



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL AGENDA

Mayor Dave Potter, Councilmembers Jeff Baron,
Alissandra Dramov, Karen Ferlito, and Bobby
Richards
Contact: 831.620.2000 www.ci.carmel.ca.us

All meetings are held in the City Council Chambers
East Side of Monte Verde Street
Between Ocean and 7th Avenues

REGULAR MEETING Tuesday, July 11, 2023

HYBRID MEETING ATTENDANCE OPTIONS

This meeting will be held in person and via teleconference ("hybrid"). The public is welcome to attend the meeting in person or remotely via Zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may also watch the live stream on the City's YouTube page at: <https://www.youtube.com/@CityofCarmelbytheSea/streams>. To participate in the meeting via Zoom, copy and paste the link below into your browser.

**<https://ci-carmel-ca-us.zoom.us/j/81221182847> Meeting ID: 812 2118 2847 Passcode:
234790 Dial In: (253) 215-8782**

HOW TO OFFER PUBLIC COMMENT

The public may give public comment at this meeting in person, or using the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to cityclerk@ci.carmel.ca.us. Comments must be received at least 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be made part of the record.

CLOSED SESSION TIME - 4:00 PM

CALL TO ORDER AND ROLL CALL

PUBLIC APPEARANCE (LIMITED TO ITEMS ON CLOSED SESSION AGENDA)

CLOSED SESSION

- A.** Public Employee Performance Evaluation (Government Code § 54957)
City Attorney

OPEN SESSION 4:30 PM

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

EXTRAORDINARY BUSINESS

- A.** Friends of the Library Proclamation
- B.** Introduction of New City Employees
- C.** Presentation on the Carmel-by-the-Sea Website Update

PUBLIC APPEARANCES

Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Appearances. Each person's comments shall be limited to 3 minutes, or as otherwise established by the Chair. Matters not appearing on the agenda will not receive action at this meeting and may be referred to staff. Persons are not required to provide their names, and it is helpful for speakers to state their names so they may be identified in the minutes of the meeting.

ANNOUNCEMENTS

- A.** City Administrator Announcements
- B.** City Attorney Announcements
- C.** Councilmember Announcements

CONSENT AGENDA

Items on the consent agenda are routine in nature and do not require discussion or independent action. Members of the Council, Board or Commission or the public may ask that any items be considered individually for purposes of Council, Board or Commission discussion and/ or for public comment. Unless that is done, one motion may be used to adopt all recommended actions.

- 1.** June 5, 2023, Special Meeting Minutes, and June 6, 2023, Regular Meeting Minutes
- 2.** May 2023 Monthly Reports
- 3.** May 2023 Check Register Summary
- 4.** Letter authorizing the County of Monterey to execute all documents necessary to continue to implement the annual Used Oil Payment Program on behalf of the City during FY 2023/24
- 5.** Resolution 2023-068 designating Mayor Dave Potter as the voting delegate and Mayor Pro Tem Bobby Richards as the alternative voting delegate at the 2023 annual League of California Cities Conference
- 6.** Resolution 2023-069 authorizing the City Administrator to execute a Professional Services Agreement with Denise Duffy & Associates, Inc. for the North Dunes Habitat Restoration Project and On-Call Environmental Services for a not-to-exceed fee of \$111,560
- 7.** Resolution 2023-070, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Davey Resource Group for additional services to complete the Urban Forest Master Plan, for a not-to-exceed fee of \$45,000
- 8.** Resolution 2023-071, authorizing the City Administrator to execute a Professional Services Agreement with Advance Design Consultants, Inc. for electrical engineering services for electric panel upgrades and related projects, for a not-to-exceed fee of

\$79,560

9. Resolution 2023-072, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Neill Engineers Corp. for civil engineering services associated with city-wide Drainage Improvement Projects, for a not-to-exceed fee of \$159,100
10. Resolution 2023-073, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Ausonio, Inc. for Project Management Services for facility renovation projects for a not-to-exceed fee of \$125,000 for Fiscal Year 2023/24
11. Resolution 2023-074 authorizing the City Administrator to execute an Amendment to Professional Services Agreement No. PBD-EMC-037-22-23 with EMC Planning Group, Inc. to prepare an Initial Study in accordance with the California Environmental Quality Act (CEQA) for a not-to-exceed amount of \$40,455 increasing the total contract cost to \$279,600

ORDERS OF BUSINESS

Orders of Business are agenda items that require City Council, Board or Commission discussion, debate, direction to staff, and/or action.

12. Update on the Housing Element Public Review Draft

PUBLIC HEARINGS

13. Resolution 2023-075 Declaring the Results of the Majority Protest Proceedings and Renewing the Carmel Restaurant Improvement District (CRID), and Second Reading/Adoption of Ordinance 2023-005 to Renew the CRID

Recommendation: Hold a final hearing, declare results of majority protest proceeding, adopt Resolution 2023-075, conduct the second reading of Ordinance 2023-005 by title only, and adopt Ordinance 2023-005 to renew the CRID.

14. Resolution 2023-076 adopting the Fiscal Year 2023- 2024 Fee Schedule for Administrative Services, Community Planning and Building, Public Safety and Public Works Services

FUTURE AGENDA ITEMS

ADJOURNMENT

15. Correspondence Received After Agenda Posting
16. Presentations received after agenda posting

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, located on the NE corner of Ocean Avenue and Lincoln Street, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage <http://www.ci.carmel.ca.us> in accordance with applicable legal requirements.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this agenda, received after the posting of the agenda will be available for public review at City Hall located on Monte Verde Street between Ocean and

Seventh Avenues during regular business hours.

SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).

***Proclamation Honoring the Friends of Harrison Memorial Library
FOR THEIR DEDICATED SERVICE TO THE COMMUNITY***

WHEREAS, the Friends of Harrison Memorial Library were formed on March 4, 1971 with Henry Meade Williams as its president; and

WHEREAS, since their inception the Friends have been dedicated to highlighting on an on-going basis the fact that our library is the cornerstone of the community, providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

WHEREAS, the Friends have held numerous benefits and programs to raise over \$500,000 for the library over the years, including the very popular annual book sale which is in its 50th and final year; and

WHEREAS, during the pandemic the Friends pivoted to provide free books to the community in the book shrines when the library was closed - a lifeline to many, and became a regular fixture at the weekly Farmer's Market;

WHEREAS, the Friends' gift of their time and commitment to the library sets an example of how volunteerism leads to positive civic engagement and the betterment of our community;

NOW, THEREFORE, BE IT PROCLAIMED THAT I, Mayor Dave Potter on behalf of the Council urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

July 11, 2023

Dave Potter, Mayor



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

July 11, 2023
CONSENT AGENDA

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Nova Romero, City Clerk |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | June 5, 2023, Special Meeting Minutes, and June 6, 2023, Regular Meeting Minutes |

RECOMMENDATION:

Approve Draft Minutes.

BACKGROUND/SUMMARY:

The City Council routinely approves minutes of its meetings.

FISCAL IMPACT:

None.

PRIOR CITY COUNCIL ACTION:

None.

ATTACHMENTS:

Attachment 1) June 5, 2023, Special Meeting Minutes

Attachment 2) June 6, 2023, Regular Meeting Minutes

**CITY COUNCIL
SPECIAL MEETING**

June 5, 2023

CALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 4:30 p.m.

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Bobby Richards, and Mayor Potter were all present.

PUBLIC APPEARANCES

None

CLOSED SESSION

City Attorney Pierik read the closed session agenda titles.

Item A - CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: City Administrator Chip Rerig, Katy Suttorp (Burke, Williams & Sorensen), Interim Public Safety Director Jeff Watkins

Employee organization: Carmel Fire Ambulance Association

Item B - PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957

Title: City Administrator

Council adjourned to Closed Session.

ADJOURNMENT

APPROVED:

SIGNED:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

**CITY COUNCIL
REGULAR MEETING MINUTES**

TUESDAY, JUNE 6, 2023

OPEN SESSION - 4:30 PM

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 4:30 PM.

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Bobby Richards, Mayor Dave Potter.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Richards led the pledge of allegiance.

EXTRAORDINARY BUSINESS

June Pride Month Proclamation - Councilmember Baron read the proclamation.

Carmel High School Report Out - None

PUBLIC APPEARANCES

Michael McWalters spoke about negative health impacts due to cell towers. Neal Kruse thanked Council for supporting the CA Cities for Local Control Resolution of support at the last meeting. Shirley Moon, Christy Hollenbeck, and Karyl Hall, asked Council to consider slowing down on the number of projects and issues they are taking on at once.

ANNOUNCEMENTS

City Administrator Announcements - Announced that the City's Draft 6th Cycle Housing Element has been completed and added to the website for a 30 day public review, as well as a joint City Council and Planning Commission Meeting on June 15, 2023, in Carpenter Hall at the Sunset Center.

City Attorney Announcements - No reportable action from Closed Session last night.

Councilmember Announcements -

Councilmember Ferlito - Spoke about the 6th Cycle Housing Element document and encouraged the public to please read it and to provide comments on the draft. She reported that she attended a ReGen Board meeting, and an AMBAG Meeting.

Mayor Pro Tem - Congratulated the Carmel High Padre Baseball team on their CCS win, and Jonathan Chen for winning 14th place at the State Golf Championship. He also said that culinary week is going on in the village with lots of great events.

Mayor – Reported that he also had a great time attending the Surf competition and culinary week events over the weekend.

CONSENT AGENDA

A member of the public pulled item #8 and made a public comment.

Public Comment: Elliott Ruchowitz-Roberst, president of the Tor House Foundation, spoke about the foundation and welcomed Councilmember Baron as a new Board Member.

Councilmember Dramov pulled item #10 to make a comment.

Mayor Potter requested that the Council appointee to the Litter Abatement Task Force be Alissandra Dramov who volunteered to be on the board.

Motion by Councilmember Ferlito to adopt consent items 1-8, with the amendment to appoint Councilmember Dramov to the Litter Abatement Task Force, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 1 - May 1, 2023, Special Meeting Minutes, May 2, 2023, Regular Meeting Minutes, and May 16, 2023, Special Meeting Minutes

Item 2 - April 2023 Monthly Reports

Item 3 - April 2023 Check Register Summary

Item 4 - Resolution 2023-054 authorizing the City Administrator to execute an Amendment to Professional Services Agreement No. CPB-CSG-033-19-20 with CSG Consultants, Inc. for on-call building and code compliance services increasing the not to exceed amount from \$240,000 to \$331,000, and extending the term to June 30, 2024

Item 5 - Resolution 2023-058, authorizing the City Administrator to execute Change Orders No. 1 for the On-Call Tree Maintenance Services Contracts, in the combined amount of \$33,236 for the remainder of Fiscal Year 2022/23, and Resolution 2023-059 for Change Orders No. 2 for Fiscal Year 2023/24, in the combined amount of \$525,000, contingent upon Council approval of the FY 2023/34 Forestry Operating Budget

Item 6 - Resolution 2023-060 authorizing the City Administrator to execute a Professional Services Agreement with Ono Consulting, LLC to provide on-call arborist services for a not-to-exceed fee of \$100,000 and a term expiring on June 30, 2025

Item 7 - Resolution 2023-061 amending the professional services agreement with Clifton Larsen Allen, LLP (CLA) to increase the not-to-exceed contract value by Thirty Thousand One Hundred and One Dollars (\$30,101.00) to Fifty-Five Thousand One Hundred Dollars (\$55,100.00)

Item 8 - Resolution 2023-062 (*as amended*) confirming Councilmember appointments to Coastwalk - California Coast Trail Association, the Litter Abatement Task Force, and the Tor House Foundation

Item 9 - Resolution 2023-065 ratifying appointments to the Harrison Memorial Library Board of Trustees, and the Planning Commission

ITEMS PULLED FROM CONSENT

Item 10 - Second Reading and Adoption of Ordinance No. 2023-003 Amending Chapter 3.12 of the City of Carmel-by-the-Sea Municipal Code to Regulate Contracting Including Purchases of Supplies and Services

Councilmember Dramov pulled this item from consent to make a comment that she does not agree with making the Local Business Plan being added to the municode, and that she would rather the limit for the City Administrator to sign contacts be \$45,000 rather than \$60,000 so she will be voting no.

Motion by Mayor Pro Tem Richards to adopt Ordinance 2023-003, seconded by Mayor Potter, and approved 4-1-0-0 by the following roll call vote:

AYES: Councilmember Baron, Ferlito, Richards, and Mayor Potter

NOES: Councilmember Dramov

ABSENT: None

ABSTAIN: None

PUBLIC HEARING

Item 11 - Resolution 2023-040 for Intent to Lease Real Property, Resolution 2023-042 for a Surplus Lands Act Resolution, and CEQA findings, for the Scout House Renovation, Activities Programming, and Facilities Management Project

Public Works Director Bob Harary gave a brief presentation to Council and provided an update on the meeting with the groups interested in the project. Joan Cox, City Attorney, answered questions from Council.

Public comment: Richard Kreitman said that the Boy Scouts will not be submitting a proposal for the Scout House due to there being too many unknowns and questions, and suggested that the City consider making some of the upfront improvements to the Scout House.

Council discussed that RFP process has become complex and may deter local groups from submitting proposals, and asked what other options the City has. Joan Cox said that if Council adopts the Surplus Land Act Resolution it will allow more flexibility on what to do with the Scout House in the future.

Motion by Mayor Pro Tem Richards, to adopt Resolutions 2023-040 and 2023-042, seconded by Councilmember Baron, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

ORDERS OF BUSINESS

Item 12 - Resolution 2023-063, authorizing the City Administrator to execute a Professional Service Agreement with Hammond+Playle Architects, LLP (Indigo), for preparation of a functional program report, conceptual drawings, and cost estimates for a not-to-exceed fee, including contingency, of \$300,000 for the Police Building Project

City Consultant Fred Meurer gave a presentation to Council regarding the Police Department Renovation Project phases and tasks, as well as the RFP process to select the most qualified architect firm. He answered questions from Council and introduced architect Jonathan Hammond.

Public comment: Janice Bradner thanked the Council for moving forward with this project.

Council discussion resumed.

Motion by Councilmember Baron, to adopt Resolution 2023-063, seconded by Mayor Potter, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 13 - Resolution 2023-064 approving a 3.71 percent rate increase to charges by the City's franchised hauler, GreenWaste Recovery, for the collection of solid waste, recycling, and organics, effective July 1, 2023, and approving Amendment No. 2 to the Memorandum of Understanding between ReGen Monterey and Member Agencies for Fiscal Year 2023/24

Environmental Programs Manager Mary Bilse gave a presentation on the item. GreenWaste representative Emily Hanson answered Council questions regarding the rate increases since 2015.

Public Comment: None.

Council discussion resumed. Mayor Pro Tem Richards commented that it seems that GreenWaste can use any methodology they want to justify increase rates every year and the City has no choice but to approve them. Councilmember Dramov commented that SB 1833 is another example of an unfunded mandate from the State that the City is forced to comply with.

Motion by Councilmember Ferlito, to adopt Resolution 2023-064, seconded by Councilmember Baron, and approved 3-2-0-0 by the following roll call vote:

AYES: Councilmember Baron, Ferlito, and Mayor Potter

NOES: Councilmember Dramov, Mayor Pro Tem Richards

ABSENT: None

ABSTAIN: None

Item 14 - Receive a report and provide policy direction on the potential re-establishment of the Design Review Board

Director of Community Planning and Building Brandon Swanson gave a presentation to Council on the history and duties of the Design Review Board (DRB).

Public Comment: Ken White said that the Carmel Residents Association voted that they agree with the reinstatement of the DRB, and suggested combining the DRB with the Historic Resources Board. Neal Kruse said that the Carmel Preservation Society agrees with the reinstatement of the DRB, but would like to see the DRB members be more resident driven. Thomas Hood echoed the comments made by Ken White. Eric Dyar said that in principle having a DRB sounds good, but has concerns over finding enough qualified residents to serve on the DRB and said that architects are critical to have serve on this type of board. Karyl Hall voiced support for reinstating the DRB and combining with the HRB to keep the permitting process moving forward.

Council voiced support of reinstating the DRB as a decision making body on design projects, and possibly combining its duties with the Historic Resources Board which meets once monthly. Director Swanson is in the process of developing the regulations and procedures to reestablish DRB would follow the same timeline as the completion of the Design Traditions 1.5 Guidelines.

Council gave consensus direction to staff to come up with a draft Design Review Board policy and present it to the Planning Commission and Historic Resources Board for their input and feedback, then come back to Council for further policy direction on the reinstatement of the DRB.

Council took a recess at 6:35 p.m. and resumed at 6:46 p.m.

Item 15 - Receive an update on the status of the Design Traditions 1.5 Project

Director of Community Planning and Building Brandon Swanson gave a presentation on the Design Traditions 1.5 Project (DT 1.5) and answered questions from Council.

Public comment: Nancy Twomey, said that the Carmel Residents Association are very appreciative of all of the work by the Design Traditions 1.5 Committee Members and City staff on this project. Eric Dyar said that the overall process is going well and asked for patience while they continue to refine the guidelines. Thomas Hood said that the design guidelines are still subjective in interpretation so this is where the DRB would come in. Neal Kruse, Cindy Lloyd, David O'Neal, and Karyl Hall voiced support of the Design Traditions 1.5 process and thanked all of the members involved.

