

Exhibit A

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EXHIBIT A PROJECT DISCUSSION

RIVER VIEW AT LAS PALMAS ASSISTED LIVING FACILITY

General Project Description

The proposed project involves an amendment to the text of the Las Palmas Ranch Specific Plan (LPRSP) to add policy language clarifying that assisted living facilities are an allowed use on Parcel Q of the Specific Plan; and a Combined Development Permit consisting of a Use Permit and Design Approval to allow the construction and operation of an approximately 90,000 square foot assisted senior living facility consisting of multiple structures and associated site improvements, and a Use Permit to allow development on slopes exceeding 25 percent.

River View at Las Palmas Senior Living Community (the proposed project) is designed to provide a range of assisted care to seniors over the age of 55 and to persons with diminishing mental capacity due to Alzheimer's, dementia, or similar causes. The entire facility would be licensed by the State of California as a Residential Care Facility for the Elderly, and is intended to operate as a continuum as residents progressively require higher levels of care. The senior community would be comprised of three levels of residence to accommodate this continuum, each with their own level of assistance: Casitas, Assisted Living Facility, and Memory Care Facility.

Casitas

The 13 Casitas structures would provide 26 separate living units, designed specifically for seniors who may require varying levels of assistance in their basic living needs. The Casitas structures would all be single-story, approximately 18 feet in height, range in size from 1,513 to 3,757 square feet, and would cover a total of about 41,300 square feet. One meal a day, shuttle service, maintenance and cleaning would be included in the residential agreement for each Casitas resident. Although Casitas residents may maintain some independence in their life style, including the option of fixing their own meals and keeping their vehicles, a full range of assisted living services would be available to them.

Assisted Living Facility

The Assisted Living Facility would include 40 living units ranging from 360 to 587 square feet each, and a total of 52 beds, all within a single building that would be two stories and 28 feet in height. The Assisted Living Facility would cover about 27,000 square feet. It would be designed specifically for seniors who may need a full range of assistance to meet their living needs, and would therefore offer a full range of services to each resident including meals, medical assistance, transportation, cleaning and laundry service.

Memory Care Facility

The Memory Care Facility would be housed within a three-level structure approximately 30 feet in height, covering about 21,600 square feet. It would include 39 living units ranging from 313 to 453 square feet, and a total of 48 beds. The memory care facility is designed specifically for persons who need a full range of assistance to meet their living needs. All meals, medical assistance, transportation, cleaning and laundry service would be available for each resident.

Associated Site Development

Roads, driveways, and parking areas would cover an additional area of about 99,500 square feet. Total site coverage would be approximately 190,000 square feet (27.6 percent of the site). Development of the project would require approximately 60,000 cubic yards of cut, most of which will be compacted and used on site, and 34,500 cubic yards of fill. Approximately 80 non-native eucalyptus trees currently located on the project site would be removed and replaced with landscaping designed to both enhance residents' living environment and screen views of the project from neighboring properties and SR 68.

Site Access

Access to the project would be provided from the signalized intersection of River Road and Las Palmas Road to River Run Road, then Woodridge Court, which currently terminates at the project site boundary. River Road is a public road maintained by the County of Monterey. Las Palmas Road, River Run Road, and Woodridge Court are private roads maintained by the Las Palmas Home Owners Association (LPHOA). The project applicants, who own the site, are currently members of the LPHOA and have paid dues to the association. The applicants would pay a proportionate share for the use of the roads and drainage system. Shuttle services would be provided to residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby.

Land Use

The Las Palmas Ranch Specific Plan, Toro Area Plan, and 2010 Monterey County General Plan designate the project site as Medium Density Residential (MDR). The MDR designation is appropriate for a range of residential uses and housing types, recreational, public and quasi-public, and other uses that are incidental and subordinate to the residential use and character of the area (General Plan Policy LU-2.33a). The MDR district (Monterey County Code 21.12.050) also allows for a range of land uses to be approved with a use permit or similar discretionary approval, including rest homes and other uses of a similar nature and intensity.

Per Monterey County Code Section 21.12, Regulations for Medium Density Residential Zoning Districts, the proposed project is consistent with the allowed uses listed:

21.12.050 – Uses allowed – Use Permit required in each case:

21.12.050.C – Rest homes (ZA)

21.12.050.D – Public and quasi-public uses including churches, cemeteries, parks, playgrounds, schools, public safety facilities, public utility facilities, but not including uses of a non-residential nature such as jails, rehabilitation centers, detention facilities, or corporation yards (Note: Other applicable or allowed public/quasi-public uses would include hospitals, hospices, and convalescent homes.)

