

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

In the matter of the application of:

**ALTA LAND COMPANY LLC (REF100047)**

**RESOLUTION NO. 11-013**

Resolution by the Monterey County Planning  
Commission:

- 1) Considering the Addendum to the adopted Mitigated Negative Declaration, together with the adopted Mitigated Negative Declaration; and
  - 2) Approving an Amendment (REF100047) to an approved Combined Development Permit (PLN060102/Keehn, PLN000357/Gamboa) consisting of a Use Permit to allow a quasi-public use in the Low Density Residential zoning district, including site plan and design review for development of a 64-suite, 78-bed, assisted care living facility consisting of a 3-building complex totaling 43,400 square feet, 35 space parking lot including 4 handicap-accessible spaces, balanced grading (3,000 cy cut/3,000 cy fill), access and parking improvements across a neighboring lot (APN: 015-021-003-000) to Carmel Rancho Boulevard, improvements to Val Verde Drive for emergency access to Carmel Valley Road, an underground graywater and cistern systems, and on-site water detention ponds; a Use Permit to allow development on slopes exceeding 30%; and allocation of 4.8 acre feet of water to the project. Modifications include modification of a condition requiring the preservation of a non-protected Monterey pine and amending the project description to delete graywater and cistern systems, removing conditions requiring underground graywater and cistern systems, and amending landscaping conditions. Said modifications are related to Monterey Peninsula Water Management District Water Permit No. 25730 issued on July 27, 2008 wherein the District determined graywater was not required for a 78-bed facility subject to Special Conditions of Approval including specific design requirements
- (REF100047, Alta Land Company LLC, 26245 Carmel Rancho Boulevard, CARMEL VALLEY MASTER PLAN (APN: 015-021-036-000))

**The Carmel Cottages application (REF100047) came on for public hearing before the Monterey County Planning Commission on February 9, 2011, and March 9, 2011. Having**  
**CARMEL COTTAGES - REF100047**

considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

### FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies, which designate this area as appropriate for development.
- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
    - the Monterey County General Plan,
    - Carmel Valley Master Plan,
    - Monterey County Zoning Ordinance (Title 21)No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
  - b) The property is located at 26245 Carmel Rancho Boulevard (Assessor's Parcel Number 015-021-036-000, Carmel Valley Master Plan. The parcel is zoned Low Density Residential, 1 acre per unit (LDR/B-6/D/S), which allows public/quasi-public uses with a Use Permit. A use permit was granted by Monterey County on July 13, 2004, subject to 60 conditions. Therefore, the project is an allowed land use for this site.
  - c) Mitigated Negative Declaration adopted with the project (July 2004).
  - d) An amendment to the permit is needed to modify Conditions 48 and 49/Mitigation Measures 1, which states in part: "Retain the 26-inch pine along the south property lines plus all of the mature trees along Carmel Valley Road." The tree is not a protected tree under the Carmel Valley Master Plan; however, it was to be retained in order to help screen the development. Due to clearance issues with tree limbs and the new driveway and parking area, in addition to failing health of the tree, it was determined that the tree could not be retained in a healthy, safe manner. The landscape plan will be required to address screening of the facility from neighboring land uses to address the lack of this tree. The pine was tall and limbs would have been significantly above the ground level, so new landscape plantings with a mixture of trees and understory vegetation will provide equally or more effective screening than the pine tree.
  - e) An amendment to the permit is needed to modify conditions 1, 22, 24, 25 and 54, and the deletion of condition 47, to reflect the elimination of a graywater system.
  - f) 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.
  - g) The project amendment, which involves water use and screening issues, has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Environmental Health Bureau, Monterey Peninsula Water Management Agency, and Water Resources

Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- 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 REF100047.
- i) Board of Supervisors Resolution Nos. 01-497 (water allocation) and 04-253 (project approval), incorporated herein by reference.

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

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

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

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

- b) As stated in the original June 14, 2004 Initial Study, the County was not able to provide credit for water conservation features until after the Monterey Peninsula Water Management District issued their permit. The analysis has been completed, and a permit issued by MPWMD demonstrates that the project can meet the 4.8 acre-foot per year limit without graywater. This potential was described in the Initial Study.

Mitigation measure 27 is revised to state “To ensure that the project does not exceed the 4.8-acre foot water allocation which could cause a significant impact to the local water supply, the applicant/owner shall

contract with an approved qualified engineer to monitor and provide water use reports. The engineer shall be approved by, and reports shall be submitted to the Director of Planning and Building and the General Manager of Water Resources Agency consistent with the schedule in the following monitoring actions. Said reports shall identify the actual water use of the facility at various stages of occupancy with recommended action(s) if the facility is nearing its water limit as directed in the following monitoring actions.

**Monitoring Action 27A: Immediately following occupancy and for the first two years of operation,** the applicant/owner shall submit monthly (due the 1<sup>st</sup> day of each month) reports to the Director of Planning and Building Inspection and the General Manager of Water Resources Agency prepared by a qualified engineer that identifies the actual water use of the facility. If any report finds that this facility is operating at or over their proportional capacity, Monitoring Action 27C shall be implemented accordingly based on these findings.

**Monitoring Action 27B: During years 3-5 of operation,** the applicant/owner shall submit bi-annual reports (due January 1 and July 1) to the Director of Planning and Building Inspection and the General Manager of Water Resources Agency prepared by a qualified engineer that identifies the actual water use of the facility following the facility. If any report finds that this facility is operating at or over their proportional capacity, Monitoring Action 27C shall be implemented accordingly based on these findings.

**Monitoring Action 27C: If any report directed by Monitoring Action 27A or 27B identifies that the facility has used more than 90% of the allocation for any calendar year,** the consultant engineer shall recommend implementation of one or more actions to reduce water consumption to the satisfaction of the Water Resources Agency. Said action may include, but are not limited to:

- a. Remove on-site laundry and provide off-site laundry service only. In order to reduce long term traffic impacts on Highway One from added trips for a graywater system maintenance employee/service and potential off-site laundry services, the applicant owner shall pay an additional mitigation fee of \$1,632.80 (0.8 trips \* \$2,041/trip).
- b. Implement further staff/client water saving measures through review of water use practices in conjunction with client attrition to reduce the number of beds occupied.
- c. Reduce the allowed number of beds that may be occupied. If the facility is operating with a reduced occupancy (e.g.; 65 beds) when the reports noted in 27A or 27B finds the facility is nearing its proportional capacity, then that level of occupancy shall be the new limit of occupancy until a future report identifies available water to use for additional beds.”

The mitigation measure is included in the project conditions of

approval as condition 54.

The new measure would provide equal or more effective protection as it maintains the same water cap as the original mitigation measure. Through the use of newer technology relating to low-flow fixtures, water efficient appliances, and through the appropriate use of low water using landscaping, the project is able to achieve the required 4.8 acre-foot per year water cap without the use of graywater systems. The use of graywater systems in a medical facility had some significant challenges to ensure the protection of groundwater and soil in the area. The elimination of the graywater system may reduce potential effects on the environment. Water cap monitoring and use adjustments, if the cap is exceeded, are already components of the permit and will remain in effect. The water cap will not be allowed to be exceeded without adjustments that scale back water use of the project.