Council received the report, and thanked the Design Traditions 1.5 committee members, public, and staff for all of their hard work and commitment to the process. Council gave consensus direction to Director Swanson to take control of the DT 1.5 Guidelines process and timeline, while continuing to receive feedback and input from the Committee members.

PUBLIC HEARINGS

Item 16 - First Reading of Ordinance 2023-005 to Renew the Carmel Restaurant Improvement District

Amy Herzog and Jeff Burkhardt, Visit Carmel, gave a presentation to Council on the Carmel Restaurant Improvement District and renewal process.

Public Comment: Dale Byrne and Shirley Moon voiced distaste of the Visit Carmel advertising and marketing strategy and said it does not fit in with the character of Carmel. David O'Neil commented that digital marketing design is constantly changing and evolving.

The City Attorney read the title of the Ordinance.

Motion by Councilmember Baron, to read by title only, waive full reading and introduce Ordinance 2023-005, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 17 - Resolution 2023-066 Adopting the Fiscal Year 2023-2024 Appropriations Limit

Assistant City Administrator Maxine Gullo gave a brief presentation to Council.

Public Comment: None

Motion by Mayor Potter, to adopt Resolution 2023-066, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 18 - Resolution 2023-067 Adopting the Fiscal Year 2023-2024 Annual Operating and Capital Budget

Assistant City Administrator Maxine Gullo gave a presentation to Council.

Public Comment: Carmel Chamber CEO Lance Wills spoke about the Carmel Chamber's visitor center costs and deficit, and requested Council consider additional funding to refresh the visitor's center. Doug Lumsten, Maria Weigman, David O'Neil, Ashley Stoddard, Sygale Lomas, spoke about the importance of the Carmel Chamber visitor's center and asked for Council support for additional funding. John Ruskell and Pam Nyman asked for Council support the Carmel Youth Center by investing \$50,000 into the CYC building improvements such as the heating system.

Council discussion resumed. Council voiced support of the FY 23-24 budget as presented by staff.

Motion by Councilmember Baron to adopt Resolution 2023-067, seconded by Mayor Pro Tem Richards and approved 4-1-0-0 by the following roll call vote:

AYES: Councilmember Baron, Ferlito, Richards, and Mayor Potter

NOES: Councilmember Dramov

ABSENT: None

ABSTAIN: None

Item 19 - Consideration of a Permanent Encroachment Permit (EN 21-272, Fountain) for an existing fence in the public right-of-way on the southern side of the single-family residence on the northwest corner of Junipero Avenue and 8th Avenue in the Residential and Limited Commercial (RC) Zoning District.

Principal Planner Marnie Waffle gave a presentation on the item.

Anthony Lombardo, gave a presentation to Council on behalf of the applicant explaining that there is evidence that the City approved an encroachment permit to Fountain in 2005, but the documentation is missing and tonight his client is asking Council to formally approve a permanent encroachment permit.

Public Comment: Victoria Beach addressed the Council.

Council discussion resumed.

**Motion by Councilmember Ferlito to deny the encroachment permit (EN 21-272, Fountain).
Motion failed due to lack of second.**

Motion by Mayor Pro Tem Richards to approve the encroachment permit to allow the applicant to keep their existing fence with the condition that a landscaping plan be submitted and approved that requires the adjacent property owners to maintain the conditions of the encroachment permit, seconded by Mayor Potter, and approved 4-1-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Richards, and Mayor Potter

NOES: Councilmember Ferlito

ABSENT: None

ABSTAIN: None

ADJOURNMENT

Council adjourned the meeting at 9:17 p.m.

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

July 11, 2023
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: May 2023 Monthly Reports

RECOMMENDATION:

Review and receive monthly reports.

BACKGROUND/SUMMARY:

This is a monthly series of reports:

- City Administrator Contract Log
- Community Planning and Building Department Reports
- Police, Fire, and Ambulance Reports
- Public Records Act Requests
- Public Works Department Reports

FISCAL IMPACT:

N/A

PRIOR CITY COUNCIL ACTION:

Monthly review and approval

ATTACHMENTS:

Attachment 1) City Administrator Contract Log

Attachment 2) Community Planning and Building Department Reports

Attachment 3) Police, Fire, and Ambulance Reports

Attachment 4) Public Records Act Requests

Attachment 5) Public Works Department Reports

City Administrator Contract Log
FY 2022-23
May 2023

| Date entered Into | Contractor | Contract Amount | Purpose |
|--------------------------|-------------------|------------------------|--|
| 5/1/2023 | SystemsUp, LLC | \$19,500.00 | IT Consulting - Remote Desktop Support |



CITY OF CARMEL-BY-THE-SEA Monthly Report

Community Planning and Building Department

| | |
|---------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Leah Young, Administrative Coordinator |
| SUBMITTED ON: | June 6, 2023 |
| APPROVED BY: | Brandon Swanson, Director of Community Planning and Building |

MAY 2023 – DEPARTMENT ACTIVITY REPORT

I. PLANNING PERMIT APPLICATIONS:

In May 2023, **35** planning permit applications were received.

II. BUSINESS LICENSE APPLICATIONS:

In May 2023, **3** business license applications were received.

III. BUILDING PERMIT APPLICATIONS:

In May 2023, **64** building permit applications were received.

IV. CODE COMPLIANCE CASES:

In May 2023, **6** new code compliance cases were created.

V. ENCROACHMENT PERMIT APPLICATIONS:

In May 2023, **31** encroachment permit applications were received.

VI. YEAR-TO-DATE TRENDS

Table 1 includes the following May 2023 totals: planning and building permit applications, code compliance and transient rental compliance cases, and encroachments. May 2023 totals are provided alongside May 2022 totals for comparison.

Compared to the same time period in the year 2022, Table 1 denotes the following percentage changes in the year 2023:

- Planning Permit Applications – **increase of 1.25%**
- Business License Applications – **increase of 20.83%**
- Building Permit Applications – **increase of 20.09%**
- Code Compliance Cases – **decrease of 32.38%**
- Encroachment Permit Applications – **increase of 5.61%**

Table 1. Permit Application Totals

| | PLANNING | BUSINESS LICENSES | BUILDING | CODE COMPLIANCE | ENCROACHMENTS |
|---------------------|----------|----------------------|----------|--------------------|---------------|
| 2022 YTD Totals | 160 | 24 | 214 | 105 | 107 |
| 2023 YTD Totals | 162 | 29 | 257 | 71 | 113 |
| YTD % Difference | +1.25% | +20.83% | +20.09% | -32.38% | +5.61% |



Planning Permit Report

05/01/2023 - 05/31/2023

| Permit # | Permit Type | Project Description | Address/Location | Date Received | Date Approved | Status |
|----------|-----------------------------|--|---|---------------|---------------|--------------------|
| 23161 | Conceptual Review | Associated application: CR 23-032. EXTERIOR RESTORATION & REPAIRS: ROOFS, SKYLIGHTS, FOUNDATION DRAINAGE, WOOD ROT AT COLUMNS. REMOVE NON-HISTORIC SPIRAL STAIR AND GLASS RAILING. ALTERATION TO (E) SUNROOM: MODIFY FIX GLASS TO OPERABLE DOORS. UPGRADE: REPLACE SINGLE GLAZING TO LOW E, INSULATING GLASS. PAINT, STAIN EXTERIOR SIDING AND FASCIA. | 25987 Mission Street | 5/31/2023 | | In Review |
| 23160 | Preliminary Site Assessment | Alterations and additions of kitchen, bedroom, bathroom, and detached garage. | Santa Fe Street 4 NW of 6th Avenue | 5/31/2023 | | In Review |
| 23159 | | My current need for information on the historic status of this house is so that I can specify a new garage door when the work to upgrade the garage roof structure and replace the roof (scheduled to start the middle of next month) is complete. | | | | Pending Assignment |
| 23158 | Design Review | ASSOCIATED APPLICATION: DR 20-350. New Mixed-Use building with twelve (12) apartment units, 9,000 SF of retail space at grade, and twenty-eight (28) underground car spaces. Includes storage area at basement. | Corner of 5th Ave. and Dolores St. / Block 55 Lot 1-7 | 12/15/2020 | | Pending Assignment |
| 23157 | | Request for a preliminary Determination of Ineligibility for Carmel Historical Resources Inventory. | Vizcaino 7 between Mountain View & Flanders | 5/30/2023 | | Pending Assignment |
| 23156 | | Convert (E) side door into window in Bath 1 shower (N facade); Windows replacement in-kind; New gutters; Paint exterior (stucco, siding, and fascia). | Guadalupe 2 NW of 7th | | | Pending Assignment |

| | | | | | | |
|-------|--|--|---|-----------|--|-----------|
| 23155 | | Consideration of an Administrative Determination, AD 23-155 (Wandering Tours), regarding a business license application, BL 23-029 (Wandering Tours), for clarification concerning whether staff may allow the establishment of a walking tour of wine tasting stores in Carmel located in the Central Commercial (CC) Zoning District. | Southwest Corner of Ocean & Mission Avenues | 5/26/2023 | | In Review |
| 23154 | | OWNER PROPOSES TO ADD 1,015 SQFT OF PERMEABLE PAVING, CONSTRUCT A PERGOLA AND ADD A BACK-UP GENERATOR. | 1st Avenue 2 NE of Carpenter | 5/26/2023 | | In Review |
| 23153 | | Preliminary Site Assessment | Camino Real 9 NE of 4th | 5/25/2023 | | In Review |
| 23152 | | 375 SQ FT REMODEL. 122 SQ FT ADDITION TO EXISTING 1,291 SQ FT RESIDENCE. ADDITION APROX. 12' X 10' BACK OF HOUSE, NEW PRIMARY SUITE, BATHROOM AND CLOSET. WINDOWS, ROOF AND PAINT TO MATCH EXISTING. EXISTING SIDING 2". ADDITION SIDING 6". MOVE INTERIOR WALLS, NEW POWDER RM, NEW KITCHEN LAYOUT, REMODEL BATH, NEW FORCED AIR, FIREPLACE INSERT. | NW Corner of 12th & Casanova | 5/24/2023 | | In Review |
| 23151 | | PSA for proposed project: remodel and addition to existing house. Construction of a new one-car garage. Multiple exterior changes, including siding, windows, doors, roof, wood deck, fencing, patios, walkways, and landscaping. | San Carlos 2 N.E. of 2nd Ave. | 5/23/2023 | | In Review |
| 23150 | | Addition of a 30"x48" wood window to lower floor hallway. Window to match existing windows. | Torres 1 NW of 2nd | 5/23/2023 | | In Review |
| 23149 | | RELOCATE EXISTING SIGN: Noelle Micek Interiors, Inc. | 5th Avenue 2 NW of Junipero | 5/19/2023 | | In Review |
| 23148 | | DEMO EXISTING LAUNDRY SHED AND GARDEN STRUCTURE. ADD 100 SF. TO KITCHEN ON NORTH SIDE. ADD TWO STORY 868 SF ADDITION TO REAR WEST SIDE. | 0 Mission St. 3 NW of Santa Lucia | 5/22/2023 | | In Review |

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| 23147 | | THE OWNERS WOULD LIKE TO SEEK PLANNING APPROVAL FOR WORK DONE TO AN EXISTING 1,325 SQFT, SINGLE STORY, THREE BEDROOM, TWO BATHROOM RESIDENCE. WORK TO INCLUDE APPLYING STUCCO AND STONE TO AN EXISTING BRICK CHIMNEY. | Camino Real 4 NW of 11th | | | In Review |
| 23146 | | Mills Act Contract | 0 Lopez 5 NW of 4th Avenue | 5/16/2023 | | In Review |
| 23145 | | PSA for proposed 500sf addition to an existing SFD to be used as a bedroom. | Forest 2 NW of 7th | 5/15/2023 | | In Review |
| 23144 | | Two-story addition to rear of house, interior remodel of lower floor, replace (e) kitchen stair, removal of driveway and installation of new parking pad. | Mission 3 NE of 11th | 5/15/2023 | | In Review |
| 23143 | | Preliminary Site Assessment | Cassanova 3 NE of 7th | 5/15/2023 | | In Review |
| 23142 | | Pizza Restaurant to replace Korean Restaurant. | NW Corner of Mission and 8th | | | Closed |
| 23141 | | Relocation of existing front yard fence. City to remove overlaid asphalt per permit 22332, 11-22-22, and per drawings attached herein. | Torres 4 NW of 8th | 5/10/2023 | | In Review |
| 23140 | | Demolition of 2 buildings, trash enclosure, 2 trellis structures, & 2 parking areas. The whole lot (with the exception of the (e) community building) shall be excavated for underground parking garage & a 2 story building shall be constructed above it. Ground floor shall serve commercial uses with 10 tenant spaces. The 2nd floor shall contain 8 apartments of various sizes (2 bedroom & 1 bedroom units). | Dolores Street 2 SE of 7th Avenue | 5/11/2023 | | In Review |
| 23139 | | Construction of two (2) decks in back yard. Various site coverage reductions. | Perry Newberry 2 NW of Fifth Ave. | 5/9/2023 | | In Review |
| 23138 | | Install new accordion door and add 3'x12' concrete stoop in front of door. Relocate existing entry to existing window spot and relocate existing window to where door used to be. Replace two existing windows with tempered glass. | 26245 Dolores | 5/11/2023 | | In Review |

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| 23137 | | PSA completed, PSA 23-125 (Layman). EXTEND FIRST FLOOR OF AN EXISTING SINGLE FAMILY RESIDENCE. NEW ATTACHED GARAGE. NEW ROOF. MODIFY INTERIOR OF RESIDENCE TO INCLUDE NEW KITCHEN, NEW BATHROOM, NEW BEDROOM. REPLACE EXISTING LIGHTING, PLUMBING FIXTURES, AND CABINETS. REPLACE DOORS AND WINDOWS. | SAN CARLOS STREET 5 SW OF 5TH AVENUE | 5/10/2023 | | In Review |
| 23136 | | New planting refresh for hillside on Ocean Ave. side of The Getaway's parking lot. | NE Corner of Junipero & Ocean Ave | 5/9/2023 | | In Review |
| 23135 | | | | | | Closed |
| 23134 | Historic Evaluation | Follow-up to HE 22-328 (Beck) 1. EXISTING STRUCTURES INCLUDE: (1) ONE-STORY 1,360 SQFT SHINGLE-STYLE HOME AND (1) 240 SQ FT DETACHED GARAGE. PROPOSED WORK INCLUDES: Add 10' 4" WIDE x 4'-0" TALL fence and 3'-0" WIDE x 4'0" TALL gate in front of a new ADU (converted ((E)) garage). The fence and the gate match the existing fence and gate. The garage-to-ADU conversion is under another Permit ID: BP 23-202. | SANTA FE 3 NE OF SECOND AVE | 5/9/2023 | | In Review |
| 23133 | Historic Evaluation | STREAMLINE: authorizes the removal of an existing window from the west elevation (rear) with the opening covered by in-kind siding, and the placement of a new 6' x 2' aluminum-clad wood window at the south elevation (rear side). | Lincoln 3 SW of 12th | 5/9/2023 | 5/10/2023 | Approved |
| 23132 | Historic Evaluation | ASSOCIATED PERMIT HE 22-354 (Beckett). Replace garage door with new overhead garage door; same opening. Replace front door with new front door in the same opening. Stain to match both; see stain color on Sheet A-3.0. | Lincoln 3 SW of 12th | 5/9/2023 | | In Review |
| 23131 | | Plaque only on existing wood bench, East of Flander's Mansion. --Honoree's name: George and Patty Walker --Adopt existing bench; new plaque --Plaque size: 3 3/4" x 1 1/4" . | Flander's Mansion | 5/9/2023 | | In Review |
| 23130 | | Replace existing wood front doors with new recessed metal, glass, and wood entry element. | Ocean 3 NW of Dolores | 5/9/2023 | | In Review |

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| 23129 | Design Study | Replace current fence along 8th Ave. with 4 ft. white picket fence with three gates including one for driveway. | 8th Avenue 2 Northeast of Junipero | 5/10/2023 | | In Review |
| 23128 | Banners | Installation of ten double banner poles along Ocean Ave from Junipero to Monte Verde. Installation date: 5/15/23, removal date: 5/22/23. | Ocean from Junipero to Monte Verde | 5/3/2023 | | Denied |
| 23127 | Use Permit | Extra banquet seating for Mulligan Public House | Dolores St 4 SE Ocean Ave | 5/17/2023 | | In Review |
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Total Records: 35

6/2/2023



Business License Report

05/01/2023 - 05/31/2023

| Entity # | Application Type | Business Name | Business Description | Location | Date Received | Date Approved | Status |
|----------|----------------------|--|-------------------------|-------------------------------------|---------------|---------------|-----------|
| 23029 | New Business | Wandering Tours | Walking tour of Carmel. | SW Corner of Ocean & Mission | 5/17/2023 | | In Review |
| 23028 | Business Name Change | Let Petit Pali at 8th Ave Carmel by the Sea | Hotel Lodging | NW Corner of Junipero & 8th Avenues | 5/16/2023 | 5/24/2023 | Approved |
| 23027 | Business Name Change | Le Petit Pali at Ocean Ave Carmel by the Sea | Hotel Lodging | NE Corner of Junipero & Ocean | 5/16/2023 | 5/24/2023 | Approved |
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Total Records: 3

