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

# In the matter of the application of: QUAIL LODGE, INC. (PLN170098) RESOLUTION NO. 18-021

Resolution by the Monterey County Planning Commission:

- 1) Adopting a Negative Declaration; and
- 2) Approving a Use Permit to allow assemblages of people for a 3-day special event for a car show and associated car auction with temporary tents, restroom facilities, and an on-site parking area during "Car Week".

[PLN170098, Quail Lodge, Inc., 26750 Rancho San Carlos Road, Carmel Valley, (APN: 157-121-027-000) Carmel Valley Master Plan]

The Quail Lodge, Inc. application (PLN170098) came on for public hearing before the Monterey County Planning Commission on May 30, 2018. 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:		<b>CONSISTENCY</b> – The Project, as conditioned, is consistent with the
			applicable plans and policies which designate this area as appropriate
			for development.
	<b>EVIDENCE:</b>	a)	During the course of review of this application, the project has been
			reviewed for consistency with the text, policies, and regulations in:
			- the 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 26750 Rancho San Carlos Road, Carmel Valley
			(Assessor's Parcel Number 157-121-027-000), Carmel Valley Master
			Plan. The parcel is zoned Resource Conservation, 10-Acre Minimum,
			Design Control, Site Plan Review, and Residential Allocation Zone
			(RC/10-D-S-RAZ) & Low Density Residential, 2.5-Acres per Unit,
			Design Control, Site Plan Review, and Residential Allocation Zone
			(LDR/2.5-D-S-RAZ). The area of the proposed development is located
			on the portion zoned RC/10-D-S-RAZ. Pursuant to Section 21.36.050.N
			of Title 21, the Resource Conservation zoning district allows the
			establishment of assemblages of people, not exceeding 10 days and not
			involving construction of permanent facilities, with a Use Permit.

Therefore, the project, as described in Condition No. 1 -Specific Uses Only, is an allowed land use for this site.

- c) <u>Design Control District (D District)</u> The subject property is located within a Design Control district. Section 21.44.010 of Title 21 provides the regulation of the location, size, configuration, materials, and colors of structures and fences, except agricultural fences, through the Design Approval process. Section 21.06.1220 of Title 21 defines a "structure" as anything constructed or erected, except fences under 6-feet in height, the use of which requires location on the ground or attachment to something having location on the ground, but not including any trailer or tent. The temporary event facilities do not meet the definition of a structure and are therefore not subject to a Design Approval.
- Site Plan Review District (S District) The project is consistent with d) the purpose of the S District as specified in Section 21.45.010 of Title 21; which states that the district provides regulations for review of development in areas where, by reason of its location, has the potential to adversely affect or be adversely affected by natural resources or site constraints, without imposing undue restrictions on private property. The Monterey County Geographic Information System (GIS) indicates that there is potential for biological resources and flood hazard areas on the site. A Biological report (Planning File LIB170170) was submitted with the application identifying California red-legged frog (CRLF) and California tiger salamander (CTS) in proximity of the project site. However, due to the migratory patterns of both CRLF and CTS and the existing conditions of the even site, the biologist concludes that it would be "extremely unlikely" that the temporary event would have impacts these special status species. As discussed in subsequent Evidence "f", the project does not include the placement of temporary structures within the Carmel Valley Floodplain.
- e) <u>Residential Allocation District (RAZ District)</u> The project is consistent with the purpose of the RAZ District as specified in Section 21.52.010 if Title 21; which specifies limitation on the number of lots or units which may be created. The subject property is a vacant legal lot of record and the project includes establishment of a special event that is limited to the use of temporary facilities only. Therefore, the project does not subtract from the allocated residential and visitor serving units established in Policy Nos. CV-1.6 and CV-1.15 of the Carmel Valley Master Plan.
- f) <u>Development in the Carmel Valley Floodplain</u> Monterey County Geographic Information System (GIS) indicates that portions of the property are located within the Carmel River floodway, 100-year flood zone, and other flood areas. Chapter 16.16 of the Monterey County Code (MCC) contains regulations for floodplain management consistent with the requirements of the National Flood Insurance Program. This chapter includes county-wide development standards in all flood areas. Section 21.64.130 of Title 21 contains specific regulations for development within the Carmel river and its corridor. These regulations are based on MCC 16.16 and a detailed study of the "Preliminary Flood Boundary and Floodway Map" prepared by Nolte Engineers for the Federal Emergency Management Agency. In accordance with these

