

# Exhibit J

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**Before the Director of RMA-Planning in and for the  
County of Monterey, State of California**

In the matter of the application of:

**IWF Carmel River Investors (PLN140154)**

**RESOLUTION NO. 14-043**

Resolution by the Monterey County Director of Planning Approving A two-year extension of the previous permit, PLN110577 (Resolution No. 12-008), consisting of a Combined Development Permit consisting of a General Development Plan for the Carmel River Inn to increase the number of guest units from 43 to 63 and to create a Historic District; Coastal Administrative Permit and Design Approval for the remodel of 23 existing cottage units, demolition of one cottage, remodel of the main Inn to reduce the number of units from 19 existing to 6, construction of 5 new two-story structures each consisting of 8 guest units on the second floor with parking below, the conversion of an existing maintenance building into an employee unit, the abandonment of a portion of Oliver Road, and grading; Coastal Development Permit for the removal of 2 native trees (originally approved for 5); and a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. The property is located at 26600 Oliver Road, Carmel, Carmel Area Land Use Plan (APN: 009-563-005-000)

The Director of the RMA-Planning, having considered the application and all the written and documentary evidence presented relating thereto, finds and decides as follows:

**FINDINGS AND EVIDENCE**

1. **FINDING:** **PROJECT DESCRIPTION** - The County has received and processed a Permit Extension to PLN110577.
- EVIDENCE:** (a) An application for a Permit Extension was submitted on February 26, 2014. The current permit expired on February 29, 2014. Pursuant to Section 20.82.110 of the Zoning Ordinance, the request was not made 30 days prior to the expiration of the original permit. Due to submittal complications by the applicant, the Director of RMA-Planning allow the extension request to be processed
- (b) The property is located at 26600 Oliver Road, Carmel, Carmel Area Land Use Plan (APN: 009-563-005-000). The property is zoned "VSC-D (CZ)" [Visitor Serving Commercial with Design Control Overlay (Coastal Zone)] and "RC-D (CZ)" [Resource Conservation with Design Control Overlay (Coastal Zone)]. On February 29, 2012, the Planning Commission approved PLN110577 under Resolution 12-008.

- (c) On November 14, 2007, the Planning Commission approved PLN070415, an amendment to an approved Combined Development Permit (PLN030646) under Resolution No. 07-052. Per Ordinance No. 5155, adopted on March 16, 2010, an automatic two-year extension was given to all approved permits approved between January 1, 2006 and January 1, 2009. On February 29, 2012, the Planning Commission approved a two-year permit extension under Resolution No. 12-008.
- (d) Conditions of approval from PLN110577 have not been met. The conditions have been carried forward to this permit, PLN140154.
- (e) The findings and evidence from PLN110577 (Resolution No. 12-008) have been carried forward to this permit, PLN140154.
- (f) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed amendment found in Project Files PLN110577 and PLN140154.

2. **FINDING:** **CONSISTENCY** - The Permit Extension includes no changed circumstances from the previously approved permit. As approved, permit number PLN140154 will become and be referred to as the approved permit.
- EVIDENCE:** (a) Pursuant to Section 20.70.110 of the Zoning Ordinance, extension to a Coastal Development Permit, the extension cannot be approved if there is a change in circumstances. The request does not propose any changes to the approved Combined Development Permit for Carmel River Inn (PLN110577). No changes to coastal regulations or policies have occurred that would change the approval of the project. RMA – Public Works modified conditions to be consistent with current traffic fees. Water Resources Agency has modified conditions to be consistent with current FEMA standards applied to development within 100-year floodplains. The additional conditions do not constitute a change in circumstances.
- (b) A request for a two-year permit extension was received on February 26, 2014 by the project agent, Paul E. Davis. Due to financial difficulties, the development of the project has not started. No conditions or mitigation measures have been cleared since the approval by the Planning Commission on February 29, 2012. Pursuant to Section 20.82.110 of the Zoning Ordinance, the request was not made 30 days prior to the expiration of the original permit. Due to submittal complications by the applicant, the Director of RMA-Planning allow the extension request to be processed.
3. **FINDING:** **CEQA** - The Permit Extension does not require subsequent environmental review pursuant to CEQA Guidelines Section 15162. The original CEQA action on the project was a Mitigated Negative Declaration.
- EVIDENCE:** (a) A Mitigated Negative Declaration (MND) was adopted as part of the approval of the Combined Development Permit for the Carmel River Inn (PLN070415). The extension request does not propose any changes to the approved Combined Development Permit or adopted

MND. Pursuant to Section 15162, a subsequent EIR or Negative Declaration is only required if there is substantial changes that require additional information or presents new significant impacts. Therefore, environmental review is not required.

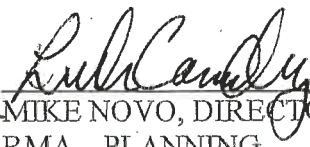
4. **FINDING:** **PUBLIC NOTICE** - Consideration of the request for the amendment has been carried out pursuant to Monterey County Code 20.84.040.A (Combined Development Permits) of Monterey County Code Title 20.
- EVIDENCE:** (a) On August 5, 2014 notices were mailed to residents within 300 feet of the project site and posted in at least 3 different public places on and near the subject property.
- (b) No objections were received during the notification period from August 9, 2014 to August 19, 2014.

### DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Director of RMA-Planning does hereby:

Approve a two-year extension of the previous permit, PLN110577 (Resolution No. 12-008), consisting of a Combined Development Permit consisting of a General Development Plan for the Carmel River Inn to increase the number of guest units from 43 to 63 and to create a Historic District; Coastal Administrative Permit and Design Approval for the remodel of 23 existing cottage units, demolition of one cottage, remodel of the main Inn to reduce the number of units from 19 existing to 6, construction of 5 new two-story structures each consisting of 8 guest units on the second floor with parking below, the conversion of an existing maintenance building into an employee unit, the abandonment of a portion of Oliver Road, and grading; Coastal Development Permit for the removal of 2 native trees (originally approved for 5); and a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. The project is in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 20<sup>th</sup> day of August, 2014.

*for*   
MIKE NOVO, DIRECTOR  
RMA - PLANNING

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT AND THE CALIFORNIA COASTAL COMMISSION ON

**AUG 28 2014**

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **SEP 08 2014**

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE

TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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.

NOTE:

1. You may need a building and/or grading permit and must comply with the Monterey County RMA-Building Services Department 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 working days after the mailing of the notice of the granting of the permit by the appropriate authority, or after granting of the permit by the *Planning Commission* in the event of an appeal.

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

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



# Monterey County RMA Planning

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

PLN140154

### 1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

This Permit Extension (PLN140154) of the previous permit (PLN110577) consisting of a Combined Development Permit consisting of a General Development Plan for the Carmel River Inn to increase the number of guest units from 43 to 63 and to create a Historic District; Coastal Administrative Permit and Design Approval for the remodel of 23 existing cottage units, demolition of one cottage, remodel of the main Inn to reduce the number of units from 19 existing to 6, construction of 5 new two-story structures each consisting of 8 guest units on the second floor with parking below, the conversion of an existing maintenance building into an employee unit, the abandonment of a portion of Oliver Road, and grading; Coastal Development Permit for the removal of 2 native trees (originally approved for 5); and a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. The property is located 26600 Oliver Road, Carmel (Assessor's Parcel Number 009-563-005-000), Coastal Zone, Camel Area Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

**Compliance or  
Monitoring  
Action to be Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a notice which states: "A permit extension (Resolution 14-043) was approved by the Director of RMA - Planning for Assessor's Parcel Number 009-563-005-000 on August 20, 2014. The permit was granted subject to 60 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

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

## 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

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 Register 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)

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis. 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.



#### 4. PD004 - INDEMNIFICATION AGREEMENT

**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 attorney's 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)

(Condition transferred from PLN070415/PLN110577)

**Compliance or  
Monitoring  
Action to be Performed:**

Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a 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.

#### 5. PD005 - FISH & GAME FEE NEG DEC/EIR

**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)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Within five (5) working days of project approval, the Owner/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 prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

#### 6. 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)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

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.

#### 7. PD007- GRADING WINTER RESTRICTION

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department.  
(RMA - Planning Department and Building Services Department)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

#### 8. PD009 - GEOTECHNICAL CERTIFICATION

Responsible Department: RMA-Planning

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

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the Owner/Applicant/Geotechnical Consultant shall submit certification by the geotechnical consultant to the RMA-Building Services Department showing project's compliance with the geotechnical report.

#### 9. PD010 - EROSION CONTROL PLAN

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services.  
(RMA - Planning Department and RMA - Building Services Department)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, the Owner/Applicant shall submit an Erosion Control Plan to the RMA - Planning Department and the RMA - Building Services Department for review and approval.

The Owner/Applicant, on an on-going basis, shall comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.

## 10. PD011 - TREE AND ROOT PROTECTION

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)

(Condition transferred from PLN070415/PLN110577)

**Compliance or  
Monitoring  
Action to be Performed:**

Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to the RMA - Planning Department for review and approval.

During construction, the Owner/Applicant/Arborist shall 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.

Prior to final inspection, the Owner/Applicant shall 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.

#### 11. PD012(B) - (OBSOLETE) LANDSCAPE OTHER

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of 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)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** a) At least three (3) weeks prior to final inspection or occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.

b) On an on-going, the Owner/Applicant 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.

#### 12. PD014(B) - LIGHTING-EXTERIOR LIGHTING PLAN (VS & RIDGELINE)

**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. Exterior lighting shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit three (3) copies of 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 issuance of building permits.  
(RMA - Planning Department)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of building permits, the Owner/Applicant shall 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.

Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.



### 13. PDSP001-HISTORIC DISTRICT (NON-STANDARD)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall apply to have the appropriate area of the project site included in the California Register of Historic Places as a Historic District and apply for listing on the National Register consistent with recommendations contained in the "Historical and Architectural Evaluation" prepared by Kent Sevey. The applicant shall formally request the director to re-zone the historic district into "HR" zoning district. The district shall include the relocated "Sherman"Unite" #22

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to occupancy, provide evidence of applications to the California, and National Registers to the Prior to occupancy. RMA-Planning Department and request the RMA-Planning Department to amend the zoning map to include a "HR" over lay on the section of the property containing the historic cabins, including the relocated cabin #22.