6/2/2023



Building Permit Report

05/01/2023 - 05/31/2023

| Permit # | Date Submitted | Date Approved | Project Description | Valuation | Permit Type | Property Location |
|----------|----------------|---------------|---|-----------|-------------|-------------------------------------|
| 230255 | 5/30/2023 | | Replace decayed deck beams and rebuild garbage room. | 9,000 | | NW Corner of Ocean & Monte Verde |
| 230254 | 5/30/2023 | | Exterior re-painting of Harrison Memorial Library, with al alternate bid item to repaint the interior of the building. To include hazardous materials abatement. | 0 | | NE Corner of Ocean & Lincoln |
| 230253 | 5/30/2023 | | Exterior re-painting of Sunset Center, including hazardous materials abatement. | 0 | | San Carlos between 8th and 10th |
| 230252 | 5/30/2023 | | Repair cottage windows, including selective demolition, removal and replacement of window components including sashes, muntins, mullions, etc. Project to include hazardous materials abatement. | 150,000 | | San Carlos between 9th and 10th |
| 230251 | 5/30/2023 | | Replace roof with wood shingles with an alternate option of asphalt composition shingles. | 150,000 | | Monte Verde 3 SE of Ocean |
| 230250 | 5/30/2023 | | Replace rotten wood and install new railing. | 0 | | San Antonio 6 SW of Ocean |
| 230249 | 5/30/2023 | 5/30/2023 | Replace damaged 200 amp service panel in-kind. | 5,000 | | Camino Real 3 SE of 2nd |
| 230248 | 5/30/2023 | | 164.00 S.F. DINING ROOM / KITCHEN ADDITION WITH NEW ELECTRICAL TO THE MAIN RESIDENCE. BATHROOM REMODEL TO THE GUEST HOUSE. NEW ROOF TO MATCH APPROVED GUEST HOUSE. REMOVE PORTION OF STONE WALL IN CITY RIGHT OF WAY. | 180,000 | | NW Corner of Forest & Mountain View |

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|--------|-----------|-----------|--|--------|--|--------------------------------|
| 230247 | 5/25/2023 | 5/31/2023 | Move water heater to exterior wall and install new tankless water heater. Run designated 1 1/4" gas line from meter to new tankless unit. | 6,000 | | NE Corner of Casanova & Palou |
| 230246 | 5/25/2023 | | Retile shower stall and install new pan/lath. | 15,000 | | Lincoln 3 SE of 3rd |
| 230245 | 5/25/2023 | 5/25/2023 | New 60' wood fence on southern property line from SW lot corner at Mission running east. 4' high within 15' setback and 6' high for an additional 45' mounted on new wood 4"x4" posts and 2"x4" rails. Fence to be placed on the property line per agreement with neighbor to the south. | 0 | | Mission 2 NE of 10th |
| 230244 | 5/25/2023 | | New Concrete Drainage slab for improved drainage. | 11,750 | | Junipero 3 SW of 4th |
| 230243 | 5/24/2023 | | Establishment of new Senior ADU. Installation of fire rating, kitchen, and electrical. | 200 | | NW Corner of Ocean & Carpenter |
| 230242 | 5/24/2023 | | Establishment of new JADU. | 200 | | NW Corner of Ocean & Carpenter |
| 230241 | 5/24/2023 | 5/24/2023 | Remove and replace existing furnace. | 12,495 | | Guadalupe 4 NW of 1st |
| 230240 | 5/25/2023 | | Install new 22kW generator with Zombiebox enclosure. | 21,000 | | 25935 Ridgewood Road |
| 230239 | 5/24/2023 | | Install a roof mounted 3.60kW solar PV system with 9 panels. | 14,000 | | Mission 4 NE of 10th |
| 230238 | 5/24/2023 | 5/24/2023 | Remove and replace one 35K BTU wall heater and one 15K BTU direct vent heater with new in-kind. | 4,000 | | NE Corner of Guadalupe & Ocean |
| 230237 | 5/23/2023 | 5/25/2023 | Replace existing roof with CertainTeed Presidential Shake in color Aged Bark or Country Gray. | 24,000 | | Mission 2 NW of 1st |
| 230236 | 5/23/2023 | 5/25/2023 | Remove and install comp shingles in color "Painted Desert". | 16,400 | | Perry Newberry 3 NW of 6th |

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|--------|-----------|-----------|---|---------|--|--------------------------|
| 230235 | 5/23/2023 | 5/23/2023 | Remove (e) wood shakes and install 90 lb cap sheet, 30 lb shake felt, and heavy treated wood shakes. | 22,301 | | Lobos 4 SE of 2nd |
| 230234 | 5/23/2023 | 5/25/2023 | Remove (e) wood shingle roof and replace with new Brava Multi-Width Simulated Shake in color - Natural. | 75,000 | | Monte Verde 4 NE of 13th |
| 230233 | 5/22/2023 | 5/22/2023 | Run new gas line for gas cook top. Start at meter, run under house approx 10' of 3/4" galvanized pipe. | 2,600 | | Camino Real 3 SW of 7th |
| 230232 | 5/19/2023 | | Interior TI for a new retail clothing shop with coffee bar in existing retail space. | 75,000 | | San Carlos 3 NW of 6th |
| 230231 | 5/19/2023 | | Remodel including doors and windows, remove balcony, remodel kitchen, entry, bath 2, and master bath. | 350,000 | | Monte Verde 7 SE of 12th |
| 230230 | 5/19/2023 | | Installing a backup generator, transfer switch, concrete pad, natural gas line, and electrical infrastructure to support. | 21,711 | | San Carlos 4 NW of 13th |
| 230229 | 5/19/2023 | | Renovation of existing kitchen with new cabinets, tile, plumbing fixtures and replace tile in existing guest bathroom in tub/shower and on bath floor. Existing vanity, toilet, and plumbing to remain. | 10,000 | | Santa Rita 4 NW of 2nd |
| 230228 | 5/18/2023 | 5/22/2023 | Installation of 24 license plate reading cameras. | 60,000 | | Various throughout City |
| 230227 | 5/18/2023 | 5/19/2023 | Tear off (e) tar and gravel roof and install new tar and gravel roof. | 16,000 | | San Antonio 2 NW of 7th |

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| 230226 | 5/18/2023 | | Kitchen Finishes: New Counters, backsplash, replace sink, modify breakfast bar. Powder Room update: Replace sink. Primary Bathroom updates: New wall tile in shower, new shower door, new electrical floor heat mat and step light in shower | 30,000 | | Torres 3 SE of 8th |
| 230225 | 5/18/2023 | | Install 14KW generator, transfer switch, and sound enclosure. | 16,000 | | San Carlos 6 SW of 8th |
| 230224 | 5/16/2023 | 5/18/2023 | Replace (e) 4'x4' redwood post on 103lf on fence 6' high using 4x6 pressure treated posts. | 0 | | NW Corner of Monte Verde & 4th |
| 230223 | 5/16/2023 | 5/31/2023 | Construct redwood board fence inside property line. Height to remain 6' at final grade, not to extend into front setback. | 0 | | NE Corner of Guadalupe & Ocean |
| 230222 | | | OWNER PROPOSES TO ADD 1,015 SQFT OF PERMEABLE PAVING, CONSTRUCT A PERGOLA AND ADD A BACK-UP GENERATOR. | 42,000 | | 1st 2NE Carpenter |
| 230221 | | | THE OWNERS WOULD LIKE TO SELF REPORT AND CORRECT WORK DONE TO AN EXISTING 1,325 sqft, SINGLE STORY, THREE BEDROOM, TWO BATHROOM RESIDENCE. WORK TO INCLUDE, 1. REMOVE APPROX. 320 SQFT OF RECENTLY CONSTRUCTED IMPERVIOUS WALKWAY. TO BE REPLACED BY LOOSE SET PAVERS. 2. A 76 SQFT ADDITION TO AN EXISTING WOOD FRAMED DECK. 3. APPLYING STUCCO AND STONE TO AN EXISTING BRICK CHIMNEY. 4. RECONFIGURING THE ELECTRICAL SYSTEM IN THE GARAGE. 5. REPLACING EXISTING ASPHALT DRIVEWAY WITH IMPERVIOUS STONE. | 8,000 | | Camino Real 4NW 11TH |

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|--------|-----------|-----------|---|--------|--|------------------------------|
| 230220 | 5/16/2023 | | Remodel commercial kitchen, new floor, new paint, and kitchen equipment. | 45,000 | | NW Corner of Mission & 8th |
| 230219 | 5/15/2023 | 5/30/2023 | Smooth coat walls, new flooring in rear and storage area. Refinish existing wood flooring, change counters, change light fixtures, new baseboards and interior door moldings, paint interior walls, ceilings, and cabinets. Install new wall paper. | 20,000 | | Lincoln 3 SW of Ocean |
| 230218 | 5/15/2023 | 5/22/2023 | Install a roof mounted 3.20kW solar PV system consisting of 8 panels. | 13,614 | | SE Corner of Dolores & 12th |
| 230217 | 5/12/2023 | 5/12/2023 | Replace all original single-pane aluminum divided-light windows with new Pella double-pane, wood clad with aluminum, divided light windows with interior and exterior grills and an interior spacer to imitate true divided light grid windows. All new windows will be installed in the same foot print as the original windows, with no changes in window location or size. | 0 | | NE Corner of Mission & 10th |
| 230216 | 5/12/2023 | | Replace existing vanity, bath tub, shower stall, and flooring. No change in plumbing. Shower enclosure to be replaced. | 0 | | Guadalupe 4 NW of 2nd |
| 230215 | 5/11/2023 | | Convert bathtub to shower stall | 6,000 | | Mission 2 NE of 9th |
| 230214 | 5/11/2023 | 5/11/2023 | Replace water heater with new tankless water heater. Contact: Linda Frazier (530) 306-5159 | 5,000 | | NW Corner of Junipero & 12th |
| 230213 | 5/10/2023 | | Replace 68 existing steel windows and 4 wood french doors. Windows and doors to keep the same aesthetic, size, and location. | 0 | | NE Corner of Lincoln & 7th |

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| 230212 | 5/10/2023 | 5/11/2023 | Replace vision barrier fence damaged by the storm. 24' fence on interior of property, Fence to be horizontal redwood replacing vertical slats. Maximum of 6'. Contact: Mike Sawyer (650) 207-0293 | 0 | | NE Corner of Santa Rita & 1st |
| 230211 | 5/10/2023 | | Repair existing gates and improve look by replacing the trellis with natural grapestakes. Same height and location. | 0 | | Camino Real 5 SE of 12th |
| 230210 | 5/10/2023 | | Repair/replace south fence line. Fence was damaged due to tree removal. Reinstall fence at same location and constructed the same as the original. | 0 | | NE Corner of Santa Rita & 5th |
| 230209 | 5/9/2023 | | PAINTING SIDING AND TRIM. 2. REPLACE TILE ROOFING WITH ASPHALT SHINGLES, "PRESIDENTIAL TL". 3. VAULT CEILINGS IN KITCHEN, LIVING ROOM AND BEDROOM #3. 4. ADD TWO SKYLIGHTS, REPLACE OR ADD 7 WINDOWS AND THE ENTRY DOORS. | 175,000 | | Santa Rita 2 SW of 1st |
| 230208 | 5/9/2023 | | Cover the existing carpet into a 200 sqft detached garage. | 0 | | Dolores 4 SW of 10th |
| 230207 | 5/9/2023 | | Remodel and existing one story single family dwelling, modify existing detached carport and adding a 310 sq.ft. second story and redoing the main level by 46 sq.ft. 2. Project includes the exterior and interior modifications as shown on the plans and covering the existing carpet into a 200 sq.ft detached garage. 3. The project will consist of changes to the rear decks and front porch entrance. 4. New wood clad windows. 5. No excavation. 6. One tree removal. Unknown species. 7. remove hedge at north side of property. | 490,000 | | Dolores 4 SW of 10th |

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|--------|----------|-----------|--|---------|--|------------------------------|
| 230206 | 5/9/2023 | | Paint exterior of building and fill cracks in stucco. | 10,500 | | NE Corner of Ocean & Dolores |
| 230205 | | | VOID | 0 | | |
| 230204 | 5/8/2023 | 5/19/2023 | Install a backup home generator. | 5,000 | | Dolores 2 NW of 4th |
| 230203 | 5/8/2023 | 5/10/2023 | Remove (e) shake roof and replace with new CertainTeed Landmark TL comp shingles in color Country Gray. | 33,000 | | Guadalupe 2 NE of 4th |
| 230202 | 5/8/2023 | | EXISTING STRUCTURES INCLUDE: (1) ONE-STORY 1,360 SQFT SHINGLE-STYLE HOME AND (1) 242 SQFT DETACHED GARAGE. PROPOSED WORK INCLUDES: CONVERT THE EXISTING 242 SQ. FT. GARAGE INTO AN ACCESSORY DWELLING UNIT (ADU). A NEW SHED DORMER WILL BE BUILT ON BOTH SIDES OF THE EXISTING ROOF. THE WASHBASIN IN THE SECOND BATHROOM FOR THE EXISTING HOUSE WILL BE REMOVE TO GAIN 1 WATER CREDIT. | 18,150 | | Santa Fe 3 NE of 2nd |
| 230201 | 5/8/2023 | | 3,276 sf tenant improvement in existing commercial building. | 250,000 | | Ocean 3 NW of Dolores |
| 230200 | | | Residential | 0 | | |
| 230199 | 5/5/2023 | | Bathroom remodel. | 10,000 | | NW Corner of Carmelo & 9th |
| 230198 | 5/5/2023 | 5/5/2023 | In-kind furnace replacement. | 22,500 | | Santa Fe 3 SW of 8th |

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|--------|----------|-----------|--|---------|---------|-----------------------|
| 230197 | 5/5/2023 | 5/12/2023 | <p>Pitched tile sections at building 7, 8, & 8a: tear off (e) concrete tile. Install one layer of TileSeal self adhered at all roof penetrations. Install one layer of Boral ply SBS modified tile underlayment. Install new Boral "Saxon 900" slate in the color "Newport Sun".</p> <p>Flat sections of 8 & 8a: Prepare cap sheet overlay. Install one layer of 1/4" fire-rated glass-mat roof board. Install new custom curb membrane with termination bar. Install new Durolast 50 mil PVC single-ply in color "white". Remove existing gutter system. Install approx 90lf of custom #316 marine grade stainless steel OGEE gutter at eave line. Install 1 4x4 #316 24ga stainless steel downspout.</p> | 283,390 | Roofing | Carmel Plaza |
| 230196 | 5/4/2023 | 5/4/2023 | Repairs to existing roof. Remove the existing hip and ridge shingles and install new hip and ridge shingles in same color with thicker product. | 2,500 | | Dolores 2 NE of 10th |
| 230195 | 5/4/2023 | 5/5/2023 | <p>Replace two exterior heat pumps. Install new 18 Seer, 12.5 EER, 11 HSPF Mitsubishi heat pump system.</p> <p>CONDITION: A sound level test from a verified third-party inspector stating that the 60db or less requirement is met before the permit can be finaled.</p> | 33,475 | | Torres 2 NE of 5th |
| 230194 | 5/3/2023 | 5/9/2023 | Re-roof: Remove existing synthetic "firefree" roof and replace with CertainTeed Landmark TL, Color: Max Def Country Gray | 46,605 | | Carpenter 2 NE of 6th |

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| 230193 | 5/2/2023 | 5/2/2023 | Demolition of linoleum flooring and install 1/4" ply underlayment. Install new vinyl flooring and base boards. | 0 | Exempt Work | Camino Real 4 SE of 10th |
| 230192 | 5/1/2023 | | Remove (e) gray comp shingles and replace with (n) Malarkey Highlander black comp shingles. | 19,780 | Roofing | Mission 3 NE of 8th |
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Total Records: 64

6/2/2023



Code Compliance Report

05/01/2023 - 05/31/2023

| Case # | Case Type: | Status | Location | Problem Description | Date Received | Date Closed |
|--------|----------------------------------|--------|------------------------|--------------------------------------|---------------|-------------|
| 23072 | Property Maintenance | Open | SWC Lincoln and 7th | Bathroom ventilation | 5/9/2023 | |
| 23071 | Health and Safety Code Violation | Open | SWC Santa Rita and 1st | Trash cans in ROW | 5/9/2023 | |
| 23070 | Business License Violation | Open | Mission SW of 5th | Operating business without a license | 5/8/2023 | |
| 23069 | Business License Violation | Open | SWC San Carlos and 6th | Operating business without a license | 5/8/2023 | |
| 23068 | Right of way Violation | Open | Carmelo S of 8th | Blocking right-of-way | 5/8/2023 | |
| 23067 | Planning Violation | Open | NEC Santa Rita and 5th | Fence construction without permit | 5/5/2023 | |
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Total Records: 6

