Jacqueline Onciano Monterey County Planning Department 168 West Alisal Street, Second Floor Salinas, CA 93901-2478

Suject: Comments on Draft EIR for Rancho Canada Village Specific Plan

Dear Jacqueline,

My comments are attached. The visual simulations in the DEIR do not illustrate the size and scope of this project and they will be seen by only a few. Due to the size and density of Rancho Canada Village and the visual impact it will have on those of us who live in Carmel Valley, the honorable thing to do is to flag and stake the project. I am demanding that this be done before the project is sent to the Carmel Valley Land Use Advisory Committee.

I want you to know that your hard work and your kindness to me through out the long preparation process have been most appreciated.

Warmest personal regards,

Margalit Robbens

Margaret Robbins 3850 Rio Road #26 Carmel, CA 93923 March 1, 2008

Executive summery

1. Page ES-2, Rio Road extension. While the present CVMP circulation element includes the extension of Rio Road, the current Carmel Valley traffic improvement plan DEIR recommends not building this extension as the superior alternative. Please explain why neither this document nor the project description fails to address the abandonment of the Rio Road Extension plan line. And also explain why units at Rancho Canada village are allowed not only to be built on the plan line but also able to ignore the setbacks required by the plain line.

Regarding the abandonment of the Rio Road Extension plan line: at the 2/7/08 Carmel Valley Road committee meeting, Ron Lundquist said the first step was to eliminate the extension from the road improvement list as was done in the Carmel Valley Traffic Improvement DEIR. The second step would happen after the new general plan was adopted at which time the plan line would be removed per County regulations. Please explain in detail what happens if Rancho Canada Village is approved before the new general plan is adopted?

2. ES-3 social goals, second bullet. When Nick Lombardo first introduced this project, he said it would serve the residents of Carmel Unified School District. Please explain why the project now will serve not only people living within the boundaries of Carmel Valley, but also anyone living on the entire Monterey Peninsula.

3. ES-4. the project started out as having homes on just 36 acres. Under bullet one, it has changed to 40 acres. Please explain in detail where the additional 4 acres are located.

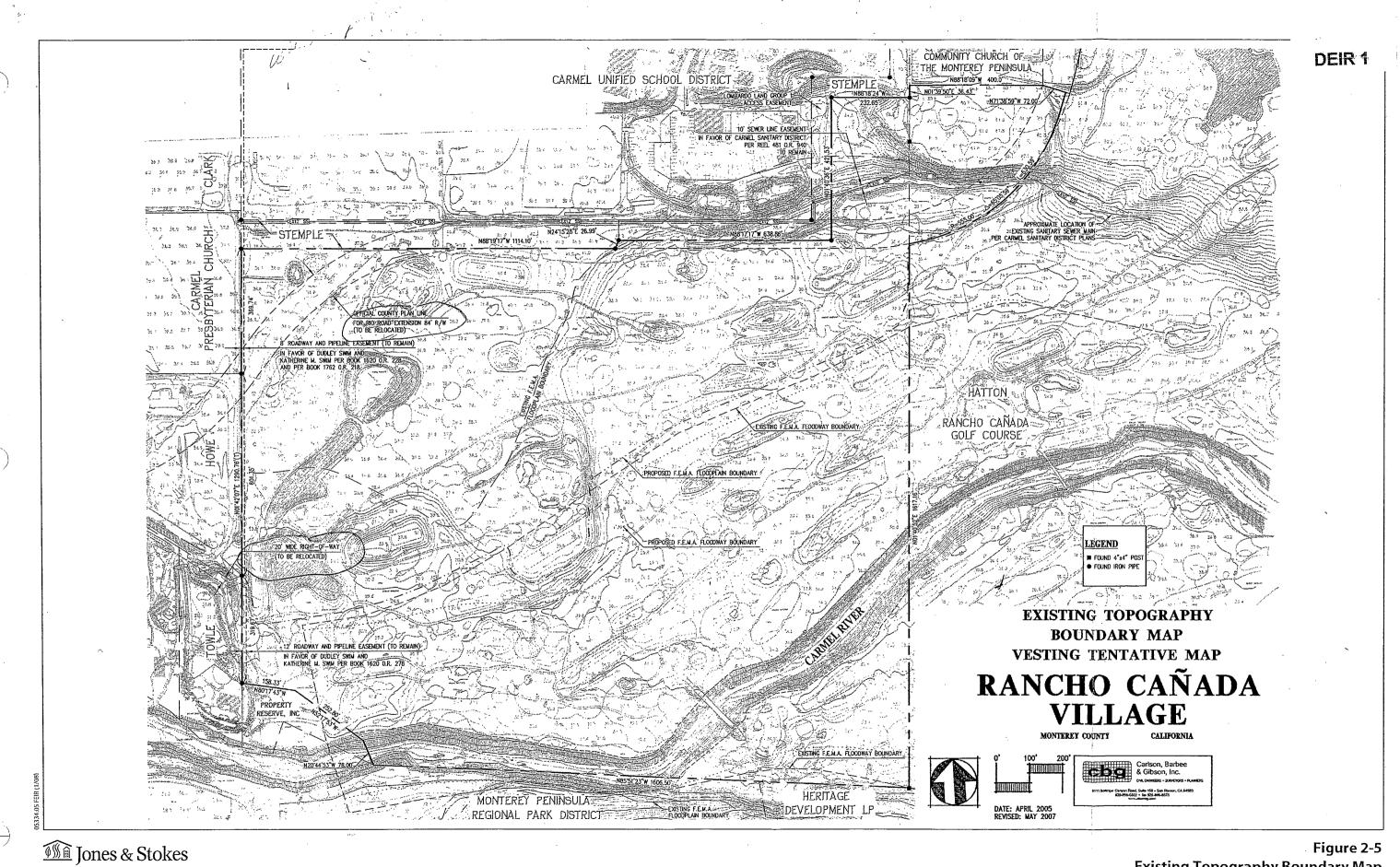
4. ES-4. bullet three, road infrastructure and trail improvements. What the project appears to be using is not the original plan line for the Rio Road Extension but merely a portion. please explain in detail how the project is able to use just a portion of the plan line and not at the same time abandon the unused portion.

5. ES-4 and ES-5 maintenance and operations. How can buyers of the 56 inclusionary units be assured that the fees and assessments generated to maintain the infrastructure (CSA, CSD, Lighting district and HOA) will not total more than their mortgage payments as has happened in other mixed income communities? Will this combination of districts include only the residents of Rancho Canada Village? Please explain what percentage of the monthly fees and assessments will be placed in a reserve to fund future needed repairs and maintenance.

Project description

Figure 2.5 existing topography boundary map, vesting tenant map.Please explain in detail what County policy allows the applicant at his whim to relocate an existing official county plan line for the Rio Road Extension. And further explain in detail exactly where the applicants will relocate the official county plan. Please explain in detail why this relocation has not been analyzed in this DEIR. Finally, please explain where the 20' right of right away will relocate and why the impacts of this relocation on neighboring properties has not been analyzed. (See DEIR 1 with yellow highlights.)

6. Page 2-1, second paragraph. Please explain why the Stemple parcel is included in the project



Existing Topography Boundary Map Vesting Tentative Map description. If it is not owned by the developers please explain why it can be part of this project? If negotiations are on-going, please explain when they must be concluded and at what point in time of the project approval will this take place? Will the portion of the Hatton parcel include in the project be required to pay fees and assessments to the home owners association? If not, please explain why not

7. Page 2-2. Please explain exactly what the phrase "housing that remains affordable for as long as possible" means.

8. Page 2-2 please explain in detail how the County can ensure that Rancho Canada Village will continue to pay 100% of the infrastructure in the future. And please explain in detail what the fees and assessments will be for each housing type: very low units, low units, moderate units, work force units, work force two units, and the market rate units.

9. Page 2-5 housing. Please explain in detail the selection criteria and the detailed pricing. Previously it was it was stated that the project would not only serve Carmel Valley but the Monterey Peninsula. Here it states that affordable and work force units will be marketed to those working within CUSD boundaries. Please clarify this discrepancy.

10. Pages 2-6. It states that Rio Road west could be developed as a through road, a local access road (does this assume a locked gate for residents only?), or an emergency access road. At what point in time will one solution be selected. At the 2/7/08 Road committee meeting, Alan Williams, the applicants' representative said the applicant wanted an emergency only access, while Ron Lundquist, Public Works Director, stated the County would not be satisfied with an emergency access only. Please explain when one solution will be selected. Will this selection be made before the project is approved?

11. Page 2-7. Regarding the proposed the 25 mile an hour speed limit within the project, please explain who will be responsible for enforcing this speed limit. Regarding Rio Road west, while this is outside of the project, a speed limit of 15 miles per hour has recommended by the applicant. Please explain who will be responsible for enforcing this speed limit and who bears the cost burden. Please explain why there is not a condition requiring the applicant and the future homeowners association to contract with and pay for sheriff's deputies to maintain speed limits. Please explain it is not a requirement to provide a deputy substation within the project as was been mentioned in comments from the Sheriff's Department.

12. 2-7. it states that all roads in the new development will be privately owned and maintained. Please explain in detail who maintains Rio Road west in whatever form.

13. Page 2-7, second whole paragraph. Please explain why a new transit stop is not required within the project as was done for the Crossroads expansion. Please explain why the lack of such a stop will discriminate against physically challenged and the elderly.

14. Page 2-11 construction. Please provide in detail an updated time for construction. Paragraph three. The applicant estimates that importation of fill would occur over a period of 28 days and would require 7,200 truckloads of fill material. Assuming a 7-hour workday, this means a truck would arrive every minute and a half for 28 days. Considering that each truckload must be

spread and adequately compacted, please explain in detail how this can possibly be done within the 28-day framework.

There is no indication of where the fill will be picked up or what rout will be used to deliver the fill to this site. Please explain why no delivery rout is indicated and why there is no impact analysis on whatever neighborhood will be affected. Additionally, there is no condition requiring this project to sweep streets as was required for the Crossroads Expansion. Please explain why this was not done. Finally, there is no indication of the time required or the equipment needed t hat will be required to move the 100,000 cubic years of fill from the riverbed. Please supply these details and provide an impact analysis.

15. page 2-8, first paragraph, last sentence. "Trail access will also be provided to the Carmel Valley Middle School..." please explain in detail the location of this trail access since the northern boundary includes a sixty foot wide road that covers most of the school's property.

16. Page 2-10, fourth paragraph. Please explain in detail why this project is being exempted or chooses to exempt itself from the MCWRA unwritten rule. And identify what other projects at the mouth of the Valley that were exempted from this rule. In addition, please explain in detail how this exemption will impact those who work and live further down stream.

17. 2-10 and 2-11. Use of best management practices. Please explain in detail who will be responsible for monitoring BMP's and make sure they will continue to be used in regard to storm water run off.

18. Figure 2-7. Please explain in detail how the large drainage pipe on the west end of the project will collect storm waters from the middle school from the Dow and Clark-properties. If this drain has a flag gate, please explain what happens to storm water run of from this project when the flap gate closes

Chapter 6 references sited.

19. Pages 6- 16, alternatives. Koretsky- King, 1975, called for a drainage plan that would carry storm water run off from drainage area 26-27 directly into the Carmel River. Please explain in detail what attempt if any, the applicant has made to contact and ask adjacent property owners (at there cost) to tie into the projects 84-inch drain and channel run off directly to the river. This would help end the dry side flooding that occurred in 1998 and any time in the future when there is a high- tide/ high – river/ heavy local rain storm event. This would prevent the flooding of properties on both sides of Val Verde drive as has happened so many times in the past.

20. References. Please explain why professor Douglas Smith's report. "Physical and hydrologic assessment of the Carmel river water shed" California central coast water studies, water shed institute, report number W1-2004-05/2, first November 2004 was not used by the DEIR consultants.

Chapter 3.4 Aesthetics

21. Please explain in detail how Rancho Canada Village complies with 21.06.1275 of Title 21. It states "Substantial adverse visual impact means a visual impact which considering the condition of the existing view shed, the proximity and duration of the view when observed with normal unaided vision, causes an existing visual experience too be materially degraded".

The existing view shed is shown in Exhibit A, fly over view of the mouth of Carmel Valley; Exhibit B, hikers view from Palo Corona; Exhibit C, panorama 1 taken from just above the playing fields at Carmel Middle School; Exhibit D, panorama 3 taken from exactly the same spot as DEIR figure 3.4-5; Exhibit E, panorama 4 taken from just above the intersection of Rio Vista Drive and Carmel Valley Road; Exhibit F, panorama 5 taken while sitting at the bus stop just east of Rancho Rio Drive; Exhibit G, panorama 6 taken from the behind the offices on Carmel Rancho Boulevard; Exhibit H, panorama 7 taken from the second story of office buildings on Carmel Rancho Boulevard; Exhibit I, Panorama 8 taken from the top of the Rio Road tieback levee; Exhibit J, photo taken from Rio Vista Drive; Exhibit K, taken from Rotunda; and Exhibit L, taken from Marguerita.

22. Page 3.4-2, last paragraph and 3.4-3 second paragraph. Please explain why no recent publications were used. Data from the early to late 1980's seem dated.

23. Viewer Response, Last sentence at the top of page 3.4-4 of the DEIR states "visual sensitivity is generally higher for people engaged in recreational activities such as hiking." Please explain why hikers and pilots flying over the mouth of Carmel Valley would not be visually disturbed by the location and siting of Rancho Canada Village. (Refer to Exhibits A and B)

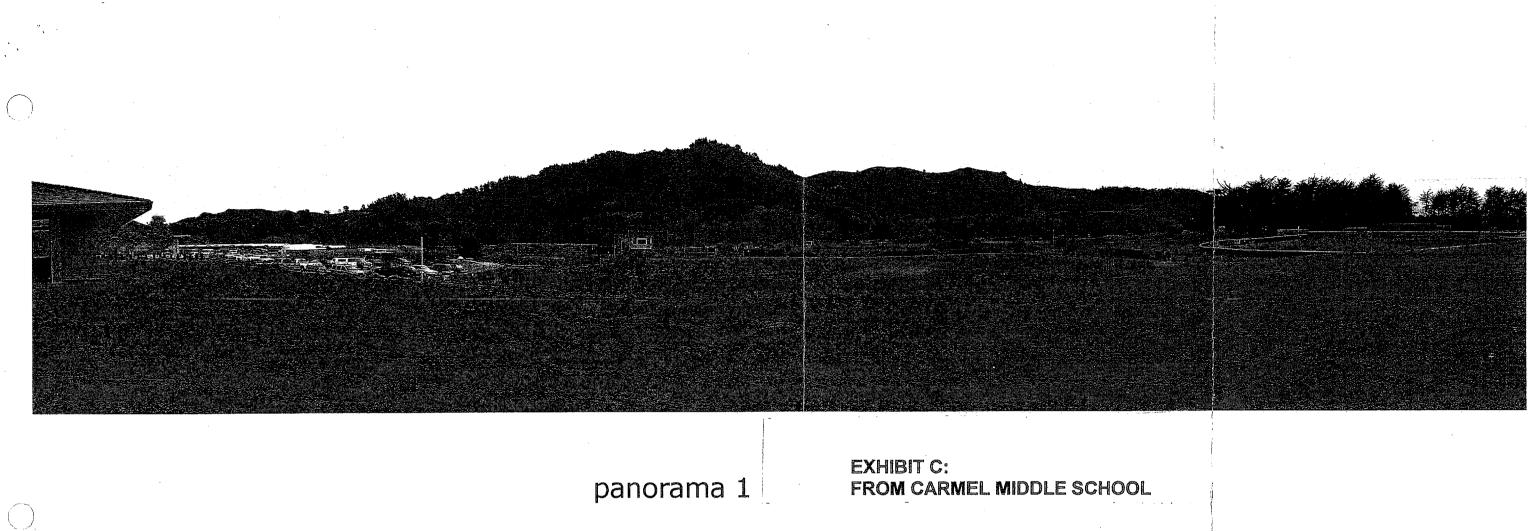
24. Views of the project from adjacent areas. Page 3.4-6, first paragraph. "Limited visual screening is provided by that vegetated buffer that grows along Rancho Canada's western fence" --this refers to residences screened on Carmel Rancho Blvd. Please locate this vegetated buffer. Please locate the residences that are screened on Carmel Rancho Blvd. Please explain how the Carmel Presbyterian Church's permitted Community Life Center will not be visually affected by Rancho Canada Village.

