

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

In the matter of the application of:

Monterey Holdings, LLP (PLN020398-AMD1)

RESOLUTION NO. 17-014

Resolution by the Monterey County Planning
Commission:

- 1) Considering a previously adopted Mitigated Negative Declaration; and
- 2) Approving an Amendment to a previously approved Combined Development Permit (PLN020398/Bay Laurel, LLC) to allow the replacement and reconfiguration of previously approved office and maintenance buildings (totaling 3,840 square feet) and the placement of two (2) new storage container structures (totally 640 square feet); and
- 3) Adopt a Mitigation Monitoring and Reporting Plan..

The property is located at 415 Carmel Valley Road, Carmel Valley (Assessor's Parcel Number 187-131-044-000) Carmel Valley Master Plan area.

The Monterey Holdings, LLC application (PLN020398-AMD1) came on for public hearing before the Monterey County Planning Commission on May 10, 2017. Having 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:**
 - a) **PROJECT DESCRIPTION** – The County has received and processed an Amendment to PLN020398.
 - b) On July 29, 2009, the Monterey County Planning Commission approved Resolution No. 09037 approving a Combined Development Permit (PLN020398 Bay Laurel, LLC) consisting of an Administrative Permit, General Development Plan and Design Approval for construction of 16 additional hotel units, and a 3,000 square foot, two-story maintenance, storage and office building at the existing 57-unit Bernardus Lodge and including the demolition of two existing structures originally built as single family dwellings, construction of retaining walls and associated grading of 1,521 cubic yards of cut and 1,521 cubic yards of fill.

- c) A Design Approval (PLN150244) was approved on March 24, 2015, for the three (3) temporary office trailers [one (1) 960 square foot and two (2) 1,440 square foot].
- d) On January 31, 2017, an application for an Amendment (PLN020398-AMD1) to a previously approved Combined Development Permit (PLN020398) was submitted. The Amendment will allow the replacement and reconfiguration of previously approved office and maintenance buildings (totaling 3,840 square feet) and the placement of two (2) new storage container structures (totaling 640 square feet)
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN020398, PLN150244, and PLN020398-AMD1.

2. **FINDING:** **CONSISTENCY/ SITE SUITABILITY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development. The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - 2010 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 415 Carmel Valley Road, Carmel (Assessor's Parcel Number 187-131-044-000), Carmel Area Land Use Plan. The parcel is zoned "LDR/1-D-S" (Low Density Residential/ 1 acre per unit), "VO-D-S" (Visitor Serving/Professional Office, and Public-Quasi Public with Design Control), and "PQP-D-S" (Site Plan Review Overlays). The proposed Amendment to replace (3) single-story modular buildings and add (2) container structures for the use of offices and maintenance buildings is an allowed land use for this site.
 - c) The "D" (Design Control) overlay district requires that applications for development include design approval to allow review of size, configuration, materials, and colors of proposed structures, and to assure protection of the public viewshed, neighborhood character and visual integrity of the area. Since the location has changed from the north-eastern corner to the south-western corner of the property, it is visible from both Laureles Grade and Carmel Valley Road. A condition will be added for vegetation screening from both roads (Condition 39). The project will not affect the neighborhood character. The colors will be earthy (trim-Charcoal Briquett, body-Metal Fringe, containers - Carbon Dating) to blend in with the natural environment. Materials will consist of wood siding on modular and metal siding on containers which are existing on-site development; therefore, the project is consistent with the provisions of the Design Control overlay.
 - d) The portion of the property taken place is zoned VO.
 - e) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, Monterey County Regional

Fire Protection District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, 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.

- f) Staff identified that the original potential impacts to archaeological resources, biological resources, geological hazards, historical resources, and traffic. The following reports prepared for the originally approved project and cover the amendments:
- *“Archaeological Reconnaissance” (LIB090308) prepared by Archeological Consultants, Salinas, CA, March 24, 2003.*
 - *“Bernardus Lodge Villas Biological Assessment.” (LIB080658) prepared by Rana Creek Environmental Planning, Carmel Valley, CA, July 2008.*
 - *“Geological and Soil Engineering Report” (LIB080659) prepared by Landset Engineers, Inc., Salinas, CA, March, 2009.*
 - *“Historical Analysis” (LIB090238) prepared by Kent Seavey, Pacific Grove, CA, dated March 12, 2003.*
 - *“Traffic Report” (LIB080657) prepared by Higgins Associates, Gilroy, CA, September 15, 2008*
- g) The project was referred to the Carmel Valley Land Use Advisory Committee (CVLUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did warrant referral to the LUAC because the proposed project requires a Design Approvals by the Planning Commission. The CVLUAC had two recommendations:
- Removal of the temporary storage containers currently located in the back parking lot; and
 - Provide additional vegetative screening of the new structures from both roads (Laureles Grade & Carmel Valley Road).
- h) All applicable conditions of approval from PLN020398 have been carried forward to permit PLN020398-AMD1 (41 conditions in total). Nineteen (19) of the 41 conditions have been met (conditions 2,5,6,9,10,13,14,15,17,19,21,22,23,31-37). The remaining conditions are either partially met, not met and/or on-going and all unmet conditions continue to apply to the project inclusive of this amendment. Four (4) of the 41 are new conditions added to this amendment. They are Notice Permit Approval (Condition 41), bird nesting survey (Condition 40), and two conditions addressing screening along Laureles Grade & Carmel Valley Road and removal of temporary storage containers (Conditions 38 and 39).
- i) Parking Consistency
Monterey County Code, Title 21, Section 21.58.040 requires 112 parking for the overall development. The project site contains 159 parking spaces, which is in compliance with the applicable parking requirement(s). The Amendment will not require additional spaces since it was accounted for in the original permit (PLN020398).
- j) The project planner conducted a site inspection on March 9, 2017 to verify that the project on the subject parcel conforms to the plans listed above.

- k) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN020398 & PLN020398AMD1.
3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
- EVIDENCE:**
- a) The project was reviewed by the RMA- Planning, Monterey County Regional Fire Protection District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) The proposed offices will continue to be served by an existing California American Water connection.
 - c) See preceding and following Findings and Evidence.
4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
- EVIDENCE:**
- a) Staff reviewed and researched Monterey County RMA - Planning and Building Services Department records to assess if any violation(s) exist on the subject property. There are no know violations on the subject parcel.
 - b) See preceding and following Findings and Evidence.
5. **FINDING:** **CEQA** - The Amendment does not require subsequent environmental review pursuant to CEQA Guidelines Section 15162. The original CEQA action on the project was a Mitigated Negative Declaration per CEQA Guidelines Section 15074.
- EVIDENCE:**
- a) The project meets the criteria of CEQA Guidelines Section 15162 because there are no substantial changes in the circumstances under which the project was approved, and there is no new information of substantial importance. Therefore, none of the circumstances would necessitate substantial revisions to the Mitigated Negative Declaration apply.
 - b) Monterey County RMA-Planning prepared an Initial Study/Mitigated Negative Declaration pursuant to CEQA, which was circulated for public review from June 10, 2009 to July 1, 2009. The Initial Study/Mitigated Negative Declaration is on file in the offices of RMA-Planning and is hereby incorporated by reference (PLN020398).
 - c) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation

Monitoring and/or Reporting Plan had been prepared in accordance with Monterey County regulations, is designed to ensure compliance during project implementation, and is hereby incorporated herein by reference. The applicant entered into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of prior project approval and this agreement will continue to be in effect with the amendment.