- c) As stated in the original June 14, 2004 Initial Study, the County was not able to provide credit for water conservation features until after the Monterey Peninsula Water Management District issued their permit. The analysis has been completed, and a permit issued by MPWMD showing that the 78-bed project can meet the 4.8 acre-foot per year limit without graywater. This potential was described in the Initial Study.

Mitigation measure 29 is revised to state “Due to a maximum water allocation of 4.8-acre feet per year, the facility would be limited to a maximum of 74 beds based on 0.085 acre feet per bed and the inclusion of a graywater/ozone filter system for the exterior landscape irrigation (subject to the final allocation amount of the 4.8 acre feet of water available by the Board of Supervisors). The facility could be allowed up to 78 beds subject to the approval of “special circumstance” credits for conservation devices by the Monterey Peninsula Water Management District (MPWMD).

The mitigation measure is included in the project conditions of approval as condition 25.

The new measure would provide equal or more effective protection as it maintains the same water cap as the original mitigation measure. Through the use of newer technology relating to low-flow fixtures, water efficient appliances, and through the appropriate use of low water using landscaping, the project is able to achieve the required 4.8 acre-foot per year water cap without the use of graywater systems. The MPWMD Water Permit identified the special circumstances credit, allowing a 78-bed facility, as outlined in the MPWMD letter dated September 10, 2010. Water cap monitoring and use adjustments, if the cap is exceeded, are components of the permit and will remain in effect. The water cap will not be allowed to be exceeded without adjustments that scale back water use of the project

- d) June 14, 2004 Initial Study, including but not limited to pages 7-10, 14-17, 32, 36, 39, 42-43, 65-71.

- e) Board of Supervisors Resolution No. 04-253.
- f) Correspondence from MPWMD dated January 18, 2008, September 10, 2010 and MPWMD Water Permit No. 25730.

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

- EVIDENCE:**
- a) An MND for the project was prepared and certified by the Board of Supervisors on July 13, 2004 (Board Resolution 04-253)
  - b) An Addendum to the project MND was prepared pursuant to Code of Regulations, Title 14, Section 15164 (CEQA Guidelines).
  - c) The Addendum attached as Exhibit C to the February 9, 2011, Staff Report to the Planning Commission, reflects the County's independent judgment and analysis. The Addendum and original Initial Study were prepared by County staff. County staff discussed the project and the amendment with outside agencies with jurisdiction over project resources prior to preparing these documents.
  - d) Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project that would require major revisions to the prior MND. See evidence for Findings 1 and 2, above.
  - e) Pursuant to Section 15162 of the CEQA Guidelines, there is no new information of substantial importance that was not known at the time the MND was adopted.

4. **FINDING: APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors

**EVIDENCE:** Section 21.08.040.D, Monterey County Zoning Ordinance.

### **DECISION**


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

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

underground graywater and cistern systems, and amending landscaping conditions. The approval shall be in general conformance with the attached sketch and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference. These conditions of approval supersede the conditions of approval found in Board of Supervisors Resolution No. 04-253.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of March, 2011 upon motion of Commissioner Brown, seconded by Commissioner Mendez, by the following vote:

AYES: Brown, Getzelman, Padilla, Mendez, Rochester  
NOES: Vandevere, Hert, Diehl  
ABSENT: Salazar, Roberts  
ABSTAIN: None

  
Carl Holm, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **MAR 14 2011**

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

**MAR 24 2011**

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

NOTES

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

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

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

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

**RESOLUTION 11-013 EXHIBIT 1**  
**Monterey County Planning and Building Inspection**  
**Condition Compliance and/or Mitigation Monitoring**  
**Reporting Plan**

Project Name: Gamboa/Sunrise-Assisted-Living Houpt/Carmel Cottages  
File No: PLN000357REF100047 APNs: 015-021-036-000  
Approval by: Planning Commission Date: March 9, 2011

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

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



		appropriate authorities. References in these conditions of approval to "property owner" or "owner" shall include Elvira Gamboa and any and all of her successors in interest or assignees, and references to "applicant" shall include any lessee or operator of the facility approved hereto, including Sunrise Development Incorporated, and any and all of their successors in interest or assignees.				
2		<b>PBD025 - NOTICE-PERMIT APPROVAL</b> The applicant and owner shall record a notice which states: "A permit (Resolution 11-013) was <u>amended and extended for three years</u> by the <b>Planning Commission</b> for Assessor's Parcel Number <i>015-021-036-000</i> on <b>March 9, 2011</b> . The permit was granted subject to <del>60</del> <u>52</u> conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning <del>and Building Inspection</del> Department." Proof of recordation of this notice shall be furnished to the Director of Planning <del>and Building Inspection</del> prior to issuance of building permits or commencement of the use.	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant  PBI <u>Planning</u>	Prior to Issuance of <del>grading and building permits</del> or start of use.	
3		<b>PBD016 - INDEMNIFICATION AGREEMENT</b> The property owner and applicant agree as a condition and in consideration of the approval of this discretionary development permit that the property owner and applicant will enter into an agreement with the County to defend, indemnify and hold harmless the County of Monterey and its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval. The property owner and applicant will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action, but such participation shall not relieve the property owner and applicant of their obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, or filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding, and the County shall cooperate fully in the defense thereof.	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to <u>PBI-Planning</u>	Owner/ Applicant  PBI <u>Planning</u>	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, which-ever occurs first and as applicable	
4		<b>PBD012 - FISH AND GAME FEE-NEG DEC/EIR</b> Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) calendar days of project approval – prior to filing of the Notice of Determination. This fee shall be paid on or before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning	Proof of payment (\$1,275) shall be furnished by the applicant to the Director of Planning <del>and Building Inspection</del> prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first.	Owner/ Applicant  PBI <u>Planning</u>	Prior to issuance of building and grading permits.	

		and <del>Building Inspection</del> prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid.				
5		<b>PBD022 - MITIGATION MONITORING PROGRAM</b> The property owner and applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner/applicant submits the signed mitigation monitoring agreement.	Enter into agreement with the County to implement a Mitigation Monitoring Program.  Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant  <u>PBI Planning</u>	Prior to issuance of grading and building permits.	
6	5	<b>MMRP – BIOLOGY IMPACT 2</b> In order to allow the Dusky-footed woodrat to escape and find new homes outside of the building area, the applicant/owner shall consult with a qualified biologist to dismantle any nest found in or near the project area before any heavy equipment is used to clear the site.	A qualified biologist shall provide a report to the Director of Planning and Building Inspection that certifies the proper removal of all Dusky-footed woodrat nests within the project area.	Biologist  <u>PBI Planning</u>	Prior to issuance of grading permits or any heavy equipment allowed on site	
7	6	<b>MMRP – BIOLOGY IMPACT 3</b> In order to assure that no nesting birds are disturbed, the developer shall consult with a qualified biologist to survey trees on or near the project area for nesting birds, particularly if tree removal and grading are scheduled to begin prior to August 1 <sup>st</sup> . If nesting birds are discovered on or near the project area, the applicant shall contact the California Department of Fish and Game regarding measures to avoid impacts.	A qualified biologist shall provide a report to the Director of Planning and <del>Building Inspection</del> that certifies the proper removal of all nesting birds within the project area.	Biologist  <u>PBI Planning</u>	Prior to any tree removal and/or grading	
8		<b>PBD – CIRCULATION PLAN (NON STANDARD)</b> The applicant shall submit a parking and interior circulation plan for the entire project, including access/pedestrian improvements from the site to Carmel Rancho Boulevard for review and approval of the Director of Planning and <del>Building Inspection</del> and the Director of Public Works.	Submit a Parking/Circulation Plan for review and approval.	Owner/ Applicant  <u>PBI Planning</u>  PW	Prior to issuance of permits	
9		<b>WR43 - WATER AVAILABILITY CERTIFICATION</b> The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form.	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant  WRA	Prior to issuance of any building permits	