regulations, the project has been reviewed by the Monterey County Water Resource Agency (WRA) to determine if the development would adversely affect the flood capacity of the Special Flood Hazard Area (also known as the floodway fringe and 100-year floodplain) and if there would be a cumulative effect from the proposed development, when combined with all other existing and anticipated development, resulting in the increase of water surface elevation of the base flood by more than one foot at any point. The project includes the placement of temporary event structures on a portion of the property outside of the identified FEMA flood hazard areas. However, in accordance with Chapter 16.16 and to ensure subsequent property owners are notified of potential flood hazards, WRA has required the applicant record a floodplain notice as a condition of approval (Condition No. 10).

- g) The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review on April 2, 2018. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application warrants referral to the LUAC because the permit requires approval at a public hearing. The LUAC recommended approval of the project by a vote of 7/0 and provided the following recommendations for consideration: prohibiting parking along Carmel Valley Road, explore opportunities to expand existing shuttle service, limit set-up and removal activities to only daytime, monitor traffic and attendance, and develop and implement an emergency and medical service plan. The project as described in Condition No. 1 – Specific Uses Only and the implementation of Condition No. 4 – Traffic Control Plan will incorporate the LUAC's recommendations and no issues remain.
- h) The project planner conducted a site inspection on March 10, 2017 to verify that the project on the subject parcel conforms to the plans listed above.
- i) 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 PLN170098.

# 2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

- **EVIDENCE:** a) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, 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.
  - b) Staff identified potential impacts to biological resources and the following report has been prepared:
    - "Biological Assessment" (LIB170170) prepared by Regan Biological & Horticultural Consulting, Carmel Valley, CA, April 2017.

The above-mentioned technical report by an outside consultant demonstrates that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed this report and concurs with its conclusions.

- c) Staff conducted a site inspection on March 10, 2017 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN170098.

# 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, Public Works, 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 special event is temporary in nature and therefore permanent public facilities are not required. The application materials demonstrate that potable water for the event will be provided by temporary water dispensing stations and bottled water, restroom facilities will be provided by temporary toilet facilities and hand washing stations, and electricity will be provided by private generators. The Environmental Health Bureau has reviewed the project and conditions of approval for food and/or beverage service (Condition No. 6), use of portable toilets (Condition No. 7), and submittal and approval of a recyclable material plan (Condition No. 8) have been incorporated. No issues remain.
  - c) In order to ensure access to the site and parking during the event does not impact emergency services along Carmel Valley Road, Condition No. 4 has been incorporated requiring the applicant to submit a Traffic Control Plan to RMA-Public Works prior to issuance of building permits for temporary tents and commencement of each event. The plan shall include logistics for management of site access and on-site parking, attendance shuttle program, and the prohibition of parking along Carmel Valley Road. Implementation of this plan shall reduce the volume of vehicles traveling to the site, minimize the number of vehicles queuing in the left-turn pocket lane of the Rancho San Carlos signalized intersection, and prevent vehicles from parking along Carmel Valley Road.
  - d) Staff conducted a site inspection on March 10, 2017 to verify that the site is suitable for this use.
  - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN170098.

- 4. **FINDING: NO VIOLATIONS -** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
  - **EVIDENCE:** a) Staff reviewed Monterey County RMA Planning and Building Services Department records and is not aware of any violations existing on subject property.
    - b) Staff conducted a site inspection on March 10, 2017 and researched County records to assess if any violation exists on the subject property.
    - c) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN170098.
- 5. **FINDING: CEQA (Negative Declaration)** On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed, and conditioned, will have a significant effect on the environment. The Negative Declaration reflects the independent judgment and analysis of the County.
  - **EVIDENCE:** a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
    - b) Monterey County RMA-Planning prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of RMA-Planning and is hereby incorporated by reference (PLN170098).
    - c) The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Accordingly, staff prepared a Negative Declaration.
    - d) The Draft Negative Declaration ("ND") for PLN170098 was prepared in accordance with CEQA and circulated for public review from May 1, 2018 through May 21, 2018. Pursuant to Section 15105 of the CEQA Guidelines, the project qualifies for a shortened review period.
    - e) Issues that were analyzed in the Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, tribal cultural resources, and utility/service systems. Less than significant impacts to aesthetics, biological resources, hydrology and water quality, noise levels, and transportation/traffic were identified. All potential impacts have been addressed through implementation of existing policies and regulations, and where appropriate, through conditions of approval. No impacts requiring mitigation have been identified.
    - f) Implementation of existing Monterey County policies and regulations already addressing drainage, noise, and traffic during special events allows for incorporation of conditions of approval (see Condition No. 1), which, along with project design elements, would result a less than significant impact.