6/2/2023



Encroachment Permit Report

05/01/2023 - 05/31/2023

| Permit # | Permit Type | Date Submitted | Project Description | Property Location | Date Issued | Status |
|----------|-------------|----------------|---|-------------------------------|-------------|-----------|
| 230113 | Temp Ench | 5/30/2023 | Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315 | San Antonio 2 SE of 11th | 5/30/2023 | Issued |
| 230112 | Temp Ench | 5/30/2023 | Remove 5'x5' section of sidewalk to install main sewer line back flow valve. Will replace materials with like for like materials and provide TCP. | NE Corner of Junipero & Ocean | 5/30/2023 | Issued |
| 230111 | Temp Ench | 5/30/2023 | Remove 5'x5' section of sidewalk to install main sewer line back flow valve. Will replace materials with like for like materials and provide TCP. | Junipero 2 NW of 8th | 5/31/2023 | Issued |
| 230110 | Temp Ench | 5/24/2023 | Trench for PG&E to relocate gas line. Contact: JD's Plumbing (831) 394-3100 | NE Corner of San Carlos & 4th | | In Review |
| 230109 | Temp Ench | 5/24/2023 | PG&E to trench and backfill a 5'x5' bellhole to abandon existing gas service. PM #35438884. Contact: PG&E (408) 478-1894 | San Carlos 2 SW of 1st | 5/30/2023 | Issued |
| 230108 | Temp Ench | 5/23/2023 | PG&E to trench and backfill a 5'x5' bellhole and abandon existing gas service. PM #35432179. Contact: PG&E (408) 478-1894 | Scenic 3 NE of 13th | | In Review |
| 230107 | Temp Ench | 5/22/2023 | Replace existing asphalt driveway with new pavers. Contact: Roark Craven (831) 901-4620 | Forest 4 SW of Ocean | | In Review |
| 230106 | | 5/16/2023 | (5) Black pots located on Ocean ave 8 (2) Pots on Lincoln street, they have been there for 25years. We would like to re-plant and keep on the sidewalk. (In their current locations). | Ocean ave & Lincoln st | | |
| 230105 | Temp Ench | 5/18/2023 | Placement of pod for moving from 5/26/23 - 6/5/23. Contact: U-Haul (831) 655-0629 | Monte Verde 2 NW of 12th | 5/18/2023 | Issued |
| 230104 | | | | | | |

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|--------|-----------|-----------|---|---|-----------|-----------|
| 230103 | | 5/18/2023 | REPLACE 60' OF 4" SEWER DRAIN LINE 11' DEEP IN THE STREET. REMOVE CARMEL TRAP AND ONE WAY CLEAN OUT. WILL INSTALL NEW 2 WAY CLEAN OUT AND BACK WATER VALVE. Contact: Chris Wilson Plumbing (831) 393-9321 | SW Corner of Monte Verde & 3rd | 5/18/2023 | Issued |
| 230102 | Temp Ench | 5/16/2023 | This CIP project replaces approximately 1,000' of the most heavily deteriorating and missing portions of railing along the scenic pathway. | Scenic pathway between 9th Ave and Martin way | | In Review |
| 230101 | Temp Ench | 5/15/2023 | Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315 | 1st 2 SE of Lobos | 5/16/2023 | Issued |
| 230100 | Temp Ench | 5/15/2023 | Replace (e) asphalt driveway with permeable concrete pavers and 3' asphalt connection to street. | Santa Rita 4 NE of 6th | 5/16/2023 | Issued |
| 230099 | Temp Ench | 5/12/2023 | Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315 | Lincoln 2 NW of 4th | 5/16/2023 | Issued |
| 230098 | Temp Ench | 5/11/2023 | PG&E to trench and backfill a 5'x5' bellhole to abandon existing gas service. Contact: PG&E (408) 478-1894 | Junipero 6 NE of 8th | 5/15/2023 | Issued |
| 230097 | | 5/10/2023 | Concrete pouring on 5/11/23 from 8:00AM - noon. Contact: Mark Evensen (831) 453-0060 | Lincoln 5 NE 5th Ave | 5/10/2023 | Issued |
| 230096 | Temp Ench | 5/9/2023 | PG&E to trench and backfill all 5'x5' bellhole. PG&E to cut off existing gas service at main. PM 35436357. Contact: PG&E (408) 478-1894 | Camino Real 3 SW of 13th | 5/10/2023 | Issued |
| 230095 | Temp Ench | 5/9/2023 | Trouble man to install sensor. PM# 31640821. Contact: PG&E (831) 713-6019 | Torres 2 NE of 5th | 5/10/2023 | Issued |
| 230094 | Temp Ench | 5/9/2023 | Trouble man to install sensor. PM# 31640820. Contact: PG&E (831) 713-6019 | 2nd 2 NW of Guadalupe | 5/10/2023 | Issued |

| | | | | | | |
|--------|-----------|----------|--|---|-----------|-----------|
| 230093 | | 5/9/2023 | Storage POD in the street in front of the residence. Condition: The POD must be off the edge of the road as much as possible to allow 12' of clearance around it for emergency vehicles. Contact: Brendan Connolly 831-521-2489 | Guadalupe 5 SW of Ocean | 5/10/2023 | Issued |
| 230092 | Temp Ench | 5/9/2023 | PG&E to trench and backfill all, 5'x4' bellhole, 4'x4' bellhole, and a 10' trench in franchise. PG&E to deactivate existing gas service at main and deactivate existing gas service at branch in PP and install new gas service. PM# 35420817 & 35420815. Contact: PG&E (408) 478-1894 | Carmelo 3 & 4 SW of 2nd | 5/10/2023 | Issued |
| 230091 | Temp Ench | 5/8/2023 | Trench for conduit in the right of way, including street closure between 8th and 9th on Carmelo. | SW Corner of Camino Real & 8th | 5/10/2023 | Issued |
| 230090 | Temp Ench | 5/5/2023 | Sewer lateral replacement using pipe bursting. CONDITION: The final concrete street restoration will need to match the existing depth, #4 rebar doweled into existing every 18", and use "sequoia sand" concrete dye. Contact: Armando Ramirez (831) 809-4707 | Dolores 2 SE of Ocean | 5/9/2023 | Issued |
| 230089 | Temp Ench | 5/4/2023 | This project proposes to Bore approx. 232', Trench approx. 34', Place 1 CATV vault, Over-pull approx. 730', Over-lash approx. 290', & access poles for splicing. (JB1302655) | 57 Torres St, Carmel-By-The-Sea, CA 93923 | | In Review |
| 230088 | Temp Ench | 5/4/2023 | Hillside planting on junipero hillside, the getaways parking lot hillside | NE Corner of Junipero & Ocean | | In Review |

| | | | | | | |
|--------|-----------|----------|--|-------------------------------------|-----------|--------|
| 230087 | Driveway | 5/2/2023 | Replace existing asphalt driveway with new paving stone paver driveway. Replace existing walkway connecting driveway to main residence in same paver material. Dimensions of walkway and driveway to match existing. Contact: Daniels Landscaping (831) 915-6567 | Lincoln 3 SW of 12th | 5/3/2023 | Issued |
| 230086 | Temp Ench | 5/3/2023 | PG&E to replace existing pole. PM 35433673. Contact: PG&E (831) 713-6019 | Camino Del Monte 2 NW of San Carlos | 5/2/2023 | Issued |
| 230085 | Temp Ench | 5/2/2023 | Replace and repair section of sewer lateral line throughout the City. Contact: Rooter King (831) 394-5315 | | 5/10/2023 | Issued |
| 230084 | Temp Ench | 5/1/2023 | Replace sewer lateral using pipe bursting. CONDITION: The final concrete street restoration will need to match the existing depth, #4 rebar doweled into existing every 18", and use "sequoia sand" concrete dye. Contact: A Ramirez Plumbing (831) 809-4707 | Dolores 5 NE of 7th | 5/2/2023 | Closed |
| 230083 | Temp Ench | 5/1/2023 | Replace sewer lateral from sidewalk to street using pipe bursting. Contact: A Ramirez Plumbing (831) 809-4707 | NE Corner of Camino Real & 8th | 5/1/2023 | Closed |
| | | | | | | |

Total Records: 31

6/2/2023



CITY OF CARMEL-BY-THE-SEA

May 2023

Monthly Report

Public Safety

| | |
|----------------------|--|
| MEETING DATE: | July 11, 2023 |
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Jeff Watkins, Director of Public Safety |
| APPROVED BY: | Chip Rerig, City Administrator |

AMBULANCE REPORT

Summary of Carmel Fire Ambulance May 2023 Calls for Service

AMBULANCE PERFORMANCE MEASURE

The performance goal for Code-3 (life-threatening emergency lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%. For the month of May 2023 the ambulance was able to meet the performance measure. The response time was 100% with (0) code-3 call over 5 minutes.

27 Calls for service in CBTS - Average response time: 3:04 min.

24 Code 3 medical calls for service – Zero calls over 5:00 min.

MONTEREY FIRE REPORT

Summary of Monterey Fire May Calls for Service

FIRE PERFORMANCE MEASURE

The performance goal for Code-3 (life-threatening emergency lights & siren) fire calls with a response time of 5 minutes or less from dispatch to arrival is 90%. For the month of May 2023, the fire department was able to meet the performance measure. The response time was 92%, with (3) code-3 calls over 5 minutes.

46 total calls for service in CBTS- Average response time: 2:40 min.

39 total Code-3 calls – Three with a response over 5:00 min.

05/02/23 - 7:00 min – 11th and Torres - Response delayed due to time of night.

05/09/23 – 8:29 min – Junipero and 7th – Response delay due to clearing from prior call for service.

05/17/23 – 6:52 min – Santa Rita and 1st – Response delayed due to personnel.

BEACH FIRES

There were 0 illegal beach fires recorded during the month of May.

*The performance goal for Code-3 (life threatening emergency-lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%.



RESPONSE SUMMARY REPORT BY INCIDENT TYPE
27060 CARMEL-BY-THE-SEA
Alarm Date From: 05/01/2023 To: 05/31/2023



| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|--------------------|-----------------|---------------|---------------------|----------------|----------|
| 300-321 Series (EMS) | | | | | | |
| Medical assist, assist EMS crew | 5/18/2023 5:56 PM | 230518-MNT04027 | 0:02:28 | JUNIPERO AVE | 5TH AVE | 3 |
| Medical assist, assist EMS crew | 5/6/2023 9:08 PM | 230506-MNT03730 | 0:03:04 | MONTE VERDE ST | 11TH AVE | 3 |
| Medical assist, assist EMS crew | 5/3/2023 5:57 AM | 230503-MNT03614 | 0:04:48 | LINCOLN ST | 13TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/28/2023 1:48 PM | 230528-MNT04295 | 0:00:00 | 8TH AVE | SCENIC RD | 3 |
| EMS call, excluding vehicle accident with injury | 5/22/2023 12:17 PM | 230522-MNT04122 | 0:00:30 | MISSION ST | 3RD AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/4/2023 9:25 AM | 230504-MNT03653 | 0:00:57 | MISSION ST | 6TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/28/2023 7:09 PM | 230528-MNT04305 | 0:01:52 | JUNIPERO AVE | 4TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/18/2023 12:05 AM | 230518-MNT04012 | 0:02:01 | OCEAN AVE | LINCOLN ST | 3 |
| EMS call, excluding vehicle accident with injury | 5/6/2023 9:33 PM | 230506-MNT03731 | 0:02:41 | N CAMINO REAL | 4TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/5/2023 1:13 PM | 230505-MNT03679 | 0:02:43 | CARPENTER ST | 4TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/12/2023 2:37 PM | 230512-MNT03857 | 0:02:59 | MONTE VERDE ST | OCEAN AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/8/2023 3:01 PM | 230508-MNT03765 | 0:03:08 | CARPENTER ST | 5TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/13/2023 2:57 PM | 230513-MNT03892 | 0:03:14 | SAN CARLOS ST | OCEAN AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/14/2023 6:54 PM | 230514-MNT03923 | 0:03:26 | DOLORES ST | 2ND AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/10/2023 12:30 PM | 230510-MNT03808 | 0:03:52 | 2928 FRANCISCAN WAY | | 3 |
| EMS call, excluding vehicle accident with injury | 5/9/2023 9:24 AM | 230509-MNT03780 | 0:04:03 | SAN ANTONIO AVE | 11TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/3/2023 11:04 AM | 230503-MNT03620 | 0:04:06 | SAN ANTONIO AVE | 13TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/31/2023 5:21 PM | 230531-MNT04383 | 0:04:08 | LOBOS ST | 1ST AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/14/2023 9:18 AM | 230514-MNT03907 | 0:04:37 | CARPENTER ST | 5TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/12/2023 2:56 PM | 230512-MNT03858 | 0:04:39 | DEL MAR BCH | | 3 |
| EMS call, excluding vehicle accident with injury | 5/4/2023 3:01 AM | 230504-MNT03645 | 0:04:49 | 25970 MISSION ST | | 3 |
| 21 | | | 0:03:03 | | | |
| 322-399 Series (Rescues) | | | | | | |
| Motor vehicle accident with no injuries. | 5/21/2023 2:33 PM | 230521-MNT04102 | 0:03:53 | 13TH AVE | DOLORES ST | 3 |
| Swimming/recreational water areas rescue | 5/8/2023 5:00 PM | 230508-MNT03769 | 0:00:42 | OCEAN AVE | SCENIC RD | 3 |
| 2 | | | 0:02:18 | | | |
| 400 Series (Hazardous Material) | | | | | | |
| Gas leak (natural gas or LPG) | 5/27/2023 6:39 PM | 230527-MNT04269 | 0:02:48 | MISSION ST | 5TH AVE | 2 |
| Power line down | 5/2/2023 12:27 AM | 230502-MNT03584 | 0:07:00 | 11TH ST | EAST OF TORRES | 3 |
| 2 | | | 0:04:54 | | | |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|--------------------|-----------------|----------------|---------------------|-----------------|----------|
| 500 & 600 Series (Service Calls) | | | | | | |
| Water or steam leak | 5/13/2023 11:35 AM | 230513-MNT03882 | 0:04:37 | LINCOLN ST | 2ND AVE | 2 |
| Public service | 5/27/2023 4:18 PM | 230527-MNT04265 | 0:04:54 | LINCOLN ST | OCEAN AVE | 3 |
| Public service | 5/24/2023 2:09 AM | 230524-MNT04164 | 0:06:24 | 11TH AVE | TORRES ST | 2 |
| Assist invalid | 5/4/2023 10:06 PM | 230504-MNT03670 | 0:03:32 | CARPENTER ST | 5TH AVE | 2 |
| Assist invalid | 5/21/2023 10:16 AM | 230521-MNT04089 | 0:04:06 | MISSION ST | 10TH AVE | 2 |
| Assist invalid | 5/1/2023 1:17 AM | 230501-MNT03560 | 0:05:25 | CARPENTER ST | 4TH AVE | 2 |
| No incident found on arrival at dispatch address | 5/15/2023 2:38 PM | 230515-MNT03943 | 0:00:59 | OCEAN AVE | SCENIC RD | 3 |
| No incident found on arrival at dispatch address | 5/8/2023 10:52 PM | 230508-MNT03773 | 0:02:11 | MONTE VERDE ST | OCEAN AVE | 3 |
| No incident found on arrival at dispatch address | 5/11/2023 2:24 PM | 230511-MNT03836 | 0:02:21 | LINCOLN ST | OCEAN AVE | 3 |
| No incident found on arrival at dispatch address | 5/21/2023 1:40 PM | 230521-MNT04098 | 0:03:20 | 2946 FRANCISCAN WAY | | 3 |
| No incident found on arrival at dispatch address | 5/19/2023 5:30 PM | 230519-MNT04052 | 0:04:47 | 13TH AVE | SCENIC RD | 3 |
| No incident found on arrival at dispatch address | 5/19/2023 12:58 PM | 230519-MNT04047 | 0:05:41 | SANTA LUCIA AVE | SAN CARLOS ST | 2 |
| No incident found on arrival at dispatch address | 5/17/2023 8:43 AM | 230517-MNT03989 | 0:06:52 | SANTA RITA ST | 1ST AVE | 3 |
| Steam, other gas mistaken for smoke, other | 5/6/2023 8:18 AM | 230506-MNT03711 | 0:04:52 | SCENIC RD | SANTA LUCIA AVE | 3 |
| EMS call, party transported by non-fire agency | 5/28/2023 8:44 PM | 230528-MNT04306 | 0:02:16 | 7TH AVE | DOLORES ST | 3 |
| 15 | | | 0:04:09 | | | |

700 Series (False Alarms)

| | | | | | | |
|--|--------------------|-----------------|----------------|-----------------|---------------------|---|
| Smoke detector activation due to malfunction | 5/22/2023 12:01 PM | 230522-MNT04121 | 0:02:13 | JUNIPERO AVE | 3RD AVE | 3 |
| CO detector activation due to malfunction | 5/27/2023 3:53 AM | 230527-MNT04251 | 0:04:57 | SANTA FE ST | 3RD AVE | 3 |
| Unintentional transmission of alarm, other | 5/29/2023 8:37 PM | 230529-MNT04336 | 0:04:23 | SAN ANTONIO AVE | 8TH AVE | 3 |
| Detector activation, no fire - unintentional | 5/4/2023 10:37 PM | 230504-MNT03671 | 0:02:43 | SAN CARLOS ST | 7TH AVE | 3 |
| Alarm system activation, no fire - unintentional | 5/8/2023 4:48 PM | 230508-MNT03768 | 0:02:57 | SANTA FE ST | S MOUNTAIN VIEW AVE | 3 |
| Alarm system activation, no fire - unintentional | 5/9/2023 9:47 AM | 230509-MNT03781 | 0:08:29 | JUNIPERO AVE | 7TH AVE | 3 |
| 6 | | | 0:04:17 | | | |

Over 5 Minute Response Times Cause of Delay: Code 3 Responses

230502-MNT03584 E15 delay due to time of night
 230517-MNT03989 Delay due to personnel
 230509-MNT03781 Delay due to clearing a previous call prior

| | |
|---------------------------------------|------------|
| Code 2 Calls | 7 |
| Code 3 Calls | 39 |
| Total # of Incidents | 46 |
| % Under 5 Minute Response Time | 92% |