10		<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."	Submit the recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant  WRA	Prior to issuance of any grading or building permits	
11		<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 <u>California American Water Company</u> can and will supply sufficient water flow and pressure to comply with both Health and fire flow standards.	Submit written certification to the Division of Environmental Health for review and approval.	CA Licensed Engineer /Owner/ Applicant  EH	Prior to issuance of a building permit	
12		<b>EH24 – SEWER SERVICE CAN/WILL SERVE</b> Provide certification to the Division of Environmental Health that <u>Carmel Area Wastewater Management District</u> can and will provide sewer service for the proposed property/project.	Submit certification to Environmental Health for review and approval.	Owner/ Applicant  EH	Prior to issuance of a building permit.	
13		<b>FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD &amp; PEBBLE BEACH CSD)</b> All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner  Cypress FPD	Prior to issuance of building permit.	
14	14	<b>MMRP – NOISE IMPACT 2</b> To reduce noise impacts during construction, construction activities shall be restricted between the hours of 8:00 a.m. and 5:00 p.m. No work may occur on weekends or holidays, unless pre-approved for unique circumstances in writing by the Director of Planning and Building Inspection. Violation of these restrictions may result in a stop of work for up to 48 hours for each violation.	Place a note on the grading and construction plans identifying the restricted times of construction project  Violation of these restrictions may result in a stop of work for up to 48 hours for each violation.  Manager/Contractor shall certify compliance by signed letter	Applicant/ Owner  Contractor  PBI Planning	Prior to issuance of any permits  During Construction  Upon completion of project construction.	
15	17	<b>MMRP –TRAFFIC IMPACT 1</b> Since all projects in the area are subject to the Carmel Valley Road Traffic Impact Fees, the applicant shall pay the applicable Mitigation Fee in effect at the time the building permit is issued. Said fee shall be based on floor area as required for commercial development.	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Carmel Valley Road Traffic Impact Fee has paid.	Applicant/ Owner  PBI Planning  PW	Prior to issuance of a building permit	
16	18	<b>MMRP –TRAFFIC IMPACT 2A</b> Since all trips to be generated by the proposed project (13 trips per hour) would utilize the Rio Road/Carmel Rancho Boulevard intersection, the applicant shall contribute their proportional share of the total cost (2.7% or \$4,050) towards installing future traffic signals at this intersection.	Provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Rio Road/Carmel Rancho Boulevard intersection improvement mitigation fee has been paid.	Applicant/ Owner  PBI Planning  PW	Prior to issuance of a building permit	

17	19	<b>MMRP –TRAFFIC IMPACT 2B</b> Since the project will generate 13 peak hour trips along Rio Road during the cumulative peak evening hours, the applicant shall contribute their proportional share of the total cost (3.0% or \$225) towards the retiming of traffic signals along Rio Road.	Provide the Director of Planning and <del>Building Inspection</del> with written clearance from Public Works that the required Rio Road Signal Retiming mitigation fee has been paid.	Applicant/ Owner  PBI <u>Planning</u>  PW	Prior to issuance of a building permit	
18	20	<b>MMRP –TRAFFIC IMPACT 3</b> In order to reduce congestion in the area, the applicant/owner shall contribute their proportional share of the total cost (2.8% or \$3,500) toward a second northbound right turn lane on Carmel Rancho Boulevard at Carmel Valley Road.	Provide the Director of Planning and <del>Building Inspection</del> with written clearance from Public Works that the required Carmel Rancho Boulevard at Carmel Valley Road turn lane mitigation fee has been paid.	Applicant/ Owner  PBI <u>Planning</u>  PW	Prior to issuance of a building permit	
19	21	<b>MMRP –TRAFFIC IMPACT 4</b> In order to encourage the use of mass transit and avoid peak hour traffic trips, the applicant/owner shall contribute their proportional share of the total cost (3.3% or \$2,640) toward a bus turnout and shelter on the south side of Carmel Valley Road, in front of the proposed facility.	Provide the Director of Planning and <del>Building Inspection</del> with written clearance from Public Works that the required Bus Turnout mitigation fee has been paid.	Applicant/ Owner  PBI <u>Planning</u>  PW	Prior to issuance of a building permit	
20	22	<b>MMRP –TRAFFIC IMPACT 5</b> In order to address the project's proportional share of impact to Carmel Valley Road, the applicant/owner shall pay their proportional share (0.2% or \$9,800) of the County/State program to address LOS deficiencies.	Provide the Director of Planning and <del>Building Inspection</del> with written clearance from Public Works that the required LOS Deficiency mitigation fee has been paid.	Applicant/ Owner  PBI <u>Planning</u>  PW	Prior to issuance of a building permit	
21	23	<b>MMRP –TRAFFIC IMPACT 6</b> In order to address the project's proportional share of impact to Highway One, the applicant/owner shall contribute \$51,025 as the project's pro-rata share of the cost of constructing the State Highway One long-term improvement project in the Transportation Agency for Monterey County (TAMC) Project Study Report dated December 19, 2001. The calculation of this contribution may be adjusted annually based on the <i>Engineering News Record Construction Cost Index</i> .	Provide the Director of Planning and <del>Building Inspection</del> with written clearance from Public Works that the TAMC mitigation fee has been paid.	Applicant/ Owner  PBI <u>Planning</u>  PW	Prior to issuance of a building permit	
22	26	<b>MMRP –TRAFFIC IMPACT 9</b> <del>In order to reduce long term traffic impacts on Highway One from added trips for a graywater system maintenance employee/service and potential off site laundry services, the applicant owner shall pay an additional mitigation fee of \$1,632.80 (0.8 trips * \$2,041/trip).</del>	<del>Provide the Director of Planning and Building Inspection with written clearance from Public Works that the mitigation fee for added trips relating to a graywater system maintenance employee and/or off-site laundry services has been paid.</del>	Applicant/ Owner  PBI <u>Planning</u>  PW	Prior to issuance of a building permit	