- g) Evidence received and considered includes the project application materials, the Biological Report (Planning File No. LIB170170), available County resources (e.g. Monterey County Geographic Information System), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings. These documents are on file in RMA-Planning (PLN170098) and are hereby incorporated herein by reference.
- h) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the Fish and Game Code. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the California Department of Fish and Wildlife determines that the project will have no effect on fish and wildlife resources. The site has the potential to supports migratory birds. For purposes of the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
- i) Staff conducted a site inspection on March 10, 2017 to verify that the site is suitable for this use.
- j) 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 PLN170098.
- k) See supporting Finding Nos. 1 and 2.
- Monterey County RMA-Planning, located at 1441 Shilling Place, 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: APPEALABILITY** The decision on this project may be appealed to the Board of Supervisors.

**EVIDENCE:** Section 21.80.040.C 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. Adopt the Negative Declaration; and
- 2. Approve the Use Permit to allow assemblages of people for a 3-day special event for a car show and associated car auction with temporary tents, restroom facilities, and an on-site parking area during "Car Week"

Both 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 30<sup>th</sup> day of May, 2018 upon motion of Commissioner Duflock, seconded by Commissioner Ambriz, by the following vote:

AYES: Ambriz, Diehl, Duflock, Gonzalez, Mendoza, Padilla, Roberts, Vandevere, Wizard NOES: None

ABSENT: Getzelman ABSTAIN: None

John n hugen for Jacqueline R. Onciano, Planning Commission Secretary

# COPY OF THIS DECISION MAILED TO APPLICANT ON DATE JUN 0 1 2018

### 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 PLANNING ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JUN 1 1 2018

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.

Form Rev. 5-14-2014

# Monterey County RMA Planning

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

PLN170098

#### 1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation This Use Permit (PLN170098) allows assemblages of people for a 3-day special event **Monitoring Measure:** in connection with "Car Week" occurring in the summer months of July/August consisting of a car show and auction and the temporary use of associated event tents, restroom facilities, and an on-site parking area. Total attendance, including guests and staff, over the 3-day event will be approximately 1,200 people, with no more than 850 people on any single day. The total amount of time for the event shall not exceed 14 consecutive days to allow for set up and removal of event facilities and the 3-day operational component of the event. Set up and removal of event facilities shall not occur between the hours of 10:00 p.m. and 7:00 a.m. The operational hours of the 3-day event shall be between 9:00 a.m. and 6:00 p.m. The property is located at 26750 Rancho San Carlos Road, Carmel Valley, (APN: 157-121-027-000) Carmel Valley Master Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project Neither the uses nor the construction allowed by this permit shall commence file. unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. 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. 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)

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

#### 2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

> Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state: Monitoring Measure:

"A Use Permit (Resolution Number 18-021) was approved by the Planning Commission for Assessor's Parcel Number 157-121-027-000 on May 30, 2018. The permit was granted subject to 11 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)

Monitoring Action to be Performed:

Compliance or 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.