### 14. PDSP002 - CONSTRUCTION NOISE /ACTIVITY (NON-STANDARD)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall limit construction activity to the hours of 7:00 am to 6:00 pm during weekdays and limit minimal interior construction on Saturday (8:00 am to 6:00 pm) and no construction activities on Sunday. The applicant shall post a sign at least 3 foot by 4 foot in size in a conspicuous location containing a phone number and message for neighbors to contact for noise complaints. The applicant shall log noise complaints and respond appropriately where reasonable and contact the County to report complaints on a monthly basis and how those complaints were resolved.  
(RMA - Planning Department)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of building permits, provide evidence of installation and maintenance of sign during construction.

Monthly/On going during construction, provide complaint logs to the County monthly during construction.



15. PDSP003 - DEED RESTRICTION TRAIL, EMPLOYEE UNIT- OLIVER ROAD/GATE CLOSURE (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall implement and record a deed restriction to include the following three items containing the following statements subject to approval by the RMA-Planning Director:

1. The applicant/owner and successors in interest agree to record a 15 foot wide public access easement over the length of the property in an east/west direction and obtain permits (where appropriate) and implement a trail management plan consistent with requirements of the public access requirements contained in the Carmel Area Land Use Plan and Coastal Implementation Plan within 1 year of the County approval of a formally adopted trail plan for the related trail segment shown in Figure 3 of the Carmel Area Land Use Plan.

2. The applicant/owner and successors in interest shall restrict the rent received from renters residing in the employee unit created as part of County permit approval PLN070415 to the amount of rent designated for low and moderate income renters as determined in the Monterey County Inclusionary Ordinance. The applicant/owner and successors in interest shall provide evidence of compliance every 5 years in the form of a report to be approved by the Director.

The applicant/owner and successors in interest shall restrict the use of the easterly gate onto Oliver Road as shown in permit plans PLN070415 to emergency access and not allow visitor/employee or construction access through the gate, and make the barrier on Oliver Road as shown in permit plans PLN070415 with boulders and landscaping and only allow access to the Inn from Highway 1 over the abandoned Oliver Road up to the barrier.

(RMA - Planning Department)

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, provide draft Deed restriction for approval by the Director and show proof of approved recorded deed restriction.

6 months and 1 year after County approval of trail segment, submit trail easement and trail management plan to the RMA-Planning Director for approval within 6 months of County approval of trail segment. Provide evidence of recorded easement and trail management plan with one year of County approval of related Figure 3 trail segment.

Every 5 years after permit approval, provide evidence of rental income consistent with low an moderate income levels.

On an on-going basis, maintain restricted access and barriers at Oliver Road.

**16. PDSP004 - TREE REPLACEMENT (NON-STANDARD)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall implement tree replacement in accordance with the recommendations contained in the Forestry Evaluation prepared by Glenn C. Flamik of Forest City Consulting, dated May 7, 2004. The one oak tree proposed for removal shall be replaced by planting one oak tree at the site. Said replacement shall be demonstrated in the form of photos or a letter from a County- approved forester or arborist prior to final building inspection.  
(RMA - Planning Department)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to final building inspection, submit evidence of the tree replacement in the form of photos and a receipt or a letter from a County-approved forester or arborist to the RMA-Planning Department

**17. EH55 - EMPLOYEE HOUSING**

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Comply with Employee Housing Regulations found in the California Health and Safety Code Section 17000-17062.5 and the California Code of Regulations Title 25, Division 1, Chapter 1, Subchapter 3 Sections 600-940.  
(Environmental Health)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to occupancy, obtain a health permit for the Employee Housing from the Environmental Health Bureau.  
Continuously comply with Employee Housing Regulations.

**18. EHSP001 - EXISTING SEPTIC SYSTEMS (NON-STANDARD)**

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** All existing septic systems on the property shall be properly abandoned as per Monterey County Code, Chapter 15.20. A permit for the septic system abandonment shall be obtained from the Monterey County Health Department, Division of Environmental Health. (Environmental Health)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to Final or Occupancy, Division of Environmental Health must approve plans and perform inspection as part of the septic permit.

#### 19. WR22 - FLOODPLAIN RECORDATION

**Responsible Department:** Water Resources Agency

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

(Condition transferred from PLN070415/PLN110577)

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

#### 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)

(Condition transferred from PLN070415/PLN110577)

**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)

(Condition transferred from PLN070415/PLN110577)

**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. WR45 - WELL INFORMATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs.  
(Water Resources Agency)

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, submit all applicable well information to the Water Resources Agency for review and approval.

## 23. WRSP001 - DRAINAGE PLAN (NON-STANDARD)

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include oil-grease/water separators for the paved parking areas. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency.  
(Water Resources Agency)

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.

## 24. WRSP002 - ZONE A1-A30 ELEVATION REQUIREMENTS (NON-STANDARD)

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The lowest floor and attendant utilities for the proposed units shall be constructed, at a minimum, to the following elevations (Combo Units 3 and 4 = 25.3 feet; Combo Units 1 and 2 = 26.2 feet; Employee Building No. 22 = 27.3 feet NGVD 1929). The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the elevation certification of the lowest floor.  
(Water Resources Agency)

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, submit a letter, certifying the reference marker has been established, to the Water Resources Agency for review and approval.