23		<b>EH35 - CURFFL</b> All improvements shall comply with the California Uniform Food Facilities Law as approved by the Director of Environmental Health. If necessary, submit plans and necessary review fees for review and approval prior to obtaining a building permit/final inspection.	Submit plans and necessary review fees to the Division of Environmental Health for review and approval.	Owner/ Applicant  EH	Prior to issuance of building permits.	
24	28	<b>MMRP –UTILITY IMPACT 2</b> In order to verify that the California-American Water Company has adequate water capacity to serve the proposed project the applicant shall submit proof of approval from the Monterey Peninsula Water Management District.	Demonstrate that the California-American Water Company has adequate capacity to serve the project as follows: - Submit a can and will serve letter from the California-American Water Company to the Director of Environmental Health. - Obtain all necessary approvals for a water connection permit from the Monterey Peninsula Water Management District (MPWMD) for not more than the amount of water allocated in the Board of Supervisors resolution for project approval. <del>Obtain approval from the Board of Supervisors adding or amending any permit conditions if necessitated by any subsequent water connection permit issued by the MPWMD Board.</del> <del>If the MPWMD determines that the amount of water allocated (4.8 afy) is insufficient for the project as approved, the project shall be reduced in unit size to correspond to the number of units for which MPWMD determines the 4.8 afy water supply is sufficient, with any amended design subject to the approval of the Director of Planning and Building Inspection, the General Manager of the Water Resources Agency,</del> <del>General Manager of the Monterey Peninsula Water Management District, or subject to approval by the Board of Supervisors subject to a referral from Planning or Water Resources pursuant to their discretion. If the actions by the MPWMD necessitate changes to the project or conditions of approval other than design, such changes shall require approval by the Board of Supervisors.</del> Submit to the Director of Planning and Building Inspection a plan for the annual monitoring of water use. The plan shall	Applicant/ Owner  MCHD  PBI <u>Planning</u>  WRA  MPWMD  CalAm	Prior to issuance of any permits	

			include but not be limited to monitoring methods, schedules and contingency plans for the reduction in water use should the monitoring report indicate the project used or is projected to use more than the allocated amount of water in any 12- month period. The plan shall be approved by the General Manager of the Water Resources Agency and the General Manager of the Monterey Peninsula Water Management District. (See Condition 54)			
25	29	<b>MMRP –UTILITY IMPACT 5</b> Due to a maximum water allocation of 4.8-acre feet per year, the facility would be limited to a maximum of 74 beds based on 0.085 acre feet per bed and the inclusion of a graywater/ozone filter system for the exterior landscape irrigation (subject to the final allocation amount of the 4.8 acre feet of water available by the Board of Supervisors). The facility could be allowed up to 78 beds subject to the approval of “special circumstance” credits for conservation devices by the Monterey Peninsula Water Management District (MPWMD).	A. Provide evidence of approval by the MPWMD for a senior, assisted living facility not to exceed 78 beds. The facility shall be limited to the maximum number of beds allowed by the MPWMD based on a maximum water allocation/use of 4.8 acre feet of water per year. (See Condition 54) B. If either the Board of Supervisors or the MPWMD approves an amount of water that reduces the beds allowed below 78, the applicant shall submit amended plans consistent with the bed reduction and obtain approval.	Applicant/ Owner  PBI Planning	A. Prior to issuance of any permits  B. On going	
26	7	<b>MMRP – BIOLOGY IMPACT 4</b> To avoid attracting frogs during development, no vegetation removal shall take place while it is raining and precautions should be taken to prevent puddles on site. Following any rain activity, the Monterey County Planning and Building Inspection Department and a qualified biologist shall be immediately contacted by the responsible individual on-site. When contacted, the project planner and the biologist shall immediately visit the site to determine if any “at risk” amphibians are present. If any “at risk” amphibians are discovered, the biologist shall contact the California Department of Fish and Game to identify appropriate measures to avoid impacts before continuing operations.	Monitor the site to remove puddles of water. Following any rain activity, the responsible project manager/contract shall halt all grading activity and contact the Monterey County Planning and Building Inspection Department and the project biologist who will visit the site and determine proper mitigation based on the findings. Project Manager/Contractor shall certify compliance by signed letter upon completion of project construction.  Upon completion of project construction project manager/ contractor shall submit a signed letter certifying compliance	Applicant  PBI Planning  Biologist	During Site Preparation and Grading	
27	4	<b>MMRP – BIOLOGY IMPACT 1</b> In order to avoid impact to significant oak trees protected under the Carmel Valley Master Plan, the applicant/owner shall provide plans to improve Val Verde Drive that include protection and avoidance of all significant oak trees in the project area to the satisfaction of the Director of Planning and Building Inspection. The applicant/owner shall install	A. Submit Improvement Plans including the accurate location of the trunk and drip lines of all significant oak trees both within the site and within the right of way for Val Verde Drive and Carmel Valley Road to the Director of Planning and Building Inspection and	Applicant/ Owner  PBI Planning  PW	Prior to issuance of grading permits	

		fencing along the edge of the drip line of the oaks trees to avoid impacting said trees during grading activity.	the Director of Public Works.			
			B. Install fencing around the drip line of all significant oak trees to be maintained during construction to the satisfaction of the Director of Planning and Building Inspection. Project Manager/Contractor shall certify compliance by signed letter upon completion of project construction.	Applicant/ Owner  PBI Planning	Prior to issuance of grading permits	
28	12	<b>MMRP – HYDROLOGY IMPACT 1</b> To prevent runoff from moving soil off-site and to prevent post construction erosion, appropriate Best Management Practices shall be implemented and the soil shall be re-vegetated within 60 days of completing construction.	Contact the Planning and Building Inspection Department for a representative to inspect the project area relative to compliance with Mitigation Measure 12.	Applicant/ Owner  PBI Planning	Prior to Final Permit Approval	
29	13	<b>MMRP – HYDROLOGY IMPACT 2</b> In order to address water runoff for the project, the applicant/owner shall submit a detailed drainage plan to the Monterey County Water Resources Agency prior to issuance of any permit. Said plan shall include: <ul style="list-style-type: none"> <li>- Design data identifying, and evaluating impacts to, the 100-year flood elevation, flood height, and the Rio Road tie back levee.</li> <li>- Routing natural drainage around the proposed development in a manner that does not impact down slope development. Routing of downstream flows shall be shown along with any new appurtenant drainage structures, erosion protection of existing structures or watercourses, and need for additional right-of-way.</li> <li>- Routing storm water runoff from the paved, vehicle areas to an oil/grease/water separator before discharge into a detention pond.</li> <li>- Construction of storm water detention facilities to limit impervious surface storm water runoff to the 10-year predevelopment rate and store the difference between the 100-year post-development and 10-year pre-development runoff. Any detention design requires showing engineering details for the containment structure; including any berms that would create shallow detention using parking areas. An erosion protected spillway shall be designed into the berm to provide a predictable overflow point.</li> <li>- Fencing of detention ponds for public safety.</li> <li>- Maintenance and cleaning schedules for oil/grease traps, detention ponds, and the graywater system in accordance with County regulations to insure that all drainage systems are properly maintained and functioning.</li> <li>- Installation of oil/grease traps adjacent to roadways and</li> </ul>	<p>A. Submit a detailed drainage plan prepared by a registered civil engineer to the satisfaction of the Monterey County Water Resources Agency and Public Works Department. Impacts identified during the review of said plans shall be fully mitigated through construction and/or “fair-share” mitigation fees to be determined by the Monterey County Public Works Department and Water Resources Agency.</p> <p>B. Submit weekly activity reports, including photographs and activity logs where applicable, that document how all construction Best Management Practices and recommended mitigations measures were followed during project construction and these conditions. Said reports shall be submitted to the Director of Planning and Building Inspection by the end of the working day on Monday. Project Manager/Contractor shall certify compliance by signed letter upon completion of project construction.</p>	<p>Applicant/ Owner</p> <p>Civil Engineer</p> <p>WRA</p> <p>PW</p> <p>Applicant/ Owner</p> <p>PBI Planning</p>	<p>Prior to issuance of any permit</p> <p>During grading</p>	