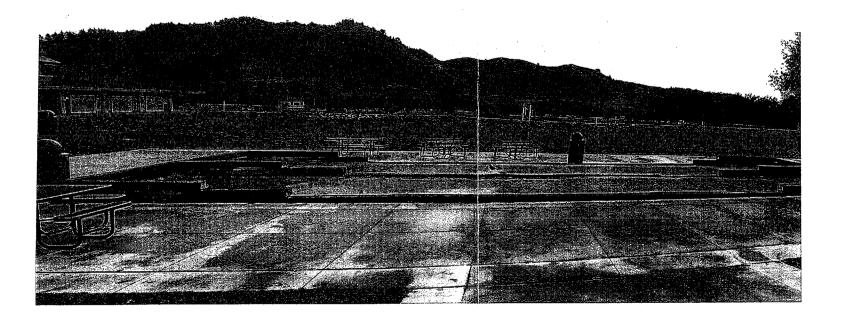
25. Page 3.4-5, last sentence refers to direct views being limited to vehicular traffic on Rio Road and Val Verde Drive. Please explain why no photos are included of the views from Val Verde Drive.

26. DEIR figure 3.4-1 is very misleading. It is taken facing north toward toe Swim Ranch. Had the photographer moved to his left and focused on the hills of Carmel Knolls, Rancho Rio Vista, and Carmel Views, it would have shown dozens of homes facing Rancho Canada Village. Obviously if these homes are visible from the west course, these homes will see Rancho Canada Village.

27. Page 3.4-14, third paragraph. The density of Rancho Canada Village is compared to Riverwood and Arroyo Carmel. What is not noted is the fact that Riverwood and Arroyo units are smaller than those proposed at Rancho Canada Village. Both of these projects have much more open space and do not have extensive sidewalks, alleys, or roadways as does Rancho Canada Village. Arroyo has many more amenities -- clubhouse, spa, sauna, tennis courts, a swimming pool and a lake of over half an acre. Please explain how Rancho Canada Village is visually compatible with the existing residential neighborhood,

28. Page 3.4-12 and -13. Please explain in detail why Rancho Canada Village, a project that converts recreational open space to a very dense housing project provides less than a significant impact. (See Exhibit M, visual simulation from Palo Corona perspective--compare to Exhibit B visual simulation of fly-over the mouth of the Valley; See Exhibit N, a visual simulation of fly-over --compare to Exhibit A; see Exhibit O a visual simulation from Val Verde Drive, the hills above the mouth of the Valley -- compare to Exhibits G,H,J, K and L.)

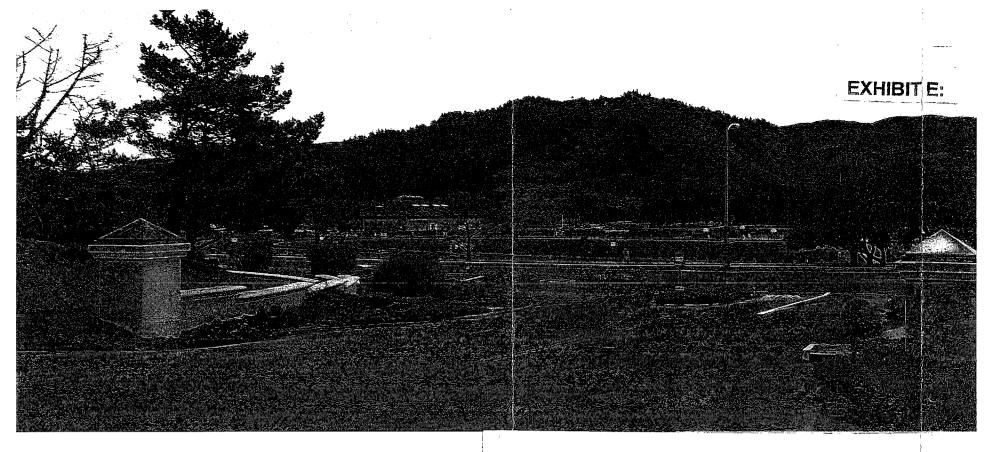




panorama 3

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EXHIBIT D: FROM CARMEL MIDDLE SCHOOL



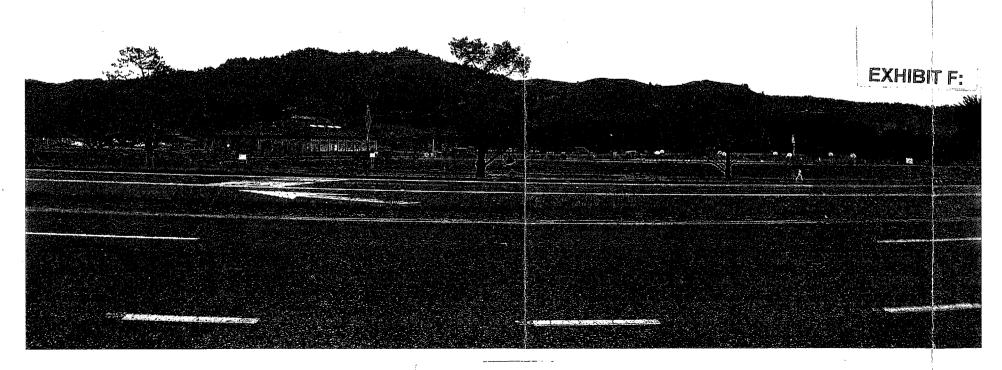
panorama 4

FROM INTERSECTION OF RIO VISTA DRIVE AND THE INTERSECTION OF CARMEL VALLEY ROAD



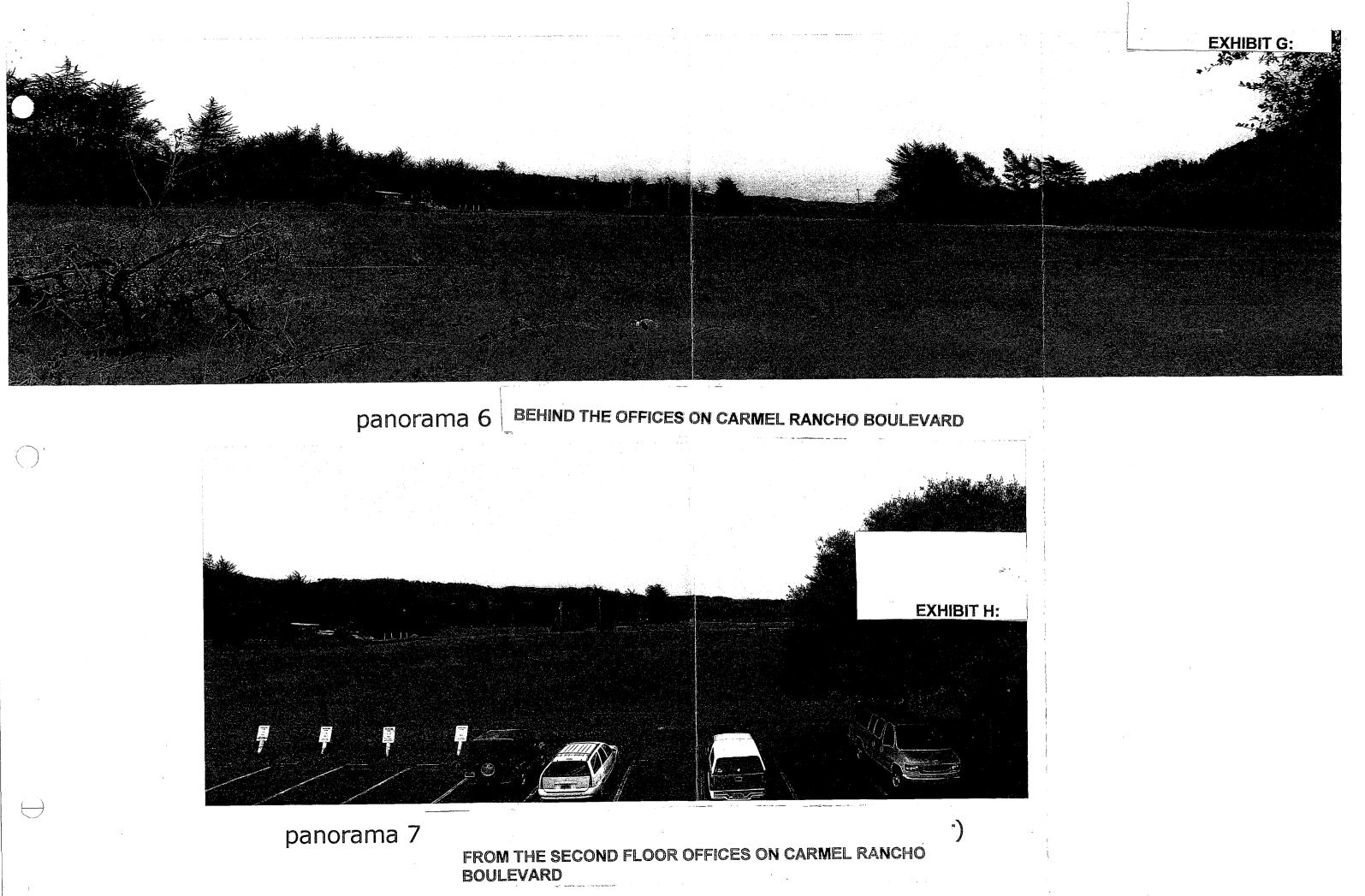
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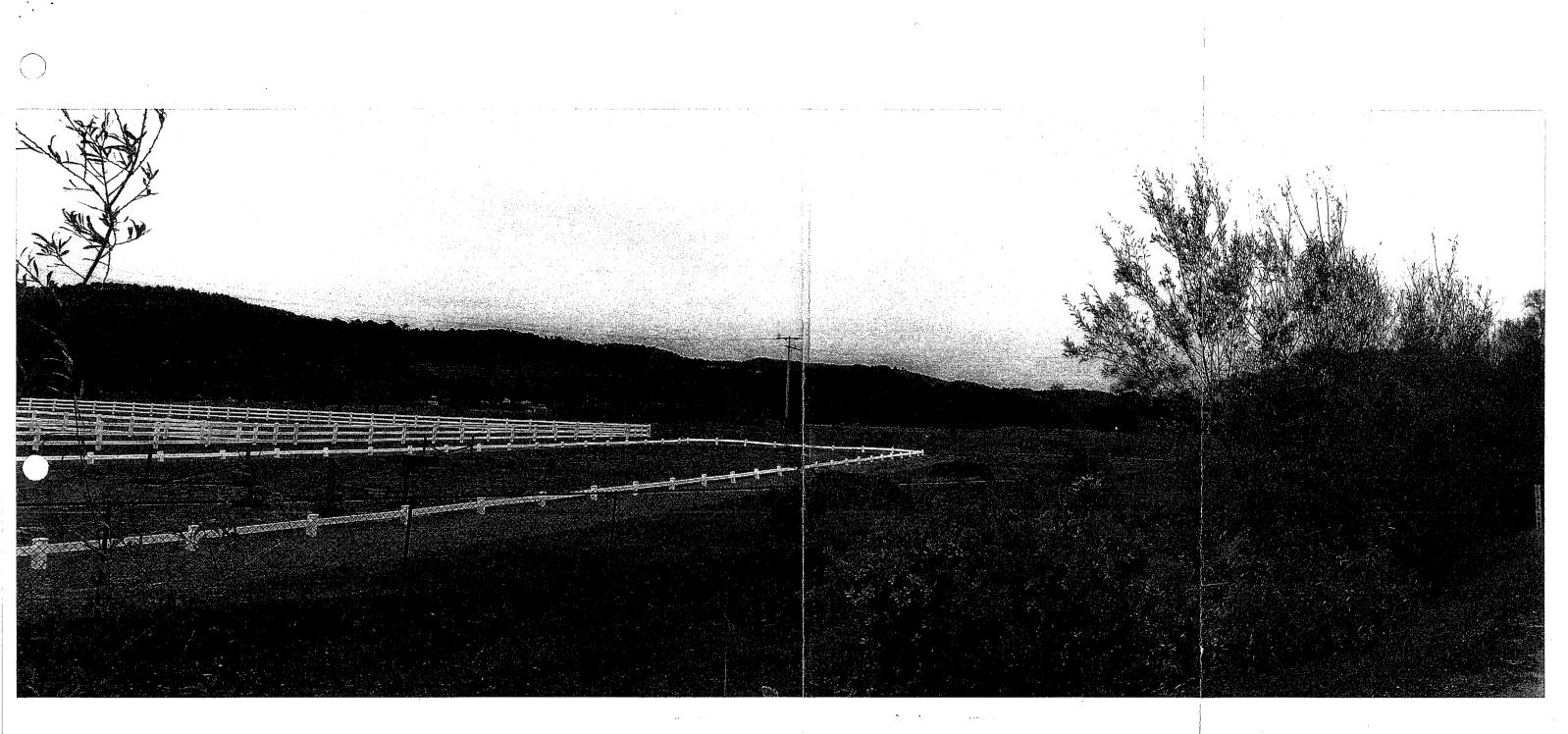


