

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

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MEMORANDUM

Date: January 28, 2020 Public Hearing (January 23, 2020 memorandum)

To: Board of Supervisors

From: Mike Novo, Management Specialist, RMA-Planning *MN*

Subject: Paraiso Hot Springs Public Hearing: Recommended Changes to Conditions of Approval

cc: File

Staff is providing this errata memorandum for the Paraiso Hot Springs resolution (Staff Report Attachment C).

The Resolution allows up to five hotel units to be used for employees and owners. The Staff Report Discussion section (Attachment B3) has the incorrect number of up to two hotel units for employees and owners. No change to the resolution is needed.

Staff is recommending three changes to the conditions of approval:

1) Staff recommends that Condition 17 be modified to read as follows:

Prior to issuance of construction permits, vegetation removal or final map recordation, the applicant shall submit an application to LAFCO to annex the entire property into the Mission-Soledad Rural Fire Protection District. The applicant shall submit, as part of the application to LAFCO, any new tax sharing agreement between the County and the Fire District.

Compliance or Monitoring Action to be Performed:

Prior to the issuance of building or grading permits, vegetation removal, or recordation of the final map, whichever occurs first, the Owner/Applicant shall submit an application for annexation to LAFCO to process the proposed annexation.

The County is responsible for negotiating the tax sharing agreement. The applicant shall participate in discussions with the County for drafting of the agreement. If the applicant is

prepared to submit an application and a new agreement is not finalized, the applicant may apply for annexation.

This change will change the focus of the condition to the applicant's actions and eliminate a requirement to fund revenue shortfalls. The agreement and any funding commitment will be between the County and the Fire District, so applicant involvement is only necessary to provide information to the County related to project phasing, property value and occupancy.

2) Condition 108. Staff recommends that the following language replace the third Compliance or Monitoring Action:

The employee shuttle shall be initiated when the annual count demonstrates that the average daily trips will exceed 406 trips per day in the subsequent year or a determination by RMA that the site would not have a sufficient number of parking spaces. RMA shall notify the applicant when the shuttle is required to be implemented.

3) Staff recommends adding the following sentence to the end of Condition 153:

The developer shall also fund all County costs incurred to either negotiate to acquire the emergency access road or to condemn the emergency access road under the County's eminent domain power, pursuant to Government Code section 66462.5, subdivision (a), should the County deem it necessary to take either action.