		<p>parking lots that are designed to remove at least 90% of all storm water contaminants during the first rains.</p> <ul style="list-style-type: none"> <li>- Any roadside improvements that could prevent erosion (e.g. curb/gutter or paved swale) and which down slope properties may be affected before water need to be analyzed.</li> <li>- "Best Management Practices" to prevent reaches the river, degradation of water quality in the Carmel River.</li> <li>- Designing the proposed detention ponds (with the exception of the proposed cistern) to increase infiltration rates for runoff such that the detention ponds function as percolation ponds.</li> <li>- Operation and maintenance procedures for the proposed water cistern to assure long-term viability.</li> </ul> <p>The applicant shall implement all on-site and off-site improvements related to drainage as determined necessary by the Monterey County Public Works Department and Water Resources Agency.</p>				
30		<p><b>WR36 – MAINTENANCE AGREEMENT (NON-STANDARD)</b></p> <p>The property owner, Monterey County and the Monterey County Water Resources Agency shall enter into a maintenance agreement, which shall provide for the maintenance of roads, drainage facilities, and open spaces. The agreement shall be approved by the Director of Public Works, the Director of Planning and Building Inspection, and the General Manager of the Monterey County Water Resources Agency and shall be recorded by the property owner, prior to issuance of grading and/or building permits. The agreement shall run with the land and shall include provisions for regular monitoring and maintenance of the road and drainage facilities. The agreement shall also require a yearly report by a registered Civil Engineer that identifies needed/performed maintenance and/or certifies that the roads and drainage facilities are operating as designed.</p>	<p>A. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to <del>PBI</del> <u>Planning</u>.</p> <p>B. Submit Annual Report to WRA for review and approval.</p>	<p>Applicant/ Owner</p> <p>Civil Engineer</p> <p><del>PBI</del> <u>Planning</u></p> <p>WRA</p> <p>PW</p>	<p>Prior to issuance of grading permit</p> <p>Annually following completion</p>	
31	3	<p><b>MMRP – AIR QUALITY IMPACT 1</b></p> <p>To reduce short-term, localized air quality impacts due to dust generated during site preparation/construction and exhaust from construction vehicles, the applicant shall submit a program for how air quality control measures will be implemented during construction activities. Said plan shall include, but not be limited to the following:</p>	<p>A. Submit a program with the grading and building plans identifying how all air quality control measures will be implemented throughout construction. Said plan shall be subject to review and approval of the Planning and <del>Building Inspection</del> Department.</p>	<p>Applicant/ Owner</p> <p><del>PBI</del> <u>Planning</u></p>	<p>Prior to issuance of a grading permit</p>	



		<ul style="list-style-type: none"> <li>- Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil condition, and wind exposure.</li> <li>- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.</li> <li>- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites to the satisfaction of the Director of Planning and Building Inspection.</li> <li>- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.</li> <li>- Cover stockpiles of debris, soil, sand or other materials that may be blown by the wind.</li> <li>- Sweep construction areas and adjacent streets of all mud and dust daily or as needed.</li> <li>- Landscape or cover completed portions of the site as soon as construction is complete in that area.</li> </ul> <p>Grading activity shall not exceed 2.2 acres of excavation or 8.1 acres of grading per day.</p>	B. Implement all air quality control measures to the satisfaction of the Planning and Building Inspection Department. Project Manager/Contractor shall certify compliance by signed letter upon completion of project construction.		During Construction	
32		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS- FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection.	A. Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			B. Applicant shall schedule fire dept. rough sprinkler inspection	Cypress FPD	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection		Prior to final building inspection	
33		<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	A. Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			B. Applicant shall submit fire alarm plans and obtain approval.	Cypress FPD	Prior to rough sprinkler or framing inspection	
			C. Applicant shall schedule fire alarm system acceptance test.		Prior to final building inspection	

34	10	<b>MMRP – GEOLOGIC IMPACT 1</b> In order to address geotechnical conditions identified for the project site, the applicant/owner shall submit grading plans that incorporate all recommendations of the Kleinfelder Geotechnical Investigation onto said grading plans as specifications for the proposed project. In order to monitor geotechnical conditions identified for the project site, the applicant shall submit reports from a certified geotechnical engineer that inspect, test and approve all geotechnical aspects of the project construction including, but not limited to: site preparation and grading, site drainage improvements, foundation and retaining wall excavations prior to placement of steel and concrete, location and design of graywater system, and excavations for utilities prior to placement of conduits. Grading plans and reports shall be subject to review and approval by the Direction of Planning and Building Inspection.	A. Submit grading plans stamped by a certified geotechnical engineer and completed in accordance with geotechnical recommendations to the satisfaction of the Planning and Building Inspection Director. The Director shall verify the existence of said recommendations as specifications on the Grading Plans prior to issuance of the grading permit.	Applicant/ Owner  Engineer  PBI Planning	Prior to issuance of a grading permit	
			B. A certified geotechnical engineer shall inspect, test and approve all geotechnical aspects of the project construction and report all findings to the Director of Planning and Building Inspection s. Project geotechnical engineer shall certify compliance with all geotechnical recommendations by signed letter prior to final grading approval		Prior to final grading approval	
			C. A certified geotechnical engineer shall inspect and approve all cut slopes and all key way excavations, if any, and report all findings to the Director of Planning and Building Inspection.		Prior placement of engineered fill	
35	2	<b>MMRP – AESTHETIC IMPACT 3</b> In order to reduce lighting impacts and preserve the nighttime views of the area, the applicant shall submit a Lighting Plan including photometrics for the site for review and approval by the Director of Planning and Building Inspection and the Monterey County Sheriff. Said plan shall include, but not be limited to: <ul style="list-style-type: none"> <li>- Low intensity lighting with 90-degree cut-off shields for all exterior light fixtures.</li> <li>- No light source shall extend beyond the project boundary.</li> <li>- Parking lot lights shall not exceed 14 feet in height.</li> <li>- Incorporate landscaping to screen glare from surrounding areas and meet Sheriff Department standards for Crime Prevention through Environmental Design (CPTED).</li> </ul>	A. Submit a Lighting Plan for review and approval of the Director of Planning and Building Inspection and Monterey County Sheriff.	Applicant/ Owner  PBI Planning  Sheriff	Prior to issuance of any building permit	
			B. Install lighting in accordance with the approved Lighting Plan to the satisfaction of the Director of Planning and Building Inspection.		Prior to occupancy	
36		<b>FIRE001 - ROAD ACCESS</b> Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner  Cypress FPD	Prior to issuance of grading and/or building permit.	