21.12.050.R – Other uses of a similar nature, density and intensity as those listed in this Section.

The proposed project is consistent with the description of a "rest home" use as defined in Title 21, Monterey County Code: 21.06.940 – Rest home. "Rest home" means a place used for the rooming or boarding of any aged or convalescent persons, whether ambulatory or non-ambulatory, for which a license is required by a county or federal agency.

The proposed project is also consistent with the description of a “public/quasi-public” use as defined in Title 21, Monterey County Code: 21.40.010 – Public/Quasi-Public. Uses which serve the public at large.

The proposed project would be a licensed Residential Care Facility for the Elderly (RCFE; aka an assisted living facility), and is therefore not a residential use under the County code or the Specific Plan, and the project would not provide dwelling units that would operate or function as independent units. Because the proposed project is not a residential use, the Las Palmas Specific Plan residential unit limitation of 1,031 does not apply to this project.

The MDR designation allows for related, public and quasi-public uses in addition to residential uses. An assisted living facility is therefore an allowed use under the existing zoning, the general plan land use designation, and the LPRSP designation. For clarity regarding the future use and development of the project site for the proposed project, the following amendment to the specific plan is proposed (see draft amendment at **Exhibit C**):

Assisted living facilities are allowable uses in the MDR district in that they are similar to other uses such as rest homes and public quasi-public uses currently allowed in the district through the approval of a conditional use permit. Assisted living facilities are not considered residential units and are not subject to the current 1,031 residential limitation of the Specific Plan. An assisted living facility is considered a public/quasi-public use, not a residential use, because it does not operate or function in a manner like independent residential units. An assisted living facility may, therefore, be considered and approved through a conditional use permit on Parcel Q of the Las Palmas Ranch Specific Plan.

As proposed, the project is similar in design and density to the Las Palmas Ranch residential neighborhood to the east, and as described above, is allowed in the MDR land use designation because it is considered compatible with residential uses.

Design Review & Scenic Resources

The subject property is not located within a Design Control Zoning District; however, the project site is visible from a scenic-designated stretch of SR 68 for a distance of approximately 3,000 feet. The site is also visible from portions of Reservation Road, and from within the subdivision. The project site is adjacent to River Road, but is minimally visible from this road due to topography and vegetation, as well as the River Road/SR 68 intersection. The LPRSP EIR anticipated that views from River Road would become more urbanized, and that development would be visible from scenic-designated SR 68. The LPRSP EIR established mitigation measures to reduce aesthetic impacts associated with development of the Las Palmas Ranch Specific Plan Area. Those measures, such as tree planting and a River Road setback, are incorporated into the plans of the proposed project. Development of the project site, therefore, does not represent an aesthetic impact that has not previously been analyzed and found to be less than significant. However, the SEIR for the proposed project includes mitigation measures AES-1 through AES-4 to ensure that the project mitigates aesthetic impacts consistent with the LPRSP EIR. The project plans and mitigation measures also ensure compliance with the Toro Area Plan, which requires that development in visually sensitive areas is located and designed to enhance the scenic value of the area. The mitigation measures require landscape screening, earth toned building colors, undergrounding of utility and distribution lines, and unobtrusive lighting.

Environmental Review – Public Comment

The County of Monterey received 118 comment letters on the Draft SEIR, including public agency comments from the Monterey Bay Air Resources District and the Monterey County Water Resources District. The County received nine comment letters from various organizations and businesses. The rest of the comment letters were from members of the public. See the Draft SEIR at **Exhibit H**, and the Final SEIR at **Exhibit I**).