## 25. WRSP2 - FOUNDATION PLAN - ENCLOSURES/GRADE ELEVATIONS

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall provide a foundation plan, prepared by a registered civil engineer or licensed architect, certifying the proposed development is compliant with the following regulations:

1. All fully enclosed areas subject to flooding shall be designed to allow for the automatic entry and exit of floodwaters. Each enclosed area shall be defined and include a minimum of two openings on different sides.
2. The vents shall have a total net area not less than one square inch for every square foot of enclosed area subject to flooding.
3. The bottom of all openings shall be no higher than one foot above grade.
4. The foundation plan shall include a vent detail, the location and dimensions of all vents, as well as internal and external grade elevations.
5. All new construction materials below 25.0 feet (NAVD 1988) for the Combo Units 1-4, and 26.0 feet (NAVD 1988) for the Employee Unit, shall be resistant to flood damage. (Water Resources Agency)

(Condition transferred and modified by the Water Resources Agency from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any construction permit, the owner/applicant shall submit a foundation plan to the Water Resources Agency for review and approval.

## 26. WRSP004 - NON-RESIDENTIAL FLOODPROOFING REQUIREMENTS (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 that the proposed laundry/house keeping/storage rooms in the Combo Units will meet the following floodproofing provisions:

1. The structures, together with attendant utilities and sanitary facilities, are watertight to the base flood elevation provided by the Water Resources Agency, at a minimum, with walls substantially impermeable to the passage of water.
2. All structural components are capable of resisting hydrostatic and hydrodynamic forces, including the effects of buoyancy, and anticipated debris impact forces. (Water Resources Agency)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading and/or building permits, submit a letter, plans, and supporting calculations, prepared by a registered civil engineer, to the Water Resources Agency for review and approval.



## 27. WR020 - CONCRETE SLAB PRE-POUR INSPECTION

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall provide a FEMA Elevation Certificate, completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the lowest floor will be constructed in compliance with the minimum elevation requirement. (Water Resources Agency)

(Condition transferred and modified by the Water Resources Agency from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to the foundation pre-pour inspection, the owner/applicant shall submit a FEMA Elevation Certificate for each new structure, based on "building under construction", to the Water Resources Agency for review and approval.

A FEMA Elevation Certificate form can be obtained at the Water Resources Agency or online at: [www.mcwra.co.monterey.ca.us](http://www.mcwra.co.monterey.ca.us).

## 28. WR022 - ELEVATION CERTIFICATE

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall provide a FEMA Elevation Certificate, completed by a registered civil engineer or licensed land surveyor certifying the structure has been constructed in accordance with Chapter 16.16 of Monterey County Code. (Water Resources Agency)

(Condition transferred and modified by the Water Resources Agency from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the owner/applicant shall submit a FEMA Elevation Certificate for each new structure, based on "finished construction", to the Water Resources Agency for review and approval.

A FEMA Elevation Certificate form can be obtained at the Water Resources Agency or online at: [www.mcwra.co.monterey.ca.us](http://www.mcwra.co.monterey.ca.us).

## 29. 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)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to Building/Grading Permits Issuance, applicant's engineer or architect shall prepare a parking plan for review and approval.



**30. PWSP001 - CIRCULATION (NON-STANDARD)**

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** The circulation plan shall be approved by the Department of Public Works.  
(Public Works)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to Building/Grading Permits Issuance, applicant's engineer or architect shall prepare a circulation plan for review and approval.

**31. PWSP002 - TRAFFIC IMPROVEMENTS FEE (NON-STANDARD)**

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** The applicant shall pay to the County a pro rata share of the cost of short term improvements to Highway One. (Public Works)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to Building/Grading Permits Issuance, applicant shall submit payment to the Department of Public Works

**32. PWSP003 - AREA 50 ACCESS (NON-STANDARD)**

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** Provide for access to County Service Area 50 facilities. (Public Works)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to Building/Grading Permits Issuance, applicant shall provide evidence of access to the satisfaction of the Public Works Department

**33. PWSP004 - TAMC FEE (NON-STANDARD)**

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** The applicant shall pay the Transportation Agency for Monterey County (TAMC) Regional Traffic Mitigation Fee identified in the TAMC nexus study.  
(Public Works)

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to Building/Grading Permits Issuance  
Applicant shall submit payment to the Department of Public Works and TAMC where appropriate.

#### 34. 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 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 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. Responsible Land Use Department: Carmel Highlands Fire District.

(Condition transferred from PLN070415/PLN110577)

**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 schedule fire dept. clearance inspection

#### 35. 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. Responsible Land Use Department: Carmel Highlands Fire District.

(Condition transferred from PLN070415/PLN110577)

**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 schedule fire dept. clearance inspection

### 36. 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. Responsible Land Use Department: Camel Highlands Fire District.

(Condition transferred from PLN070415/PLN110577)

**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, applicant shall schedule fire dept. clearance inspection

### 37. 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 or 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 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. Responsible Land Use Department: Carmel Highlands Fire District.

(Condition transferred from PLN070415/PLN110577)

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 schedule fire dept. clearance inspection

**38. FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS)**

**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 completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. Responsible Land Use Department: Carmel Highlands Fire District.

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of building permit.

Prior to framing inspection

Prior to final building inspection

Applicant shall enumerate as 2 Fire Dept. Notes on plans.

Applicant shall schedule fire dept. rough sprinkler inspection

Applicant shall schedule fire dept. final sprinkler inspection

**39. FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL)**

**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. Responsible Land Use Department: Carmel Highlands Fire District.