- d) No new mitigation measures have been created, since no new impacts will result from the amendment. All existing mitigation measures will be inherited to the amendment. The mitigation measure(s) are incorporated into the conditions of approval.
- e) Monterey County RMA-Planning, located at 168 W. Alisal, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

6. **FINDING:** **GENERAL DEVELOPMENT PLAN** – Monterey County Code requires a General Development Plan (GDP) prior to the establishment of uses/development if there is no prior approved GDP, and if: 1) the lot is in excess of one acre; or, 2) the development proposed includes more than one use; or, 3) the development includes any form of subdivision.
- EVIDENCE:** A previously approved General Development Plan has been developed that identifies the existing development at Bernardus Lodge, the Amendment will not have a significant change in the number of employees, parking, sign program, materials and colors, landscaping, exterior lighting, trash and recycling that was previously addressed in the GDP; therefore no change or amendment to the previously approved GDP is required.
7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
- EVIDENCE:** Section 21.80.040 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.

DECISION

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

1. Consider the previously approved Mitigated Negative Declaration;
2. Approve an Amendment to a previously approved Combined Development Permit (PLN020398/Bay Laurel, LLC) to allow the replacement and reconfiguration of previously approved office and maintenance buildings (totaling 3,840 square feet) and the placement of two new (2) storage container structures (totally 640 square feet), subject to the attached conditions and subject to the attached General Development Plan, all being attached hereto and incorporated herein by reference
3. Adopt Mitigation Monitoring and Reporting Plan.

PASSED AND ADOPTED this 10th day of May, 2017 upon motion of Commissioner Diehl, seconded by Commissioner Ambriz, by the following vote:

AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Roberts, Rochester, Vandevere
NOES: None
ABSENT: Padilla
ABSTAIN: None



Jacqueline R. Onciano, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **MAY 19 2017**.

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 SECRETARY OF THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **MAY 30 2017**.

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 Monterey County RMA-Planning and RMA-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.

Monterey County RMA Planning

Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN020398-AMD1

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Combined Development Permit (PLN020398 Bay Laurel, LLC) consisting of an Administrative Permit, General Development Plan and Design Approval which allows the construction of 16 additional hotel units, and a 3,000 square foot, two-story maintenance, storage and office building at the existing 57-unit Bernardus Lodge.

The project includes demolition of two existing structures originally built as single family dwellings, construction of retaining walls and associated grading of 1,521 cubic yards of cut and 1,521 cubic yards of fill. Materials and colors to match existing. The property is located at 415 Carmel Valley Road, Carmel Valley (Assessor's Parcel Number 187-131-044-000), Carmel Valley Master Plan area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Ongoing unless otherwise stated.

Adhere to conditions and uses specified in the permit.

Neither the uses nor the construction allowed by this permit shall commence unless and until all off the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.

To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a notice which states: "A permit (Resolution 17-014) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 187-131-044-000 on May 10, 2017. The permit was granted subject to 31 conditions of approval and 6 mitigation measures which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use.

Obtain appropriate form from the RMA - Planning Department.

The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.

3. PD032 (A) - PERMIT EXPIRATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 4 years, to expire on July 29, 2013 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: As stated in the conditions of approval.

The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.

4. PD003(A) - RESOURCES NEG ARCH

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Ongoing.

Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

5. PD004 - INDEMNIFICATION AGREE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorneys fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless.(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits.

Submit signed and notarized Indemnification Agreement to the Director of RMA - Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA - Planning Department.

6. PD005 - FISH&GAME FEE NEG DEC

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid.(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Within 5 working days of project approval.

Prior to the issuance of building or grading permits.

The applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.

7. PD006 - MITIGATION MONITORING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement.(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.

1) Enter into agreement with the County to implement a Mitigation Monitoring Program.

2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.

8. PD008 - GEOLOGIC CERT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report.(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to final inspection.

Submit certification by the geotechnical consultant to the RMA - Planning Department showing project's compliance with the geotechnical report.

9. PD011 - TREE AND ROOT PROTECT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

During Construction.

Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Submit photos of the trees on the property to the RMA - Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

10. PD012(E) - LANDSCAPE PLN&MAINT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The site shall be landscaped. Prior to issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits.

Prior to Occupancy.

Ongoing.

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.

Submit one (1) set landscape plans of approved by the RMA - Planning 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.

Submit an approved water permit from the MPWMD to the RMA - Building Department.

The landscaping shall be installed and inspected.

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.

11. PD014(A) - LIGHTING EXTERIOR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits.(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits.
Prior to Occupancy / Ongoing.

Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.

The lighting shall be installed and maintained in accordance with the approved plan.

12. PD035 - UTILITIES UNDERGROUND

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All new utility and distribution lines shall be placed underground.(RMA - Planning Department; Public Works)

Compliance or Monitoring Action to be Performed: Ongoing.
Install and maintain utility and distribution lines underground.

13. PD047 - DEMOLITION/DECONSTRUCT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards:

1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process;
2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building;
3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour.

All Air District standards shall be enforced by the Air District.

(RMA - Planning Department)

Compliance or Monitoring Prior to the issuance of a demolition permit.

Action to be Performed: During demolition.

Applicant shall incorporate a "Demolition/Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.

Contractor shall obtain any required Air District permits and conduct all deconstruction or demolition activities as required by the Air District.

14. PDSP01 CARMEL VALLEY ROAD LANDSCAPE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PDSP01- CARMEL VALLEY ROAD LANDSCAPE SCREENING PLAN AND MAINTENANCE(NON-STANDARD)

The buildings shall be screened from Carmel Valley Road. Prior to the issuance of grading and/or building permits, the applicant shall submit (3) copies of a landscape screening plan

to the Director of the RMA - Planning Department for review and approval . The landscape screening plan shall be in sufficient detail to identify the location (along Carmel Valley Road), species, and size of the trees and shall include an irrigation plan. The landscaping screening shall be installed and inspected prior to occupancy or final. All areas along Carmel Valley Road shall be continuously maintained by the applicant and the trees screening the buildings shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department)

Compliance or Monitoring Prior to the issuance of grading and/or building permits.

Action to be Performed: Ongoing.

Submit 3 copies of a landscape screening plan to the RMA - Planning Department for review and approval. The landscape plan shall identify trees to be planted along Carmel Valley Road and shall include the species and size of the trees.

