shall require that the project applicant retain a qualified biologist to perform a pre-construction nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer shall be established and shown on construction plans.	Project applicant shall retain a qualified biologist to perform a pre-construction nest survey between February and August to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.	Project Applicant	No more than 30 days prior to ground disturbance or tree removal occurring between February and August.	

END OF CONDITONS

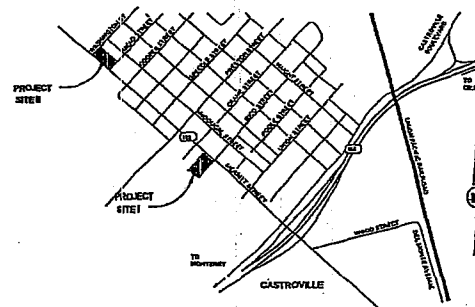


1 Site Plan 1 (Enlarged Site, See Sheet A 1.1)



2 Site Plan 2A (See Enlarged Site, Sheet A 2.1 + A 1C)

VICINITY MAP



# DRAWING INDEX

## SITE 1 (LIBRARY SITE)

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- L 1 Conceptual Landscape Plan - Site 1 (Library Site)
- A 1.2 Building Plans - Bldg I
- A 1.3 Building Plans - Bldg II
- A 1.4 Building Elevations - Bldg I, II & III

## SITE 2A (BILLBOARD SITE) RESIDENTIAL

- A 2.1 Site Plan - Site 2A
- L 2 Conceptual Landscape Plan - Site 2A (Residential Portion Only)
- A 2.2 Building Plans - Bldg IV
- A 2.3 Building Plans - Bldg V & VI
- A 2.4 Building Elevations - Bldg IV, V, & VI

## SITE 2B COMMERCIAL

- A 1C Site Plan - Landscape Plan
- A 2C Floor Plan
- A 3C Elevations

## CIVIL

- C-1 Improvement Plans



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**cynaracourt**

Mid Peninsula Housing Coalition  
Castroville, CA

**A 1.0**

JOB NO. 2007.01  
02.04.08



CONCEPTUAL LANDSCAPE MASTER PLAN  
**CYNARA COURT**  
**HOUSING**

## CONCEPTUAL LANDSCAPE MASTER PLAN

MERBIT STREET ...



**Kilgus & Associates**

THE  
JOURNAL  
OF  
THE  
ROYAL  
ANTHROPOLOGICAL  
INSTITUTE

SCALE 1/16" = 1'-0"

**MID PENINSULA  
HOUSING COALITION**

**CASTROVILLE, CA**

2/1/08

## Stimuli

KEENE, NAE, EUPHORS, .  
NAPHTHILS, PHTHALOEPIS, .ETC.

1. Higher Vignettes: More than 1000  
2. Large of decorated capitals, figures,  
(10-15%) areas (20%)

—: HAWKDOKE: STRECH 'PALT'

SPECIES 1E1: EUCYPRIDS, PANDORA PECTINIFRONS, CHANES BLUM, LADDAI PLANE, ETC

buffer. Running to several  
examples. Results will find  
configuration space.  
- such as: neurons, motion,  
etc."

— SPECIAL CONFERENCE ROOMS (TWO)  
— BOOTH (TWO)  
— CONFERENCE HALL, 2ND FLOOR, W/ FINGER TO FINGER EXCHANGE, OR THE.  
— PRODUCT TREATMENT BUFFET, PLANNED TO SERVE MICHIGANIAN FAVORITE SNACKS: MEATBALLS, PASTA, ETC.

—BLYSABLE FACTORS IN  
CONCRETE PAVING &  
BASE PAV. .

—CONCRETE SIDEWALK W/  
PAVEMENT STAPLES  
(TRP)

STRUCTURED CAC. OOPS  
+ GUTTER, CANNIBALS.

MERRITT ST

GREEN TREE IN PLANTING  
FIT W/ DEFENSIVE GROUND  
COVER, CANNABIS, ETC.  
BICYCLE RACKS ARE W/  
CONCRETE PADDED & SINK IN  
MUD. ± 5' DIAL W/ MOUNT  
TO MATCH BUILDINGS. EIGHT  
SIDES OF PRIVATE ENTRY.

over half  
all girls

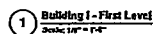
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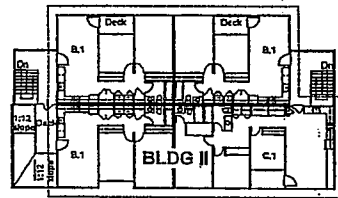


**Richard**  
123 West Street  
Jules Reuther Bldg  
Hollywood, CA 34047  
Tel 310.333.6442  
Fax 310.771.1553

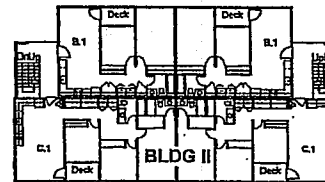
**Yvonne**  
1789 Brewster Street  
Sausalito, CA 94965  
Tel 415.332.6442  
Fax 415.332.6442  
(www.richard.com)

James  
11111 Dreamers Street  
Jamaica, NJ 07033  
Tel 707.333.6442  
fax 707.333.6444