panoprama 5

FROM THE BUS STOP EAST OF RIO VISTA DRIVE AND CARMEL VALLEY ROAD



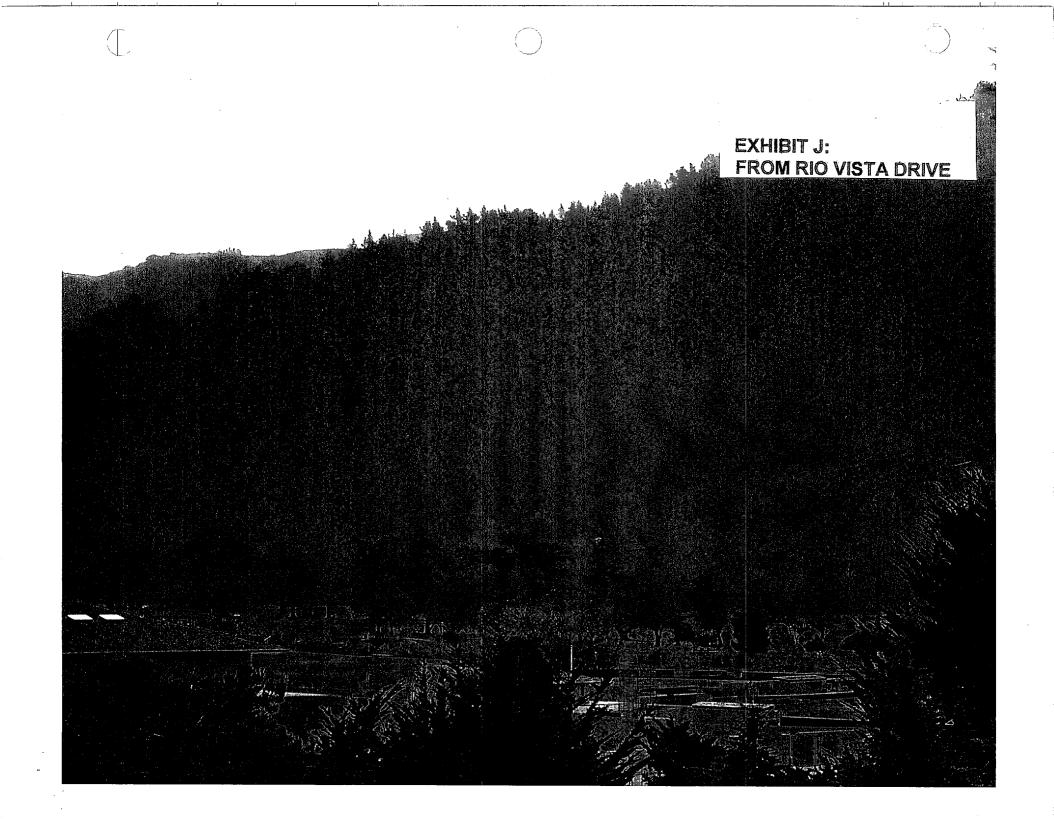


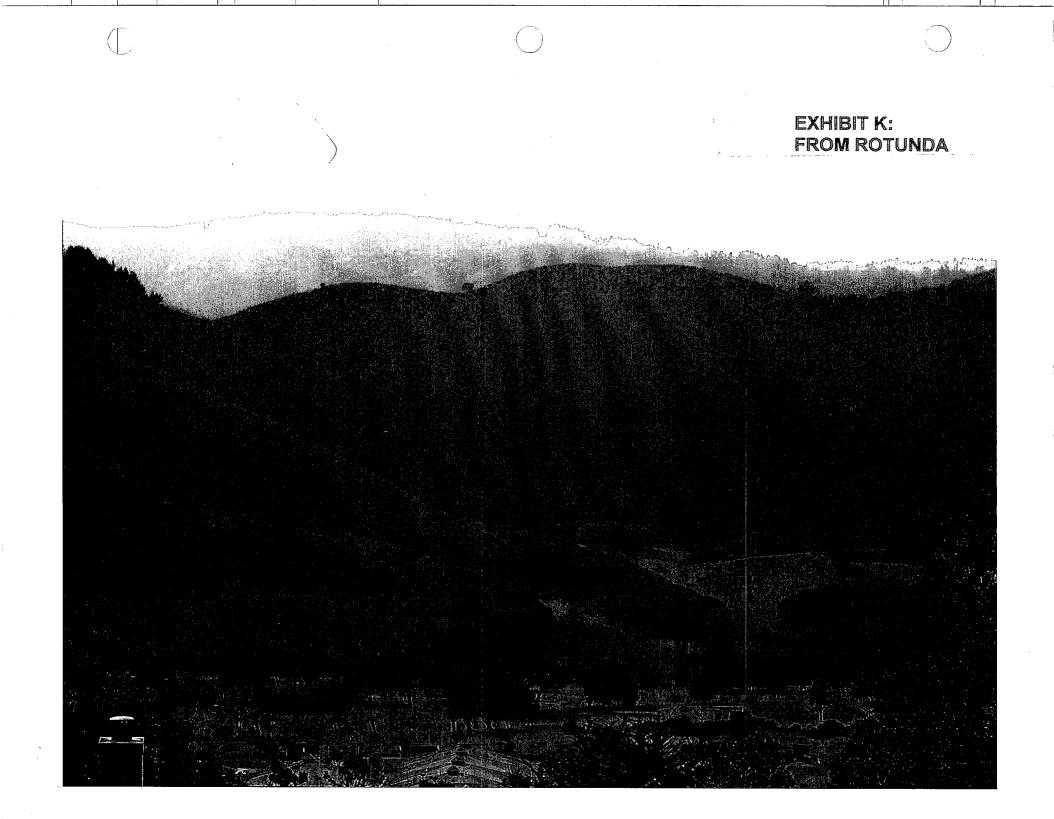


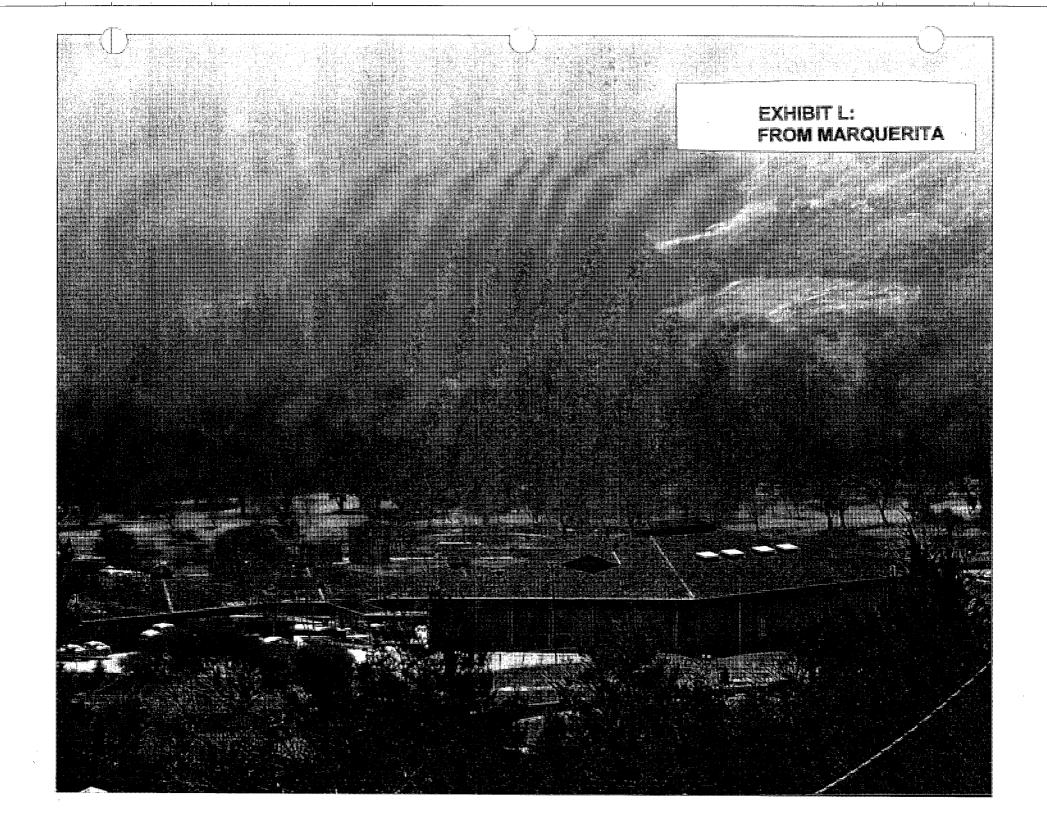
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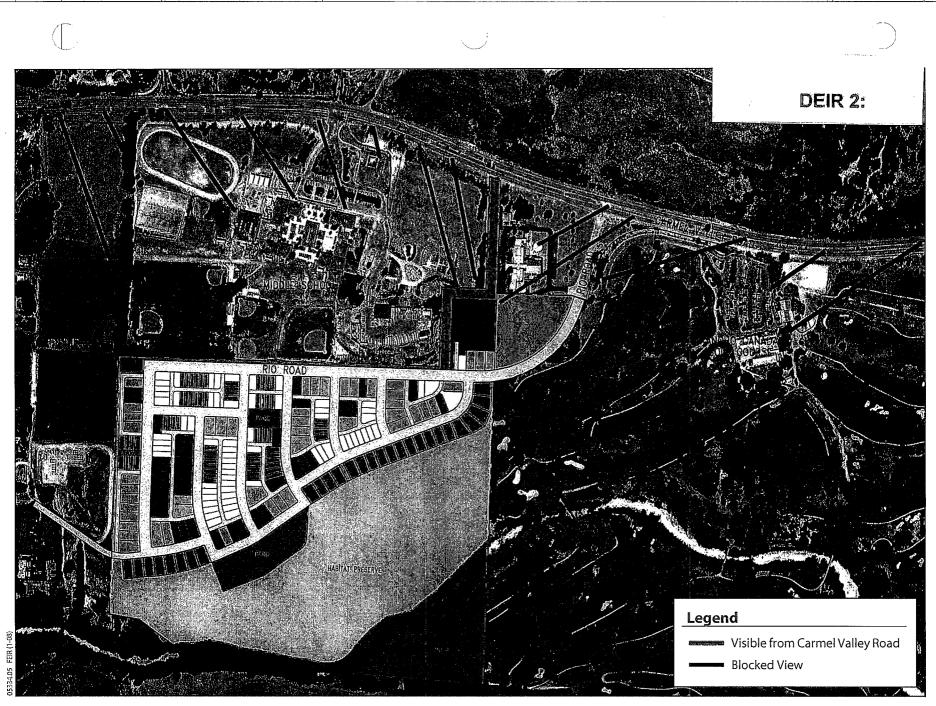
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EXHIBIT I: FROM THE TOP OF THE RIO ROAD TIE-BACK LEVEE



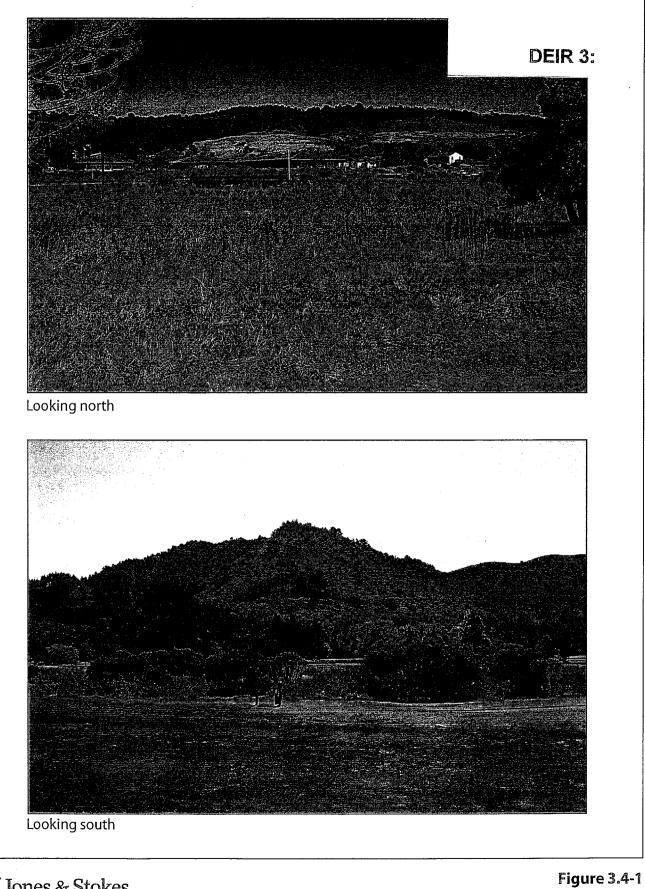






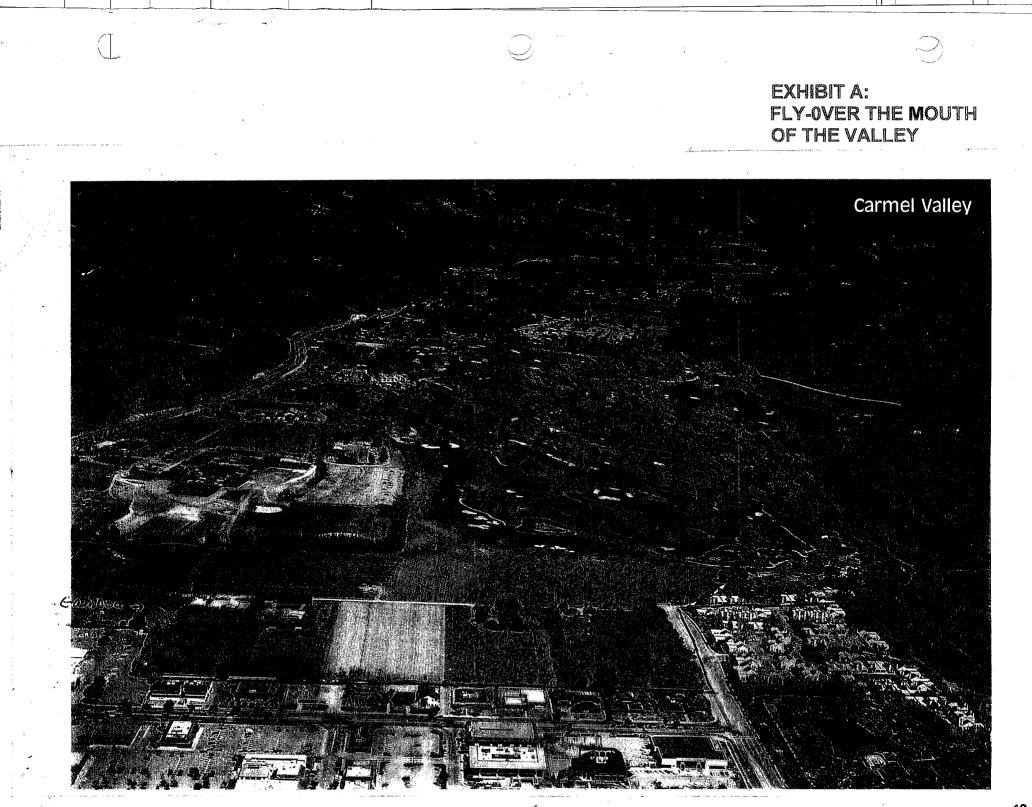
Jones & Stokes

Figure 3.4-8 Views of Rancho Cañada from Carmel Valley Road



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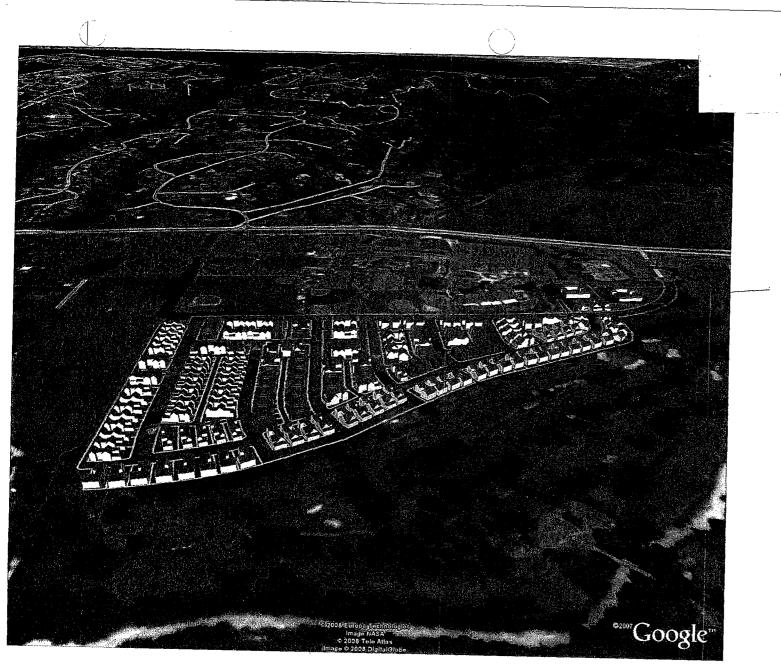