(Condition transferred from PLN070415/PLN110577)

**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 and obtain approval.

Prior to final building inspection, applicant shall schedule fire alarm system acceptance test.



**40. FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD & PEBBLE BEACH CSD)**

**Responsible Departments:** Fire

**Condition/Mitigation Monitoring Measure:** 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. Responsible Land Use Department: Carmel Highlands Fire District.

(Condition transferred from PLN070415/PLN110577)

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

**41. FIRES001 - OTHER (NON-STANDARD)**

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** The Applicant shall provide the following:  
1) A minimum eight (8) inch water main to feed new buildings and hydrants (Looped system)  
2) Hydrants are to be model #3775-JONES  
3) A single FDC connection for the four combo buildings with a hydrant and the PIV in the area of the turn into the combo units  
4) An additional hydrant in the area of cottage #16  
5) Stand pipes on all combo units and Inn  
6) A fire department turn around west of the new combo units  
7) All water mains up-grades must be done prior to commencement of construction of the new Combo Units.

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Prior to Issuance of building or grading permits, applicant shall enumerate as "Fire Dept. Notes" and identify locations of hydrants and turn around on plans. The turnaround shall be located out of the 100 foot environmentally sensitive habitat buffer.

Prior to final inspection or as stated in the condition of approval, the applicant shall schedule a fire department inspection to verify compliance with these conditions.



#### 42. MITIGATION MEASURE 1

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** In order to avoid a substantial adverse change in the significance of a historical resource, cabin #22 (¿Sherman¿), which is one of the original cabins built ca. 1934, shall be relocated on the property within the Historic District adopted by the Board of Supervisors on July 24, 2007 (instead of demolished), consistent with the Secretary of the Interior¿s Standards for the Treatment of Historic Properties, with the Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, as deemed appropriate and approved by a qualified historian.

(Condition transferred from PLN070415/PLN110577)

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

Monitoring Action 1: Prior to the issuance of grading or building permits, the applicant shall submit a revised site plan indicating the proposed new location of cabin #22, as well as a relocation and rehabilitation plan prepared by a qualified historian, which verifies that the plan is consistent with the Secretary of the Interior¿s Standards for the Treatment of Historic Properties, with the Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, as deemed appropriate. The revised site plan and relocation and rehabilitation plan for cabin #22 shall be subject to approval by the RMA ¿ Planning Director.

#### 43. MITIGATION MEASURE 2

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** In order to reduce the risk of impacts from seismic-induced liquefaction to less-than-significant levels, the preparation of a final design-level geotechnical report will be required which includes geotechnical criteria for design and construction of the proposed improvements. These improvements shall include some combination of soil improvement and strengthened foundation design. Soil Improvement shall include some method of in-situ ground densification, such as vibro-replacement stone columns. Strengthened foundation design shall include such methods as shallow foundations reinforced with grade beams designed to resist minor differential settlements.

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Monitoring Action 2.A - Prior to issuance of grading or building permits, the applicant shall submit a final design-level geotechnical report to the RMA- Planning and Building Departments for review and approval.

#### 44. MITIGATION MEASURE 3

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to reduce the risk of flooding of the project site, the hydraulic analysis and report prepared by Balance Hydrologics, dated July 23, 2004, shall be updated to reflect the new cross-sections resulting from the construction of stone columns and the placement of associated fill material. The proposed project shall not result in any increase in the base flood elevation. The updated hydraulic analysis shall be submitted to the Water Resources Agency for review and approval.

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Monitoring Action 3 - Prior to issuance of any grading or building permits, the applicant shall submit the updated hydraulic analysis and report to the Water Resources Agency for review and approval.

#### 45. MITIGATION MEASURE 4

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to reduce the risk of flooding of the project site, the applicant shall provide the Water Resources Agency "as-built" final grading plans for review and approval.

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Monitoring Action 4 - Prior to finalizing the grading permit, the applicant shall submit a copy of the "as-built" grading plans to the Water Resources Agency for review and approval.

#### 46. MITIGATION MEASURE 5

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to reduce onsite and offsite drainage impacts to less-than-significant levels, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include oil-grease/water separators for the paved parking areas. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency.

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Monitoring Action 5 - Prior to issuance of any grading or building permits, the applicant shall submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.

#### 47. MITIGATION MEASURE 6

Responsible Department: RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

In order to reduce the risk of flooding of the new combo units to less-than-significant levels, the lowest floor and attendant utilities for the proposed units shall be constructed, at a minimum, 1-foot above the base flood elevation provided by the Water Resources Agency. The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the floodproofing and certification of the lowest floor elevation.

(Condition transferred from PLN070415/PLN110577)

**Compliance or  
Monitoring  
Action to be Performed:**

Monitoring Action 6 - Prior to issuance of any grading or building permits, the applicant shall submit a letter, certifying the reference marker has been established, to the Water Resources Agency for review and approval.

#### 48. MITIGATION MEASURE 7

Responsible Department: RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

In order to reduce the risk of flooding of the new combo units to less-than-significant levels, all fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area shall be provided. The bottom of all openings shall be no higher than one foot above grade. The applicant shall provide the Water Resources Agency a foundation plan, for each new unit and the main inn, prepared by a registered civil engineer showing the internal and external grade elevation, as well as, the location and dimensions of all vents.