The area along Carmel Valley Road shall be continuously maintained by the applicant and the trees screening the buildings shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

15. PDSP02 - GENERAL DEVELOPMENT PLAN -

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PDSP02 - GENERAL DEVELOPMENT PLAN - NOTICE (NON-STANDARD)

A General Development Plan has been approved for the project and prior to the issuance of grading or building permits, the applicant shall be record a notice with the Monterey County Recorder's Office . The General Development Plan shall be attached in it's entirety as an exhibit. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits.

Obtain appropriate form from the RMA - Planning Department.

The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.

16. PW0002 - ENCROACHMENT (TURN)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to occupancy, the applicant shall submit a roadway design to the Department of Public Works for review and approval, as well as obtain an encroachment permit from the Department of Public Works, for the construction of a left turn channelization at the intersection of Laureles Grade and project driveway if and as required by the Director of Public Works. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to occupancy.

Applicant shall submit a roadway design and obtain an encroachment permit if and as required by the Department of Public Works for left turn channelization at the intersection of Laureles Grade and the project driveway prior to occupancy. Should left turn channelization by required, the applicant shall complete construction prior to occupancy.

Applicant is responsible to obtain all permits and environmental clearances.

17. PW0007 - PARKING STD

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to issuance of building or grading permits.

Applicant's engineer or architect shall prepare a parking plan for review and approval.

18. PWSP0001 - ENCROACHMENT (NON-STANDARD)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to occupancy, the applicant shall submit a roadway design to the Department of Public Works for review and approval, as well as obtain an encroachment permit from the Department of Public Works, for the construction of a two left turn lane along the project frontage of Carmel Valley Road, including any necessary driveway modifications, if and as required by the Director of Public Works. The length of the two way left turn land shall be approved by the Department of Public Works. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to occupancy.

Applicant shall submit a roadway design and obtain an encroachment permit if and as required by the Department of Public Works prior to occupancy.
Should left turn channelization be required, the applicant shall complete construction prior to occupancy.
Applicant is responsible to obtain all permits and environmental clearances.

19. EHSP01- WASTEWATER TREATMENT SYSTEM (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Pursuant to the Memorandum of Understanding between Monterey County and the Regional Water Quality Control Board - Central Coast Region (RWQCB), this property is subject to RWQCB regulation . General waste discharge requirements for discharges to land by small domestic wastewater treatment systems were issued for this property under Water Quality Order No . 97-10 - Bemardus Lodge, Monterey County.

Ensure that all operations comply with Order No. 97-10 and Water Code Section 13267. Pursuant to Section 13268 of the Water Code, a violation may subject you to civil liability for each day in which the violation occurs. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits.

Ongoing.

Prior to the issuance of a building permit, the Wastewater Treatment Operator shall submit verification that the waste water treatment system is in compliance with order 97-10 and Water Code Section 13267 to the Director of Environmental Health for review and approval.

Ensure that all wastewater treatment system operations comply with Order No. 97-10 and Water Code Section 13267.

20. WR40 - WATER CONSERVATION MEASURES

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:

a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.

b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to final building inspection/occupancy.

Compliance to be verified by building inspector at final inspection.

21. WR43 - WATER AVAILABILITY CERTIFICATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: 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.
(Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any building permits.

Submit the Water Release Form to the Water Resources Agency for review and approval.

22. WRSP01 - DRAINAGE PLAN (NON-STANDARD)

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: A drainage plan shall be prepared by a registered civil engineer to address on-site and off-site impacts and stormwater from the proposed project shall be routed to the existing detention facilities on the property. The capacity of the existing detention facilities shall be analyzed to determine the ability to detain additional runoff. Drainage improvements shall be construction in accordance with plans approved by the Water Resources Agency.
(Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to the issuance of any grading or building permits.

Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.

23. WRSP02 - COMPLETION CERTIFICATION (NON-STANDARD)

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that drainage improvements have been constructed in accordance with approved plans.
(Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to final inspection.

Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.

24. FIRE007 - DRIVEWAYS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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 driveways 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 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.
(Carmel Valley Fire Protection District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

Prior to final building inspection, Applicant shall install the driveway in accordance with this condition and obtain approval of the fire district final inspection.

25. FIRE008 - GATES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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.
(Carmel Valley Fire Protection District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

Prior to final building inspection, Applicant shall install the gate(s) in accordance with this condition and shall obtain fire district approval of the final fire inspection.

26. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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.

(Carmel Valley Fire Protection District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

Prior to final building inspection shall install the address numbers in accordance with this condition and obtain approval of the fire department final inspection.

27. FIRE015 - FIRE HYDRANTS/FIRE VALVES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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 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 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.
(Carmel Valley Fire Protection District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

Prior to final building inspection, Applicant shall ensure the hydrant system is installed in accordance with this condition and shall obtain fire department approval of the final fire inspection.

28. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Manage combustible vegetation within a minimum of 100 feet of structures (or to the property line). Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety.
Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection.
(Carmel Valley Fire Protection District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

Prior to final building inspection, Applicant shall ensure the completion of the vegetation management in accordance with this condition and shall obtain approval of the fire department final inspection.

29. FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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.
(Carmel Valley Fire Protection District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

Prior to requesting a framing inspection, the Applicant shall obtain fire department approval of the rough sprinkler inspection.

Prior to final building inspection, Applicant shall ensure the completion of the fire sprinkler system in accordance with this condition and shall obtain approval of the fire department final inspection.

30. FIRE023 - FIRE ALARM SYSTEM - (COMMERICAL)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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.
(Carmel Valley Fire Protection District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, Applicant shall enumerate as "Fire Dept. Notes" on plans.

Prior to rough sprinkler or framing inspection, Applicant shall submit fire alarm plans to the fire district and obtain approval.

Prior to final building inspection, Applicant shall obtain approval of the fire alarm system acceptance test during the fire final inspection.

31. FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction.
(Carmel Valley Fire Protection District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, Applicant shall enumerate as "Fire Dept. Notes" on plans.

32. PDSP02 - MITIGATION MEASURE 1 - TREE REMOVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to minimize potential impact to nesting birds through construction activities, a preconstruction survey shall be conducted by a qualified biologist prior to disturbance within the development area, particularly if tree removal and grading are to occur between February 1st and August 31st. The survey shall primarily determine if there is a presence of nesting birds. If nesting birds are discovered on or near the building site, work shall be suspended and the California Department of Fish and Game should be consulted regarding measures to avoid impact.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

33. PDSP03 - MITIGATION MEASURE 2 - GEOLOGICAL HAZARDS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The active Foothill segment of the Tularcitos fault is located adjacent and parallel to the northeastern property line of the subject property. In order to reduce the potential of exposing life or structure to the rupture of a known earthquake fault and/or seismic hazard to a less than significant impact, the project geologist shall review the site grading and construction plans and their potential impacts by the identified geologic hazards. This shall be done prior to submitting the plans to the County. Per recommendation of the geologist, the applicant shall submit 50 foot wide setback from the Foothill segment to any habitable structure. Structures which are for human occupancy shall be designed for horizontal ground acceleration of 0.845 g. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Concurrent with submittal of grading and building permits.
Prior to the issuance of grading and building permits.