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

Responsible Department: **RMA-Planning** 

Condition/Mitigation lf. during the course of construction, cultural, archaeological, historical or **Monitoring Measure:** 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 Monterey County RMA - Planning and a professional archaeologist can evaluate it. qualified archaeologist (i.e., an archaeologist registered with the Register of be immediately contacted by the Professional Archaeologists) shall responsible When contacted, the project planner and the archaeologist individual present on-site. shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning)

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

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning 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. PWSP0001 – TRAFFIC CONTROL PLAN

Responsible Department: RMA-Public Works

Condition/Mitigation The applicant/owner shall prepare and submit a traffic control plan for each event, Monitoring Measure: including construction and all related setup and tear down operations as well as drop off and pick up of cars for the auction, in accordance with Chapter 14.04.080 of the Monterey County Code, to the RMA-Public Works for review and approval. In order to prevent vehicles from queuing along Carmel Valley Road, the plan shall show designated areas where attendees vehicles shall be managed and parked. Parking areas for employee vehicles and car transport vehicles shall also be designated on the event site. Attendees and employees of the event are prohibited from parking along Carmel Valley Road. If necessary, placement of temporary "No Parking" signs along Carmel Valley Road and any required encroachment permit(s) for the signs shall be incorporated into the traffic control plan. The applicant has agreed to continue to provide an off-site shuttle service for future events. Logistics implementing this shuttle program shall be incorporated into the traffic control plan. Evidence of prior approval of the special event and location by the Sheriff's Department and CHP if required. (RMA-Public Works)

Compliance or Monitoring Action to be Performed:

Prior to commencement of special events and issuance of ministerial permits for each special event, a traffic control plan shall be submitted and approved by RMA-Public Works.

#### 5. CALIFORNIA CONSTRUCTION GENERAL PERMIT

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) including the Waste Discharger Identification (WDID) number, to RMA-Environmental Services for review and approval. In lieu of a Stormwater Pollution Prevention Plan (SWPPP) a letter of exemption from the Central Coast Regional Water Quality Control Board may be provided. (RMA-Environmental Services)

Compliance or<br/>Monitoring<br/>Action to be Performed:Prior to commencement of use, the applicant shall submit a SWPPP including the<br/>WDID number certifying the project is covered under the California Construction<br/>General Permit or a letter of exemption from the Central Coast Regional Water<br/>Quality Control Board.

#### 6. EHSP01 - FOOD PERMITS FOR SPECIAL EVENTS (NON-STANDARD)

#### Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The special event proposes to allow food and/or beverage service. The applicant must obtain a Special Event Organizer permit from the Environmental Health Bureau (EHB) and ensure that any food and/or beverage vendor has obtained a Temporary Food Facility permit from EHB prior to commencement of the event. As Special Event Organizer, the applicant is responsible to ensure that all food and/or beverage vendors on site comply with the conditions of applicable permits issued by EHB, pursuant to California Health and Safety Code, Division 104, Part 7, Chapter 1 (California Retail Food Code).

Compliance or Monitoring Action to be Performed: Prior to each event, the applicant shall obtain a Special Event Organizer permit from EHB. This condition is ongoing.

#### 7. EHSP02 - PORTABLE TOILETS (NON-STANDARD)

**Responsible Department:** Health Department

Condition/Mitigation Monitoring Measure:	Pursuant to Monterey County Code Chapter 15.20.050, an adequate number of portable toilets shall be provided and maintained so as not to create a public nuisance and shall be serviced and cleaned by a permitted liquid waste hauler. Portable units shall provide hand washing facilities. During special events, a minimum of 1 portable toilet per 40 people shall be supplied. No more than ten (10) day events that utilize portable toilets per calendar year (or as otherwise specified by Monterey County Code 15.20) will be allowed.						
Compliance or Monitoring Action to be Performed:	Owner/Applicant shall ensure that each event has an adequate number of portable toilets and hand washing facilities and the portable toilet service provider maintains a clean environment. No more than 10 events per year will be allowed to utilize portable toilets (or as otherwise specified by Monterey County Code 15.20). This condition is ongoing.						
8. EHSP03 - SPECIAL EVENTS: SEPARATE RECYCLABLES (NON-STANDARD)							

#### 8. EHSPUS - SPECIAL EVENTS: SEPARATE RECTCLABLES (NUN-STANDA

Responsible Department: Health Department

Condition/Mitigation Applicant shall ensure recyclable materials generated during each event are **Monitoring Measure:** separated from non-recyclable solid waste. Receptacles specifically intended and marked to receive recyclables shall be made available to guests and employees. Adequate on-site storage areas shall be provided to consolidate and hold all recyclables generated until such materials are removed from the property. Materials, recyclables, containers and storage shall meet standards set forth in Monterey County Code Chapter 10.41.