CARMEL-BY-THE-SEA MAY 2023 Response Summary Report by Incident Type

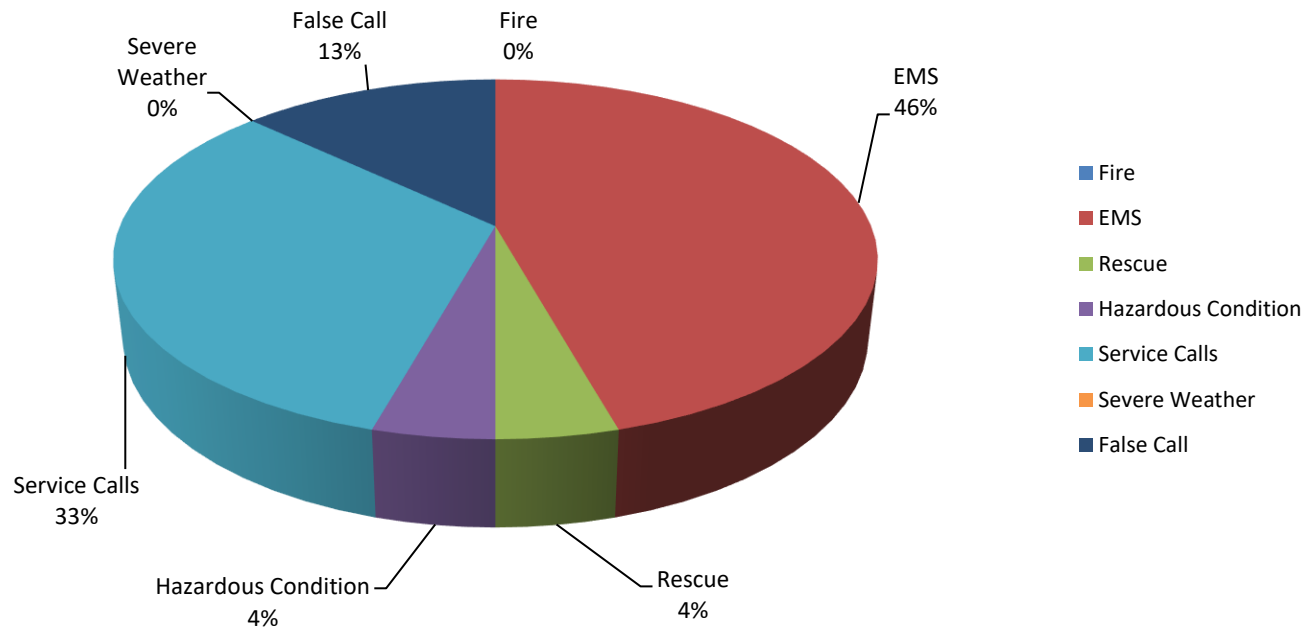


| Type of Call | Number | Average Response Time |
|---------------------|--------|-----------------------|
| Fire | 0 | 0:00 |
| EMS | 21 | 3:03 |
| Rescue | 2 | 2:18 |
| Hazardous Condition | 2 | 4:54 |
| Service Calls | 15 | 4:09 |
| Severe Weather | 0 | 0:00 |
| False Call | 6 | 4:17 |

Total Responses

46

2:40



Total Code 3 Calls:

39

Response Times for Code 3

Calls ≤ 5 minutes:

92%



RESPONSE SUMMARY REPORT BY DISTRICT
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
Alarm Date From: 05/01/2023 To: 05/31/2023



| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|------------|-----------------|---------------|---------------------|---------------------|----------|
| 300-321 Series (EMS) | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/3/2023 | 230503-CFA00642 | 00:04:15 | SAN ANTONIO AVE | 13TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/3/2023 | 230503-CFA00644 | 00:04:52 | 112 CROSSROADS BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/4/2023 | 230504-CFA00646 | 00:04:09 | 25970 MISSION ST | | 3 |
| EMS call, excluding vehicle accident with injury | 5/4/2023 | 230504-CFA00647 | 00:00:48 | MISSION ST | 6TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/5/2023 | 230505-CFA00654 | 00:02:09 | CARPENTER ST | 4TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/6/2023 | 230506-CFA00656 | 00:02:51 | MONTE VERDE ST | 11TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/7/2023 | 230507-CFA00657 | 00:03:49 | 3080 RIO ROAD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/9/2023 | 230509-CFA00665 | 00:03:30 | SAN ANTONIO AVE | 11TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/18/2023 | 230518-CFA00696 | 00:01:57 | JUNIPERO AVE | 5TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/21/2023 | 230521-CFA00707 | 00:03:21 | 2946 FRANCISCAN WAY | | 3 |
| EMS call, excluding vehicle accident with injury | 5/22/2023 | 230522-CFA00710 | 00:01:54 | MISSION ST | 3RD AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/26/2023 | 230526-CFA00727 | 00:04:08 | 8TH AVE | S MOUNTAIN VIEW AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/27/2023 | 230527-CFA00732 | 00:03:16 | LINCOLN ST | OCEAN AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/28/2023 | 230528-CFA00736 | 00:02:31 | 7TH AVE | SAN CARLOS ST | 3 |
| EMS call, excluding vehicle accident with injury | 5/28/2023 | 230528-CFA00738 | 00:02:56 | 7TH AVE | DOLORES ST | 3 |
| EMS call, excluding vehicle accident with injury | 5/31/2023 | 230531-CFA00748 | 00:03:45 | LOBOS ST | 1ST AVE | 3 |
| EMS call, excluding vehicle accident with injury | 5/31/2023 | 230531-CFA00749 | 00:02:53 | 26015 JUNIPERO ST | | 3 |
| 17 | | | 0:03:07 | | | |
| 322-399 Series (Rescues) | | | | | | |
| Motor vehicle accident with injuries | 5/15/2023 | 230515-CFA00680 | 00:00:44 | OCEAN AVE | SCENIC RD | 3 |
| Motor vehicle accident with injuries | 5/21/2023 | 230521-CFA00708 | 00:03:52 | 13TH AVE | DOLORES ST | 3 |
| 2 | | | 0:02:18 | | | |
| 500 & 600 Series (Service Calls) | | | | | | |
| Assist invalid | 5/4/2023 | 230504-CFA00651 | 00:03:29 | CARPENTER ST | 5TH AVE | 2 |
| Assist invalid | 5/21/2023 | 230521-CFA00706 | 00:03:22 | MISSION ST | 10TH AVE | 2 |
| Assist invalid | 5/24/2023 | 230524-CFA00720 | 00:05:38 | 11TH AVE | TORRES ST | 2 |
| 3 | | | 0:04:10 | | | |
| 700 Series (False Alarms) | | | | | | |
| False alarm or false call, other | 5/4/2023 | 230504-CFA00652 | 00:02:49 | SAN CARLOS ST | 7TH AVE | 3 |
| False alarm or false call, other | 5/8/2023 | 230508-CFA00664 | 00:02:41 | MONTE VERDE ST | OCEAN AVE | 3 |
| Smoke detector activation, no fire - unintentional | 5/22/2023 | 230522-CFA00709 | 00:02:23 | JUNIPERO AVE | 3RD AVE | 3 |
| Alarm system activation, no fire - unintentional | 5/8/2023 | 230508-CFA00660 | 00:03:10 | SANTA FE ST | S MOUNTAIN VIEW AVE | 3 |
| Alarm system activation, no fire - unintentional | 5/29/2023 | 230529-CFA00742 | 00:02:32 | SAN ANTONIO AVE | 8TH AVE | 3 |
| 5 | | | 0:02:43 | | | |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|---|------------|-----------------|---------------|------------------|--------------------------------|----------|
| Over 5 Minute Response Times Cause of Delay: Code 3 Responses | | | | | Code 2 Calls | 3 |
| | | | | | Code 3 Calls | 24 |
| | | | | | Total # of Incidents | 27 |
| | | | | | % Under 5 Minute Response Time | 100% |
| | | | | | Total Average Response Time | 0:03:04 |



RESPONSE SUMMARY REPORT BY DISTRICT
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
Alarm Date From: 05/01/2023 To: 05/31/2023



| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|------------|-----------------|---------------|-------------------------|------------------|----------|
| BIG SUR | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/8/2023 | 230508-CFA00661 | 00:17:37 | 35550 HWY 1 | | 3 |
| Motor vehicle accident with injuries | 5/9/2023 | 230509-CFA00666 | 00:16:32 | GARRAPATA CREEK / HWY 1 | | 3 |
| Motor vehicle accident with injuries | 5/22/2023 | 230522-CFA00713 | 00:26:27 | 45601 HWY 1 | | 3 |
| | | 3 | 0:20:12 | | | |
| CARMEL HIGHLANDS | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/1/2023 | 230501-CFA00631 | 00:13:29 | 115 YANKEE POINT DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/17/2023 | 230517-CFA00687 | 00:10:22 | 120 HIGHLAND DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/18/2023 | 230518-CFA00694 | 00:12:06 | 173 FERN CANYON RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/30/2023 | 230530-CFA00746 | 00:07:23 | 1576 CYPRESS DR | | 3 |
| Motor vehicle accident with injuries | 5/23/2023 | 230523-CFA00717 | 00:04:30 | 27720 HWY 1 | | 3 |
| False alarm or false call, other | 5/22/2023 | 230522-CFA00715 | 00:14:00 | HWY 1 @ GARRAPATA CREEK | | 2 |
| | | 6 | 0:10:18 | | | |
| CARMEL VALLEY | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/27/2023 | 230527-CFA00733 | 00:06:58 | 5315 CARMEL VALLEY RD | | 3 |
| | | 1 | 00:06:58 | | | |
| CYPRESS | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/1/2023 | 230501-CFA00633 | 00:05:57 | 3496 OLIVER RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/1/2023 | 230501-CFA00634 | 00:06:49 | 3230 MACOMBER DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/1/2023 | 230501-CFA00635 | 00:05:54 | 26256 CAMINO REAL | | 3 |
| EMS call, excluding vehicle accident with injury | 5/1/2023 | 230501-CFA00637 | 00:12:51 | 24900 PINE HILLS DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/2/2023 | 230502-CFA00639 | 00:08:13 | 2853 CUESTA WAY | | 3 |
| EMS call, excluding vehicle accident with injury | 5/2/2023 | 230502-CFA00640 | 00:06:46 | HWY 1 | CARMEL VALLEY RD | 3 |
| EMS call, excluding vehicle accident with injury | 5/3/2023 | 230503-CFA00643 | 00:07:15 | 3601 EASTFIELD CT | | 3 |
| EMS call, excluding vehicle accident with injury | 5/3/2023 | 230503-CFA00645 | 00:05:11 | 3370 RIO RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/4/2023 | 230504-CFA00648 | 00:06:56 | 26135 | | 3 |
| EMS call, excluding vehicle accident with injury | 5/5/2023 | 230505-CFA00653 | 00:08:08 | 2877 PRADERA RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/8/2023 | 230508-CFA00659 | 00:06:36 | 25740 CARMEL KNOLLS DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/8/2023 | 230508-CFA00662 | 00:03:34 | 2603 15TH AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 5/8/2023 | 230508-CFA00663 | 00:06:57 | 3601 EASTFIELD CT | | 3 |
| EMS call, excluding vehicle accident with injury | 5/10/2023 | 230510-CFA00669 | 00:07:57 | 2890 RIBERA RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/11/2023 | 230511-CFA00670 | 00:04:06 | 25080 HATTON RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/11/2023 | 230511-CFA00671 | 00:06:35 | 25429 OUTLOOK DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/11/2023 | 230511-CFA00672 | 00:06:35 | 25429 OUTLOOK DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/12/2023 | 230512-CFA00673 | 00:05:37 | 3495 RIO RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/12/2023 | 230512-CFA00675 | 00:05:17 | 3495 RIO RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/12/2023 | 230512-CFA00679 | 00:05:34 | 26254 CARMELO ST | | 2 |
| EMS call, excluding vehicle accident with injury | 5/16/2023 | 230516-CFA00682 | 00:06:16 | 24332 SAN JUAN RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/16/2023 | 230516-CFA00683 | 00:04:58 | 26600 CARMEL CENTER PL | | 3 |
| EMS call, excluding vehicle accident with injury | 5/15/2023 | 230515-CFA00681 | 00:03:49 | 24815 CARPENTER ST | | 3 |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|------------|-----------------|---------------|-----------------------------------|--------------|----------|
| CYPRESS cont. | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/16/2023 | 230516-CFA00684 | 00:06:07 | 26245 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/17/2023 | 230517-CFA00691 | 00:07:31 | 26392 VALLEY VIEW AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 5/18/2023 | 230518-CFA00692 | 00:08:54 | 246 CROSSROADS BLVD | | 2 |
| EMS call, excluding vehicle accident with injury | 5/18/2023 | 230518-CFA00695 | 00:10:30 | 6 CROSSROADS MALL | | 2 |
| EMS call, excluding vehicle accident with injury | 5/19/2023 | 230519-CFA00698 | 00:06:41 | 3601 EASTFIELD CT | | 3 |
| EMS call, excluding vehicle accident with injury | 5/20/2023 | 230520-CFA00704 | 00:08:27 | HWY 1 / POINT LOBOS STATE RESERVE | | 3 |
| EMS call, excluding vehicle accident with injury | 5/23/2023 | 230523-CFA00716 | 00:05:51 | 555 CARMEL RANCHO SHOPPING CENTER | | 3 |
| EMS call, excluding vehicle accident with injury | 5/24/2023 | 230524-CFA00722 | 00:03:17 | 3600 OCEAN AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 5/25/2023 | 230525-CFA00724 | 00:04:18 | 24832 CARPENTER ST | | 3 |
| EMS call, excluding vehicle accident with injury | 5/26/2023 | 230526-CFA00728 | 00:02:17 | 6 CROSSROADS MALL | | 3 |
| EMS call, excluding vehicle accident with injury | 5/27/2023 | 230527-CFA00730 | 00:14:34 | 1 POINT LOBOS STATE RESERVE | | 3 |
| EMS call, excluding vehicle accident with injury | 5/27/2023 | 230527-CFA00731 | 00:05:58 | 26245 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/29/2023 | 230529-CFA00740 | 00:05:55 | 2553 15TH AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 5/29/2023 | 230529-CFA00741 | 00:04:54 | 26360 MISSION FIELDS RD | | 3 |
| False alarm or false call, other | 5/17/2023 | 230517-CFA00689 | 00:04:04 | HWY 1 / CARPENTER ST | | 3 |
| False alarm or false call, other | 5/17/2023 | 230517-CFA00690 | 00:05:56 | HWY 1 / OCEAN AVE | | 3 |
| 39 | | | 0:06:29 | | | |
| MONTEREY | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/1/2023 | 230501-CFA00632 | 00:11:53 | 1575 SKYLINE DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/1/2023 | 230501-CFA0636 | 00:13:00 | 2511 GARDEN ROAD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/12/2023 | 230512-CFA00678 | 00:06:54 | 23625 HOLMAN HWY | | 2 |
| EMS call, excluding vehicle accident with injury | 5/17/2023 | 230517-CFA00688 | 00:10:17 | 5 ABINANTE WAY | | 3 |
| EMS call, excluding vehicle accident with injury | 5/20/2023 | 230520-CFA00701 | 00:07:34 | 23795 HOLMAN HWY | | 3 |
| EMS call, excluding vehicle accident with injury | 5/20/2023 | 230520-CFA00703 | 00:09:11 | 1501 SKYLINE DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/24/2023 | 230524-CFA00723 | 00:08:56 | 414 RAMONA AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 5/27/2023 | 230527-CFA00734 | 00:15:18 | LEAHY RD / SYLVAN RD | | 2 |
| EMS call, excluding vehicle accident with injury | 5/28/2023 | 230528-CFA00735 | 00:12:03 | 345 DELA VINA AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 5/29/2023 | 230529-CFA00739 | 00:09:54 | 351 MADISON ST | | 3 |
| Cover assignment, standby, moveup | 5/22/2023 | 230522-CFA00712 | 00:03:00 | SOLEDAD AND MUNRUS | | 2 |
| 11 | | | 0:09:49 | | | |
| PACIFIC GROVE | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/20/2023 | 230520-CFA00705 | 00:14:10 | 399 DRAKE AVE | | 3 |
| 1 | | | 00:14:10 | | | |
| PEBBLE BEACH | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/12/2023 | 230512-CFA00674 | 00:08:38 | 4168 CREST RD | | 2 |
| EMS call, excluding vehicle accident with injury | 5/17/2023 | 230517-CFA00685 | 00:09:46 | 3210 MACOMBER DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/17/2023 | 230517-CFA00686 | 00:06:46 | 3210 MACOMBER DR | | 3 |
| EMS call, excluding vehicle accident with injury | 5/18/2023 | 230518-CFA00693 | 00:08:10 | 3892 RONDA RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/23/2023 | 230523-CFA00714 | 00:10:00 | 1630 SONADO RD | | 3 |
| EMS call, excluding vehicle accident with injury | 5/24/2023 | 230524-CFA00721 | 00:12:20 | 3128 SPRUANCE RD | | 2 |
| EMS call, excluding vehicle accident with injury | 5/31/2023 | 230531-CFA00747 | 00:10:19 | 3382 LAURELES LN | | 3 |
| Motor vehicle accident with injuries | 5/23/2023 | 230523-CFA00719 | 00:09:15 | WHITMAN LN / WHITMAN PL | | 3 |
| Motor vehicle accident with injuries | 5/27/2023 | 230527-CFA00729 | 00:12:25 | SOMBRIA CT | SOMBRIA LN | 3 |
| 9 | | | 0:09:44 | | | |
| SEASIDE | | | | | | |
| EMS call, excluding vehicle accident with injury | 5/4/2023 | 230504-CFA00649 | 00:19:44 | 1875 FREMONT BLVD | | 2 |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|----------|------------|-----------------|---------------|------------------|--------------|----------|
|----------|------------|-----------------|---------------|------------------|--------------|----------|