Prior to submitting grading and construction plans to the County, the project geologist shall review the potential impacts on the identified geologic hazards. The plans shall be submitted to the County for review with either a stamp acknowledging review by the geologist or accompanied by a letter stating that the review of the plans has occurred and that they conform to the recommendations found within the Geological and Soil Engineering report by LandSet Engineers, Inc., dated March 12, 2009.

Prior to the issuance of grading and building permits, the grading and construction plans shall be reviewed by the RMA - Planning Department to verify there is a 50 foot setback from the Foothill segment to any habitable structures as delineated on sheet 1 of the project plans. The plan and/or accompanying engineering reports shall also indicate that structures intended for human occupancy are designed according to the current edition of the California Building Code (CBC) and are designed for horizontal ground acceleration of 0.845g.

34. PDSP04-MITIGATION MEASURE 3-EROSION CONTROL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Grading and construction plans for the proposed project shall include stringent erosion control measures recommended by the geotechnical engineer and shall be in compliance Chapter 16.12 of the Monterey County Code (Erosion Control).
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits

Prior to the issuance of grading and/or building permits, the grading and construction plans shall include an erosion control plan. The erosion control plan shall include stringent erosion control measures recommended by the geotechnical engineer and shall be in compliance with Chapter 16.12 of the Monterey County Code. The plans shall be reviewed by the Monterey County RMA-Planning Department and the Monterey County Building Services Department, Grading Division, for compliance.

35. PDSP05-MITIGATION MEASURE 4-HAZARDS/DEMOLITION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Due to the age of the structures proposed for demolition, the applicant shall have a Certified Asbestos Consultant conduct and asbestos survey of the structures to be demolished. A report shall be prepared and submitted to the Monterey Bay Unified Air Pollution Control District for review and approval a minimum of the (10) working days prior to commencing asbestos removal, or if no asbestos is present, a minimum of ten (10) working days prior to demolition.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of the demolition permit

Prior to the issuance of the demolition permit, the applicant shall submit an asbestos survey of the structures to be demolished to the Monterey Bay Unified Air Pollution Control District. The survey shall be reviewed and approved a minimum of ten (10) working days prior to commencing asbestos removal, or if no asbestos is present, a minimum of ten (10) working days prior to demolition. The applicant shall submit proof of approval of the demolition by the Monterey Bay Unified Air Pollution Control District to the Monterey County Planning Department.

36. PDSP06-MITIGATION MEASURE 5-CARMEL VALLEY TRAFFIC IMPACT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order for the project to reduce its impact to the cumulative traffic conditions in the Carmel Valley Area, the applicant shall pay the Carmel Valley Master Plan Traffic Impact fee.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits

Prior to issuance of building permits, the applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-140, adopted September 12, 1995.

37. PDSP07-MITIGATION MEASURE 6-REGIONAL TRAFFIC IMPACT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order for the project to reduce its impact to regional traffic, the applicant is required to pay Transportation Agency for Monterey County (TAMC) Traffic Impact Fee.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits.

Prior to the issuance of building permits, the applicant shall contribute to County of Monterey an amount determined by the applicant's traffic engineer and approved by the Department of Public Works as payment of the project's pro rata share of the cost of short-term operational improvements to State Highway One.

38. REMOVAL TEMPORARY STORAGE CONTAINERS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The 2 temporary metal storage containers currently located in the back parking lot of the site shall be removed.

Compliance or Monitoring Action to be Performed: Prior to final, the Owner/Applicant shall remove two (2) temporary metal storage containers currently located in the back parking lot of the site.

39. VEGETATIVE SCREENING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The site shall be have vegetative screening of the new structures from both roads (Laureles Grade & Carmel Valley Road). Prior to issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of RMA-Planning. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be continuously maintained by the applicant and all plan material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to RMA - Planning for review and approval. 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."

Prior to the issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit one (1) set landscape plans of approved by RMA-Planning, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Non-Residential Water Release Form and Water Permit Application" to the Monterey County Water Resources Agency for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/ shall submit an approved water permit from the MPWMD to RMA-Building Services.

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be installed and inspected.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

40. PD050 - RAPTOR/MIGRATORY BIRD NESTING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (RMA - Planning)

Compliance or Monitoring Action to be Performed: No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to RMA-Planning a nest survey prepared by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

41. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"An Amendment to allow the replacement and reconfiguration of previously approved office and maintenance buildings (totaling 3,840 sq. ft), and placement of two new storage containers (totaling 640 sq. ft) (Resolution Number 020398AMD1) was approved by Monterey County Planning Commission for Assessor's Parcel Number 187-131-044-000 on May 10, 2017. The permit was granted subject to 41 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

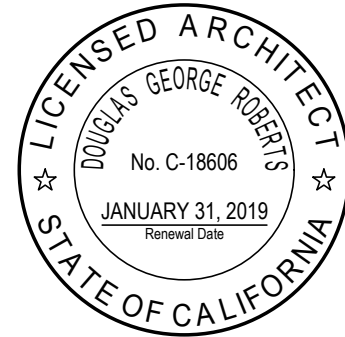
Exhibit C2

BERNARDUS LODGE
AMENDMENT TO
GENERAL DEVELOPMENT PLAN
APN: 187-131-044-000

DRAWING INDEX

| ARCHITECTURAL | |
|---------------|---------------------------------|
| A-1 | COVER SHEET & OVERALL SITE PLAN |
| A-2 | NEW SITE PLAN |
| A-3 | FLOOR PLAN & SITE SECTION |
| A-4 | BUILDING ELEVATIONS |

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PROJECT/OWNER

BERNARDUS
LODGE
OFFICES

415 W. CARMEL VALLEY RD.,
CARMEL VALLEY, CA 93924

APN: 187-131-044

DRAWN BY: ca

PRINT DATE:

DRAWING DATE: 10-03-2016

DATE ISSUED FOR CONSTRUCTION:

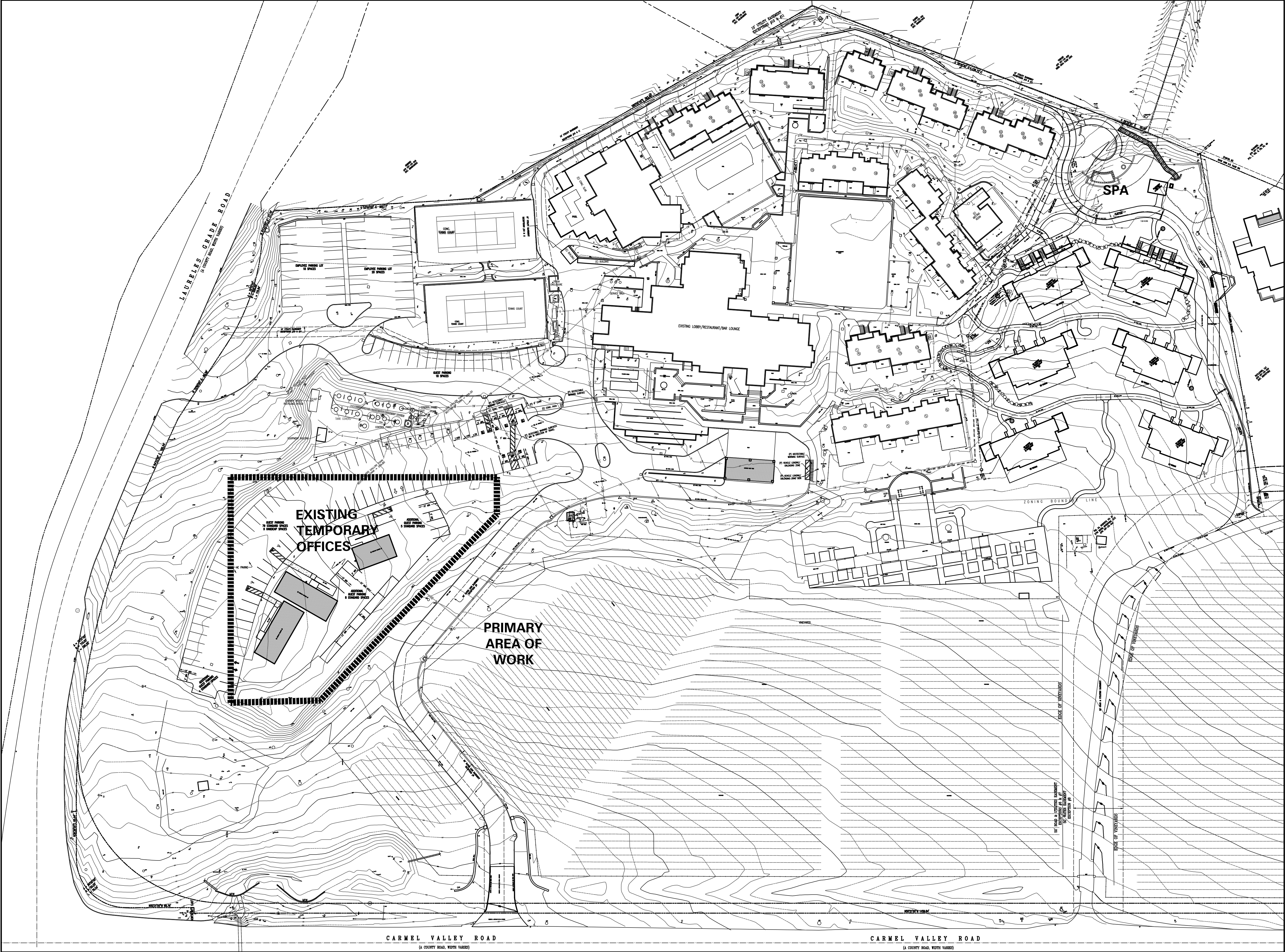
REVISIONS:
01-30-2017 PLANNING SUBMITTAL

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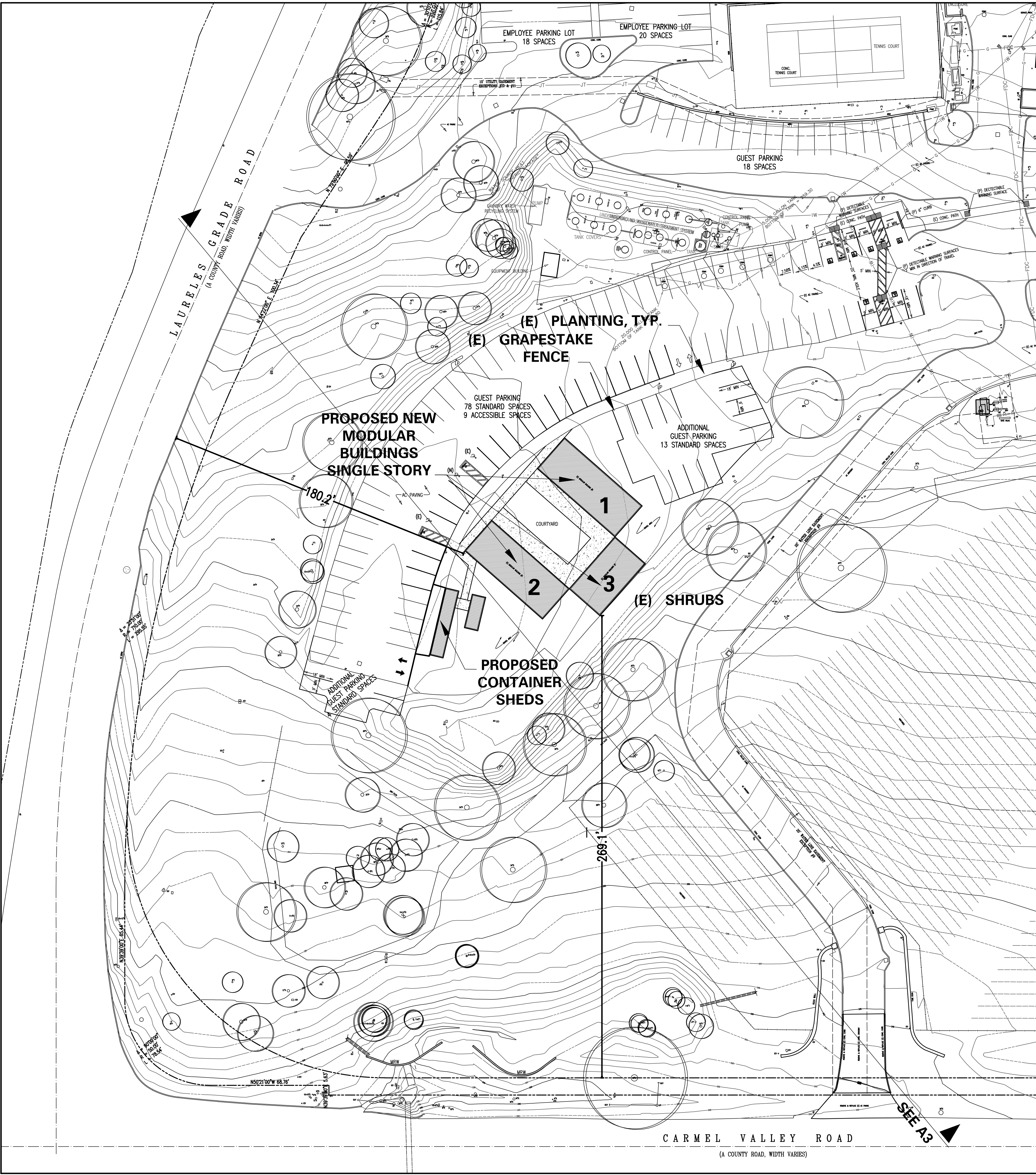
COVER SHEET
& OVERALL
SITE PLAN