EXHIBIT M: VISUAL SIMULATION

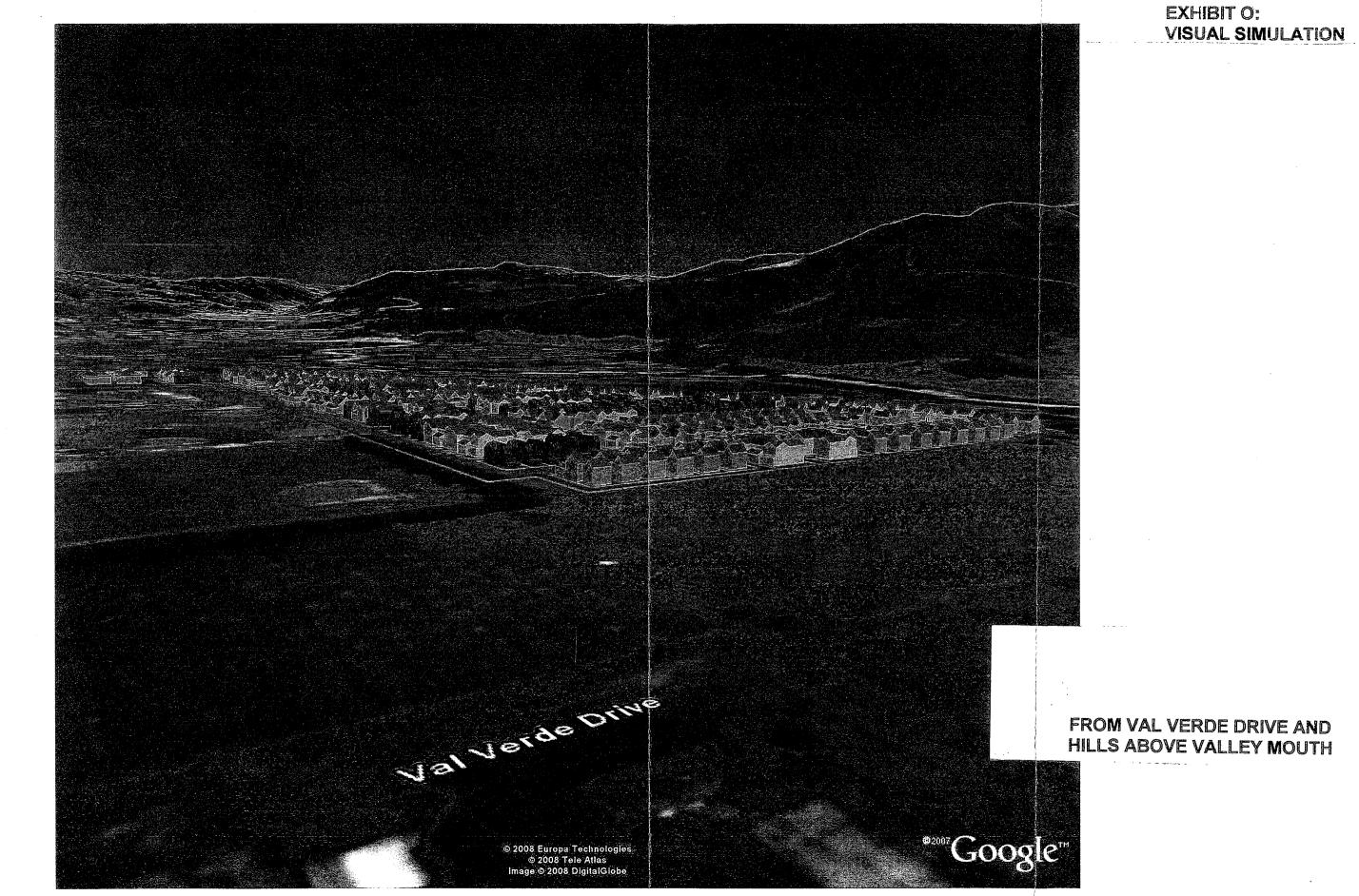


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EXHIBIT N: VISUAL SIMULATION FLY-OVER



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29. Page 3.4-14, Impact AES-2. Please identify and locate the "existing dense vegetation". If this means the row of aging Cypress trees along the western and southern borders of Carmel Middle School, this vegetation screens only the Middle School on the west and only about a third of Rancho Canada Village from public views to the north. These trees are in desperate need of topping by one-third and suffered severe damage during there recent storms. A field trip is needed to adequately re-asses the visual impact.

30. Figure 3.4-5 presents a very misleading perspective. (See DEIR 4) The corner of the building shown appears to be almost the same height as the Rancho Canada Village units. Please explain how this can be possible when I had the maintenance man at the school measure from under the eve of that building to the ground. It is actually only 10 feet. Compare to Exhibits C and D.)

31. Figure 3.4-7 The visual simulation appears to show the following: (1) a wide planting strip, (2) a raised and should also show a road before the units. Please indicate exactly where I can find a map that shows these items. How many feet from the fence line are the buildings in Rancho Canada Village located? Please explain how the visual screening shown in this figure be considered adequate screening. Please explain why this simulation is said to be taken from Rio Road when it is obviously taken from the Howe property. (Compare to Exhibit I)

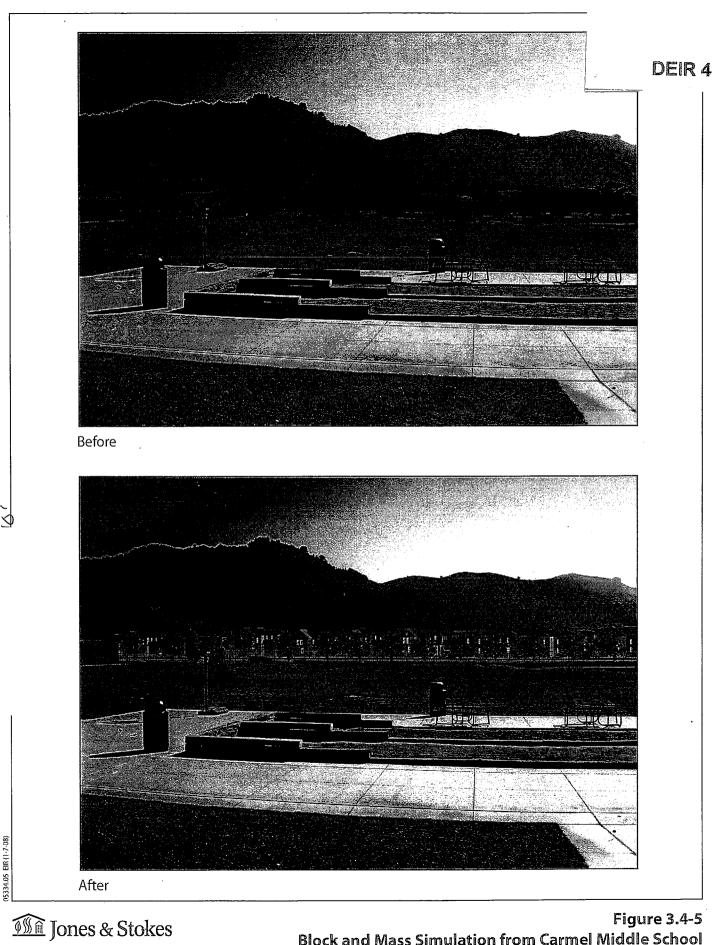
32. Please compare and comment on the limited viewpoint locations provided in figure 3.4-4 (See DEIR 6.) During the scooping session the DEIR consultants were asked to provide several views of Rancho Canada Village so the people could actually see what kind of visual impact Rancho Canada Village would have from various view sheds in Carmel Valley. Please compare DEIR 6 with what Exhibit P and explain why the DEIR shows photos taken from only three view points.

33. In Sight Line Exhibit (See DEIR 7) indicates that less than a dozen roof tops of Rancho Canada will be visible. Please explain how this is possible considering the previous Exhibits presented. Also explain why in the sigh line exhibit only the roof tops of Rancho Canada Village are visible when in figure 3.4-6 much more than the roof tops are visible from Rio Road. See DEIR -7

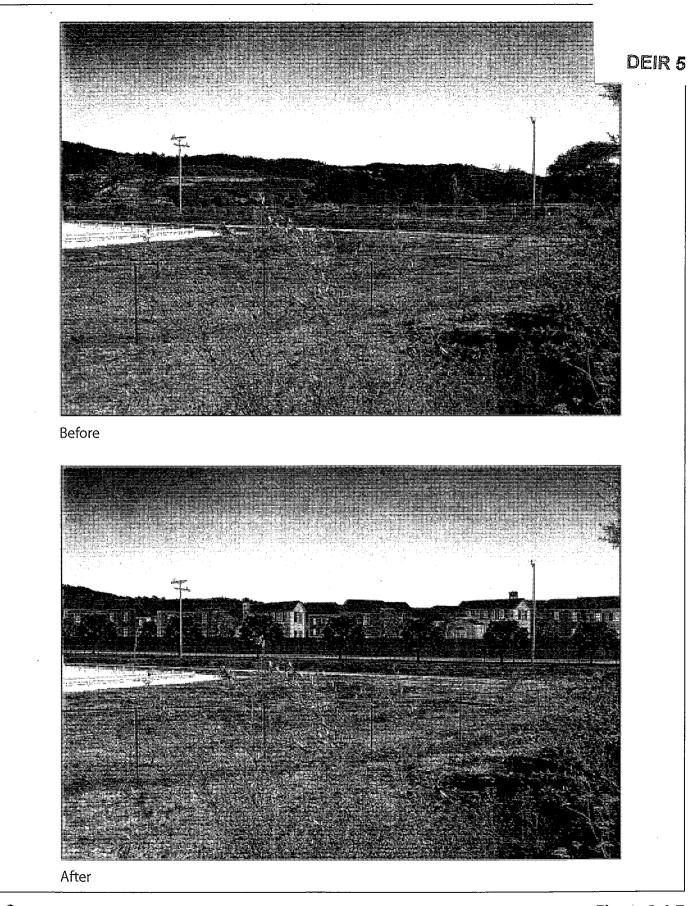
34. There is no indication of the garage sizes in this DEIR, including the Specific Plan and the Pattern Book. Will the garages be large enough to park trucks of 21-pus feet and 23-plus feet as shown in Exhibit Q? If not, please explain why these trucks will not be parked on the street as has happened in Seaside Highlands.

35. Page 3.4-15, second paragraph, third sentence. This seems to indicate that what you could once see from your living room can be replaced by walking down a trail to the Habitat/Park of Rancho Canada Village. Please explain in detail why this is an acceptable trade-off and would not destroy a property's value.

In light of the limited and misleading visual perspectives presented in this DEIR, it is essential that Rancho Canada Village be flagged and staked before this project comes before the Carmel Valley Land Use Advisory Committee. Please explain in detail why the use of the limited visual simulations presented in the DEIR are sufficient notice to the people are Carmel Valley of the visual impact of Rancho Canada Village.



Block and Mass Simulation from Carmel Middle School



Iones & Stokes

05334.05 EIR (1-8-08)

Figure 3.4-7 Block and Mass Simulation from Rio Road



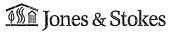
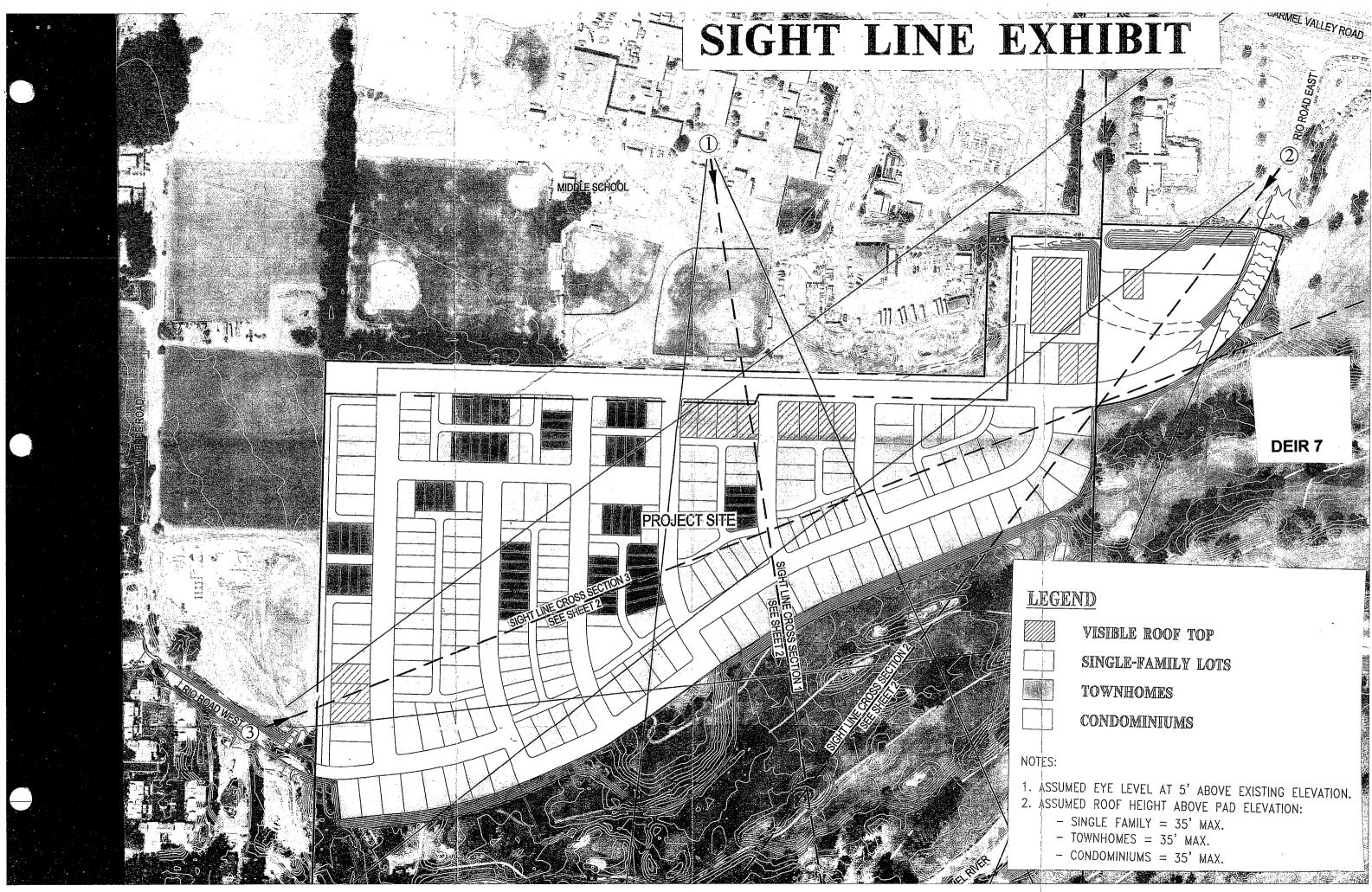
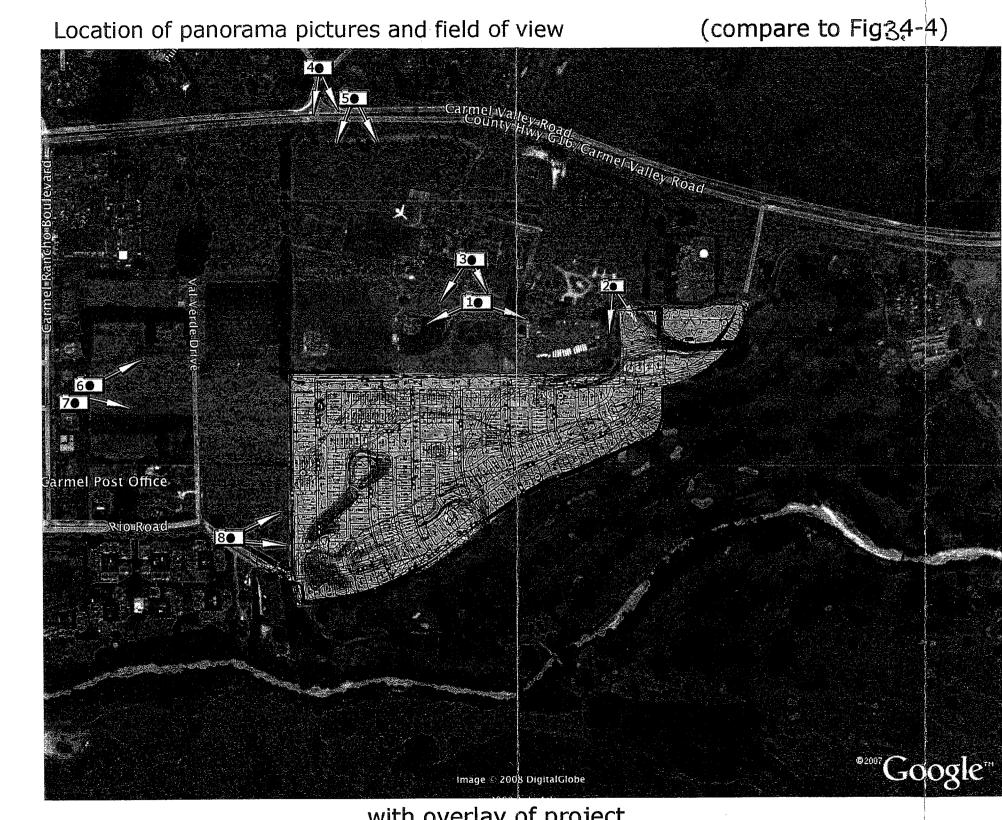