SEASIDE cont.

| | | | | | | |
|--------------------------------------|-----------|-----------------|----------|-------------------------------|--|---|
| Motor vehicle accident with injuries | 5/20/2023 | 230520-CFA00700 | 00:13:51 | DEL MONTE BLVD / MILITARY AVE | | 3 |
|--------------------------------------|-----------|-----------------|----------|-------------------------------|--|---|

2

0:16:47

| | |
|--------------|----|
| Code 2 Calls | 10 |
|--------------|----|

| | |
|--------------|----|
| Code 3 Calls | 62 |
|--------------|----|

| | |
|----------------------|----|
| Total # of Incidents | 72 |
|----------------------|----|

| | |
|-----------------------------|---------|
| Total Average Response Time | 0:12:13 |
|-----------------------------|---------|



CITY OF CARMEL - FIRE AMBULANCE DEPARTMENT

MAY 2023

Response Summary Report by District Type

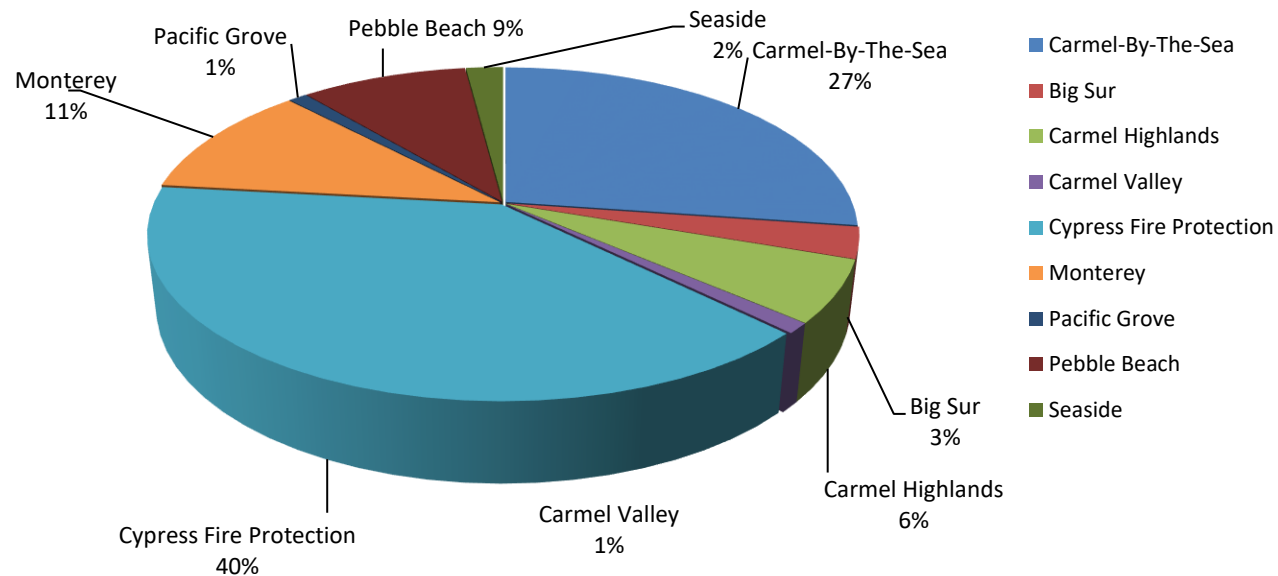


| <u>District Response</u> | <u>Number</u> | <u>Average Response Time</u> |
|--------------------------|---------------|------------------------------|
| Carmel-By-The-Sea | 27 | 3:04 |
| Big Sur | 3 | 20:12 |
| Carmel Highlands | 6 | 10:18 |
| Carmel Valley | 1 | 6:58 |
| Cypress Fire Protection | 39 | 6:29 |
| Monterey | 11 | 9:49 |
| Pacific Grove | 1 | 14:10 |
| Pebble Beach | 9 | 9:44 |
| Seaside | 2 | 16:47 |

Total Responses

99

10:50



Total Code 3 Calls:

24

CFA Response Times for Code 3

Calls ≤ 5 minutes:

100%

**City Clerk PRA Request Log
May 2023**

| request number | Date Requested | 10-day response date | records requested | requestor | date completed | notes |
|----------------|----------------|----------------------|--|-------------------|----------------------|--|
| 2023-52 | 5/3/2023 | 5/13/2023 | Planning Commission Meeting minutes - August 19, 2015 | Gabriella Giraldo | 5/8/2023 | Records sent |
| 2023-53 | 5/12/2023 | 5/22/2023 | previous permits granted for a private residence: 105 Laurel Dr, Carmel Valley | Tyler Mangum | 5/12/2023 | location is in the County. No responsive docs. Notified requester |
| 2023-54 | 5/11/2023 | 5/22/2023 | Water information for the area of "59 Torres St, Carmel" | Kumar Manik | 5/17/2023 | sent response |
| 2023-55 | 5/25/2023 | 6/5/2023 | a copy of the certificate of liability insurance for the contractor MONTEREY PENINSULA ENGINEERING that covers the 5/26/2022 date. | Katie Maciej | 5/30/2023 | no responsive documents |
| 2023-56 | 5/16/2023 | 5/26/2023 | copy of Solid Waste Franchise Agreement and amendments (Greenwaste) | Erin Merrill | 5/17/2023 | sent records |
| 2023-57 | 5/3/2023 | 5/15/2023 | Does the city still have the 1% Hospitality Improvement District Assessment? | Riz Barkatullah | 5/17/2023 | sent records (Ord. 2016-01) |
| 2023-58 | 5/15/2023 | 5/25/2023 | 1) City population, if there's a number the city uses, 2) City Administrator compensation 2022-23, 3) Total wages and benefits paid in 2022-23, 4) Highest paid city official in wages and benefits 2022-23, 5) How much Chief Ward was paid Jan. 1, 2023-present while on leave, and the cost of paying an interim Chief since Jan. | Pam Marino | 5/18/2023 | sent records for items 1-4, item #5 is pending a separate report. |
| 2023-59 | 5/25/2023 | 6/5/2023 | 1) copies of all contracts between Carmel and the consultant for the "6th RHNA Cycle Housing Element" and, contract with consultant for most recent general plan update. 2) most recent agenda report distributed to Council pertaining to the status of Carmel's application to Hcd for certification of its updated housing element. | Jane Haines | 6/2/2023 | records sent |
| 2023-60 | 5/1/2023 | 5/11/2023 | Property files for the Wolfe's residence at San Antonio 2 SE of 9th (APN 010-277-011-000) and their neighbors the Sandvicks residence located at Carmelo 3 SW of 9th (APN 010-277-003-000), including any tree permits, photos, correspondence, emails in regard to the Wolfes buckeye tree near their fence line that was pruned. | Jennifer Delja | 5/1/2023 & 6/14/2023 | partial records sent on 5/1/2023, need clarification on the rest. Remaining records sent on 6/14/2023. |

**Police Records Request Log
May 2023**

Attachment 4

| Request Date & Received By | 10-Day Due Date | Date Completed by PSO | Requestor | Info Requested |
|----------------------------|-----------------|-----------------------|------------------------------|---|
| 05-09-2023 ALI | 5/19/2023 | | Christopher Blasdale | Police Report, Statements from alleged victim |
| 05-09-2023 ALI | 5/19/2023 | | Carmen Garcia Diaz | Copy of Updated Report CG2300038 |
| 05/16 mw | 5/26/2023 | 5/31 DA | Board of Register nursing | certified record CQ2300165 |
| 5/1/23 DA | 5/11/2023 | 5-10 DA | Dennis Laurents | picked up from station |
| 05/19/23 mw | ASAP | 5/19 DA | MOCO PUBLIC DEFENDER - EMAIL | RIPA |
| 5/24/2023 | 6/4/2023 | 6/2/23 DA | Carly Waters | CC2200493 |
| 5/19/23 DA | 5/29/2023 | 5/19 DA | Law Office of Aron Mandl | CQ1900675 |
| | | 06/10 JK | Jessica Seagraves | CG2300227 |
| 6/13/2023 | 6/23/2023 | | Dunnion Law Firm | CC2200585 |



CITY OF CARMEL-BY-THE-SEA

Public Works Department

May 2023 Monthly Report

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Robert M. Harary, P.E., Director of Public Works |
| SUBMITTED ON: | June 1, 2023 |
| APPROVED BY: | Chip Rerig, City Administrator |

City Council Meeting of May 2, 2023

- Read a Proclamation declaring May 21-27, 2023 National Public Works Week - Ready and Resilient, in Carmel-by-the-Sea.
- Adopted Resolution 2023-046 awarding a \$50,000 Purchase Order to Pacific Redwood Products for lumber and materials to be installed by Carmel Cares for the Scenic Pathway Barrier Rails Project.
- Adopted Resolution 2023-047 authorizing a 3-year Master Funding Agreement with TAMC for Regional Surface Transportation Program funding, with an allocation of \$60,800.
- Public Works Director updated Council on the Capital Improvement Program (CIP) including: 13 projects completed in FY 23, 25 incomplete projects from FYs 22 and 23, valued at \$6.7M, to be carried-over into FY 24, 16 new CIP projects for FY 24, valued at \$2.3M, and an update to the 5-Year CIP with potential future funding needs. With external funding, the total capital investment as of July 1, 2023 will be \$10.9M.

Planning Commission Meeting of May 10, 2023

- Planning Commission adopted a resolution finding the proposed CIP carry-over and new projects to be consistent with the General Plan.

Forest and Beach Commission Meeting of May 11, 2023

- Denied tree pruning permit TR 23-017 for trees and shrubs located in the public right-of-way along San Antonio Avenue, 2 southwest of Second Avenue. Directed staff to prune and maintain these City-owned trees and shrubs to best forestry practices, regardless of the competing desires of property owners located on both sides of these trees.
- At the northeast corner of Ocean Avenue and Guadalupe Street, continued a Public Hearing regarding pruning an acacia tree branch until a neighbor can testify at the June meeting.
- At the northeast corner of Fourth Avenue and Camino Real, approved removal of four oak trees and required replanting of three upper canopy trees. Also requested Applicant to monitor two additional trees, but should they further decline, permit fees for the same trees should be waived.
- Deferred until the June meeting an introduction of the Urban Forest Citizen's Advisory Group due to illness by Bill Taormina, the group's leader.
- Presented the Public Works Report, including the Forestry Division update, for April 2023.

Traffic Safety Committee Meeting of May 30, 2023

- As old business, reviewed an Applicant's request for a wooden fence along the west side of Carpenter Street, just south of the City limits, or other measures to slow traffic and enhance pedestrian safety. Reviewed a speed study's results demonstrating average speed of 28 mph, and a conversation with Monterey County Traffic operations. Motion passed to submit an encroachment permit to the County to install a new City "Reduce Speed Ahead" sign, and to perform another speed survey a few months after the sign is installed.
- Discussed Friends of Mission Trail Nature Preserve (FOMTNP) request to prohibit bicycles and e-bikes in the Preserve. Committee discussed embankment erosion problems caused by bikes, and patrol and enforcement challenges. Committee moved to continue item until representative of FOMTNP appear, and to gather statistics on prior bike complaints, existing bike signs, and any bike-prohibiting governing documents, and return at the next meeting.

Administration

- Environmental Programs Manager Mary Bilse began on May 16th. Initial projects include Greenwaste Recovery rate increase, Coastal Engineering Study, adoption of new Stormwater Ordinances, and North Dunes Habitat Restoration projects.
- For the City Forester position, final interviews were held, an offer was made and accepted, and the candidate is currently in background check with a tentative start date in July.
- Celebrated National Public Works Week with a luncheon and backhoe rodeo games – a great teambuilding event.
- Monterey Fire provided training on CPR and First Aid to all Public Works staff.
- Administrative Coordinator Yvette Oblander and Environmental Technician Jessica Juico attended the Annual Women's Leadership Summit in Oakland.
- Met with representatives of the California Department of Water Resources to review flood insurance programs, ordinance, and training opportunities.
- For the Scout House RFP for renovation, activities programming, and facility management, received questions from potential proposers and provided responses. Also updated staff report, 2 resolutions, and presentation for the second Public Hearing for June 6th.
- Checked draft Budget Book for FY 2023/24 and made edits regarding the Public Works operating budget and CIP sections. Also responded to questions from the public.
- Community Planning & Building and Public Works managers met to review development review processes and considered streamlining measures. Started to develop a Construction Management Plan template for larger development projects.

Carmel Cares

- Council approved a \$3,000 Discretionary Grant to Carmel Cares for proposed upgrades at the Vista Lobos park.
- MPC horticulture professor, Alan Wheat, took his Native Plant Class to the Forest Theater where they planted native grasses and plants to supplement landscaping recently installed by Carmel Cares.
- A pathway was cleared out behind the Forest Theater fencing as requested by neighbors, and the seating area was cleaned prior to Pac Rep performances.
- At the North Dunes Habitat Restoration Site, coordinated with volleyball player volunteers to pull weeds out of ice plant and amongst endangered species.
- Completed Phase I of the landscaping improvements in the Post Office parking lot.

Environmental Programs

- Coordinated with ReGen Monterey consultant, HF&H, who performed a rate increase review for GreenWaste Recovery, and with ReGen staff regarding a second Amendment to

the Memorandum of Understanding regarding SB 1383 implementation programs and cost sharing. Prepared staff report, resolution, and presentation for the June 6th Council meeting, with a 3.71% rate increase to take effect on July 1st. The City's 13% franchise fee for Fiscal Year 2023/24 is estimated at \$443,074.

- Received Used Oil Recovery program materials from Monterey County Environmental Health Department, and will submit authorization letter for Council approval in July.
- New Environmental Programs Manager reviewed the updated Storm Water ordinances for first reading/Public Hearing at an upcoming Council meeting.
- For the Coastal Engineering Study, the Project Team reviewed the preliminary findings of Task 2, which includes historical beach sand movement, coastal tide patterns, and future changes due to climate change. Consultant EMC/Integral also prepared an application for a non-competitive Coastal Commission LCP grant, requesting over \$418k, for future phases of the Coastal Engineering Study. Grant application being reviewed by staff.
- The quarterly GreenWaste Recovery report indicated that Carmel's trash diversion rate, for recycling and organics, increased. However, total tonnage of trash generated in the City also increased.
- Participated in Snapshot Day with the California Marine Sanctuary Foundation to help protect the Monterey Bay National Marine Sanctuary.

Facility Maintenance

- Baxter Electric completed installation of electric vehicle connections at the City Hall north parking lot and in the Public Works garage.
- Thayer Construction completed installation of a new concession counter at Sunset Center.
- Chris Dinner Heating repaired downspouts and installed leaf traps at Sunset Center.
- For a room behind the stage at Forest Theater, the roof, punctured by a falling tree limb during a January storm, was repaired by Ross Roofing. Seeking FEMA reimbursement funds.
- PureServe provided detailed cleaning and floor waxing of many City buildings, including at Flander's Mansion.
- Dismantled and hauled away old shelving and supported assembly of new shelving at the Park Branch Library (PBL).
- Exterior lights were repaired in the PBL parking lot and at the Police station.
- Obtained quotes to purchase, rather than continue to rent, three ADA-accessible portable toilets and two hand washing sinks at the Forest Theater. Appears that the capital investment will pay for itself in just one year.

Project Management for the Capital Improvement Program

4 Leaf Projects:

- For the Police Building Project, final scope of work, schedule, and fee negotiations were held with Indigo architects. The selection process and outline of work to be provided by Indigo was discussed with the Council Ad Hoc committee. With a 19% contingency, a \$300k Professional Services Agreement with Indigo will be presented at the June 6th Council meeting.

Ausonio, Inc. Projects:

- For the \$213,600 City Hall Retaining Wall Repair Project, contractor Rehak General Engineering hit the ground running in May. The redwood planter wall was demolished, the historic building wall was shored by helical piles, and a steel-reinforced concrete foundation wall with keyed footing was constructed. The project is well ahead of schedule and on budget.
- For the City Hall Roof Replacement, HML Exterior/Interior Painting, Sunset Center Exterior Painting, and Cottage Windows Repairs, 10 Over Studios and Ausonio submitted a 95% bid

package for review, and submitted the package for a building permit readiness review. Review comments are in progress.

- For the Facility Condition Assessments Report for four City buildings, final review comments to the draft report, prepared by Bureau Veritas, were returned for corrections and editing.
- Ausonio and staff examined the condition of the failing wooden fence along the San Antonio Pathway, between Second and Fourth Avenues, and a preliminary game plan was developed.