SHEET NUMBER:

A-1



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Development Plan Amendment, General Notes:

1. This proposal consists of replacement of the approved but unbuilt 3,000 SF two-story office building on the northeast portion of the site with three single-story permanent modular buildings and two low-profile steel container sheds to house 17 office staff, as well as the maintenance shop and storage. These structures are accessory to, and for the exclusive use of, Bernardus Lodge. These buildings will be placed in the general location of the existing temporary modular buildings, but installed closer to the ground to improve disabled access and reduce their visual profile. Proposed building areas are tabulated below.
2. Parking counts for the site have been established under the Amended General Development Plan as recorded in November 2008, , including 159 parking spaces required on site. This proposal revises location of existing parking spaces, replaced one for one, and does not affect the uses or staffing levels that resulted in the required number as approved.
3. Existing views of the temporary modular buildings from Laureles Grade Road and West Carmel Valley Road are nearly non-existent to passers-by.
4. Colors of the buildings are taken from the native vegetation, and are intended to be darker than, and blend into the shadows of the natural foliage as viewed from both Laureles Grade and Carmel Valley Road. Exterior finishes of the modular office buildings will be vertical wood siding, fitting to the rural character of Carmel Valley. The containers have a uniform corrugated vertical siding with heavy shadowing that will blend well into the shadows of the screening vegetation.
5. Existing parking lot lighting will be maintained to provide pathway lighting to the new buildings. Additional lighting on the buildings will be aimed down only, used to light as necessary for pathways for pedestrian safety, and kept to low levels of intensity to avoid calling attention from the adjacent roads.

Building Area Tabulations:

| | |
|---------------|----------|
| Building 1: | 1,440 SF |
| Building 2: | 1,440 SF |
| Building 3: | 960 SF |
| Total Offices | 3,840 SF |

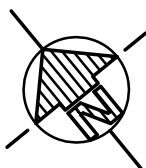
| | |
|------------------------|--------|
| Shop container shed | 160 SF |
| Storage container shed | 480 SF |

Site Tabulations:

| | |
|--------------------------|--|
| Overall Site Area: | 25.345 Acres |
| Water Service: | California American Water |
| Sewer: | Private package tertiary treatment system managed by Carmel Lahaina Services |
| Available Water Credits: | 1.41 AF; Applicable to this use, 4320 SF new area: 0.3024 AF |

EXISTING PARKING PROVIDED:

| | |
|------------------|-----|
| STANDARD SPACES | 151 |
| ACCESSIBLE | 9 |
| TOTAL | 160 |
| PARKING REQUIRED | 159 |

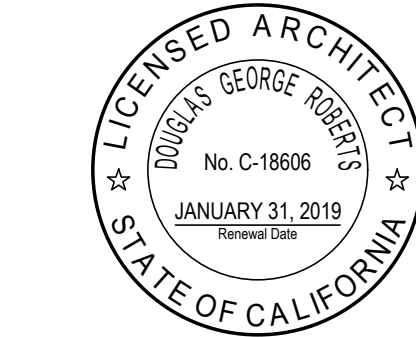


PROPOSED SITE PLAN

SCALE: 1" = 30'

JHW
ARCHITECTS INC. ■

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PROJECT/OWNER

BERNARDUS
LODGE
OFFICES

415 W. CARMEL VALLEY RD.,
CARMEL VALLEY, CA 93924

APN: 187-131-044

DRAWN BY: ca

PRINT DATE:

DRAWING DATE: 10-03-2016

DATE ISSUED FOR CONSTRUCTION:

REVISIONS:
01-30-2017 PLANNING SUBMITTAL

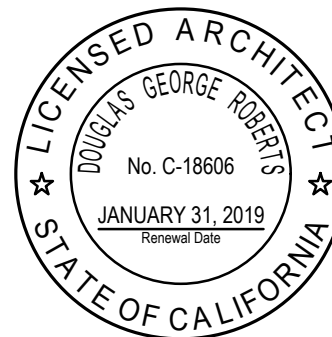
SHEET TITLE:

PROPOSED
SITE PLAN

SHEET NUMBER:

A-2

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PROJECT/OWNER

BERNARDUS LODGE OFFICES

415 W. CARMEL VALLEY RD.,
CARMEL VALLEY, CA 93924

APN: 187-131-044

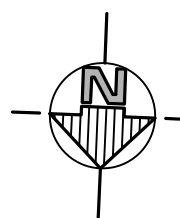
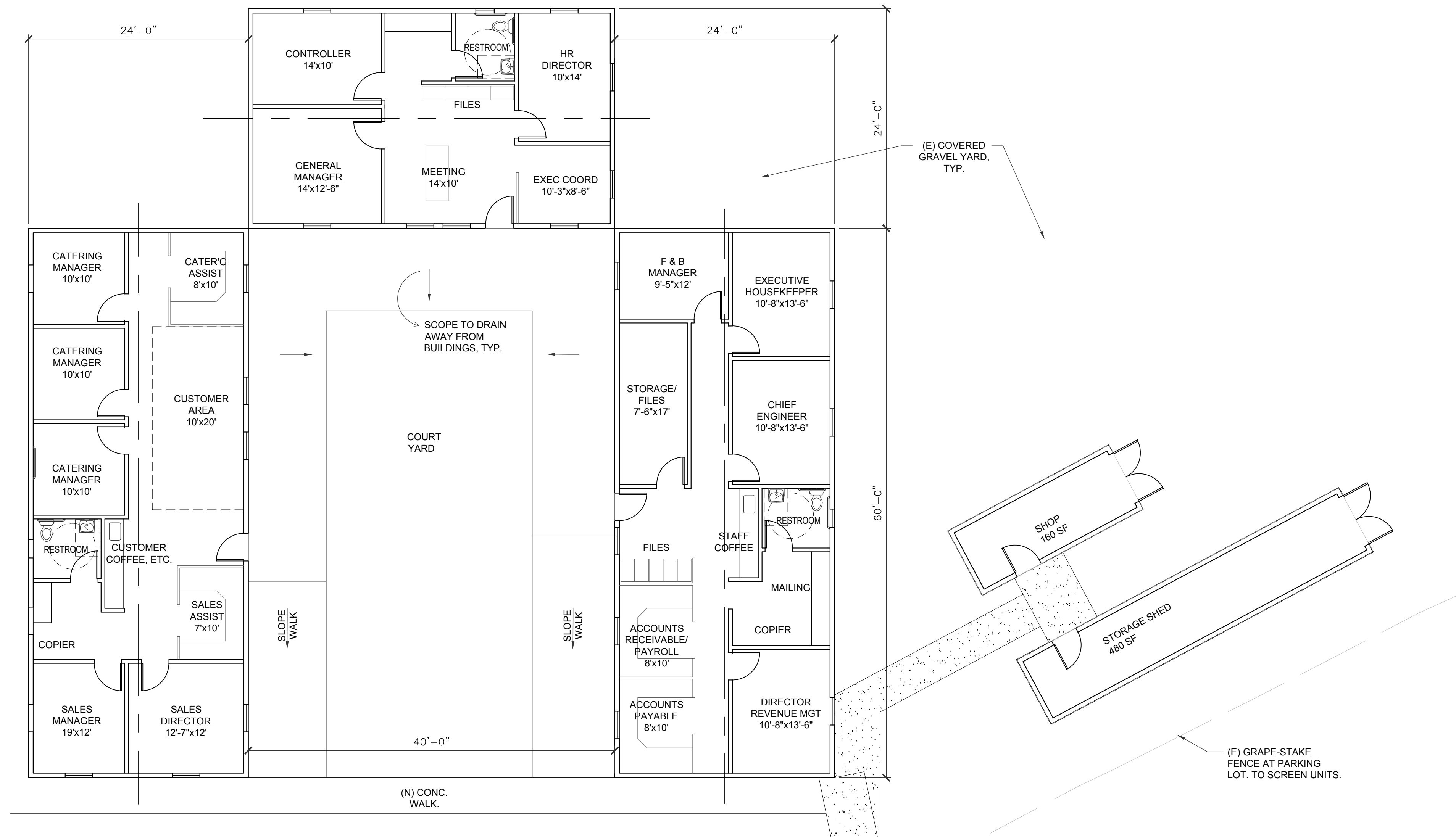
DRAWN BY: ca