The comment letters generally addressed the following topics:

Safety and Security

Numerous comment letters on the Draft SEIR address safety and security concerns for residents of the Las Palmas Subdivision #1 (Subdivision). The Subdivision residents, through the LPHOA, pay for private security service, including a staffed and gated entrance that monitors all vehicles entering the Subdivision. Comments regarding safety and security express the concern that the project would result in an overall increase of traffic flowing into the Subdivision, which would include staff and visitors to the proposed senior living center; therefore, the ability to monitor each vehicle entering the Subdivision would be compromised. The Las Palmas Subdivision #1 currently pays for private security service. The security staff posts a guard at the Las Palmas Road main entrance during the daytime. The gate is not staffed during evening or nighttime hours, but a periodic nighttime patrol occurs through the subdivision. Private security is discussed in Section 11.9, *Public Services*, and traffic analysis in Section 9.0, *Transportation & Traffic*, of the Draft EIR. Mitigation Measure TRA-1 requires that employee shift changes to the project site (once the senior living community is operational) would occur outside of peak traffic hours. Mitigation Measure TRA-2 would require a shuttle service plan for residents and staff of the senior living community. These two measures would reduce the impact on the Subdivision's security operations by ensuring project employee traffic does not overlap with the Subdivision's residential traffic during peak hours, and by decreasing project trips to and from the project site by providing the shuttle service for project residents. Furthermore, the assisted living facility would have its own security staff on site to monitor activities at the facility. The SEIR states in Section 11.9, *Public Services*, that the proposed project would participate proportionately in the cost of the Subdivision's security service.

Fire Safety

Multiple commenters state that the project site is vulnerable to wildfires, and that the project would worsen wildfire-related risks by adding structures and residents to the area. As discussed in Section 11.5, *Hazardous Materials*, of the SEIR the project would implement all fire protection regulation requirements and design recommendations based on project review completed by the Monterey County Regional Fire District, which reflect the current requirements of the Uniform Fire Code to ensure fire-safe structures. Furthermore, as noted in Section 11.9, the Monterey County Regional Fire District reviewed the proposed site and building plans for the project, and determined that new or expanded fire protection facilities would not be required as a result of implementing the project. The Fire District maintains mutual aid agreements with neighboring fire departments and CAL FIRE for additional support in the event of wildfires.

Land Use Incompatibility, Property Value, and Quality of Life

Numerous comments state the opinion that the project is an inappropriate land use at the project site. Regarding the site's zoning and compliance with applicable planning documents, comments

focus on two issues: the Las Palmas Ranch Specific Plan (LPRSP) sets a limit of 1,031 residential units in the Plan Area, which has already been nearly met, and would be exceeded if the project's structures are counted as residential units; and the site is designated for residential use, but the proposed project is a commercial use. Regarding land use compatibility outside of the context of plans and regulations, commenters voice the following additional concerns: the project would consist of large buildings housing a large number of seniors, which is incompatible with the rural, family-oriented Subdivision; the project would decrease the property value of Subdivision residences; the project site is not a suitable location for a senior living facility because the residents would not be near services that they require, such as medical facilities; and the project would result in nuisance odors due to food preparation for the senior living center residents.

Pursuant to CEQA, the EIR analyzes potential effects with respect to neighborhood compatibility insofar as it relates to physical impacts to the environment, such as impacts related to aesthetics, noise, and transportation. For the proposed project, these impacts were found to be less than significant or less than significant with mitigation. Compatibility with planning documents and the site's zoning is discussed below.

Land Use Incompatibility

See the discussion above under **Land Use** (pages 2 – 3).

Property Value

Property value is not considered an environmental impact area under CEQA. A lead agency may consider factors outside of environmental concerns, such as property value, in their overall assessment of a proposed project. However, discussion of property value is outside of the environmental review process and thus is not included.

Growth Inducement

Potential growth inducement is analyzed in Section 14, *Growth Inducing*, of the SEIR. The proposed project would employ 92 persons for the operations of the proposed assisted living facility, and would not result in a direct population increase because it does not provide dwelling units that will operate or function as independent units. While the proposed project may indirectly result in business and population growth due to the increased local investment from revenues generated by the project, projections of any potential growth would be speculative.

Quality of Life

Quality of life is not considered an environmental impact area under CEQA. The SEIR does, however, analyze environmental factors related to quality of life, including aesthetics, air quality, noise, transportation, and safety.

Public Services Availability

The SEIR analyzes public services in Section 11.0, *Effects Not Found to be Significant*. In reviewing the project's suitability for the project site, the County determined that services that will be needed by residents of the proposed project are sufficient and located adequately. The project is expected to have less than significant impacts on public

services such as police, fire, library, and medical services due to the nature of the project, the existing services available within a serviceable distance, etc.