Figure 3.4-4 Viewpoint Locations



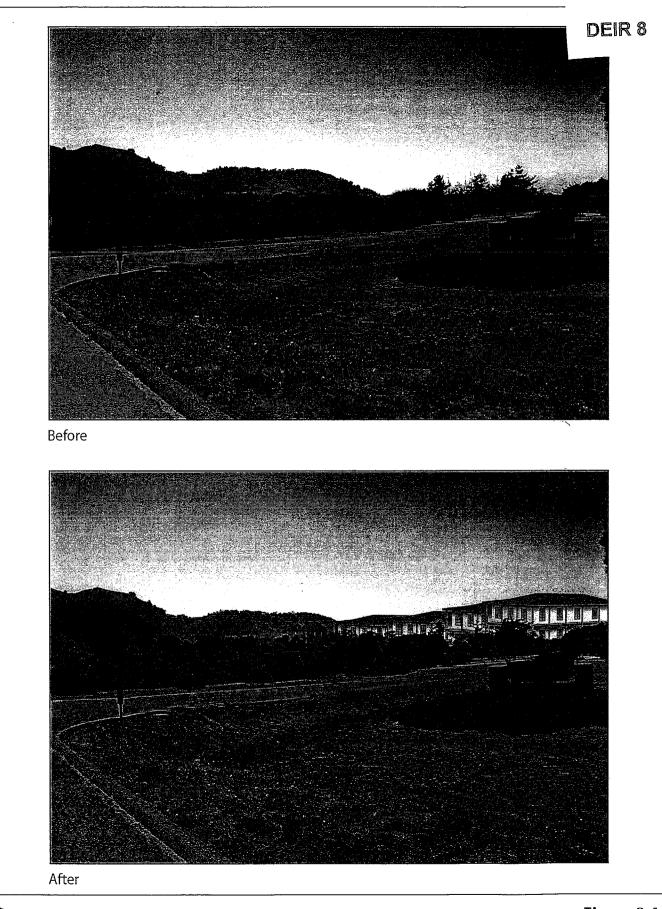
	VISIBLE ROOF TOP
	SINGLE-FAMILY LOTS
	TOWNHOMES
	CONDOMINIUMS
NOTES	
NOTES:	
 ASSUMED EYE LEVEL AT 5' ABOVE EXISTING ELEVATION. ASSUMED ROOF HEIGHT ABOVE PAD ELEVATION: SINGLE FAMILY = 35' MAX. TOWNHOMES = 35' MAX. 	



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with overlay of project

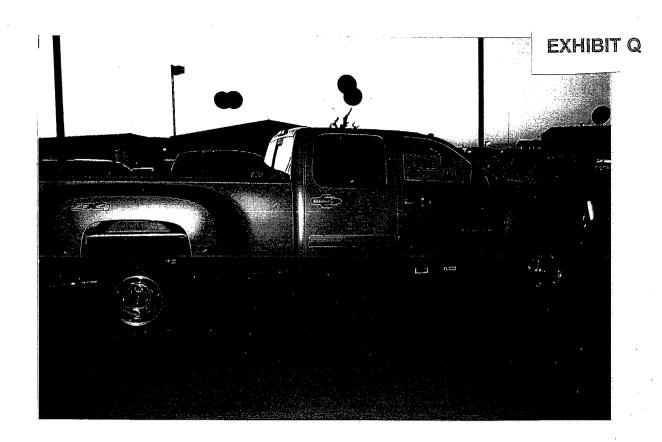
EXHIBIT P



Jones & Stokes

05334.05 EIR (1-7-08)

Figure 3.4-6 Block and Mass Simulation from Carmel Community Church





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Cultural Resources

36. Please explain in details how the requirement of SB-18 have been met. I see no consultation done. Please explain how the following requirements have been meet.

§ 65351: Native American Involvement in General Plan Proposals

Requires local planning agencies to provide opportunities for involvement of California Native American tribes on the contact list maintained by the Native American Heritage Commission, and others, in the preparation or amendment of the general plan

§ 65352: Referral of Action on General Plan Changes to Native Americans

Requires local planning agencies to refer proposed actions of general plan adoption or amendment to California Native American tribes on the contact list maintained by the Native American Heritage Commission, and others, with a 45 day opportunity for comments.

§ 65352.3- 65352.4: Consultation with Native Americans on General Plan Proposals

Requires local governments to conduct meaningful consultation with California Native American tribes on the contact list maintained by the Native American Heritage Commission prior to the adoption or amendment of a city or county general plan for the purpose of protecting cultural places on lands affected by the proposal.

§ 65560, 65562.5: Consultation with Native Americans on Open Space

Includes protection of Native American cultural places as an acceptable designation of open space. Requires local governments to conduct meaningful consultation with California Native American tribes on the contact list maintained by the Native American Heritage Commission for the purpose of protecting cultural places located within open space.

37. Chapter 3.0 Environmental Analysis. Page 3.1-11, Emergency Response Planning. Please explain in detail how first responders will handle the hundreds of people living in Rancho Canada Village in the event of a disaster that requires immediate evacuation. Paul Ireland in the Carmel Valley Emergency Response plan several times says evacuating Carmel Valley is "seriously challenging". The Carmel Middle School Gym is the gathering place for people at the mouth of the Valley in a disaster. What is the maximum capacity of that shelter. Where would additional shelters be placed. It is virtually impossible to quickly evacuate the mouth of Carmel Valley quickly on any weekday from 8am to 7pm. Please explain how adding the hundreds of adults and children in Rancho Canada Village will not make this dire situation even worse.

Hydrology

38. After the floods of 1995, Nick Lombardo spent 6 months bringing in rip rap to armor the west course. The DEIR does not analyze or indicate what happens to this armor. Why not? (See Exhibit U taken during the flood of 1998.)

Looking downstream Via Mallorca Bridge to Rancho Canada, February 3, 1998 at 9 Peak flow for the day was estimated by the to be 14,600 cfs at mid

EXHIBIT U

38. Please explain in detail how widening and raising the entire the present Rio Road tie back levee is consistent with the recommendations contained in both the Nolte Report (see page 4) and the Philip Williams Study (see sheet 3). Please explain in detail --the analysis that shows the present Rio Road tie back levee can support a roadway and traffic. This includes but is not limited to soil composition, compaction records and engineering.

39. The flood wall proposed by Alan Williams at the CSA#50 meeting February 19, 2008, has not been analyzed by either FEMA or the Army Corps. There are no engineering drawings, no hydrologic analysis, no indication of what materials will be used and what kind of pier or base this flood wall will need to prevent scouring and collapse. And most important there is no mention of this flood wall on either the DEIR or Specific Plan. Please explain in detail why the applicant is allowed to change the project at whim and indicate when these changes are serious enough to re-circulate the DEIR. In light of the failure of flood walls in New Orleans (due to faulty engineering), please explain in detail why the County would not be fully liable for property damage and the failure to protect the lives, health and welfare of those who live and work at the mouth of the Valley in the event of flood wall failure. Please explain in detail when the proper CEQA analysis of this flood wall will be done.

40. The DEIR and Specific Plan both make statements alluding to the fact that raising and widening the Rio Road tieback levee would provide additional flood protection to both Riverwood and Arroyo Carmel. Please explain in detail the hydrology and geotech facts that support this statement.

41. Figure 2-7, Preliminary Grading and Drainage Plan, Section D-D states "proposed Rio Road elevation 39.5 feet per CSA50 flood control final report. (DEIR 9) Please explain what report. Please explain in detail why no modeling has been done to reflect what happens when there is a high river/high tide/ and heavy local rainfall situation.

42. Page 5-25, Lower Carmel Valley Flood Control Alternative, first paragraph. Please explain what the word consistent means. Does it mean following exactly the recommendations contained in the PWA final report? Or Does it means only doing something somewhat similar?

43. Page 5-25, last paragraph. Please supply the supporting analysis that raising Rio Road would help meet some of the goals. Please explain why there is no danger in meeting just some or the goals but not all of the goals. Please explain what happens if Rio Road is raised but the notch on Odello East is not lowered and widened. Please explain in detail what happens if the flood walls are not installed to the east and south of Riverwood as proposed in the PWA study.

44. Please explain why the new FEMA maps have not been released and used in this DEIR. Please explain why the public has had no access to the new FEMA maps.

45. Please explain precisely at what point in time the County will require the applicant to select just one solution for Rio Road West and to provide the detailed analysis required by CEQA. Please explain how the public can be expected to analyze and comment on what is a moving target.

46. Please explain how just doing one purported flood control improvement (raising and widening Rio Road) isn't piece-mealing the much larger project recommended in both PWA and Nolte.

47. Please explain who will own and who will maintain the longer, wider, higher Rio Road West when it becomes a roadway rather then just a flood control improvement. And please explain why the Rio Road tie-back levee is still operating under a temporary construction easement after ten long years.

48. Looking at the history of the Carmel River: "However, anecdotal flood peak estimates (as opposed to those measured by the USGS) are not used in developing hydrologic estimates of peak flows. They are not considered reliable enough to be included as data points in an analysis. But personally, if I were a property owner along the Carmel River, I would take these reports into account when making a decision about flood insurance--especially if the new flood maps (new FEMA maps) show properties near the river as being out of the 100-year flood plain. The anecdotal events in the past (1911 flood waters reaching from one side of the Valley to the other, 1914, 1918, and 1862 when it was estimated that the flood peak was near the 500-year level. This would have put that event in the vicinity of 45,000 cfs of nearly triple the 1995 flood peak.) is from a time before building the main stream dams that have held back both debris and sediment for more than 85 years. These conditions will change in the

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CARMEL UNIFIED SCHOOL DISTRICT 3- ⁴-P-41,3 P-10.0 P-10. 19-102 P-40.4 P-39.9 P-412 P-40.2 1 102 P-40,2 P-40,2 P-404 P-413. P-40.2 RANCHO CAÑADA GOLF COURSE 192 P-32.5 \bigcirc P-40.1 P-203 2 F-39.9 ALL STORM DRAIN CROSSINGS ARE 15" ALL STORM DRAIN SIZES ARE PRELIMINARY AND WILL BE FINALIZED WITH IMPROVEMENT PLANS PROPOSED STORE DATE: APRIL 2005 REVISED: MAY 2007 \bigcirc Jones & Stokes

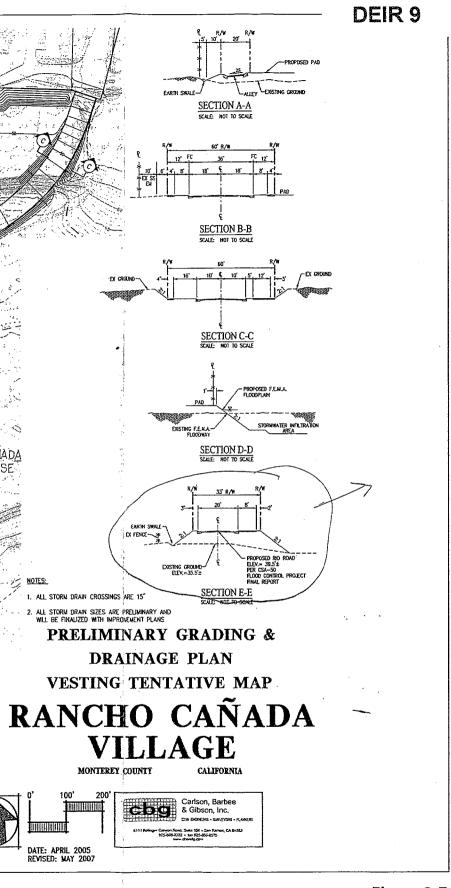


Figure 2-7 Preliminary Grading and Drainage Plan Vesting Tentative Map foreseeable future, whereas current computer simulations of floods presume static conditions and are just not complex enough to model a 'fierce little river' as John Steinbeck wrote of the Carmel River. Please comment in detail on this quote from Larry Hampson, Water Resources Engineer, Monterey Peninsula Water Management District.

49. In regard to the lack of modeling both upstream and downstream of the project, Hampson says If you don't see any modeling upstream or down stream of the Rancho Canada Village project, it may be that they (Balance) matched water surface or energy grade (a measure of the energy that a flood has at any location) at the boundaries of the project in the new FEMA flood insurance model and didn't go any further. But, generally modelers will include several cross sections up stream and down stream of a project to compare one model with another. Please comment inn detail on Hampson's observations.

Traffic

50. Back-ups occur on Rio Road whenever there is a minor problem on Highway One. Rio Road will be approximately .8 of a mile long (considering the addition of Rio Road West) and has three unsynchronized stoplights. Please explain why the additional traffic will not return Rio Road to the gridlock experienced before the Climbing lane was built. (Exhibits R and V)

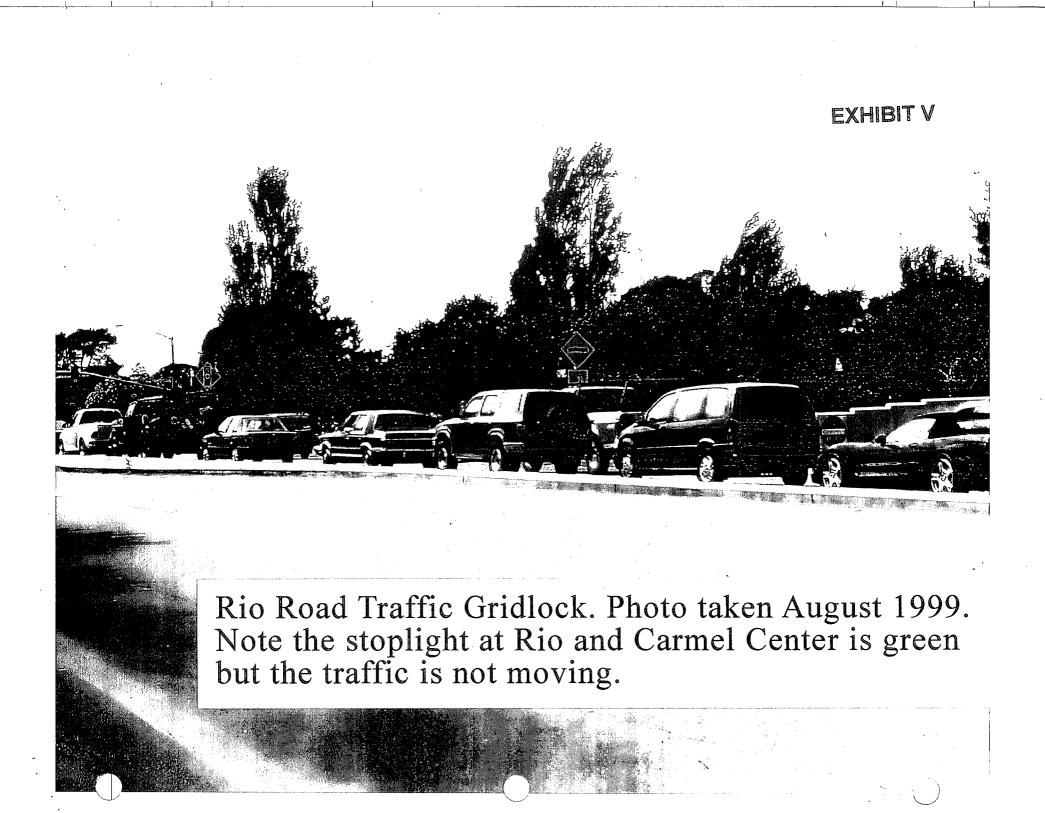
51. There has been no traffic analysis on the impact of Rancho Canada Traffic on parents picking up children from either Carmel Middle School or Carmel High School, Please explain why this was not done.