Compliance or<br/>MonitoringPrior to the first event, submit a written plan on how recyclables will be separated,<br/>consolidated and stored to Recycling and Resource Recovery Services of<br/>Environmental Health Bureau for review and approval.

Once approved, recycling plan shall be maintained and adhered to by Owner/Applicant.

If changes are proposed to the recycling plan are necessary, submit new plan for review and approval prior to subsequent events. This condition is ongoing.

#### 9. FIRESP01 - ADDRESSES FOR PARCELS

Responsible Department: Fire

Condition/Mitigation ADDRESSES FOR PARCELS USED FOR SPECIAL EVENTS - All parcels shall be Monitoring Measure: issued an address in accordance with Monterey County Ordinance No. 1241. Each parcel used for events and other outdoor activities, shall have its own permanently posted 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 Address signs shall be visible and legible from both and at each driveway split. directions of travel along the road. In all cases, the permanent address numbers shall be posted at the commencement of use and shall be maintained thereafter. 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. (Responsible Agency: Monterey County Regional Fire District)

Compliance or 1. Prior to commencement of use, Applicant shall obtain an address for the parcel from RMA-Public Works.

2. After obtaining a new address for the parcel, and prior to commencement of use, Applicant shall post a permanent address sign at the driveway entrance.

#### 10. WR031 - FLOODPLAIN NOTICE

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a recorded floodplain notice stating: "The property is located within or partially within a Special Flood Hazard Area and may be subject to building and/or land use restrictions." (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit and/or commencement of use, the owner/applicant shall submit a signed and notarized floodplain notice to the Water Resources Agency for review and approval. When approved, the applicant shall record the notice.

A copy of the standard notice can be obtained at the Water Resources Agency or online at: www.mcwra.co.monterey.ca.us.