Transportation/Traffic

Comments regarding traffic impacts addressed the potential for congestion at the Subdivision entrance, which commenters identify as a safety risk if vehicles were to queue on River Road while waiting to turn right onto Las Palmas Road. Reliance on the Las Palmas Road entrance/exit is also discussed at great length by commenters regarding the topic of emergency evacuation; comments state that in the event of a disaster that necessitates evacuation of the Subdivision, existing residents and senior living community residents would need to funnel out of this single exit. Commenters state that the project should have its own separate entrance, rather than rely on the Subdivision entrance and streets.

Commenters also voice concerns about traffic and congestion impacts to the following roadways: streets within the Subdivision, which are maintained by LPHOA funds, and could be damaged by project-generated traffic, especially during project construction; River Run Road and Woodridge Court, which pedestrians and children cross to access Corey Park, raising traffic-safety concerns; SR 68, which commenters state is operating at level of service (LOS) F, and therefore should not be subjected to any additional congestion.

Traffic Conditions on Residential Streets

The project would increase traffic on three Subdivision streets: Las Palmas Road, River Run Road, and Woodridge Court. The Riverview at Las Palmas Senior Housing Traffic Impact Analysis (Keith Higgins 2017) estimates the project's effect on traffic volumes in the Subdivision. As shown in Table 9-1, with the addition of trips generated by the project, these streets would all operate well within acceptable traffic volumes for residential streets (LOS A or B), based on generally accepted level of service and traffic calming thresholds. Furthermore, the project would add little to no vehicle trips to other streets in the Subdivision. The project would have a less than significant impact on traffic conditions in the Subdivision, and no mitigation would be required.

Queuing at Entry Gate

In addition to increasing traffic volumes on residential streets in the Subdivision, vehicle trips generated by the project would affect queuing at the entry gate to the Subdivision on Las Palmas Road. Although inbound vehicle trips to the project site would increase the volume of traffic that passes through the entry gate to the Subdivision, as a condition of approval of the project, the County would require employees at the senior living community to display windshield tags, which would eliminate the need to check each employee's vehicle, reducing the length of queues at the gate. Further measures, such as installing an automatic gate or adding a second inbound lane at the gate, would not be necessary to reduce queuing. Additionally, Mitigation Measures TRA-1 and TRA-2 would require employee shift changes to the project site (once the senior living community is operational) to occur outside of peak traffic hours, and require a shuttle service plan for residents and staff of the senior living community. These two measures would reduce the impact on potential gate queuing by ensuring project employee traffic does not overlap with the Subdivision's residential traffic during peak hours, and by decreasing project trips to and from the project site by providing the shuttle service for

project residents. Therefore, the project would have a less than significant impact on traffic circulation related to queuing at the Subdivision's gate.

SR 68 Traffic Conditions

The project would contribute to existing traffic congestion on SR 68. The SEIR estimates the project would add one AM peak hour trip and four PM peak hour trips to the two-lane section of SR 68 immediately west of the Toro Park interchange. Although the increase in traffic volumes would be minimal, it would contribute to existing unacceptable traffic conditions on the highway. Therefore, the project would have a significant and unavoidable impact on traffic conditions on SR 68. The project applicant would be required to pay the applicable Monterey County and TAMC development impact fees to help mitigate the Project's contribution to cumulative impacts.

Separate Entry/Access

Per the traffic reports prepared for the project, a separate access would not be necessary to avoid impacts on traffic circulation because the level of service on roads providing access to the project site would be acceptable. Separate access also would not be necessary to ensure adequate emergency access. Moreover, a separate entry would result in additional construction impacts. Also, a separate entry point would likely result in site distant issues on River Road.

Traffic Safety

The project would generate traffic in proximity to pedestrians and bicyclists on residential streets in the Subdivision. Additional traffic on Woodridge Court and River Run Road would occur on routes providing access to Corey Park. With project-generated traffic, Woodridge Court would carry about 363 vehicles per day between River Run Road and the project site, and River Run Road would carry about 1,313 vehicles per day between Woodridge Court and Las Palmas Road. Traffic volumes on these streets and others in the Subdivision would be well within acceptable levels for local residential streets, with traffic delay not exceeding the applicable standard of LOS C. Therefore, additional traffic near Corey Park and other parts of the Subdivision would not substantially increase safety hazards for pedestrians and bicyclists in the Subdivision, including people accessing Corey Park. The project would have a less than significant impact on traffic safety.