(Condition transferred from PLN070415/PLN110577)

**Compliance or  
Monitoring  
Action to be Performed:**

Monitoring Action 7 - Prior to issuance of any grading or building permits, the applicant shall submit a foundation plan, for each new unit to the Water Resources Agency for review and approval.

#### 49. MITIGATION MEASURE 8

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to reduce the risk of flooding of the new combo units to less-than-significant levels, the applicant shall provide the Water Resources Agency certification from a registered civil engineer that the proposed laundry/house keeping/storage rooms in the Combo Units will meet the following floodproofing provisions:

1. The structures, together with attendant utilities and sanitary facilities, are watertight, at a minimum, to 1 foot above the base flood elevation provided by the Water Resources Agency with walls substantially impermeable to the passage of water.
2. All structural components are capable of resisting hydrostatic and hydrodynamic forces, including the effects of buoyancy, and anticipated debris impact forces.

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Monitoring Action 8 - Prior to issuance of any grading or building permits, the applicant shall submit a letter, plans, and supporting calculations, prepared by a registered civil engineer, to the Water Resources Agency for review and approval.

#### 50. MITIGATION MEASURE 9

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to avoid conflict with the Regulations for Floodplains in Monterey County, the applicant shall provide the Water Resources Agency a FEMA Elevation Certificate completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the minimum lowest floor elevation requirement.

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Monitoring Action 9 - Prior to the foundation pre-pour inspection, the applicant shall submit a completed FEMA Elevation Certificate, for each new unit, based on building under construction, to the Water Resources Agency for review and approval.

#### 51. MITIGATION MEASURE 10

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to avoid conflict with the Regulations for Floodplains in Monterey County, the applicant shall provide the Water Resources Agency a FEMA Elevation Certificate, based on finished construction, for each new unit and the main inn. The Elevation Certificates shall be completed by a registered civil engineer or licensed surveyor to certify each structure has been constructed in accordance with Chapter 16.16 of the Monterey County Code with the exception of the existing 23 cottages that have been granted a Variance from the requirements of this chapter due to their historic nature (PLN070420).

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Monitoring Action 10 - Prior to final inspection, the applicant shall submit a completed FEMA Elevation Certificate, for each new unit, based on finished construction, to the Water Resources Agency for review and approval.

## 52. MITIGATION MEASURE 11

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** In order to reduce potential cumulative traffic impacts to less-than-significant levels at the Highway 1/Rio Road intersection, the applicant shall contribute toward the improvements necessary to provide a free right-turn lane from westbound Rio Road to northbound Highway 1 based on the estimated 0.55% of traffic generated by the proposed project under estimated cumulative conditions.

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Monitoring Action 11 - Prior to issuance of grading or building permits, the applicant shall pay a fee to be determined by the Public Works Department for improvements necessary to provide a free right-turn lane from westbound Rio Road to northbound Highway 1 based on the estimated 0.55% of traffic generated by the proposed project under estimated cumulative conditions.

## 53. MITIGATION MEASURE 12

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** In order to reduce potential safety hazards at the intersection of Highway 1 and Oliver Road to less-than-significant levels, the applicant shall improve corner-sight distances, the stop bar shall be moved to four (4) feet from the southbound Highway 1 travelway, the vegetation between Oliver Road and the Carmel River Bridge shall be cleared, and the Caltrans road condition sign shall be relocated either south of the Carmel River Bridge or north of Oliver Road.

(Condition transferred from PLN070415/PLN110577)

**Compliance or Monitoring Action to be Performed:** Monitoring Action 12.A - Prior to issuance of grading or building permits, the applicant shall solicit from either Caltrans or the Monterey County Public Works Department, as applicable, a memorandum of agreement that the agency with jurisdiction will carry out the work required by Mitigation Measure 12 prior to final inspection of the Combo Units.

Monitoring Action 12.B - Prior to issuance of grading or building permits, the applicant shall provide the RMA Planning Department with a copy of a signed memorandum of agreement explicitly guaranteeing that the agency with jurisdiction will carry out the work required by Mitigation Measure 12 prior to final inspection of the Combo Units.



#### 54. MITIGATION MEASURE #13

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to reduce peak hour construction/grading traffic generation to a less-than-significant level, the applicant shall arrange for construction/grading activities to begin by 7:00AM and end by 3:30PM. Deliveries to the construction site shall occur between 9:00AM and 4:00PM only.

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: During construction and grading operations, the applicant shall submit monthly reports that include the daily truck trip log showing travel times to the RMA - Planning Director for review and approval. The contractor shall submit a signed certification to contain an "under penalty of perjury" clause. Failure to comply shall cause revocation of permit.

#### 55. MITIGATION MEASURE #14

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall adhere to revised site excavation plans that provide for no impact to flood levels over existing conditions and incorporate design changes to elevation to the two northern most combo units.

(Condition transferred from PLN070415/PLN110577)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading or building permits, the applicant shall incorporate revised site excavation plans consistent with information submitted and approved by the Planning Commission on February 22, 2006 on the final grading plans.

#### 56. PWSP005 - NON-STANDARD CONDITION - COUNTY WIDE TRAFFIC IMPACT FEE

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: If the County Wide Traffic Impact Fee is in place prior to issuance of building permits, applicant shall pay the County Wide Traffic Impact Fee. The fee amount shall be determined based on the parameters adopted in the fee schedule.