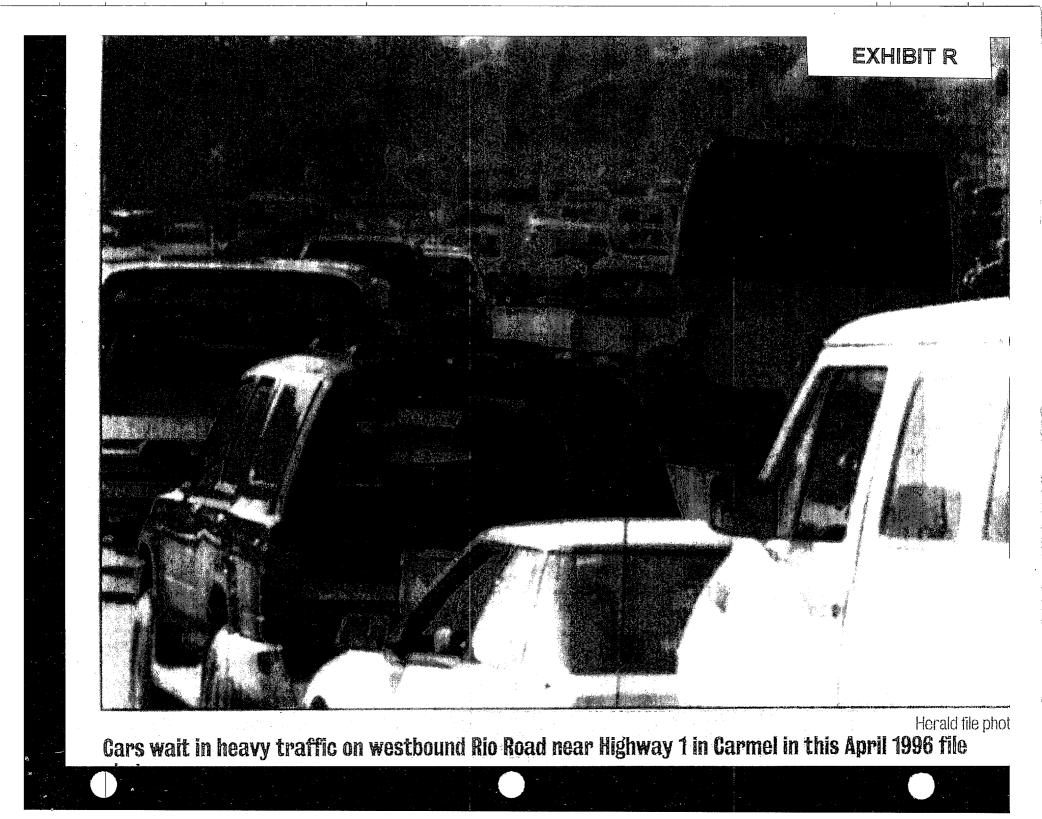
Population and Housing.

52. How many present workers at Rancho Canada golf course will no longer have jobs when Rancho Canada Village is built? Page 3.12-3 Please explain how many units at Rancho Canada Village will provide housing for those making less the \$20,000 annually. And please indicate what Census Tract 116 includes.

53. Page 3-12-5, second paragraph. Please explain in detail where the 241 "affordable rentals" are located. My count: Pacific Meadows, 200, Rippling River 79, Rancho San Carlos 41, (to be constructed during build-out), 16 in various CV locations for a total of 336 units. Also Carmel Valley should be given for the units in Oak Tree Village since these are Canada Woods inclusionary requirements.

54. All the inclusionary units have just 2 bedrooms. Please explain the rationale. Also, these units have been described as rentals and as for sale units. Please clarify.





LAND USE

55. Page 3.5-1, Impact Summary. Please explain what is meant by the second sentence. Also explain why RC Village would not encourage further development to the east. (The 20-year build-out can be changed by the County at any time, just like the zoning was changed for RC Village!) The Hatton heirs have been trying to get the east course rezoned for years. (Table 3.5-1).

56. Page 3.4-5, first paragraph. Please identify the high density residential development on the southwest.

57. Page 3.4-5, second paragraph. Please explain the last sentence and identify the residential development. Directly west there are 6 single family homes on Val Verde Drive, some with secondary units. The smallest lot is well over one acre in size, the largest over 5 acres in size. Please explain how RC Village with its smallest lots of 25 feet wide is compatible with the Val Verde neighborhood or its equestrian orientation.

58. Page 3.5-7, Policy 26.1.22(CV). this policy refers to resource constraints.Such constraints should include traffic, flooding the problems with emergency evacuation. the last sentence appears to limit further development until a need is demonstrated through public hearings. what public hearings and surveys have been done to show that 140 affordable homes are needed in Carmel Valley? Please explain why employee housing for Spanish Bay and the Lodge at Pebble Beach should be provided at the mouth of Carmel Valley.

59. Page 3.5-12. Please explain the second to last sentence in the first paragraph. Please explain why the change of land use and zoning is considered to have less than a significant impact related to land use and describe in detail the rationale that was used.

60. Page 3.5-14. Please explain in detail the third sentence and explain how the trail would not affect the driveways of Towle, Spranza and Howe.

61. Page 3.5-9, Policy 34.1.1(CV). Please explain how clustering in RC Village preserves visible open space. The open space that's being preserved is in the floodway where no homes can be built. The clustering occurs on what is very visible open space now. (See Exhibits presented in Aesthetics.)

62. page 3.5-12. Please identify the CVMP policy that relates specifically to the first sentence under Affordable Housing. Page 3.5-13, Hydrology and Water Quality. Please explain why the DEIR can state "the project will not increase flooding upstream or downstream" when no modeling was done.

63. 3-15 Traffic. Please identify the conditions necessary to lift the subdivision moratorium and identify when the traffic improvements would be built. Define the direct project mitigation measures. Please explain how the payment of traffic impact fees mitigate anything other than putting money into a pot. To get enough money to provide the traffic improvements won't it be necessary to approve more building? Please explain why the way the traffic impact fees are handled how this is not encouraging further growth.

Public Services, Utilities and Recreation

64. Page 3.10-2, PSU-1. Please explain in detail why there will be no increased demand for Fire and First Responder Emergency Medical Services. Where is the supporting documentation? Page 3.5-15, Where is the documentation that RC Village will only have a population of 849?

65. Page 3.10, PSU-2, Please explain why there will be no increased demand for Police services. Where is the source to ensure adequate police funding and who provides the money? The Community Field Office in the Crossroads has been growing cobwebs for years and the DEIR states that the field office in the Village is only occasionally manned. Why doesn't the County require that RC Village provide a field office on site?

66. Page 3.10-2. Please explain why with the addition of 281 homes at the mouth of the Valley there will be no interference with emergency access of adopted emergency access plans.

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The 'Crisis' that Isn't

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In recent years, developers in Monterey County have raised the specter of an affordable housing "crisis" in order to gain approval of large subdivisions that may not be otherwise appropriate or desired. The image that gets portrayed is that the workforce on the Monterey Peninsula and Carmel Valley largely commutes from Salinas, the Salinas Valley, and even North County to serve the needs of Peninsula residents. Two large subdivisions in Carmel Valley – September Ranch and Rancho Canada – have both been justified on the grounds that they contain more than the county-minimum 20% affordable units. Bigots even have played the race card by insinuating that affluent whites on the Peninsula want to be served by people of color, primarily Latinos, but don't want those same people living in their communities.

That may make for a nice stereotype for demagogues to employ, but it is factually wrong. Available data show the opposite is true, that no such "crisis" actually exists. Two recent studies are particularly germane.

First, a 2005 study jointly commissioned by the Board of Supervisors and the Monterey County Workforce Investment Board shows that "78% of the hospitality industry workers employed on the Monterey Peninsula reside on the Peninsula." The hospitality industry includes most service sector workers, including those employed in local hotels, restaurants, golf courses, and the wine industry – 10,000 employees in all. Only 16% of the Peninsula workforce commutes from Salinas and South County, and only 4% commute from North County. Overwhelmingly, people live close to where they work.

That 2,200 Peninsula work force employees commute to their jobs everyday is still enough to clog local roads during rush hour, especially Highway 68, but it is a far cry from the crisis image painted by developers and their allies to justify new (and often high end) subdivisions.

A second study, by the Association of Monterey Bay Area Governments (AMBAG), confirms these findings, and further undermines the image of a sea of workers converging on the Peninsula every day. The total number of jobs inside the boundaries of Salinas (51,203) is almost identical to the number of workers living in Salinas (52,912) meaning Salinas only "exports" a small number of workers on net (1,709). Further, Carmel Valley – far from being a net importer of workers as the stereotype has it – actually exports nearly 1,000 workers every day on net, a far higher percentage of its total workforce, actually, than Salinas.

How is it that the greater Monterey Peninsula actually houses the vast majority of its workforce, given the expensive real estate market? The full answer is no doubt complex, but part of the reason has to do with the innovative and extensive programs undertaken by local governments for years to provide accessible housing to people of modest means. Such programs can be found throughout the Fifth District, in both incorporated and unincorporated areas. For example, Carmel Valley currently hosts approximately 400 affordable housing units, which represents nearly 10% of the total housing stock in the valley. Those units include workforce housing, subsidized housing for low income seniors, and subsidized housing for the disabled.

Ione of this is to say that housing can be found easily on the cheap. Clearly not, as coastal California is one of the most expensive housing markets in the world. Nor should it suggest that no efforts be made to continue making housing available to people with modest incomes, especially essential public sector workers like teachers, fire-fighters and police. Innovative and appropriate measures should be welcomed. Indeed, the Carmel Valley Association has a long and proud history of supporting good affordable housing programs both in the valley and county-wide. For example, our leadership in protecting Rippling River from plans to move this facility for low-income disabled people to Salinas was so effective that we not only saved the housing, but our point person was then appointed commissioner on the county's Housing Authority. CVA also supports a focused affordable housing overlay in GPU5 that would produce another 100 affordable units in Carmel Valley in the years ahead.

However, what these facts do show is that there is no 'crisis' that justifies inappropriate planning, diminished levels of service on local roads due to even worse traffic congestion, and approval of large subdivisions that would otherwise be inappropriate. Addressing the affordable housing issue should be done rationally and calmly, and based on real facts, not demagoguery and emotion. The issue should not used as a battering ram to advance personal agendas.

67. Page 3.10-2. Since the road to be used during construction has not been identified, please explain in detail how there will be no service interruptions. Please indicate where the utilities to serve the westerly portion of RC Village will be located and indicate in detail where under grounding will be required.

68. Page 3.10-16 Emergency Access, second paragraph. In the event of a major flood event, power will most likely be interrupted. It is unlikely the RC Village inhabitants will remain in their units without power. Please explain in detail why RC Village would not have a major impact on evacuations at the mouth of the Valley. There many other events outlined in the Carmel Valley Master Evacuation Plan that will require evacuations, movement of people and coordination of first responders. Why have none of these other events been looked at in the DEIR? Please explain with this omission, can it be said the RC Village will have a less than significant impact on adopted emergency response or evacuation plans.

69. Page 3.10-21 Please explain why the applicant had not been made to comply with the second paragraph of Infrastructure Capabilities before the DEIR was circulated: the second sentence starts with "Further, the applicant was requested to..." and third sentence "Further the applicant was requested ..." and concludes with this statement "but such information has not been provided. Please explain why the applicant was allowed this leeway.

70.Page 3.10-21 and 3.10-22. Please explain the third paragraph of this page. What sort of treatment facilities will be required to remove the iron and manganese and where will they be located and who will supervise maintenance and operation.

71. Page 3.10-23,H. School enrollments. Please explain in detail the source of the multiplier used. Is this multiplier related to demographics? If so, what is the geographic area?

72. Page 3.10-24 Recreational Demand. There is no mention of whom owns and who maintains the 39 acre park. Why not? What is the annual maintenance cost and what services does it cover, please explain. Please explain how the public will access the park and where this public will park.

73. Page 3.10-35, Open Space. Please identify and locate the "proposed trail network" and explain what it has to do with this project since it is not a part of the project description. Please indicate when this trail network will be completed. Please identify in detail "resource management components."

RANCHO CANADA VILLAGE SPECIFIC PLAN

74. Page 2, Introduction, Under 1.2.1. Please explain exactly what is the term of affordability. In one place it states deed restricted in another that the units will remain affordable as long as possible, Please clarify.

75. Page 3, Introduction, Please explain the flood control elements and describe exactly these elements will protect these existing homes and businesses.

76. Page 3, Introduction, second paragraph. Please define describe and delineate "the County's planned Rio Road connection" in light of the superior alternative found in the Carmel Valley Traffic Improvement Plan DEIR.

77. Page 4, Introduction, Please explain what is being done to protect the view shed from areas in Carmel Valley other than Carmel Valley Road. Refer to photos and Exhibits presented in Aesthetics comments.

78. Page 3, Site and Context, page three, last paragraph, third sentence. Please explain in detail and provide a list of existing studies that support this sentence. An article written by CVA President, Glenn Robinson, differs greatly. (See Exhibit T). Please explain how providing housing to people employed in Monterey will reduce traffic trips on Highway one and at the mouth of the Valley. Please indicate where in the Traffic analysis any consideration was given to people working in Monterey but living in RC Village.

79. Page 2, Land Use. Please explain in detail exactly what geographical areas RC Village will serve. Again, the Specific plan does not specify the number of rentals vs. for sale units and it does not clarify who owns and maintains Rio Road west. Please clarify with details. If rentals, please explain in detail

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who will manage the units.

80. Page 5, Land Use, Residential Low. The lot size of this parcel can accommodate both a guest house and a caretakers unit. Why haven't these two accessory units been included in the Traffic analysis.

81. Page 3, Land Use, Table 3.8. Open Air Farmers Markets, Festivals, Weddings and Special Events are permitted with limitations. What are these limitations? Who defines the limitations? Who sets rules and guidelines for these events? Who enforces the rules and guidelines? who pays for the enforcement? At what location does the public and/or invited guests park for these festivities? How many of these events can take place annually? What are the hours of operation of these events? Why is there no analysis of the traffic and noise generated? Why is there no analysis of the impact of these events on the adjoining neighborhood?

82. Page 16, Land Use, Recreational Vehicle Parking. Please define recreational vehicle. Does it include boats and trailers, Mobile homes? Please explain where these recreational vehicle may park if not on streets in RC Village. What do the words mean "for any length of time"? Two hours, two days, two weeks? Please clarify.

83. Page 1, Infrastructure, second paragraph, last sentence. Does this mean access from Rio Road West is open to the public? please clarify.

84.Page 24, Infrastructure, first paragraph. Where are the studies supporting the statement that a passive river basin park can handle as much as 55-acre feet of flood water. When the habitat preserve is flooded and the velocity of the flood waters wipes out the improvements, who will clean up the resulting debris and who will rebuild the park pavilions, seating areas and pedestrian trails?

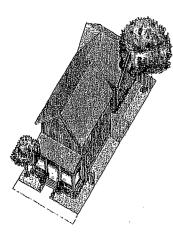
85. Plan Review, Matters of Interpretation. Please explain how exactly the policies and regulations contained in the Specific Plan have been made clear. the plan lacks so much detail that is should be called the Non-Specific Plan!

86. Page 1, Glossary. please explain in detail why the word accessory units remains a part of this plan.

87. Page B4 and B9. Please explain why after 4 years of my objections carriage units still remain in the Specific Plan. (DIR Figures 10 and 11). I have been told repeatedly that the carriage units would be removed. Please explain why they have not been removed.