Wallace Group Projects:

- For the Mission Trail Nature Preserve (MTNP) Well Abandonment and Water Tank/Pump House Removal Project, the project was advertised for bids effective May 8th, and a well-attended pre-bid meeting was held on May 24th.
- Schaaf & Wheeler Engineers presented their final Storm Drain Master Plan Update to the Project Team. Final edits to the report are in progress.
- For the Concrete Streets Repair Project, review comments by Wallace Group and staff were sent to BKF Engineering for corrections, and BKF submitted revised 30% plans. Significant changes in scope and fee were evaluated to include the 3 intermediary cross streets along Ocean Avenue, between Monte Verde Street and San Antonio Avenue. Specifically, the Project Team now recommends including the returns of the cross streets, up to the sidewalk crossings both north and south of Ocean, into the project to be consistent with the new road surfacing along Ocean Avenue.
- Initial discussions and a field walk were performed for Wallace Group to design the FY 23/24 city-wide Paving Project, including 5 street overlays, 20 slurry seals, and 7 sidewalk repairs. Having Wallace Group prepare this design themselves, rather than overseeing the design by a third party, will save time and money.

Additional CIP Projects:

- For the MTNP 3 Drainage Improvements Project, additional back and forth questions and answers continued with the California Department of Fish and Wildlife and the Water Quality Control Board prior to issuance of these regulatory permits which have delayed this project.
- For the Electrical Panel Upgrades and Sunset Center Meter Replacement Projects, and EV Charging Stations in the Vista Lobos parking lot, we continued to review scope of work and fee proposals from Advance Design Consultants. A Professional Services Agreement is being prepared and anticipated to be presented to Council in July.
- Neill Engineers completed the FY 2019/20 Paving Project plans, removing paving on Junipero and Fifth to phase in underground drainage improvements, and San Carlos Street median islands. Staff is updating the contract documents with bid advertising projected by late June.
- The electric Street Sweeper has been assembled overseas. Delivery was delayed by several months, but is now expected by mid-July.

Street Maintenance

- Collaborated with Monterey Fire and Carmel Police to consider alternatives for beach emergency access resulting from the January storms which destroyed the preferred beach access ramp near Eighth Avenue. At the west of the Del Mar parking lot, relocated a boulder, installed a chain, deflated tires, and successfully test drove fire, police, and public works vehicles down to the tide line and back up into the parking lot.
- Rented a bobcat and spread sand up the embankment near the Del Mar parking lot and west of the volleyball courts to cover over exposed sandstone.
- Installed the dry weather diversion steel plates in the storm drain inlets along the shoreline to prevent any summer storm flows from entering onto Carmel beach and into the ocean.
- Cleared out more piles of fire fuel and debris from MTNP, with many more piles remaining.

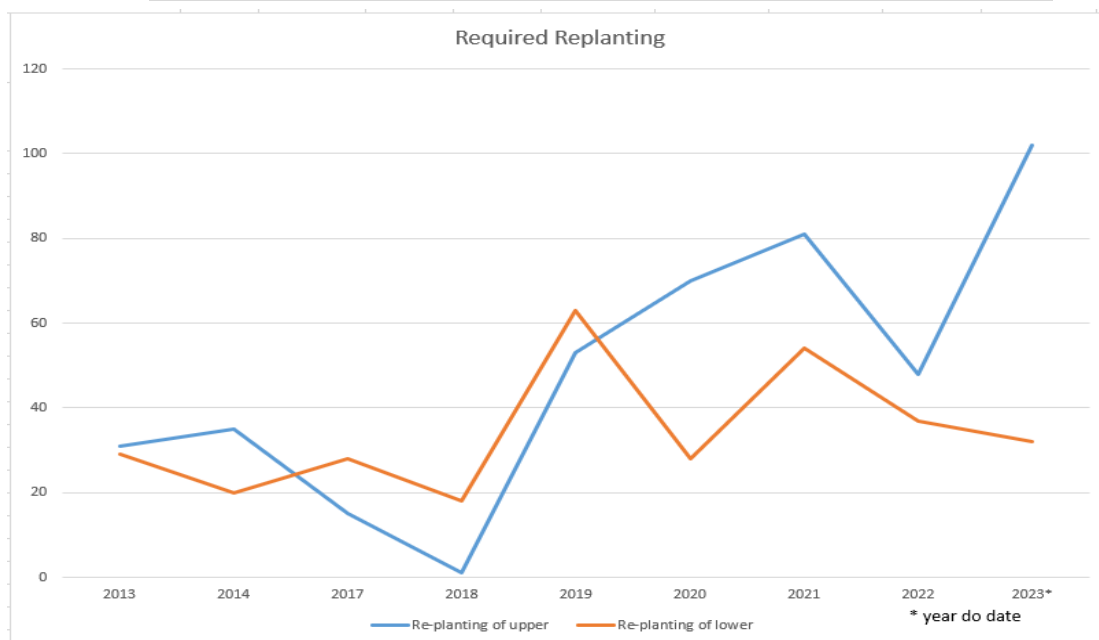
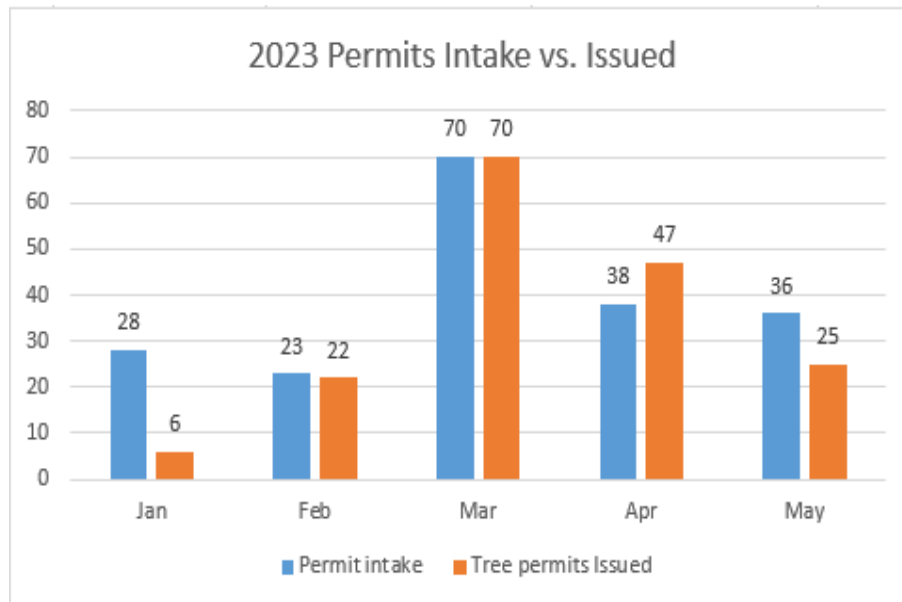
- Prepared for the Memorial Day Holiday weekend by cleaning sidewalks, providing additional trash bins, supporting events, and weekend staffing.
- Street crews began the Annual Traffic Painting Program which includes painting traffic stripes, pavement legends and markings, and painted curbs, and thermoplastic markings.
- Continued to meet with and provide backup information for potential FEMA reimbursement for damages resulting from the January storms.
- Met with PG&E staff liaison to review a multitude of PG&E and City issues, including updated contact lists, undergrounding utilities, joint pole issues, and electric vehicle programs.
- Completed updating Public Works fees for services, such as encroachment and tree permits.

Forestry, Parks, and Beach

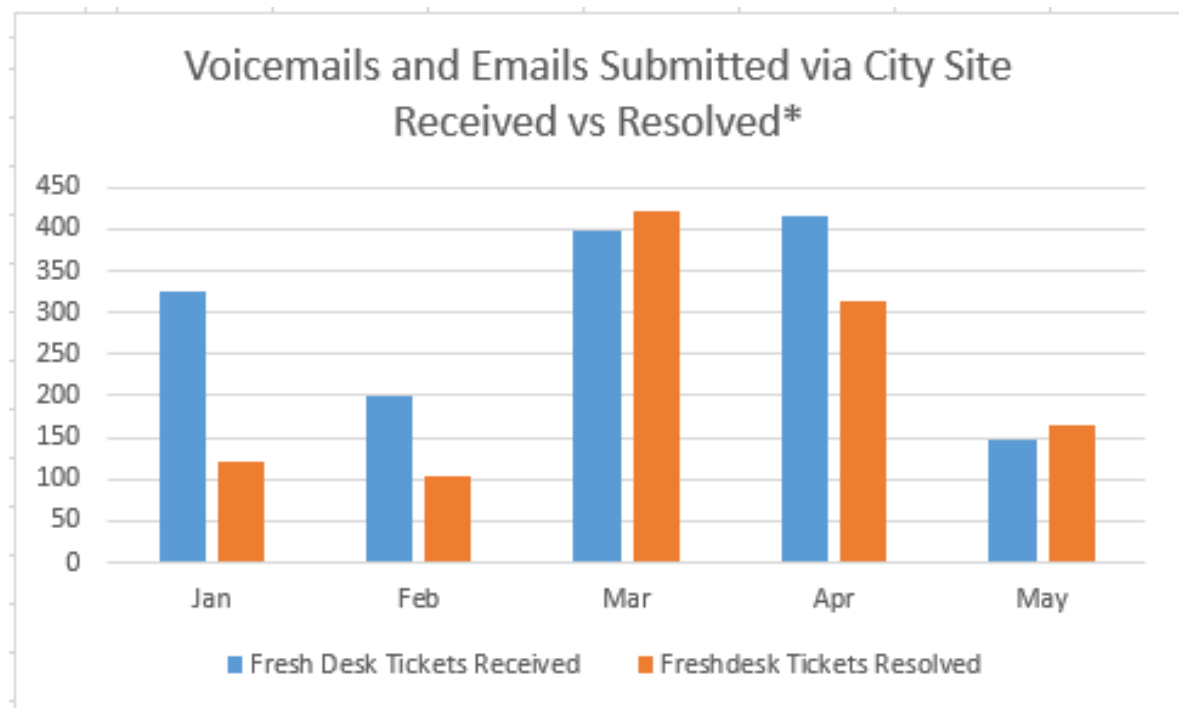
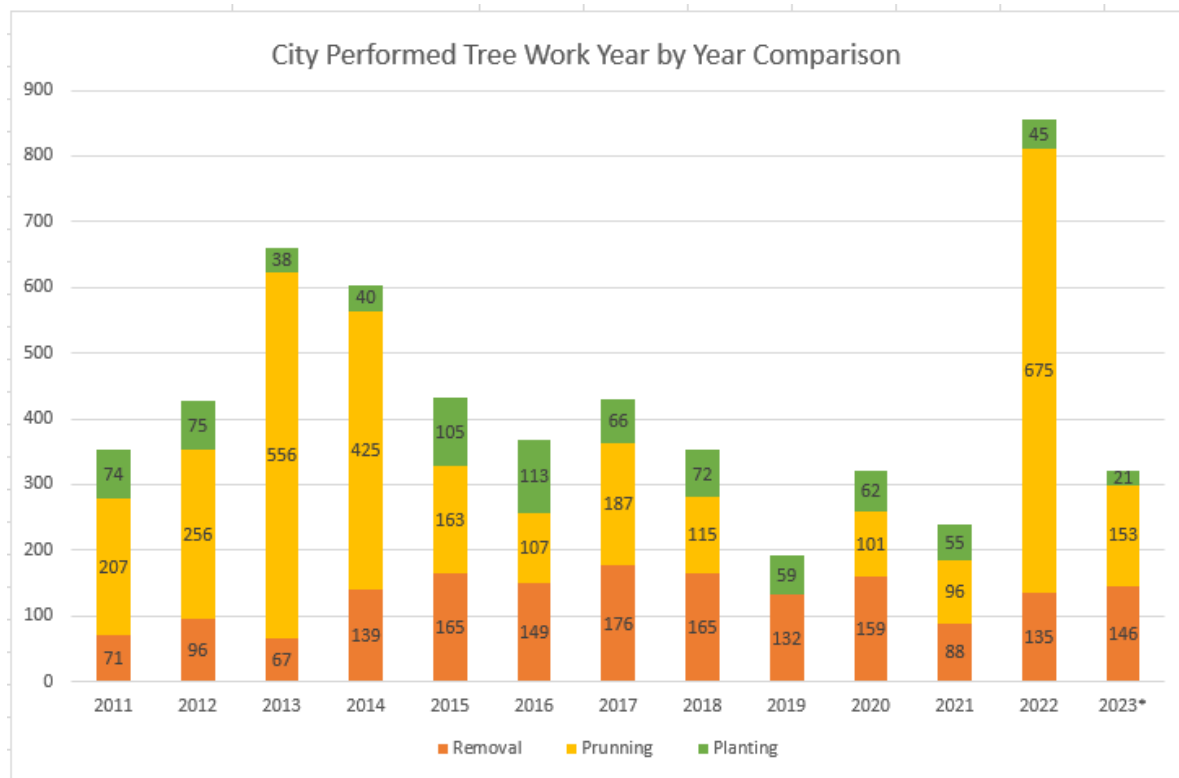
- Davey Resource Group continues making good progress with technical studies associated with development of the Urban Forest Master Plan (UFMP). They are nearing completion of the GIS mapping and operational review, halfway done with the tree canopy and land cover assessments, and starting on the economics analysis and stakeholder interview questions.
- Coordinated with Cal Fire and provided additional backup information for reimbursement of approximately \$89k of the \$150k grant for the UFMP.
- Thirteen (13) applications were submitted by the May 26th deadline for candidates to serve on the UFMP Steering Committee which will supplement the Forest and Beach Commissioners during upcoming presentations and workshops. The first community workshop will be during the week of July 10th, and Davey will seek Commission visioning for the future of the urban forest at the July 13 Commission meeting.
- On-call tree services contractors Community Tree Service, Tope's Tree Service, and West Coast Arborist were awarded contracts with initial amounts of \$30k, \$60k, and \$60k, respectively, for FY 2022/23. Due to March storms recovery, these funds have been exhausted by \$33,236. At the June 6th meeting, Council will be asked to approve Change Orders #1 to increase the contract budgets by this amount for the remainder of this FY, plus approve Change Orders #2 to award each contractor \$175k for FY 2023/24, for a total of \$525k.
- Prepared a Professional Services Agreement with Justin Ono, of Ono Consulting, to provide consulting arborist services on an on-call, as-needed basis for up to \$100k through June 30, 2025. Agreement submitted for Council approval at the June 6th meeting.
- On-call landscape maintenance contractor, Town & Country, continues working on numerous task orders covering a wide range of landscaping services.
- The local workshop for the Community Wildfire Protection Plan was attended by roughly 30 residents. Preliminary findings can be found via a link on the City website's main landing page.
- Forestry crews continued with dangerous tree removals, hanger removals, debris clearing, and chipping. The most hazardous trees from the winter storms have been removed, but second tier, potentially-hazardous trees remain to be removed or pruned.
- The Powerpoint presentation, entitled: "*City Prioritization, Data, and Actions Related to Tree Concerns*," as presented to the Forest and Beach Commission in April 2023, was posted on the City's Forestry website and is available from the following link:
<https://ci.carmel.ca.us/post/additional-forestry-division-resources>

Private Development Activities

| 2023 Permitted removals, pruning, and required planting | | | | | | | | | | | |
|---|-----------------------|---------------------|----------------|----------------|------------------|------------------|-------------------------|-------------------------|----------------------|--------------------|--------------------------------|
| | Tree permits received | Tree permits Issued | Total Prunings | Total Removals | Removal of Upper | Removal of Lower | Required to Plant Upper | Required to Plant Lower | No room for new tree | Meets Density Rec. | Total Number of Trees Required |
| January | 28 | 6 | 0 | 12 | 3 | 7 | 5 | 1 | 0 | 2 | 5 |
| February | 23 | 22 | 1 | 24 | 15 | 9 | 15 | 10 | 0 | 0 | 25 |
| March | 70 | 70 | 21 | 71 | 47 | 24 | 32 | 14 | 1 | 7 | 46 |
| April | 38 | 47 | 16 | 53 | 49 | 4 | 32 | 3 | 2 | 2 | 35 |
| May | 36 | 25 | 9 | 26 | 20 | 6 | 18 | 4 | 4 | 7 | 22 |
| June | | | | | | | | | | | |
| July | | | | | | | | | | | |
| August | | | | | | | | | | | |
| September | | | | | | | | | | | |
| October | | | | | | | | | | | |
| November | | | | | | | | | | | |
| December | | | | | | | | | | | |
| 2023 totals | 195 | 170 | 47 | 186 | 134 | 50 | 102 | 32 | 7 | 18 | 133 |



City Forestry, Parks, and Beach Activities



* Numbers only represent correspondences received via the City's website and do not include live calls, voicemails, and emails sent directly to employees from residents, nor return calls and emails from employees.



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

July 11, 2023
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: May 2023 Check Register Summary

RECOMMENDATION:

Approve the check register for May 2023.

BACKGROUND/SUMMARY:

The check register is produced from the City's financial system. The report groups the checks by the respective department or function. The check register includes the check number, the name of the vendor, a description of the purchase, the check issue date and the amount of the check.

Per the California Supreme Court's decision in the case of Los Angeles County Board of Supervisors v. Superior Court (Dec. 29, 2016) (2016 WL 7473802), the check register excludes the specific invoice payments for legal services incurred for pending and active investigations, pending and active litigation, as well as recently concluded matters. The Supreme Court has ruled that these specific invoices are protected under attorney-client privilege and need not be disclosed under the Public Records Act.

On the last page of the report, staff have included the contract balance for the respective vendors that were paid in May 2023.