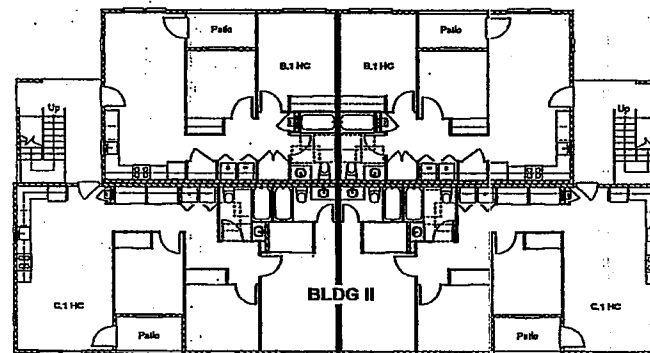
JOB NO. 2007.08  
02.08.08



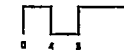
3 Building II - Third Level (Building BR Similar)  
Scale 1/8" = 1'-0"



2 Building II - Second Level (Building BR Similar)  
Scale 1/8" = 1'-0"



1 Building II - First Level (Building BR Similar)  
Scale 1/8" = 1'-0"



architecture  
planning  
development

Railroad  
155 Fifth Street  
San Jose, CA 95126  
Tel 415.351.6000  
Fax 415.351.6001

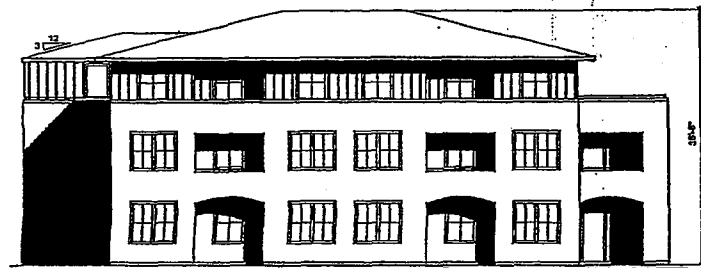
Sanoma  
1287 Broadway Street  
Sanoma, CA 95070  
Tel 707.221.5400  
Fax 707.221.5401  
sanomaph.com

**cynaracourt**

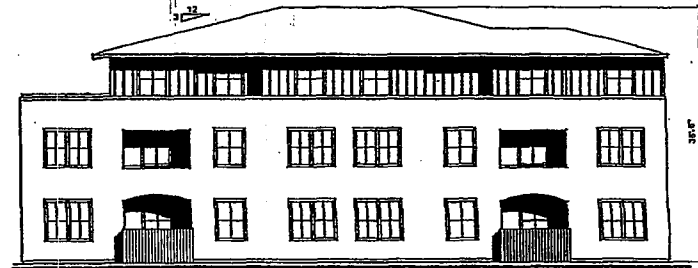
Mid Peninsula Housing Coalition  
Castroville, CA

A 1.3

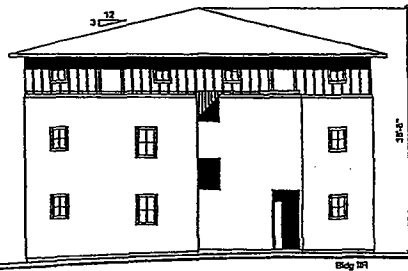
JOB NO. 2007.08  
02.04.09



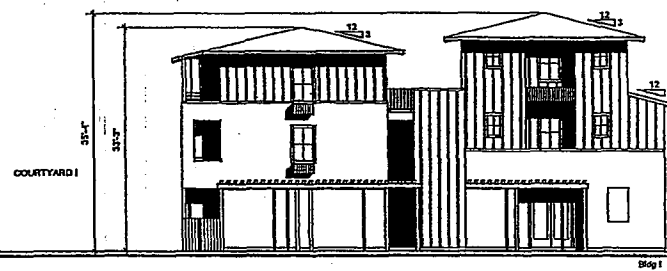
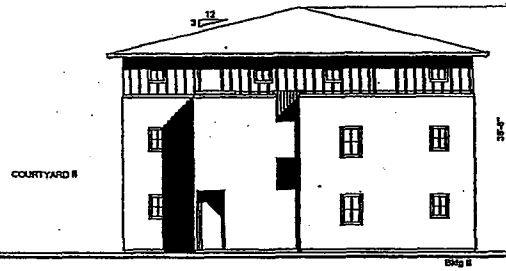
4 Building DR East Elevation Facing Courtyard I (Same As Bldg II West Elevation)  
Scale 1/8" = 1'-0"



3 Building DR West Elevation Facing Creek (Same As Bldg II East Elevation)  
Scale 1/8" = 1'-0"



2 South Elevation Facing Parking  
Scale 1/8" = 1'-0"



1 Building I East Elevation Facing Merritt Street  
Scale 1/8" = 1'-0"

EXTERIOR MATERIALS	
• Siding	Suaco Base Board + East Upper Floors
• Roof	Asphalt Shingles
• Misc.	Metal Rails Metal Flower Pot Shelves
(Colors to be Presented Prior to First Public Hearing)	



Architecture  
Planning  
Development

Sanford  
125 (East 20th)  
San Jose, CA 95131  
Tel: 408.271.1000  
Fax: 408.271.1001

Tanaka  
1777 Research Blvd  
San Jose, CA 95128  
Tel: 408.271.1000  
Fax: 408.271.1001

tanaka@za.com

## cynaracourt

Mid Peninsula Housing Coalition  
Castroville, CA

A 1.4

JOB NO. 2007.08  
02.08.08