(New condition by RMA - Public Works)

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. Owner/Applicant shall submit proof of payment to the DPW.



**57. WR038 - FLOOD ANALYSIS - ZONE AE WITHOUT DEFINED FLOODWAY**

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall provide a hydraulic analysis, prepared by a registered civil engineer, certifying the cumulative effect of the proposed development when combined with all other development will not increase the base flood elevation more than one foot at any point. (Water Resources Agency)

(New condition by the Water Resources Agency)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any construction permit, the owner/applicant shall submit the hydraulic analysis to the Water Resources Agency for review and approval.

**58. WR049 - WATER AVAILABILITY CERTIFICATION**

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

(New condition by the Water Resources Agency)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at:  
[www.mcwra.co.monterey.ca.us](http://www.mcwra.co.monterey.ca.us).

**59. WRSP1 - ZONE AE ELEVATION REQUIREMENTS**

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The lowest floor and attendant utilities shall be constructed at a minimum to the following elevations: Combo Units 1-4 = 25.0 feet (NAVD 1988) and Employee Building = 26.0 feet (NAVD 1988). The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the floodproofing and certification of the lowest floor elevation requirements. (Water Resources Agency)

(New condition by the Water Resources Agency)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any construction permit, the owner/applicant shall submit a letter, prepared by a registered civil engineer or licensed land surveyor, to the Water Resources Agency for review and approval.

60. PD032(A) - PERMIT EXPIRATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 2 years, to expire on August 20, 2016 unless use of the property or actual construction has begun within this period. (RMA-Planning)

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the RMA-Director of Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.







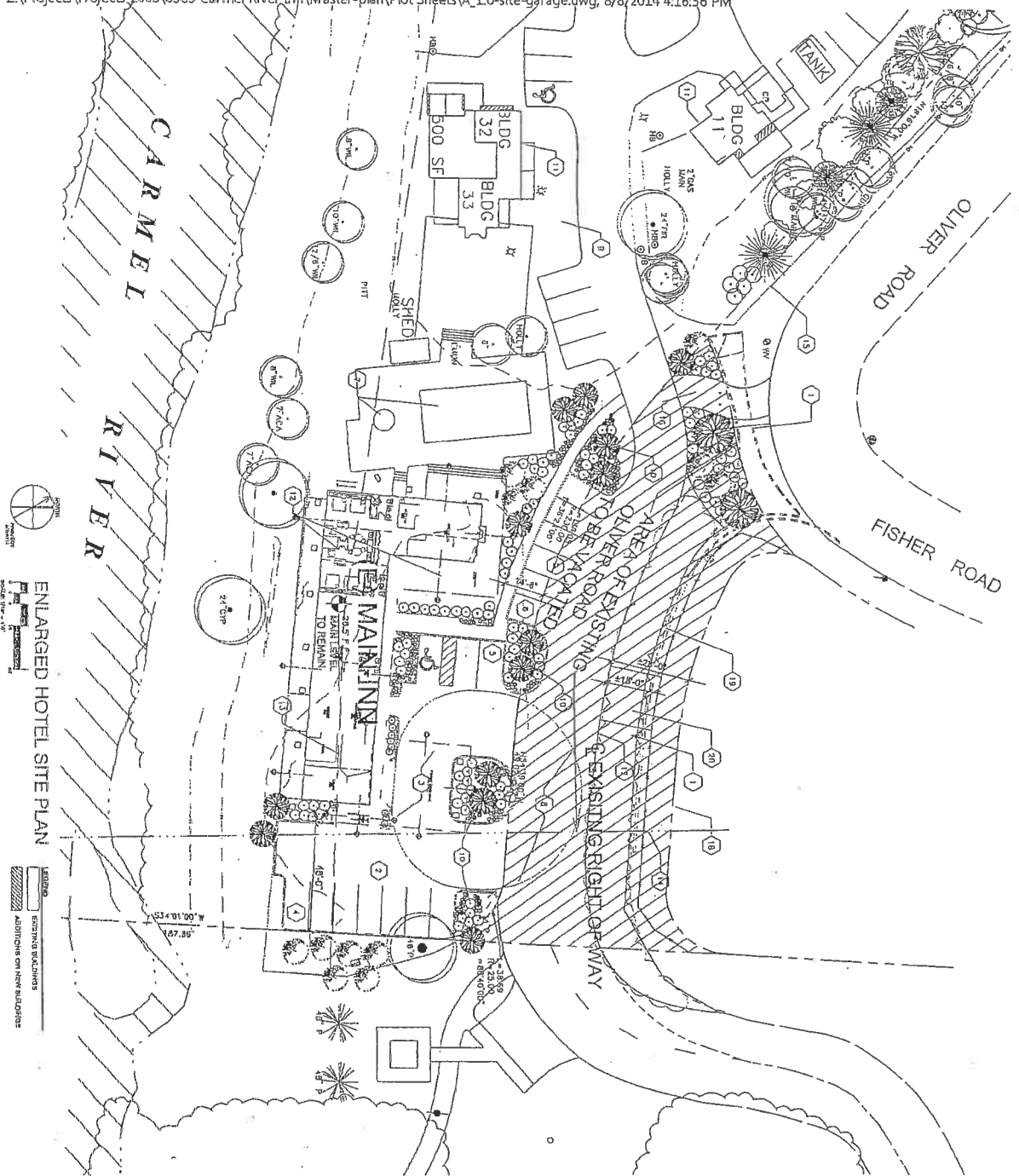
Exhibit 3  
Page 34 of 37 Pages

**THE  
PAUL DAVIS  
PARTNERSHIP**  
ARCHITECTS & PLANNERS



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RIVER INN  
325. HIGHWAY 1  
@ CARMEL RIVER BRIDGE  
P.O. BOX 121009  
CARMEL, CA 95022  
MAY: 650-463-003**