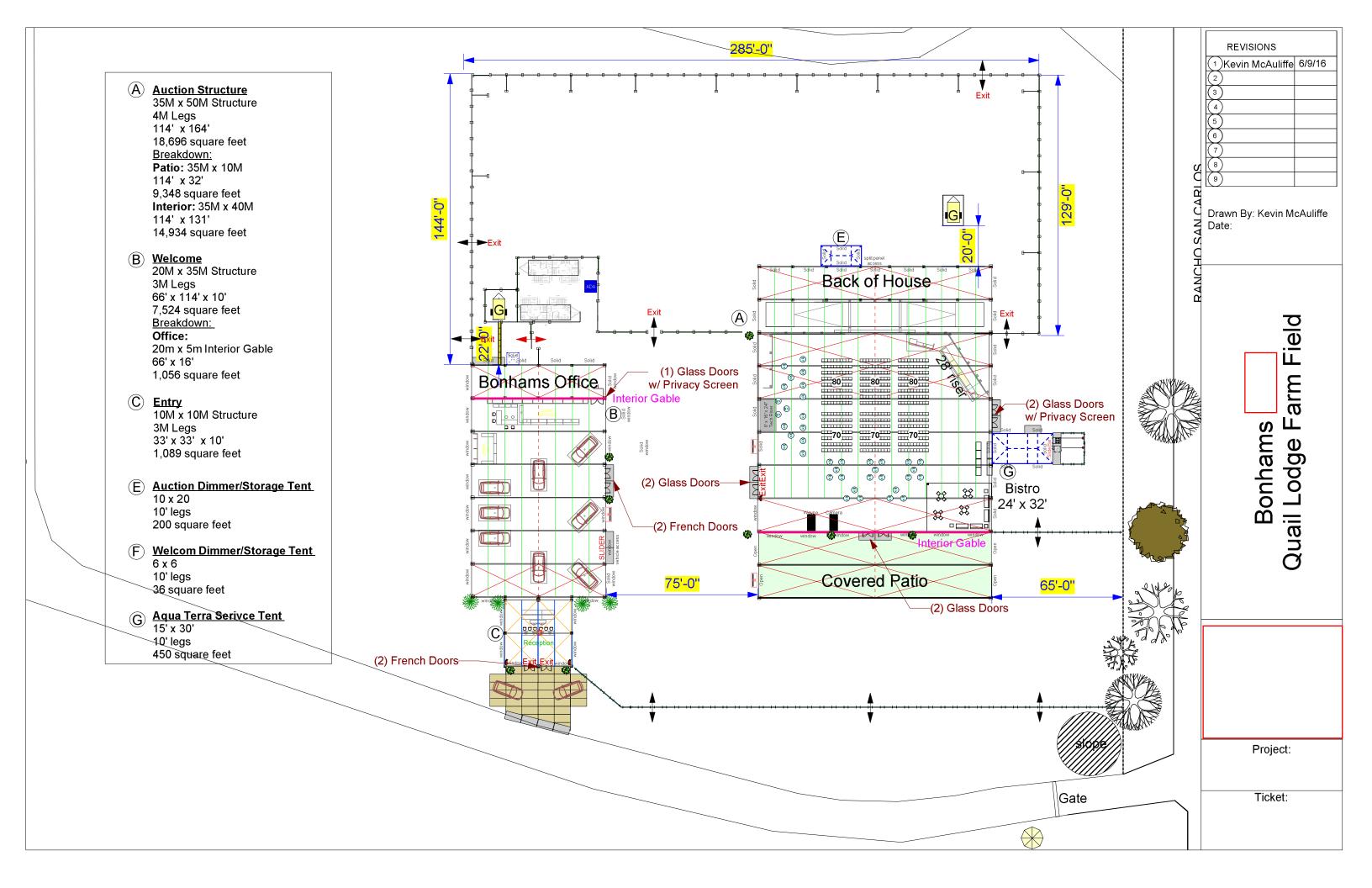
#### 11. CC01 INDEMNIFICATION AGREEMENT

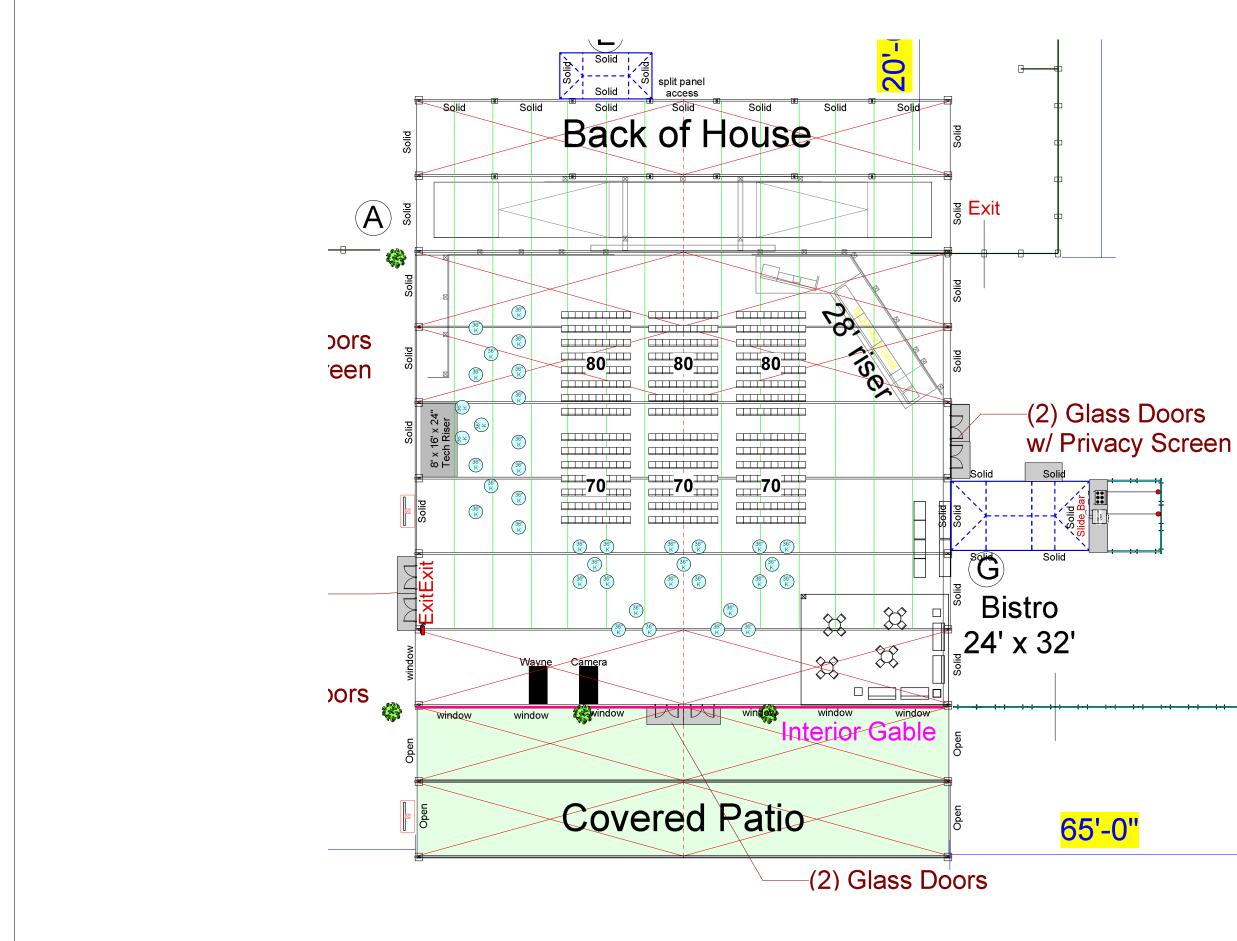
Responsible Department: County Counsel

Condition/Mitigation The property owner agrees as a condition and in consideration of approval of this Monitoring Measure: 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/her/its 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, recordation