		be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name.	B. Applicant shall schedule fire dept. clearance inspection for each phase of development.		Prior to final building inspection	
37		<b>FIRE002 - ROADWAY ENGINEERING</b> The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner  Cypress FPD	Prior to issuance of grading and/or building permit.	
			B. Applicant shall schedule fire dept. clearance inspection for each phase of development.		Prior to final building inspection	
38		<b>FIRE007 - DRIVEWAYS</b> Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner  Cypress FPD	Prior to issuance of grading and/or building permit.	
			B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	

		driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.				
39		<b>FIRE008 - GATES</b> All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required.	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant  Cypress FPD	Prior to issuance of grading and/or building permit.	
			B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	
40		<b>FIRE010 -ROAD SIGNS</b> All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum 4-inch letter height, ½-inch shall be a color that is reflective and clearly contrasts with the background color of the sign. All materials shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority.	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on improvement plans.	Applicant or owner  Cypress FPD	Prior to issuance of building permit(s)	
			B. Applicant shall schedule fire dept. clearance inspection for each phase of development.		Prior to final building inspection	

41		<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.	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner  Cypress FPD	Prior to issuance of building permit.	
			B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	
42		<b>FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL)</b> For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available.	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner  Cypress FPD	Prior to issuance of grading and/or building permit.	
			B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	
43		<b>FIRE015 - FIRE HYDRANTS/FIRE VALVES</b> A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet	A. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner  Cypress FPD	Prior to issuance of grading and/or building permit.	

		from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the "State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways", May 1988.	B. Applicant shall schedule fire dept. clearance inspection		Prior to final building inspection	
44		<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).	Submit a plan to the Division of Environmental Health for review and approval.	Owner/ Applicant  EH	Prior to issuance of building permits/ Continuous condition	
45		<b>EH40 - MEDICAL WASTE</b> Storage, transportation, and disposal of biohazardous/medical wastes shall be in compliance with of Title 22, Division 20, Chapter 6.1 of the California Code of Regulations.	The operation shall register and shall maintain a valid permit from the Division of Environmental Health.	Owner/ Applicant  EH	Prior to issuance of building permits/ continuous condition	
46	9	<b>MMRP – CULTURAL IMPACT 1</b> If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 150 feet of the find until a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archeologist (i.e.; an archeological registered with the Society of Professional Archeologists) shall be immediately contacted by the responsible individual on-site. When contacted, the project planner and the archeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Monitor the site for cultural materials in the soils. If any materials are found, the responsible individual on-site shall halt all grading activity within 150 feet of the find and immediately contact the Monterey County Planning and Building Inspection Department and the project archeologist who will visit the site and determine proper mitigation based on the findings.	Applicant  <u>PBI Planning</u>	During Grading	
47		<b><u>WATER SUPPLY AND AVAILABILITY</u></b> <u>Water use on the property shall not exceed 4.8 acre feet per year.</u> <u>(Water Resources Agency and RMA - Planning Department)</u>	<u>Subsequent to year 5 of operations, the applicant shall document annual water use and submit annual reports to the Water Resources Agency and the RMA-Planning Department. In addition to meeting all reporting requirements of MPWMD, the reports will detail the monthly water use for</u>	<u>Applicant</u>	<u>Ongoing</u>	

			<p><u>the entire property.</u></p> <p><u>If the water use reporting shows that the project site is exceeding a total of 4.8 AFY, RMA Planning and the applicant will take appropriate actions to correct the overuse. Such actions may be initiated against the applicant, the lot owners, or each of them.</u></p>			
47	11	<p><b><del>MMRP—HAZARD IMPACT 2</del></b></p> <p>Because the MCHD has never evaluated the actual performance of graywater technology in a facility of this type, this graywater system will be treated as a pilot project that shall be monitored for the life of the use permit. All services, testing, and modifications required by the Director of Health shall be in accordance with and subject to any amendments of Monterey County Code Chapter 15.20. The provisions of this mitigation shall be at the owner's expense.</p>	<p>A. Submit an operation and maintenance training plan/schedule (either in-house or by the manufacturer) to MCHD for review and approval.</p> <p>B. Submit detailed plans of the proposed graywater system to MCHD for review and approval. In order to minimize the possibility for an assisted care living facility generating graywater with substances that are not of a quality consistent with the intent of Appendix G (Section G-13) of the California Plumbing Code, the system shall be designed as follows:</p> <ul style="list-style-type: none"> <li>— All unused or expired pharmaceuticals shall be disposed of in accordance with the Medical Waste Management Act, Section 117600 through 118360 of the California Health &amp; Safety Code. No pharmaceuticals shall be discharged down any fixture connected to the graywater system.</li> <li>— No laundry that includes soiled diapers may be included with the graywater for the facility.</li> <li>— Only resident bathroom lavatories, showers and bathtubs, restroom lavatories, and laundry fixtures shall be connected to the graywater system. All other building fixtures shall be connected to the sanitary sewer system.</li> <li>— No chemicals, disinfectants, and/or wastewater prohibited by Appendix G (Sections G-2 and G-13) shall be discharged into fixtures connected to the graywater system. Separate fixtures that do not connect to the graywater system shall be installed for disposing of cleaning chemicals, disinfectants, and/or wastewater.</li> </ul>	<p>Applicant/ Owner</p> <p>Maint. Company</p> <p>MCHD</p>	<p>Prior to issuance of any permits</p> <p>Prior to issuance of any permits</p>	

			<p>Fixtures connected to the graywater system may use minimal amounts of institutional chemicals or disinfectants for cleaning of those fixtures only.</p> <p>This graywater system shall incorporate sand filtration and ozone disinfection of the graywater (as proposed by the applicant) prior to distribution for irrigation.</p>			
			<p>C. Provide documentation demonstrating that the company and/or staff responsible for maintaining and operating the graywater system has the technical and managerial skills necessary in the maintenance and operation of all components of the system (plumbing cistern, ozone, etc).</p>		Prior to occupancy of the facility	
			<p>D. MCHD staff will inspect the system two (2) times per year.</p>		For the first five (5) years after installation	
			<p>E. MCHD shall perform a final evaluation of the system and the technology with the potential for permanent approval should the technology prove itself.</p>		On-Going after Year Five	
			<p>F. Submit a report completed by the person(s) responsible for maintenance and operation of the graywater system to the Director of Health for review and approval. Said report shall record and report all diversions of the graywater to the sewer as a result of ponding/surfacing of graywater, system back up, system overflow, and the reason for said diversion.</p>		By Dec. 1 <sup>st</sup> of each year following completion	
48		<p><b>PBD018(B) - LANDSCAPE PLAN AND MAINTENANCE (NON-STANDARD)</b></p> <p>The site shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously</p>	<p>Submit landscape plans and contractor's estimate to <u>PBI Planning Department</u> for review and approval.</p>	Owner/ Applicant  <u>PBI Planning</u>  Sheriff	At least 60 days prior to final inspection or occupancy	
			<p>All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition</p>	Owner/ Applicant  <u>PBI Planning</u>	On-going	