ENLARGED HOTEL SITE PLAN  
SCALE 1/8\"/>

LEGEND  
EXISTING BUILDINGS  
ADDITIONS ON NEW BUILDINGS

**SHEET NOTES**

1. MAINTAIN EXISTING PARKING
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PAUL DAVIS  
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CARMEL, CA 95006  
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FAX: 408-452-1235  
WWW.PDA-PA.COM





ENLARGED COMBO UNITS SITE PLAN

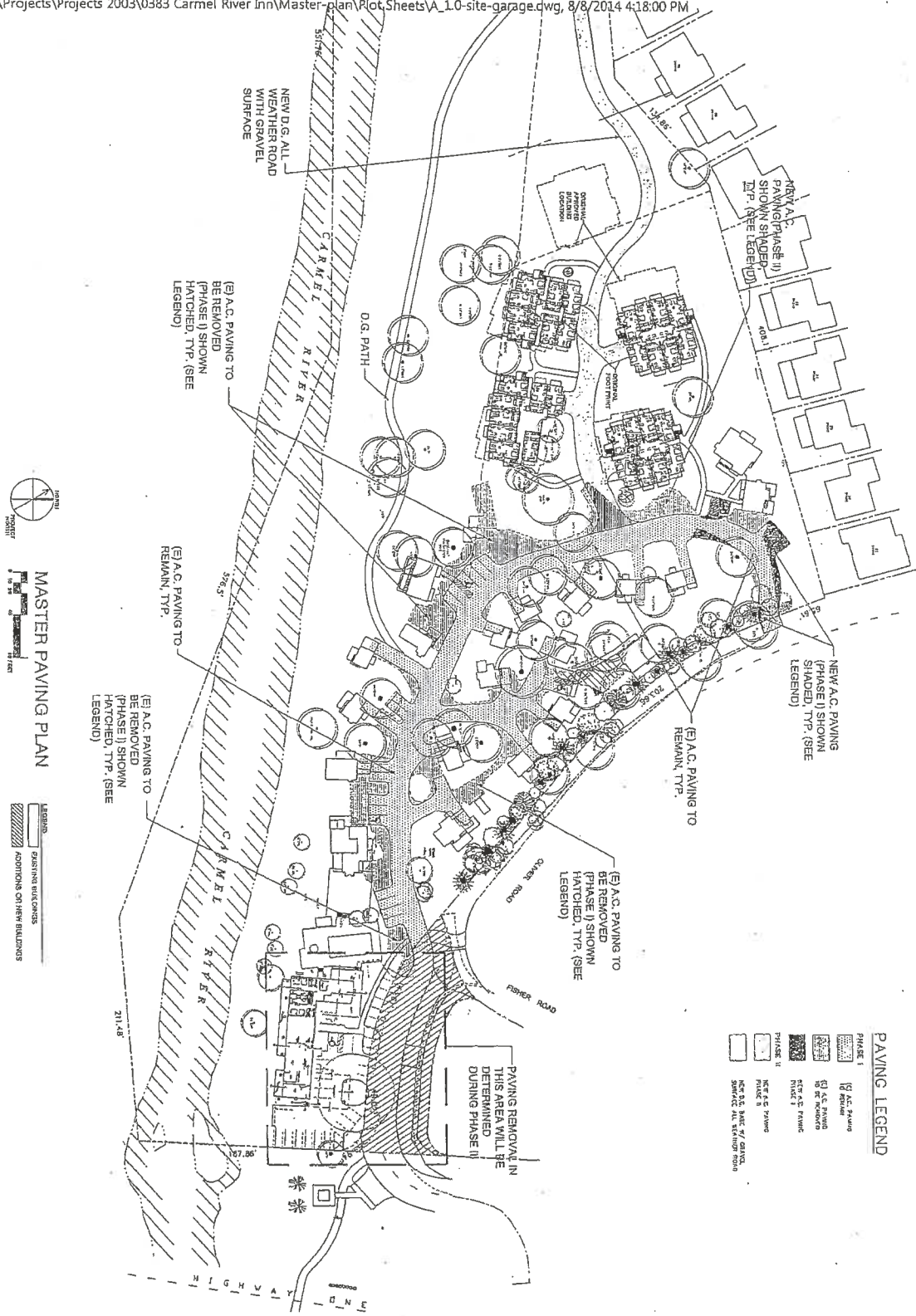
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MASTER PAVING PLAN

LEGEND  
 EXISTING BUILDINGS  
 ADJUSTMENT ON NEW BUILDINGS

**PAVING LEGEND**

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CARMEL RIVER INN  
 PHASE I  
 MASTER PLAN

THE  
 PAUL DAVIS  
 PARTNERSHIP  
 ARCHITECTS & PLANNERS

MASTER PAVING PLAN

A1.4