of the certificates of compliance 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. (County Counsel)

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, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the County Counsel for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel.

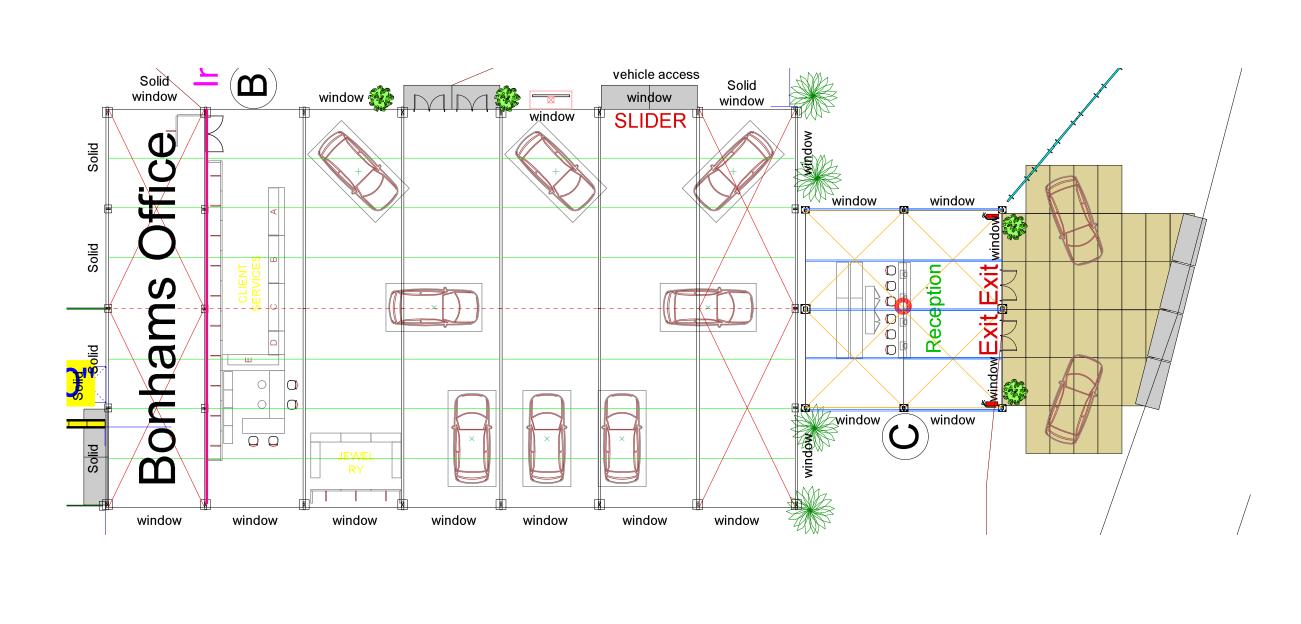




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