PRINT DATE:

DRAWING DATE: 10-03-2016

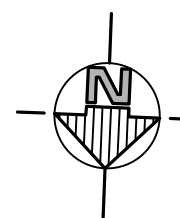
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REVISIONS:
01-30-2017 PLANNING SUBMITTAL



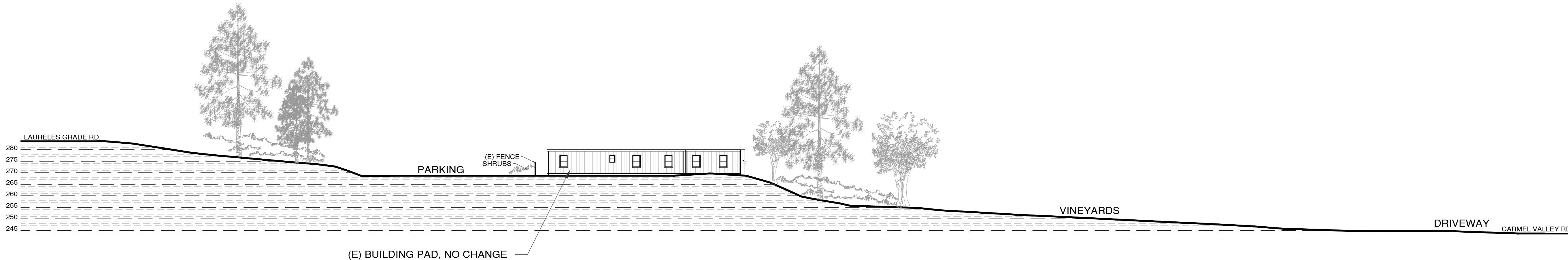
MODULAR BUILDING FLOOR PLANS

SCALE: 1/8" = 1'-0"



CONTAINER SHEDS FLOORPLAN

SCALE: 1/8" = 1'-0"



SITE SECTION

SCALE: 1" = 24'-0"

0 12 24 36 48 60 72 FEET

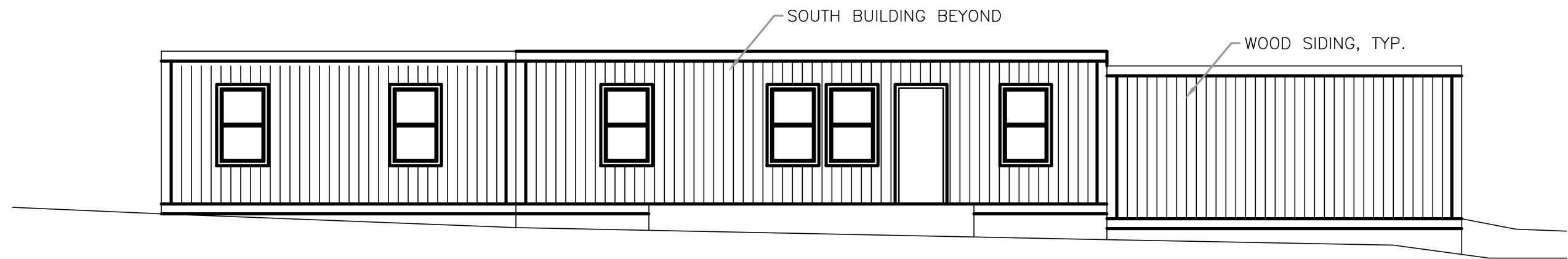
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SITE SECTION & FLOOR PLAN

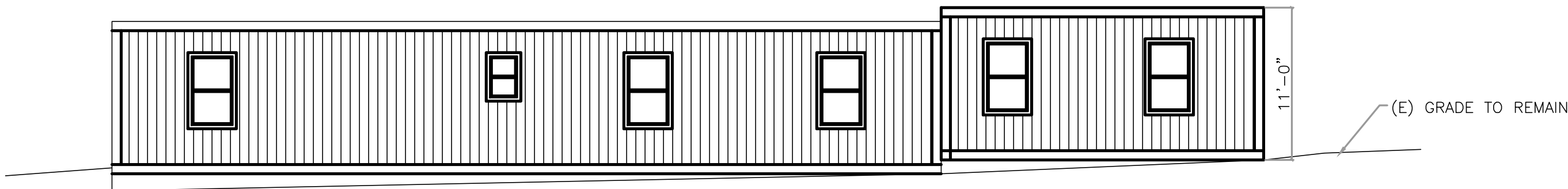
SHEET NUMBER:

A-3

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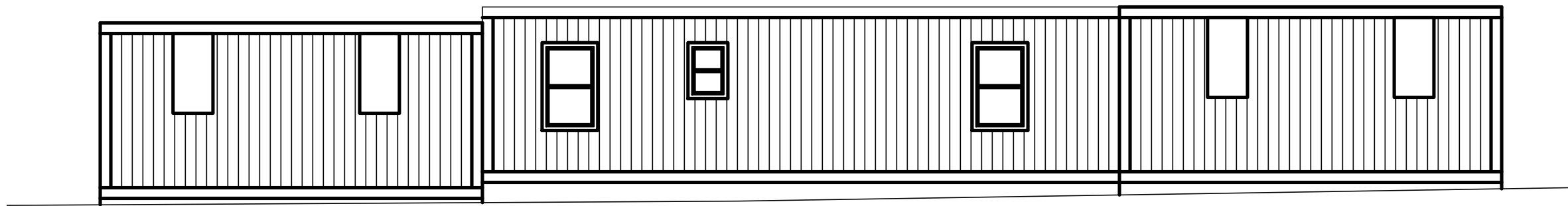


NORTH ELEVATION
SCALE: 1/8"= 1'-0"

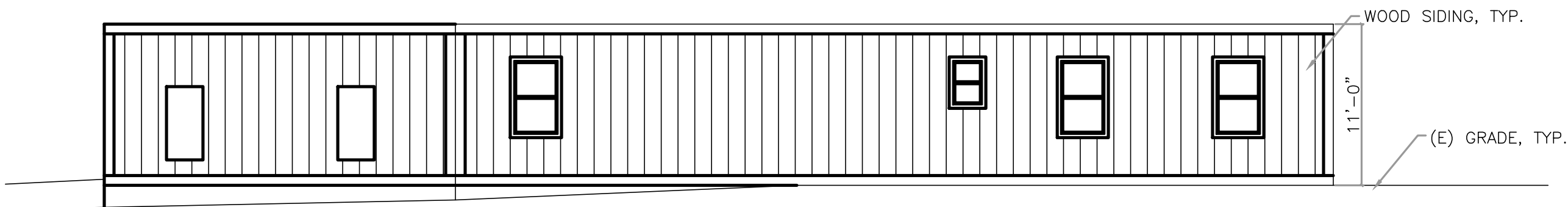


WEST ELEVATION
SCALE: 1/8"= 1'-0"

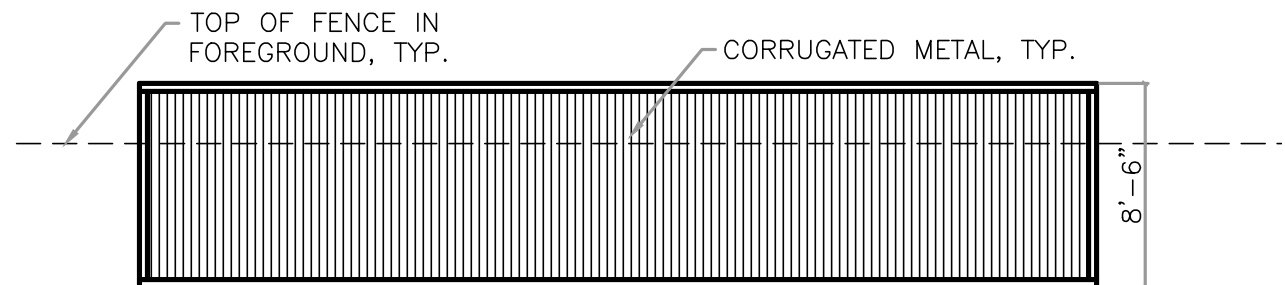
PAINT COLORS: (ALL DUNN EDWARDS)
SIDING: DET626 METAL FRINGE
TRIM: DET601 CHARCOAL BRIQUETTE
SHEDS/CONTAINERS: DET592 CARBON DATING



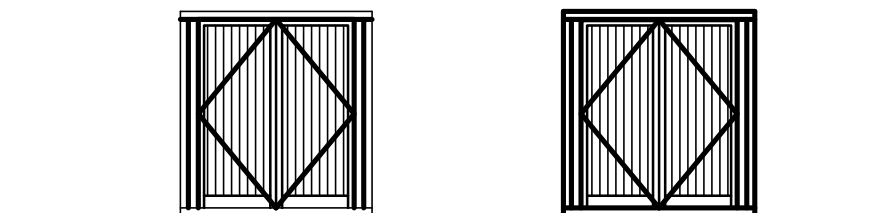
SOUTH ELEVATION
SCALE: 1/8"= 1'-0"



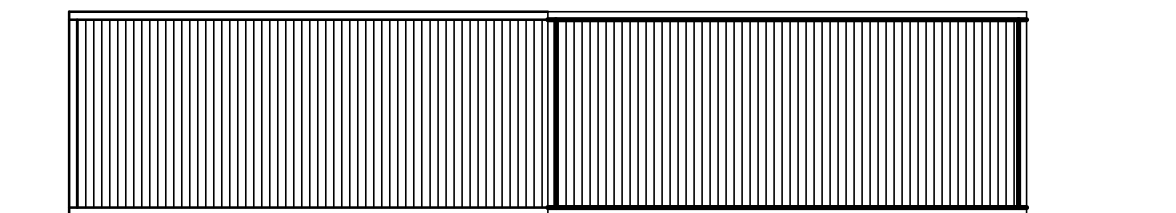
EAST ELEVATION
SCALE: 1/8"= 1'-0"



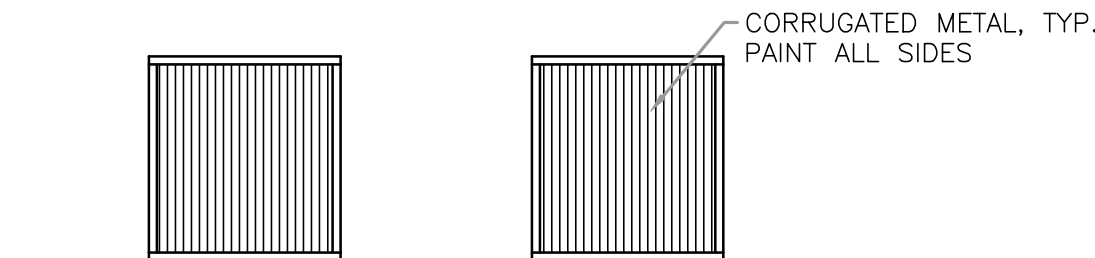
NORTH WEST ELEVATION (SHEDS)
SCALE: 1/8"= 1'-0"



SOUTH WEST ELEVATION (SHEDS)
SCALE: 1/8"= 1'-0"

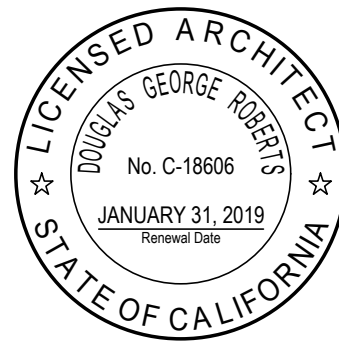


SOUTH EAST ELEVATION (SHEDS)
SCALE: 1/8"= 1'-0"



NORTH EAST ELEVATION (SHEDS)
SCALE: 1/8"= 1'-0"

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01-30-2017 PLANNING SUBMITTAL

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A-4

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