Vehicle Miles Traveled

As noted by commenters, the Draft SEIR does not include an analysis of the project's effect on vehicle miles traveled (VMT) in Monterey County. VMT is the measure of miles traveled within a specific geographic area for a given period. This metric can be used to quantify the impact of a project or plan on the larger transportation system. In December 2018, the California Governor's Office of Planning and Research in the *Final Adopted Text Revisions to the CEQA Guidelines* introduced VMT as the primary metric to quantify a project's impact in place of level of service. However, local jurisdictions were given a grace period to adopt VMT (by July 2020). Monterey County has yet to adopt VMT as its primary metric for evaluating traffic impacts. Therefore, the SEIR does not analyze the project's effect on VMT.

Slope Stability and Stormwater Drainage

Multiple comments state that the project site is vulnerable to erosion, soil instability, and landslides/mudslides. Concerns are voiced that because the project site is elevated, the project could destabilize the slope. Commenters note that prior storm events have indicated geologic instability around the project site. Furthermore, commenters state that stormwater runoff from the proposed structures would pose a flood hazard to the Subdivision homes, which are at a lower elevation.

Slope Stability

A Geologic Hazards Report and Soil Engineering Feasibility Investigation was prepared for the project (Appendix F, Landset Geotechnical Report, of the Draft SEIR). The preliminary report determined that the project is feasible with a recommendation that an additional design level soil engineering investigation be prepared upon completion of preliminary construction plans. Section 11.0, *Effects Not Found to be Significant*, summarizes the preliminary geotechnical report by stating that while the steep slopes on the north and south flanks of the site are prone to landslides and slope failure, future building foundations would be located within the geologically suitable building envelope as described in the report, which would avoid environmental impacts related to landslides. For these reasons, the project would not be subject to, nor increase, any on- or off-site slope stability hazards that would create a significant environmental impact.

Stormwater & Drainage

A Conceptual Stormwater Control Plan (Gateway Engineering 2017; refer to Appendix I.1 of the Final SEIR) was developed for the project as part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The plan illustrates the location of impervious and pervious areas, storm flow direction and storm water control facilities.

The project would introduce new impervious surfaces in the form of building rooftops, and paved drives, parking areas and walkways. A large proportion of the site would remain impervious and feature landscaping to promote groundwater infiltration and uptake. The project site would also feature three bioretention areas where stormwater would be captured and filtered prior to infiltration or metered release to a connecting storm drain. Grading and contouring on the project site would collect and direct flows into one of these three basins. The site drainage is specifically designed to meet County and regulatory requirements, and emulate pre-development conditions, resulting in the water volume, rate and quality of stormwater leaving the site would be similar to current conditions. As a result, there would be no project-related downstream or off-site impacts related to flood hazards or stormwater quality related to project operation.

Visual Impacts

Numerous comments were received addressing the visual and aesthetic aspects of the proposed project. Commenters assert that the project would impact scenic views, noting local protections for scenic resources, including the scenic highway designation of SR 68. Commenters also state that the project would degrade private views from within the Subdivision, including due to tree removal and night sky light pollution, and would reduce privacy within the Subdivision because homes would be visible from the project site. Additionally, commenters state that the project

would be ridgeline development, which is prohibited by County regulations. Some commenters discuss the EIR's mitigation measures for aesthetic impacts, describing the proposed visual screening of the project site as inadequate.

Scenic Resources

SR 68 is a designated scenic highway of the state's Scenic Highway Program from SR 1 in Monterey to the Salinas River. SR 68 provides views of open space, agricultural land, and the Santa Lucia Mountains that border the Salinas Valley. Additionally, the Toro Area Plan designates the River Road/SR 68 intersection as a scenic entrance (Policy T-3.2), designates the land surrounding River Road in the vicinity of the project site as visually sensitive (Policy T-3.1), and identifies River Road and Reservation Road as proposed scenic routes (General Plan Figure 16). The project site is visible from a scenic-designated stretch of SR 68 for a distance of approximately 3,000 feet. The site is also visible from portions of Reservation Road, and from within the Las Palmas 1 Subdivision. The project site is adjacent to River Road, but is minimally visible from this road due to topography and vegetation.