88. Errata. Table E-6 showing visitor serving units east of Via Mallorca. If the overflow units at Carmel Valley Ranch are counted as one unit each, there are already 289 or 290 Visitor serving units east of Via Mallorca. If the Ranch overflow units are counted as .5 units each(as suggested by Lynn Mounday), there are 258 units approved/and or built. I would like a detailed explanation of why Table 6 is merely an incorrect repeat of Exhibit 5 in the 16-page attachment I am including as Exhibit S. This is an excellent example of the kind sloppy and careless of monitoring done by the County.

DEIR 10



A Rancho Cofiodo Villago Houso Simple, dignified massing with porches and rear wings added.

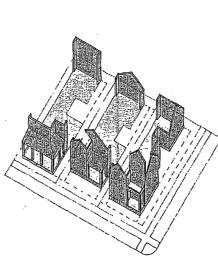
Hiustrative Main Body Massing Types

Porch

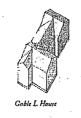
Main Body

Elements of the Bancho Cañada Village House The Main Body is the largest and most withle element with the mast specific design requirements. Side ar rear stings, porches, and authuildings provide a menu of options for the homebuilder.

Side Gable House



Key Facades of the Bancho Cofiada Village House The principle elevations of the Rancho Cañada Village house are facades facing streets and lanes. These are the only facades that require full-wrap architecture.



Key Components of the House

RANCHO CAÑADA VILLAGE houses will create the backdrop for the neighborhood. The houses will define the character of the space and reflect the individual composition of the private realm behind the porch or front door.

In this traditional neighborhood, the front portion of the house is the most public and must be responsive to the character of the neighborhood and the adjacent houses. The landscaping of the front yard, the seibicks from the street, the size and placement of the house on the lot, and the front porch are all shared elements that form the public realm.

The houses, based on the vernacular architecture of Monterey County, use regional house types with style elements applied. The house types are defined by the character and shape of the Main Body and Wings that are added to increase the internal space.

The patterns described in this book apply primarily to facades facing streets and lanes. Full-wrap architecture (the use of a single material and consistent style and trim elements on all facades) is required on all elevations except those facing a neighboring house on an adjoining property (see the Key Facades illustration at left). The material transition point should be a minimum of three feet back from the corner of the house.

Principal Elements

Rancho Cañada Village houses include the following principal elements:

The Main Body of the house, which is the principal mass and includes the front door.

Side or Rear Wings, which are one or two stories high and are connected to the Main Body. These optional additions are smaller than the Main Body and are set back from the front facade. Porches create exterior living space. Possibilities include full-facade front porches, wraparound porches, porticos, and side porches. Some architectural styles also have inset porches.

Outbuildings are optional structures that include carports, detached garages, storage buildings, and carriage houses.

Gable L with Hip

Roof House

-

Front Gable House

Houses on Lots

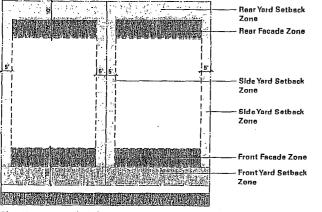
COMMUNITY PATTERNS

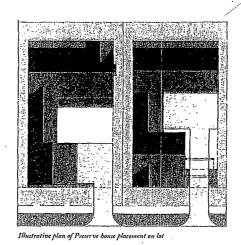
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1005 URBAN DESICH ASSOCIATES

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Plan of Preserve zones and setbacks

Preserve Lots - General Conditions

Lot Size

Preserve lots are approximately 55 feet wide by 100 fect deep.

Front Yard Setback/ Front Facade Zone

Minimum ten-foot setback from the front property line to the house or any ancillary structure greater than 300 square feet. The street-facing facade of the house or structure may be located anywhere within the adjacent ten-footdeep Front Facade Zone,

Side Yard Setback

Minimum five-foot setback from the side property line.

Rear Yard Setback/Rear Fecade Zone

All structures shall be set back a minimum of ten feet from the rear property line. The rear-facing facade of the house may be located anywhere within the adjacent ten-foot-deep Rear Facade Zone.

Encroachments

No encroachments are permitted including sheds, pools, hot tubs, and mechanical equipment.

Garage Requirements

Garage doors shall face parking courtyards. Driveways shall be a maximum of 11 feet wide within the Front Yard Setback and Front Facade Zones.

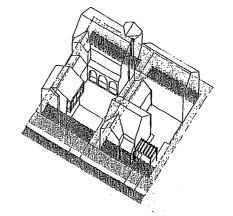
Fencing Recommendations

Although not required, front yard fences or walls are encouraged as a permitted upgrade for all Preserve lots. For additional fencing guidelines, see the Landscape Patterns section page D11 inthis Pattern Book.



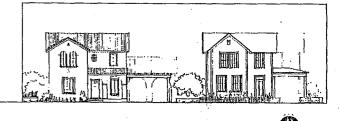
Fifteen percent of the buildable lot area. (Private, Front Facade, and Rear Facade Zones) shall be maintained as open

An accessory unit is permitted over the garage. A minimum of one additional off-street parking space is to be provided for the accessory unit.



space.

Accessory Unit (Caniage House)



COMMUNITY PATTERNS

Preserve Lots

Good Morning Chair Padilla and Commissioners,

I want to commend staff for the excellent report on Las Fuentes. It gives several reasons why you should revoke the use permit. Let me add one more reason: I believe that at the time you approved this use permit, there were more than the 250 visitor serving accomodations east of Via Mallorca. You were not provided with an accurate count at the June 29,2005 hearing. There were not, in my opinion, an additional 86 slots for visitor serving units.

Exhibit One is my testimony at that hearing. My count totalted 225 approved units and I urged you not to approve the project until you got an accurate county from the County.

Exhibit Two is my request to CAO Bauman to get the Planning Department to do a count. Planning Director Scott Henessey was given this responsibity on 7/1/05.

Exhibit Three: 8/15/06 Supervvisor Potter's aid informs me that the PBI staff is on vacation until the end of August. She provided me with figures from the Tax Collector's office showing a total of 494 visitor serving units east of Via Mallorca. It does include units that were built before the CVMP took effect.

Exhibit Four: August 24, 2005 on the County protocol for monitoring accomodation units in Carmel Valley. Lynne Mounday pleads no time to train new planners in the monitoring and now estimates there are only 35 slots available in the quota. In his opinion, it appears this project is not too important since the CVMP expires in 2006 and by then there will be a new General Plan. He promises to update the numbers by January 06.

Exhibit Five: Public Works Handout at last March 2006 CV Road Committee meeting. At this meeting, Pete Salmonsen, past CVA Land Use Chair asked me if the overflow units at Carmel Valley Ranch had been included in the count. These are individual homes at the Ranch whose deeds state they can be rented as transient units when the hotel is full. Exhibit Six: 3/30/06 My formal response to the Public Works Handout. It refutes the claim that 110 slots are available in the quota. The notes at the bottom are totals that include the overflow units at Carmel Valley Ranch. My number indicate visitor serving units east of Via Mallorca at 289 or 290 if the overflow units are counted as one unit each. OR 257 and 258 if the overflow units are counted as one-half a unit.

Exhibit Seven: The Board Resolution adopted on October 1, 1996 for the 64 residential units being used as Transient Residential Units.

Exhibit Eight: 1/23/07 my e-mail to the Planner asking that this point be raised in her report to you. She explained to me by phone later that she was asked to focus on the code violations. My total is now conservatively at 288 units east of Via Mallorca at the time you approved this bed and breakfast. This does not include previous additions to the Valley Lodge in the Village nor the remodel of th Country Day Spa. I have no response from anyone in the County that I copied.

In my opinion, when you voted to allow this use permit there were more units approved that the 250 allowed. I urge you not to waste anymore time. Pull the use permit today.

Matgatet Robbins January 31, 2007

Exhibit one

Good Morning, Chair Diehl and fellow Planning Commissioners!

28.1.27 of the present Carmel Valley Master Plan limits the number of additional visitor accommodation units east of Via Mallorca, including units at Carmel Valley Ranch to 250. According to the staff report, only 164 of that 250 number have been approved. I count 225 units approved but not completely built out. The 225 does not include the 21 rooms available at Stone Pine. Nor does it include any expansion that may have occurred in the dozen or so motels in Carmel Valley Village. According to 28.1.25, the expansion of existing hotels, motels and lodges should be favored over the development of new projects. Before you vote on this project, you need a definitive room count and location, not just a number. And you need to know if any existing accommodations have been expanded.

The staff report states, "it is not anticipated that a four-room B&B would generate any more noise than if the rooms were occupied by family members. Children can be told to "knock it off" or take a time out. It is unlikely that paying B&B guests will be told the same thing! As for complying with County noise standards, there is at least than one lodge that consistently has many events lasting well after 10 p.m. nightly and County Code Enforcement has done nothing to satisfy the neighbors' complaints.

Condition #4 appears to prohibit outdoor events, but seems to allow indoor events. Every New Year's Day I have a party for 50 plus in the 800 square foot first floor of my home. Even when it pours rain, my guests step out for a smoke break and chat. And you can hear them talking and chatting as they arrive and leave. As the 2 members who attended the tour can verify, this home is huge. It can easily accommodate many more indoor guests than 50.

The staff report also states "at this juncture, the applicant is not requesting consideration of outdoor events". However, when I first met Mrs. Dobrante, she talked at length about her considerable experience in staging large events. She also talked about staging musical events and weddings. She even showed me exactly where the caterer could park. During that same visit, she even told LUAC members Victoria Rugg and John Anzini they could hold Carmel Valley LUAC meetings at her B&B. Events are most certainly a part of this application.

It is unfortunate that all members of the Planning Commission could not attend the tour. Whether you wind through the Robles neighborhood or travel the back way through Southbank over several one lane bridges, neither road should be driven by anyone unfamiliar with the area or after an afternoon of wine tasting in the Village.

Deny this project. It is an event waiting to happen. The traffic and noise it will generate are hazardous to the health, welfare and safety of the neighborhood.

Margaret Robbins, 3850 Rio Road #26, Carmel, CA 93923

Malgarit Kooburs



Exhibit Two

Subj:_____ RE: Robles Area Bed and Breakfast (PLN 040720)

Date: 07/01/2005 10:14:33 AM Pacific Daylight Time

From: baumanl@co.monterey.ca.us

To: <u>Margaretmike@aol.com</u> Sent from the Internet (Details)

He many people real out perveto kooms Wout pregens POT

Hi Margaret: I have asked that Mr. Hennessy review your transmittal and respond through Supervisor Potter's office.

Enjoy your 4th holiday!

Lew

-----Original Message-----

From: Margaretmike@aol.com [mailto:Margaretmike@aol.com]

Sent: Wednesday, June 29, 2005 7:27 PM

To: Bauman, Lew; 100-District 5 (831) 647-7755

Cc: aahq@mbay.net; Bernardi12@aol.com; janetb@montereybay.com; mvdiehl@mindspring.com; Hennessy, Scott x7516; joeh@mbay.net; karinsk@redshift.com; stamplaw1@redshift.com; gtaylor@redshift.com; kvandevere@netpipe.com; lotzmail@comcast.net; gapatton@mclw.org **Subject:** Robles Area Bed and Breakfast (PLN 040720)

Dear Supervisor Potter and Dr. Bauman,

The Planning Commission approved a 4 unit bed and breakfast at 350 Calle de Los Agrinemensors today. Part of this approval was based on what I feel is potentially inaccurate information on the number of remaining units allocated under the Carmel Valley Master Plan for the area east of Via Mallorca.

You may recall that CVMP policy 28.1.27 limits the number of visitor accomodation units east of Via. Mallorca, including those at Carmel Valley Ranch, to 250. The planner assured the Commissioners that there are 86 units remaining in the guota. Her research was based, it appears to me, on two reports given to the Board of Supervisors. Neither of these reports (the latest was provided in to the Supervisors in 1998) indentified the location of the units or the name.

It seems to me that the base year should have been 1986 when the CV Master Plan was approved and a thorough seach done through the permit file to prepare a list of the units and their location and name. For example, it is not possible to tell if the dozen or so motels and lodges just around the Village have expanded. I wonder if anyone really knows the motel by motel unit count for 1986?

According to the research I have done, without looking through the permits, I come up with a total of 249 visitor acccomodation units approved but possibly not completely built out. These units include: Carmel Valley Ranch 144 units, Quail expansion 44 units, Bernardus "remodel" 12 or 13 units, Stone Pine 21 units, Robles expansion 24 or 25 units or a grand total of either 245 or 247 before today's approval of the 4 units. This is a far cry from the 86 units remaining in the quota that the Planner presented.

Since Carmel Valley Road, in my opinion, is already at capacity. I hope both of you can get someone to come up with an acccurate list of visitor accommodation units east of Via Mallorca. Policies limiting development were placed in the Carmel Valley Master Plan for very good reasons!

Thank you for listening. Margaret Robbins

Call Pollerinffea Assessor's Affect may lave -

Thursday, June 23, 2005 America Online: Margaretmike

Exhibit Thre-

Subj:	FW: # of Visitor serving Units in the Carmel Valley Master Plan Area
Date:	08/15/2005 8:22:37 AM Pacific Daylight Time
From:	district5@co.monterey.ca.us
To:	Margaretmike@aol.com
Sent from	the Internet (Details)

Margaret,

In light of PBI staff being on vacation until the end of the month, here is an estimate to work off of, and I will work with PBI to confirm this number.

Kathleen Lee Aide to Supervisor Potter (831) 647-7755 -----Original Message-----From: Bailey, Eric x5847 Sent: Thursday, August 11, 2005 10:54 AM To: 100-District 5 (831) 647-7755 Subject: RE: # of Visitor serving Units in the Carmel Valley Master Plan Area

With assistance from the Tax Collector's Office, an estimate of the number of motel rooms east of Mallorca is 494 rooms.

-----Original Message-----From: 100-District 5 (831) 647-7755 Sent: Tuesday, August 09, 2005 12:07 PM To: Bailey, Eric x5847 Subject: FW: # of Visitor serving Units in the Carmel Valley Master Plan Area

Eric,

In Steve's absence, can you assist our office? Thank you in advance for your help.

Kathleen Lee Aide to Supervisor Potter (831) 647-7755 ----Original Message----From: Lee, Kathleen M. 647-7755 Sent: Tuesday, August 09, 2005 12:05 PM To: Vagnini, Steve x5803 Cc: Hennessy, Scott x5161 Subject: # of Visitor Accommodating Units in the Carmel Valley Master Plan Area

Steve,

Our office has received a request for the total number of visitor serving units in the Carmel Valley Master Plan area east of Via Mallorca. In working with Planning and Building, the appropriate staff person is on vacation until the end of the month, and Scott Hennessy suggested that I check with you to see if your staff would maintain these numbers as part of your TOT collection efforts.

Can your office assist us in determining the number of visitor serving units in the CV Master Plan area east of Via Mallorca?

Sunday, August 07, 2005 America Online: Margaretmike

Thank you in advance for your assistance. Kathleen Lee Aide to Supervisor Potter (831) 647-7755

Page 1 of 1

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Subj:	Re: FW: # of Visitor serving Units in the Carmel Valley Master Plan Area	i.
Date:	08/15/2005 10:05:47 PM Pacific Daylight Time	part and the second
From:	Margaretmike	الملحساتي
To:	district5@co.monterey.ca.us	

Kathleen,

We have what is the total. What was approved before and how many after policy 28.1.26. And what is the effect the units at the Ranch that were to be overflow.

thanks for the update. Margaret

Subj:	FW: CVMP Visitor unit allocation Policy	477			
Date:	08/29/2005 12:29:51 PM Pacific Daylight Time				
From:	leekm@co.monterey.ca.us				
To:	Margaretmike@aol.com				
File:	SUMMARYOFCARMELVALLEYMASTERPLANVISITORACCOMMODATIONUNITS.doc (15872 bytes) DL Time (44000 bps): < 1 minute				
Sent from	n the Internet (Details)	1			

FXMbit Four

Margaret,

We continue to work this issue through, and I thought you would be interested to see the latest from Lynne. Kathleen

-----Original Message----From: Mounday, Lynne x5197 Sent: Wednesday, August 24, 2005 3:15 PM To: Lee, Kathleen M. 647-7755 Cc: Hennessy, Scott x5161 Subject: CVMP Visitor unit allocation Policy

Kathleen~

I though that you would be interested to know that we do have a protocol for monitoring accommodation units in Carmel Valley. I haven't had an opportunity to train the newer planners on this, and unfortunately only Wanda Hickman, Dale Ellis, Ann Towner, Jeff Main, and I have been around the last 19 years when this came about. All of the other planners have "moved on". I will see if I can find time to update this as soon as I can. We are short of staff and my priority is to try to keep the current applicants moving through the process. I believe that there are at least 35 accommodation units left in the allocation [east of Via Mallorca CVMP policy 28.1.27].