		<p>maintained in a litter-free, weed-free, healthy, growing condition. Said plans shall be prepared by a licensed Landscape Architect and must:</p> <ul style="list-style-type: none"> <li>- Identify the location, species and size of the proposed landscaping material.</li> <li>- Include species that are botanically appropriate to the area, including but not limited to native species such as Monterey Pine, Cypress, and Oak trees.</li> <li>- Include planting of arroyo willows and other riparian associated species around both detention ponds.</li> <li>- Identify all existing trees within the project area including the site, Val Verde Drive right-of-way, and along Carmel Valley Road. Indicate all trees to be removed.</li> <li>- <del>Retain</del> <u>Replace</u> the 26-inch pine along the south property lines <del>plus</del> <u>and retain</u> all of the mature trees along Carmel Valley Road with a 24-inch box cypress or equivalent for screening</li> <li>- <u>Limit planting so that irrigation will not exceed 1.12 af of water per year.</u></li> <li>- Provide a mix of mature plants and species to screen or soften the visual impact of new development.</li> <li>- Provide notes on the plans to eradicate invasive vegetation for areas on or near the project area including on-site, within the right-of way adjacent to the project site, along the Carmel Valley Road frontage, and along Rio Road.</li> </ul> <p>Address Sheriff Department standards for Crime Prevention through Environmental Design (CPTED).</p>				
49	1 and 8	<p><b>MMRP – AESTHETIC IMPACT 2</b></p> <p>In order to reduce lighting impacts and preserve the visual character of the area, the developer shall submit Landscape Plans prepared by a licensed Landscape Architect that:</p> <ul style="list-style-type: none"> <li>- Identify the location, species and size of the proposed landscaping material.</li> <li>- Include species that are botanically appropriate to the area, including but not limited to Monterey Pine, Cypress, and Oak trees.</li> <li>- Include planting of arroyo willows and other riparian associated species around both detention ponds.</li> <li>- Identify all existing trees within the project area including the site, Val Verde Drive right-of-way, and along Carmel Valley Road. Indicate all trees to be removed.</li> <li>- <del>Retain</del> <u>Replace</u> the 26-inch pine along the south property lines <del>plus</del> <u>and retain</u> all of the mature trees along Carmel Valley Road.</li> <li>- Provide a mix of mature plants and species to screen or soften the visual impact of new development</li> </ul>	<p><del>A: Submit a Landscape and Irrigation Plan, with the required review fee, for review and approval</del>  <u>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."</u></p> <p><u>Submit one (1) set landscape plans of approved by the RMA – Planning</u></p>	<p>Applicant/ Owner</p> <p><u>PBI</u> <u>Planning</u></p> <p>Sheriff</p>	At least three weeks prior to occupancy	

		<ul style="list-style-type: none"> <li>- Provide notes on the plans to eradicate invasive vegetation for areas on or near the project area including on-site, within the right-of way adjacent to the project site, along the Carmel Valley Road frontage, and along Rio Road.</li> <li>- Address Sheriff Department standards for Crime Prevention through Environmental Design (CPTED).</li> </ul>	<u>Department, Maximum Applied Water Allowance (MAWA) calculation, and a completed "Non-Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.</u>  <u>Submit an approved water permit from the MPWMD to the RMA – Building Services Department.</u>			
			B: Install landscaping in accordance with the approved Landscape and Irrigation Plan to the satisfaction of the Director of Planning and Building Inspection.	Applicant/ Owner  PBI Planning	Prior to occupancy	
			C: Maintain landscaping in accordance with the approved Landscape and Irrigation Plan to the satisfaction of the Director of Planning and Building Inspection. The applicant shall submit a report every 5 years for the next 15 years demonstrating long term compliance with the Landscape and Irrigation plan. <u>All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</u>	Applicant/Owner  PBI Planning	On going	
50		<b>WR8 - COMPLETION CERTIFICATION</b> The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans.	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor  WRA	Prior to final inspection	
51		<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: <ol style="list-style-type: none"> <li>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.</li> <li>Landscape plans shall apply xeriscape principles, including such techniques and materials as native or</li> </ol>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant  WRA	Prior to final building inspection/occupancy	

		low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices				
52	24	<b>MMRP –TRAFFIC IMPACT 7</b> In order to provide adequate emergency access and reduce the impact of emergency vehicle traffic on Val Verde Drive, the applicant shall: <ul style="list-style-type: none"> <li>- Improve Val Verde Drive to a width of 12 feet (maximum) from the northern most project entry to Carmel Valley Road;</li> <li>- Install posting/restrictions along this segment for emergency access only;</li> <li>- Install an emergency gate on Val Verde Drive at the intersection with Carmel Valley Road that is secured from general vehicle traffic;</li> <li>- Install an emergency gate on Val Verde Drive at the southerly end of the property that is secured from general vehicle traffic; and</li> <li>- Install an emergency vehicle pre-empt system on the signal at the intersection of the Brinton's driveway with Carmel Rancho Boulevard subject to the approval of the Department of Public Work.</li> </ul>	Provide the Director of Planning and <del>Building Inspection</del> with written verification that appropriate restrictions are in place for the emergency access segment to the satisfaction of the local fire jurisdiction, Monterey County Sheriff's Department, and the Department of Public Works.	Applicant/ Owner  PBI <u>Planning</u>  Sheriff  PW	Prior to occupancy	
53	25	<b>MMRP –TRAFFIC IMPACT 8</b> In order to reduce impacts of generating traffic at peak times, the applicant shall schedule employee arrivals/shift changes at non-peak hours (7:00-9:00 AM and 4:00-6:00 PM) and also coordinate this to vary from the peak operation times of the Community Life Center. Deliveries may occur only between the hours of 10:00 am and 3:00 pm.	Submit an operation plan that identifies peak traffic periods for the area and Community Life Center and based on such establishes employee schedules (shift changes) and delivery schedules that will not impact these peak periods. Said plan shall be submitted to review and approval of the Director of Planning and Building Inspection.	Applicant/ Owner  PBI <u>Planning</u>	Prior to occupancy	
54	27	<b>MMRP –UTILITY IMPACT 1</b> To ensure that the project does not exceed the 4.8-acre foot water allocation, or an alternative lesser allocation approved by the Board which could cause a significant impact to the local water supply, the applicant/owner shall contract with an approved qualified engineer to monitor and provide water use reports. The engineer shall be approved by, and reports shall be submitted to the Director of Planning and <del>Building</del> and the General Manager of Water Resources Agency consistent with the schedule in the following monitoring actions. Said reports shall identify the actual water use of the facility at various stages of occupancy with recommended action(s) if the facility is nearing its water	A: During the first two years of operation after approval of building permits, submit monthly reports to the Director of Planning and <del>Building Inspection</del> and the General Manager of Water Resources Agency prepared by a qualified engineer that identifies the actual water use of the facility. If any report finds that this facility is operating at or over their proportional capacity, Mitigation Number 27C below shall be implemented accordingly based on these findings.	Qualified Engineer  PBI <u>Planning</u>  WRA	1 <sup>st</sup> day of each month immediately following occupancy and for the first two years of operation	