Section 5.0, *Aesthetics*, of the SEIR, lists the policies related to aesthetic impacts that are applicable to the project under the Monterey County General Plan, LPRSP, and the Toro Area Plan. As described therein, the LPRSP EIR anticipated that views from River Road would become more urbanized, and that development would be visible from scenic-designated SR 68. The LPRSP EIR established mitigation measures to reduce aesthetic impacts associated with development of the Las Palmas Ranch Specific Plan Area. Those measures, such as tree planting and a River Road setback, are incorporated into the plans of the proposed project. Development of the project site, therefore, does not represent an aesthetic impact that has not previously been analyzed and found to be less than significant. However, the SEIR for the proposed project includes mitigation measures AES-1 through AES-4 to ensure that the project mitigates aesthetic impacts consistent with the LPRSP EIR. The project plans and mitigation measures also ensure compliance with the Toro Area Plan, which requires that development in visually sensitive areas is located and designed to enhance the scenic value of the area. The mitigation measures require landscape screening, earth toned building colors, undergrounding of utility and distribution lines, and unobtrusive lighting.

Private Views

As noted in Section 5.0, *Aesthetics*, views of the site from within the Subdivision are obstructed by single-family residences and existing topography. Views from residences within the existing Subdivision are not addressed in further detail in the EIR. Monterey County Code does not protect private views, and CEQA does not require a detailed evaluation of individual private views, particularly when only a limited number of private views would be affected by site development activities. Therefore, although some homeowners may be able to see the proposed development from their private residences, the impact is not significant pursuant to CEQA.

Ridgeline Development

Regarding the topic of ridgeline development, Section 5.0, *Aesthetics*, states: "the proposed project will be visible from River Road, SR 68, and Reservation Road, although

it will not result in ridgeline development.” Monterey County Code Section 21.06.950 defines “ridgeline development” as “development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when viewed from a common public viewing area.” As described in Section 3.0, *Environmental Setting*, the project site is a plateaued area rising above River Road and the Subdivision residences. The common public viewing areas that the project would be visible from include short portions of River Road, in close proximity, and a portion of SR 68, at a distance. Although the site is naturally elevated above its immediate surroundings, the broader surroundings include a range of elevations, with nearby hills of substantially greater elevations, and the project would not result in ridgeline development.

Wildlife Impacts

Multiple comments were submitted that describe the wildlife that occurs, or has potential to occur, in the vicinity of the project site. Commenters state that the project’s proposed construction and tree removal activity would displace or impact wildlife. Under CEQA, potential impacts to wildlife are evaluated for the potential to be a significant impact. Impacts to common species are generally not considered a significant impact if a local or regional population would not be jeopardized. The site is primarily planted with non-native trees, shrubs, and weedy species. Eucalyptus trees have been widely planted throughout California since the late 1800s, and often establish as invasive stands. They do provide habitat for common wildlife species, such as red-tailed hawks, mourning dove, scrub jay, and deer; but are less likely to support special status species (i.e. state and federally listed and other rare species). The small size of the project footprint, and the placement of the project site among residential and agricultural development decreases the value of habitat for special status wildlife. Impacts to common wildlife species (including common birds) would not be considered significant under CEQA, and potential impacts to special status wildlife, and non-special status birds protected under the California Fish and Game Code are mitigated through implementation of preconstruction surveys and avoidance.

Noise

Multiple comments describe concerns about project-generated noise, including construction noise, traffic noise, operational noise at the senior living community, and the noise from emergency vehicles that could potentially be frequently moving to and from the senior living community. The Draft SEIR addresses noise impacts in Section 11.0, *Effects Not Found to be Significant*. As discussed therein, impacts related to construction noise and vibration, on-site operational noise, traffic noise, and the exposure of new sensitive receptors to ambient noise would all be less than significant.

Private Land Rights

Numerous comments regarding private land rights indicate fundamental disagreement between the HOA and the project applicant regarding the applicant’s right to establish shared use of HOA-controlled facilities and resources. Commenters note that the Subdivision’s roads, stormwater drainage facilities, and security service are privately maintained and funded by the HOA. Some commenters dispute the Draft SEIR’s description of the project applicant as a member of the HOA; commenters acknowledge that the applicant has contributed payments to the HOA, but is not a member and has not been granted the access rights necessary for development of the project site. Commenters state that the applicant would not have the right to

connect the project to the Subdivision's stormwater drainage system. Regarding road use, multiple commenters use the phrase "ingress and egress" to refer to the limited rights of the applicant to use Subdivision roads, suggesting that construction vehicles would not be permitted to park on the roads and that senior assisted living center residents would not have the right to walk on them. Commenters also state that the project would burden the Subdivision's privately funded security service. While land use rights and road access privileges are not "environmental issues" pursuant to CEQA, these issues could influence the County's decision regarding the project.

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