I don't think that it is too important in face of the fact that the Carmel Valley Master Plan was a 20 year plan and is due to expire in 2006 (next spring). Expiration of course, won't mean anything, because by then we will have a new General Plan that incorporates and superceded the existing Carmel Valley Master Plan. In the meantime I'll update the count as soon as I find the hours necessary, but certainly before the report is due to the Board of Supervisors in January, probably by December. It requires a review all of the approved planning permits and review of all of the issued and finaled building permits for Carmel Valley from July 31, 1998 until August 31, 2005. Please feel free to forward this to Margaret Robbins if you feel it would be useful to her.

Wednesday, August 31, 2005 America Online: Margaretmike

(

Lynne H. Mounday Planning and Building Services Manager Department of Planning and Building Inspection 168 W. Alisal Street Salinas, CA. 93901 ph. 831-755-5197 Fax 831-757-9516 moundayl@co.monterey.ca.us

Road Committee: Handoert from Re Wardes Marchob

CHART III - ANNUAL SUMMARY OF CARMEL VALLEY MASTER PLAN VISITOR ACCOMMODATION UNITS

		A MALLORCA 28.1.26[CV])		4 MALLORCA Y 28.1.27)	DE	VELOPMENT
Year	Units Approved	Units Remaining	Units Approved	Units Remaining	File Number	Project Name
1986	0	175	0	250		
1987	0	175	0	250		
1988	0	175	0	250		
1989	0	175	0	250	Exhibit	Time
1990	0	175	0	250		+100
1991	0	175	40	210	PC 7012	Quail Meadows
1992	0	175	0	210		
1993	0	175	0	210		
1994	0	175	0	210		
1995	0	175	44	166	PC 94-146	Carmel Valley Ranch
1996	0	175	16.5*	149.5*	PC 96-058	*Carmel Valley Ranch
1997	0	175	24 (Gurries) 13 (CVR) 37	112.5	PLN 970369 PC96-058	Gurries Carmel Valley Ranch Area F
1998 thru	0	175	5/2 = 2.5	110.0	PC96-058	Carmel Valley Ranch

Page 1 of 1

Exhibit ร่าง

Road Committee meeting

257-258

Subj:	Visitor Accomodations east of Via Mallorca
Date:	==3/30/2006 3:22:02 P.M. Pacific Standard-Time
From:	Margaretmike
To:	saavedraem@co.monterey.ca.us
CC:	TandaW@co.monterey.ca.us, baumanl@co.monterey.ca.us, district5@co.monterey.ca.us,
	lotzmail@comcast.net, aahq@mbay.net

Enrique.

Here's my count of the units. CV Ranch 144 (all of the units count), Quail Expansion 44, Bernardus "Remodel" 12 or 13, Robles Del Rio Lodge 24 or 25, and the Robles B&B 4. This totals 228 or 230.

I beleve there were some additional units proposed at the Valley Lodge according to the permits (no number given). Porto Fino (previously the County Day Spa at Contry Club and CV Road redid 22 units in the recent past. I don't know who many they started with.

According to Lynne Monday (e-mail of 8/24/05) there could be at least 35 units left. He said a question to be researched are the units at CV Ranch that can be used as overflow. It is my understanding that this fact is in> their grant deeds. By any count we are very close if not now over the 250 unit limit. The only accurate way to count is to go over the initial permits and physically see if any rooms have been added. None of the present visitor serving motels will admit to squeezing in an extra room since they would have to pay more TOT.

Despite Lynne's comments about the CVMP expiring and the new GPU, this issue does matter to Carmel Valley. thanks for your help. Margaret Robbins

WD 144-CN Ranch 44 Quad 12-13 Bernardus 25- Robles 32 Countoveras 1/2 UMU 1440 Rouell 44 Quail ardur 12-13 Poulue 12-5 Poulue 25 Poulue 64-00erflow 289-290

EXHIBIT "E"

Exhibit Seven

Before the Board of Supervisors in and for the County of Monterey, Sate of California

Resolution No. 96-383 --Resolution by the Monterey County Board of Supervisors adopting the Findings and Evidence, and approving the Combined Development Permit consisting of a Major Use Permit for 64 Guest Accommodations, (Residential Units to be also used as Transient Residential Units), General Development Plan, Administrative Permit for Site Plan Approval and Design Approval for Carmel Valley Ranch Area Ltd. Partnership and Owens Financial Group dba Carmel Valley Ranch Resort (PC96017) (APN#'s 416-522-018-000 and 416-593-001-000 through 416-593-074-000, Upper Carmel Valley

1.

Adopted 10/1/96

The Board of Supervisors of Monterey County Resolves as follows:

That the Combined Development Permit (PC96107) consisting of a Major Use Permit for 64 Carmel Valley Lodge managed transient residential rental units, Site Plan Approval and Design Approval is approved subject to the final approval of the Carmel Valley Mater Plan Amendment, Carmel Valley Ranch Specific Plan Amendment, zoning reclassification and subject to the following findings and evidence and subject to the following conditions:

FINDINGS AND EVIDENCE FOR THE APPROVAL OF THE MAJOR USE PERMIT, THE GENERAL DEVELOPMENT PLAN, THE SITE PLAN REVIEW AND DESIGN APPROVAL

FINDING: That the proposed major Use Permit allowing 64 residential units to be also used as transient residential rental units complies with all applicable requirements of Section 21.22.000 of Title 21.
 EVIDENCE: Materials in file PC96017.

FINDING: That adequate sewage disposal and water supply facilities exist or are readily available to the site, as approved by the Director of Environmental Health.

EVIDENCE: Materials in file PC96017.

- FINDING: That the proposed 64 residential unit to be also used as transient residential rental units will not adversely impact traffic conditions in the area.
 - EVIDENCE: The proposed project has been reviewed by the Monterey County Department of Public Works and there is no indication from that Department that the site is not suitable.

FINDING: The site is suitable for the use proposed.

EVIDENCE: There has been no testimony received either written or oral, during the course of public hearing to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department and Health Department. There has been no indication from those agencies that the sit is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

FINDING: The project will not have a significant adverse impact on the environment and a Negative Declaration has been adopted by the Board of Supervisors. An initial study was prepared for the project and it was determined that the project would have no significant impacts and a Negative Declaration was filed with the County Clerk on May 6, 1996 and noticed for public review. The Board of Supervisors considered public testimony and the initial study.

FINDING: Considering the record as a whole, there is no evidence that the project will have potential for adverse effect either individually or cumulatively on wildlife resources as defined under Section 759.2 and 711.2 of the Fish and Game Code.

EVIDENCE: The administrative record as a whole, which must and does contain the following information, (See a-e below), supports the above finding. The project will not change the physical layout already approved for the project site.

a. Name and Address of project proponent.

c.

- b. Brief description of project and its location.
 - An Initial Study has been prepared so as to evaluate the potential for adverse environmental impact.

2.

3.

4.

5.

6.

- When considering the record as a whole, there is no evidence that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depends.
- e. The presumption of the project's adverse effect on fish and wildlife resources or the habitat upon which the wildlife depends, has been rebutted on the basis of substantial evidence.

FINDING: The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare o the County.

d.

7.

EVIDENCE: The project as described in the application and accompanying materials was revised by the Department of Planning and Building Inspection, Health Department, Public Works Department, and the Water Resources District. The respective departments 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; or the County in general. The Board of Supervisor hereby adopts and approved said application as shown on the attached sketch, subject to the following conditions:

1. This permit allows the expansion of the existing hotel operations within Area "F" of the Carmel Valley Ranch to include 64 residential units, which can also be used as transient residential rental units subdivision 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 Planning and Building Inspection. 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. (Planning and Building Inspection)

2. Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. (Mid-Carmel Valley Fire Protection District)

- 3. --- Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turn around access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turn around shall be 40 feet from the centerline of the road. If ----- hammerhead/T is used, the top of the "T" shall be minimum of 60 feet in length. (Mid-Carmel Valley Fire Protection District)
 - DELETED BY BOARI 10/1/96
- 4.----All-dead-end road lengths shall be measured-from the edge of the roadway surface at the intersection that begins the road-to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring different length limits, the shortest allowable length shall apply. (Mid-Carmel Valley Fire Protection District)
- 5. Size of letters numbers and symbols for street and road signs shall be a minimum 4 inch letter height, ½ inch stroke, and shall be a color that clearly contrasts with the background color of the sign. All numerals shall be Arabic. (Mid-Carmel Valley Fire Protection District)
- 6. Street and road signs shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. (Mid-Carmel Valley Fire Protection District)
- 7. Height of street and road signs shall be uniform county wide, and meet the visibility and legibility standard of this chapter. (Mid-Carmel Valley Fire Protection District)

- 8. Newly constructed or approved public and private roads and streets shall be identified in accordance with provisions of Monterey County Ordinance No. 1241. All signs shall be mounted and oriented in a uniform manner. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. (Mid-Carmel Valley Fire Protection District)
- 9. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. (Mid-Carmel Valley Fire Protection District)
- 10. A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, shall be placed: 1) At the intersection preceding the traffic access limitation, and 3) no more than 100 feet before such traffic access limitation. (Mid-Carmel Valley Fire Protection District)
- 11. Road, street and private signs required by this article shall be installed prior to final acceptance of road improvements by the County of Monterey. (Mid-Carmel Valley Fire Protection District)
- 12. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. (Mid-Carmel Valley Fire Protection District)
- 13. Size of letter, number and symbols for addresses shall be a minimum of 3 inch letter height, 3/8 inch stroke, contrasting with the background color of the sign. (Mid-Carmel Valley Fire Protection District)
- 14. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance 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, and the address shall be visible and legible from the road on which the address is located. (Mid-Carmel Valley Fire Protection District)

15.....The provisions of this section shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. (Mid-Carmel Valley Fire-Protection District)

16:---Approved fire protection water supply systems must be installed and made serviceable prior to the time of construction. (Mid-Carmel-Valley Fire Protection) District)

- 17. All parcels 1 acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre., or when a 30 foot minimum setback cannot be reached, alternative fuel modification standards may be imposed by the local fire jurisdiction to provide the same practical effect. (Mid-Carmel Valley Fire Protection District)
- 18. Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of the building permit. (Mid-Carmel Valley Fire Protection District)
- 19. Subdivisons and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the Reviewing Authority. (Mid-Carmel Valley Fire Protection District)
- 20. Remove flammable vegetation from within 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. (Mid-Carmel Valley Fire Protection District)
- 21. * The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

"The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection." (Mid-Carmel Valley Fire Protection District)

Condition No. 21 modified by Board of Supervisors on 10/1/96 to clarify the fact that the units that are used for visitor serving purposes will have fire sprinklers installed to a residential sprinkler standard. The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by Nation Fire Protection Association Standard 72- 1993 Edition. Plans and specifications for the fire alarm system must be submitted and approved by the enforcing jurisdiction prior to requesting a framing inspection. All fire alarm system inspection and acceptance testing shall be in accordance with Chapter 7 of NFPA 72 -1993. (Mid-Carmel Valley Fire Protection District)

23. All new structure, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface, shall require Class A roof construction. (Mid-Carmel Valley Fire Protection District)

24. The property owners agrees as a condition of approval of this permit to defend at his sole expense any action brought against the County because of the approval of this permit. The property owner will reimburse the County for any court costs and attorneys' fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of any such action; but such participation shall not relieve applicant of his obligations under this condition. Said indemnification agreement shall be recorded upon demand of County Counsel or prior to the issuance of building permits or use of the property, whichever occurs first. (Planning and Building Inspection)

25. That the transient residential rental units shall be rented only by the Carmel Valley Ranch Lodge and shall not be rented more than 180 days per year. (Planning and Building Inspection)

26. The applicant shall record a notice which states: "A permit (Resolution No. <u>96-383</u>) was approved by the Board of Supervisors for Assessor's Parcel number 416-522-018-000 and 416-593-001-000 through 416-593-074-000 on October 1, 1996. The permit was granted subject to 26 conditions of approval which run with the land. A copy of the permit is no file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)

22.

ExhibitEight

Subj: Visitor Serving units East oif Via Malolorca

Date: 1/23/2007 2:46:51 P.M. Pacific Standard Time

From: Margaretmike

To: <u>manugerrae@co.montery.ca.us</u>

baumanl@co.monterey.ca.us, Bernardi12, janetb@montereybay.com, mvdiehl@mindspring.com, karinsk@redshift.com, kiwimama8@comcast.net, lotzmail@comcast.net, novom@co.monterey.ca.us, district5@co.monterey.ca.us, aahq@mbay.net, lundquistr@co.monterey.ca.us, TandaW@co.monterey.ca.us, gtaylor@redshift.com, kvandevere@netpipe.com

Dear Elisa,

CC:

Your staff report at the Bed and Breakfast located at 350 Calle de Los Agrinemsors is indeed one of the most interesting I have read in the past 10 years. My question concerns policy 28.1.27 of the Carmel Valley Master Plan that was in effect at the time this project was approved. I have asked various county officers and members of the Planning Department to provide a correct count. The policy limits the number of units to 250.

According to figures I have received Carmel Valley Ranch has 144 units, the Quail Expansion included 44 units, Bernardus added 12 or 13 units in their "remodel", Robles Del Rio Lodge was approved for 24 or 25 additional units, and per Board Resolution 96-383 there are a total of 64 Guest Accommodations (Residential units to be also used as Transient Residential units. In addition, the Valley Lodge has had some additions (ZA0339 and ZA04216) but no one has found out how many units were added. Finally, The County Day Spa (now Porto Fino Inn) has done some remodeling and no one knows if they added rooms. I get a grand total of 288 Visitor Serving units at the time the Bed and Breakfast was approved. It is my contention that all 64 "overflow units" at Carmel Valley Ranch should be included in the count since they can be rented. No one in the County has bothered to research this. And I'm more than a little upset. Margaret Robbins

PS I do hope you add this item to your report before the Planning Commission.



100 100	LETTER O	F TRANSMITTAL
	MONTEREY COUNTY RESOL	URCE MANAGEMENT AGENCY PARTMNET
	□ PLANNING DEPARTMEN	Т
	TO: Jacqueletre Ontario	DATE: March 3, 2008
	TO: <u>Jacquelene Onetavo</u> FROM: <u>Margaret Robbins</u>	DATE: Malen3, 2008 TELEPHONE: (831)624-1153
	PROPERTY ADDRESS:	
	A.P.N:	PERMIT #:
	NAME OF PROPERTY OWNER: jom	bardo heurel Oroup LhC
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		entson Rancho Canada Village
	HEIR	
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\bigcirc	PLEASE LIST ALL ITEMS ATTACHED	: One stapled packet approximately
.A.	1/3 miles thick	
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• •		DECEIVEN
		MAR 0.3 2008
	COMMENTS / INSTRUCTIONS:	MONTEREY COUNTY
		PLANNING & BUILDING INSPECTION DEPT.
	-	
\rightarrow	RECEIVED BY:)

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