		limit as directed in the following monitoring actions.	<p>B: During Years 3-5 of operation, submit semi-annual reports to the Director of Planning and Building Inspection and the General Manager of Water Resources Agency prepared by a qualified engineer that identifies the actual water use of the facility. If the facility is not at full buildout and operation during years 3-5, then these semi-annual reports shall continue to be required until the facility is operating at full build out for two years. If any report finds that this facility is operating at, near, or over their proportional capacity, Mitigation Number 27C below shall be implemented accordingly based on these findings.</p>		Jan 1 <sup>st</sup> and July 1 <sup>st</sup> each year during years 3-5 of operation	
			<p>C: In the event that the project at any time exceeds the water allocation approved by the Board, the consultant engineer shall recommend implementation of and applicant shall implement one or more actions to reduce water consumption to the satisfaction of the Water Resources Agency. Said action may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>- Remove on-site laundry and provide off-site laundry service only. <u>In order to reduce long term traffic impacts on Highway One from added trips for a graywater system maintenance employee/service and potential off-site laundry services, the applicant owner shall pay an additional mitigation fee of \$1,632.80 (0.8 trips * \$2,041/trip).</u></li> <li>- Implement further staff/client water saving measures through review of water use practices in conjunction with client attrition to reduce the number of beds occupied.</li> <li>- Reduce the allowed number of beds that may be occupied. If the facility is operating with a reduced occupancy (e.g.; 65 beds) when the reports noted in Mitigation Measures 27A or 27B find the facility is nearing its proportional capacity, then that level of occupancy shall be the new limit of occupancy until</li> </ul>		If any report directed by Monitoring Action 27A or 27B identifies that the facility has used more than 90% of the allocation for any calendar year	

			a future report identifies available water to use for additional beds.			
55	8	<b>MMRP – BIOLOGY IMPACT 5</b> To replace the habitat of the arroyo willows that will be removed, arroyo willows and/or other riparian associated species shall be planted around the detention ponds to the satisfaction of the Director of Planning and Building Inspection.	A. Contact the Planning and Building Inspection Department for a representative to inspect the project area relative to compliance with Mitigation Measure 8.  B. A qualified biologist shall review the project site and provide the Director of Planning and Building Inspection with a report of site conditions relative to successful establishment of the riparian habitat around the detention ponds. Said report shall include recommended remediation where tree planting is unsuccessful. If remediation is determined to be necessary, the monitoring timeframe shall be extended another two years and consistent with the monitoring action above, the biologist shall verify the completion and effectiveness of said remediation in a manner consistent with this mitigation monitoring action. Subsequent remediation measures and extended monitoring actions may be required until full mitigation is achieved pursuant to approval from the Director of Planning and Building Inspection.	Applicant  PBI Planning	Prior to Occupancy	
56	15	<b>MMRP – NOISE IMPACT 3</b> To reduce the long term ambient noise, the applicant shall prepare an emergency response plan that limits use of sirens for emergency services for this facility. Said plan shall be subject to review and approval of the Monterey County Sheriff Department and Cypress Fire Protection District.	Submit an emergency response plan for review and approval of the Monterey County Sheriff Department and Cypress Fire Protection District.	Applicant/ Owner  Sheriff Cypress FPD	Prior to occupancy	
57	16	<b>MMRP – NOISE IMPACT 4</b> To reduce long-term noise impacts, the facility shall not install or use any exterior sound devices, including a public address system, bull horn and other similar equipment at any time. No outdoor activities may take place after 7:00 pm on the subject site.	Place a note on the building plans that the facility may not install or use any exterior sound devices at any time. No outdoor activities may take place after 7:00 pm on the subject site.	Applicant  PBI Planning	On-going	
58		<b>WR37– DRAINAGE &amp; FLOOD CONTROL SYSTEMS AGREEMENT (NON STANDARD)</b> The Maintenance Agreement described in Condition 29 shall provide that if the property owner fails to properly maintain, repair, or operate the roads, drainage and/or flood	Properly maintain, repair, or operate the roads, drainage and/or flood control facilities for the project in accordance with recorded Maintenance Agreement.	Applicant Owner  WRA	On-Going	

		control facilities for the project, the County of Monterey and the Monterey County Water Resources Agency shall have the right to enter any and all portions of the property to perform repairs, maintenance, or improvements necessary to properly maintain or operate the drainage and flood control facilities in the project. The County of Monterey and the Monterey County Water Resources Agency shall have the right to collect costs for said repairs. Said costs shall be included upon their property tax bills, upon a noticed hearing by the Board of Supervisors as to the appropriateness of the cost.			
59		<b>PBD030 - STOP WORK - RESOURCES FOUND</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist  <del>PBI</del> <u>Planning</u>	Ongoing
60		<b>EH28 - HAZ MAT BUSINESS RESPONSE PLAN</b> Comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health.	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant  EH	Continuous

END OF CONDITIONS

**PROOF OF SERVICE**

I am employed in the County of Monterey, State of California. I am over the age of 18 years and not a party to the within action. My business address is 168 W. Alisal Street, 2<sup>nd</sup> Floor, Salinas, California.

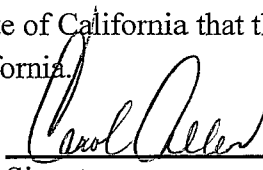
On **March 14, 2011** I served a true copy of the following document:

***Planning Commission Resolution Number(s) 11-013***  
***ALTA California Land Company LLC – REF100047***

on the interested parties to said action by the following means:

- ☐ **(BY HAND-DELIVERY)** By causing a true copy thereof, enclosed in a sealed enveloped, to be hand-delivered.
- ☒ **(BY MAIL)** By placing a true copy thereof, enclosed in a sealed envelope, for collection and mailing on that date following ordinary business practices, in the United States Mail at the Resource Management Agency Planning Department, 168 W. Alisal Street, 2<sup>nd</sup> Floor, Salinas, California, addressed as shown below. I am readily familiar with this business's practice for collection and processing of correspondence for mailing with the United States Postal Service, and in the ordinary course of business, correspondence would be deposited with the United States Postal Service the same day it was placed for collection and processing.
- ☐ **(BY OVERNIGHT DELIVERY)** By placing a true copy thereof, enclosed in a sealed envelope, with delivery charges to be billed to the Resource Management Agency, Planning Department, to be delivered by Overnight Delivery.
- ☐ **(BY FACSIMILE TRANSMISSION)** By transmitting a true copy thereof by facsimile transmission from facsimile number (831) 757-9516 to the interested parties to said action at the facsimile number(s) shown below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **March 14, 2011** at Salinas, California.

  
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Signature

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***ALTA California Land Co LLC***  
***ATTN Don Haupt***  
***9699 Blue Larkspur Lane #202***  
***Monterey CA 93940***

***Ms Christing Williams***  
***85 Southbank Rd***  
***Carmel Valley CA 93924***

***Cypress Fire Protection District***  
***73 Fern Canyon Rd***  
***Carmel CA 93923***

***Tim McCormick***  
***Building Official***  
***Monterey County Resource Management Agency - Building***