FISCAL IMPACT:

The check register summary for May 2023 totals \$1,296,834.63.

PRIOR CITY COUNCIL ACTION:

Council ratified the April 2023 check register at the June 6, 2023, regular meeting.

ATTACHMENTS:

Attachment 1) May 2023 Check Register Summary

May 2023 Check Register

| Check No. | Vendor/Employee | Transaction | Date | Amount |
|--|--------------------------------------|--|------------|-----------|
| Department: 000 ____ | | | | |
| 51312 | Visit Carmel | CRID Remittance Q1 2023 | 05/31/2023 | 51,773.91 |
| Total for Department: 000 ____ | | | | 51,773.91 |
| Department: 110 City Council | | | | |
| 51207 | Peninsula Messenger LLC | Mail service sorting and delivery | 05/05/2023 | 5,229.00 |
| Total for Department: 110 City Council | | | | 5,229.00 |
| Department: 111 City Administration | | | | |
| 51179 | Amazon Web Services Inc | Data and cloud storage fees | 05/05/2023 | 1,909.17 |
| 51183 | AT&T | Telephone service citywide | 05/05/2023 | 2,289.91 |
| 51188 | Carmel Pine Cone | Legal noticing | 05/05/2023 | 795.00 |
| 51193 | FedEx | Shipping fees-Business office | 05/05/2023 | 19.44 |
| 51195 | Iron Mountain | Records storage service | 05/05/2023 | 402.25 |
| 51203 | MRC | Xerox Copier Usage fees - All city copiers | 05/05/2023 | 2,599.35 |
| 51204 | NHA Advisors | Current year Pension Consulting:Bond arbitrage and compliance re | 05/05/2023 | 3,700.00 |
| 51205 | Office Depot, Inc. | Office supplies - Admin | 05/05/2023 | 192.72 |
| 51214 | Softchoice Corporation | Annual contract Enterprise Agreement:Cloud Platform per quote | 05/05/2023 | 21,765.68 |
| 51215 | Springbrook Software | Professional services relating to accounting software usage | 05/05/2023 | 622.00 |
| 51217 | T-Mobile | Monthly cell service, usage and purchases | 05/05/2023 | 1,520.04 |
| 51220 | Universal Staffing Inc | Temporary staffing services:Front desk, City Hall | 05/05/2023 | 2,318.00 |
| 51223 | Verizon Wireless | Usage and purchase charges | 05/05/2023 | 328.93 |
| 51225 | Xerox Financial Services | Xerox copier leases citywide | 05/05/2023 | 4,576.11 |
| 51227 | AT&T | Telephone service citywide | 05/11/2023 | 1,046.42 |
| 51229 | Carmel Rotary Club | Panetta speaking event - City Admin ticket | 05/11/2023 | 100.00 |
| 51231 | Copies By-The-Sea | Agenda printing services | 05/11/2023 | 623.82 |
| 51235 | Digital Deployment | Website support agreement:Maint, training, security and updates | 05/11/2023 | 700.00 |
| 51237 | Municipal Resource Group, LLC | Traffic Congestion Reduction and Parking Management Program | 05/11/2023 | 9,063.05 |
| 51242 | Universal Staffing Inc | Temporary staffing services:Front desk, City Hall | 05/11/2023 | 2,318.00 |
| 51245 | Robert Half | Temporary payroll assistance services | 05/11/2023 | 13,183.20 |
| 51246 | Solutions Office Interiors, Inc | Bus Office furniture delivery and installation | 05/11/2023 | 11,049.56 |
| 51261 | Carmel Pine Cone | Legal noticing | 05/19/2023 | 819.00 |
| 51269 | J 4 Systems | Migration of Active Network Servicer | 05/19/2023 | 1,880.00 |
| 51275 | Office Depot, Inc. | Office supplies - Admin | 05/19/2023 | 330.13 |
| 51279 | Pitney Bowes Bank Inc Purchase Power | Postage-meter refills | 05/19/2023 | 3,406.05 |
| 51291 | US Bank | IIMC Membership City Clerk | 05/19/2023 | 185.00 |
| 51291 | US Bank | IT Subscriptions ConstantContact | 05/19/2023 | 70.00 |
| 51291 | US Bank | IT Subscriptions Junction Networks | 05/19/2023 | 1,145.06 |
| 51291 | US Bank | HR Subscriptions MetroFax | 05/19/2023 | 11.95 |
| 51291 | US Bank | IT Subscriptions Junction Networks and Microsoft | 05/19/2023 | 1,626.32 |
| 51291 | US Bank | IT Subscriptions Zoom, Adobe, Google, BackBlaze | 05/19/2023 | 2,474.97 |
| 51291 | US Bank | IT Subscriptions Equipment | 05/19/2023 | 547.91 |
| 51291 | US Bank | HR Subscriptions MetroFax | 05/19/2023 | 11.95 |
| 51291 | US Bank | IT Subscriptions Junction Networks | 05/19/2023 | 847.82 |
| 51291 | US Bank | IT Subscriptions Microsoft, Freshworks, Zoom, Google, Adobe, Apple | 05/19/2023 | 2,404.81 |
| 51295 | Alhambra | Water service City Hall | 05/31/2023 | 250.11 |
| 51297 | Carmel Pine Cone | Legal noticing | 05/31/2023 | 487.50 |
| 51298 | Chavan and Associates, LLC | Financial audit FY 2022-23 | 05/31/2023 | 4,000.00 |
| 51299 | Comcast | City Hall cable services | 05/31/2023 | 146.77 |
| 51300 | Corbin Willits System | MOM Financial system monthly fee | 05/31/2023 | 720.79 |
| 51301 | Afza Irani | Mileage & parking reimbursement - MMANC Women's Leadership Summi | 05/31/2023 | 119.32 |
| 51302 | Juanita Menig | MMANC Conference expenses | 05/31/2023 | 189.34 |
| 51305 | MRC | Xerox Copier Usage fees - All city copiers | 05/31/2023 | 517.87 |
| 51306 | Municipal Resource Group, LLC | Traffic Congestion Reduction and Parking Management Program | 05/31/2023 | 20,308.25 |
| 51307 | Springbrook Software | Professional services relating to accounting software usage | 05/31/2023 | 141.75 |
| 51309 | Universal Staffing Inc | Temporary staffing services-City Hall front desk | 05/31/2023 | 6,084.75 |
| 51310 | US Bank | PW Appreciation Breakfast | 05/31/2023 | 329.59 |
| 51310 | US Bank | NYT Digital Subscription | 05/31/2023 | 17.00 |

Attachment 1

| | | | | |
|-------|------------------|----------------------------|------------|----------|
| 51310 | US Bank | AICP membership | 05/31/2023 | 727.00 |
| 51310 | US Bank | HR Subscriptions Checkr | 05/31/2023 | 35.00 |
| 51310 | US Bank | Meeting expense | 05/31/2023 | 106.17 |
| 51311 | Verizon Wireless | Usage and purchase charges | 05/31/2023 | 1,321.60 |

| | |
|---|------------|
| Total for Department: 111 City Administration | 132,386.43 |
|---|------------|

Department: 112 City Attorney

| | | | | |
|-------|--------------------------------------|-------------------------------|------------|-----------|
| 51184 | Best Best & Krieger, Attorney At Law | Legal fees: Telecommunication | 05/05/2023 | 5,935.00 |
| 51187 | Burke,Williams & Sorensen, LLP | Legal services | 05/05/2023 | 55,823.50 |
| 51213 | Sloan Sakai Yeong & Wong | Legal services | 05/05/2023 | 3,450.00 |
| 51287 | Sloan Sakai Yeong & Wong | Legal services | 05/19/2023 | 3,097.50 |

| | |
|---|-----------|
| Total for Department: 112 City Attorney | 68,306.00 |
|---|-----------|

Department: 115 Community Planning & Building

| | | | | |
|-------|--------------------------|--|------------|-----------|
| 51233 | CSG Consultants, Inc. | FY 22-23: Building Dept. - Plan Review Svcs. | 05/11/2023 | 1,710.00 |
| 51234 | De Lage Landen Financial | FY 22-23: Planning Dept. - Financial Svcs. | 05/11/2023 | 212.22 |
| 51240 | Quality Print & Copy | Public Notice Postcards - Split Acct. | 05/11/2023 | 675.10 |
| 51243 | US Bank | INT'L CODE COUNCIL - ECPA-'15 IECC 1Y | 05/11/2023 | 28.65 |
| 51243 | US Bank | iWorQ USB Credit card machine | 05/11/2023 | 54.00 |
| 51243 | US Bank | Housing Element Meeting | 05/11/2023 | 46.50 |
| 51244 | Winter and Company | DT 1.5 - Step 6: Develop Draft 1 | 05/11/2023 | 12,650.00 |

| | |
|---|-----------|
| Total for Department: 115 Community Planning & Building | 15,376.47 |
|---|-----------|

Department: 116 Police

| | | | | |
|-------|---|--|------------|-----------|
| 51176 | Alhambra | Water service Police Dept | 05/05/2023 | 232.16 |
| 51177 | Allegretto Vineyard Resort | Travel - Police Chief Retreat | 05/05/2023 | 822.39 |
| 51178 | Amazon Capitol Services | CERT expenses PD | 05/05/2023 | 973.22 |
| 51181 | Anthony Gotelli | Travel expenses-Firearms Course | 05/05/2023 | 226.00 |
| 51185 | Biddle Consulting Group Inc | CritiCall Annual Software License Renewal-Exp 3/22/2024 | 05/05/2023 | 2,024.93 |
| 51197 | Javier Auto Services | PD Auto repairs | 05/05/2023 | 319.92 |
| 51198 | Jeff Watkins | Travel - Police Chief Retreat 5/22-5/24/2023 | 05/05/2023 | 176.00 |
| 51201 | Lexipol LLC | Coridca Law Enforce. Wellness App renewal 5/1/23-4/30/2024 | 05/05/2023 | 2,849.05 |
| 51209 | Performa Labs, Inc | Performa Course fee | 05/05/2023 | 2,440.00 |
| 51210 | Point Emblems | Police Dept-Badges and insignia | 05/05/2023 | 308.13 |
| 51216 | T2 Systems Canada Inc. | PD:Digital iris services | 05/05/2023 | 75.00 |
| 51219 | United Public Safety, Inc-Attn: Accts Rec | Ticketing Platform for Pd-Subscription renewal | 05/05/2023 | 18,211.24 |
| 51221 | US Bank | WhentoWork software PD | 05/05/2023 | 3,335.02 |
| 51230 | Carmel Towing & Garage | FY 22-23 Fuel charges PD | 05/11/2023 | 3,867.98 |
| 51232 | County of Monterey IT Dept | PD:Cellular access/telephone calling and access | 05/11/2023 | 6,173.13 |
| 51256 | Amazon Capitol Services | PD Supplies and equipment | 05/19/2023 | 1,380.91 |
| 51265 | De Lage Landen Financial | Police Dept copier lease | 05/19/2023 | 161.70 |
| 51266 | Department of Justice/Accounting Office | PD:Fingerprinting services | 05/19/2023 | 32.00 |
| 51268 | Intoximeters | PD Mouthpiece ASIV or ECIR | 05/19/2023 | 154.73 |
| 51283 | Same Day Shred | PD-Document shredding services | 05/19/2023 | 45.00 |
| 51299 | Comcast | PD Cable services | 05/31/2023 | 342.37 |

| | |
|----------------------------------|-----------|
| Total for Department: 116 Police | 44,150.88 |
|----------------------------------|-----------|

Department: 117 Fire

| | | | | |
|-------|----------------------------|---|------------|----------|
| 51180 | American Supply Company | Housekeeping supplies-Fire Dept | 05/05/2023 | 178.62 |
| 51190 | City Of Monterey | FY 22-23 Fire Dept vehicle repairs | 05/05/2023 | 933.82 |
| 51202 | Mission Linen Service | Fire Dept laundry service | 05/05/2023 | 154.98 |
| 51226 | Alhambra | Water service Fire Dept | 05/11/2023 | 143.28 |
| 51230 | Carmel Towing & Garage | Fire Dept gas expense (E15) | 05/11/2023 | 677.46 |
| 51232 | County of Monterey IT Dept | Fire Dept:Cellular access/telephone calling | 05/11/2023 | 1,170.72 |
| 51273 | Mission Linen Service | Fire Dept laundry service | 05/19/2023 | 263.07 |
| 51303 | Mission Linen Service | Fire Dept laundry service | 05/31/2023 | 138.34 |
| 51308 | Stryker | Parts and service repairs | 05/31/2023 | 715.25 |

| | |
|--------------------------------|----------|
| Total for Department: 117 Fire | 4,375.54 |
|--------------------------------|----------|

Department: 118 Ambulance

| | | | | |
|-------|--|---|------------|--------|
| 51196 | Isaac Eckel | Refund per MOU - Uniform pants | 05/05/2023 | 181.07 |
| 51208 | Peninsula Welding & Medical Supply, inc. | Ambulance Dept-Oxygen/hazardous materials transport service | 05/05/2023 | 90.30 |

Attachment 1

| | | | | |
|-------|--|---|------------|----------|
| 51228 | Bound Tree Medical LLC | Medical supplies | 05/11/2023 | 629.85 |
| 51230 | Carmel Towing & Garage | Amb Dept gas expense (7166) | 05/11/2023 | 1,148.23 |
| 51260 | Bound Tree Medical LLC | Medical supplies | 05/19/2023 | 1,830.51 |
| 51265 | De Lage Landen Financial | Ambulance Copier lease | 05/19/2023 | 71.01 |
| 51274 | Monterey Sanitary Supply | Fire Dept-janitorial supplies | 05/19/2023 | 100.72 |
| 51278 | Peninsula Welding & Medical Supply, inc. | Ambulance Dept-Oxygen/hazardous materials transport service | 05/19/2023 | 69.62 |
| 51294 | Wittman Enterprises, LLC | Ambulance billing service | 05/19/2023 | 5,007.26 |

| | |
|-------------------------------------|----------|
| Total for Department: 118 Ambulance | 9,128.57 |
|-------------------------------------|----------|

Department: 119 Public Works

| | | | | |
|-------|-------------------------------|--|------------|-----------|
| 51182 | AR Gutters & Sheet Metal Inc. | Fabrication and install Copper gutters at Carmel Fire Depts. | 05/05/2023 | 722.00 |
| 51188 | Carmel Pine Cone | Legal noticing-4/14/23 #2315MND013 | 05/05/2023 | 425.00 |
| 51191 | Cleve Waters | Travel - FM Expo in SFO | 05/05/2023 | 190.32 |
| 51199 | League of California Cities | 2023 Local Streets and Road Needs Assessment | 05/05/2023 | 200.00 |
| 51205 | Office Depot, Inc. | PW/FM/Forestry - Office Supplies FY 2023 | 05/05/2023 | 87.14 |
| 51206 | Otis Elevator Company | Service work for elevator and dumb waiter | 05/05/2023 | 1,319.67 |
| 51211 | Scarborough Lumber & Building | Supplies for Forestry 4/3/23 #446709-4 | 05/05/2023 | 4,171.57 |
| 51212 | Sentry Alarm Systems | HML and PBL burglar alarm system 4/15/23 #2216303 | 05/05/2023 | 231.00 |
| 51218 | Town and Country Gardening | On call landscape service for City | 05/05/2023 | 10,000.00 |
| 51220 | Universal Staffing Inc | Temporary staffing services-PW Louise Bradley-Forestry | 05/05/2023 | 1,700.00 |
| 51221 | US Bank | Supplies for PW-RC1816 4/6/23 | 05/05/2023 | 56.86 |
| 51221 | US Bank | PW & PD food for staff during storms | 05/05/2023 | 664.30 |
| 51221 | US Bank | Annual renewal fee APWA | 05/05/2023 | 229.00 |
| 51224 | Wm Baxter Electric | Street Sweeper Charging Station | 05/05/2023 | 3,422.00 |
| 51241 | U.S. Direct LLC | Conf. Order #M8OP9C0NX9 -Stump Grinder | 05/11/2023 | 7,236.33 |
| 51257 | American Lock & Key | Locksmith service for City Facilities | 05/19/2023 | 413.85 |
| 51258 | Applied Marine Sciences | Microbial Source Tracking | 05/19/2023 | 13,705.98 |
| 51262 | Carmel Towing & Garage | PW Streets - Fuel for PW vehicles | 05/19/2023 | 2,111.33 |
| 51263 | Cintas Corporation | PW Uniform Service 21/22 FY | 05/19/2023 | 515.21 |
| 51264 | Community Tree Service | Tree work as directed by City Forester | 05/19/2023 | 16,547.24 |
| 51267 | Golden State Portables | Portables for Forest Theater - | 05/19/2023 | 1,062.19 |
| 51271 | John Ley's Tree Service | Tree work as directed by PW/Forestry | 05/19/2023 | 9,896.55 |
| 51272 | M & S Building Supply | FACILITY MAINT. DIVISION - Supplies | 05/19/2023 | 27.32 |
| 51275 | Office Depot, Inc. | PW/FM/Forestry - Office Supplies FY 2023 | 05/19/2023 | 71.91 |
| 51276 | Ono Consulting | Arboriculture Consulting | 05/19/2023 | 7,200.00 |
| 51281 | Pureserve Building Service | Janitorial services | 05/19/2023 | 21,141.35 |
| 51282 | Rodriguez tree Service LLC | Emergency tree work in city -Storms #786 3/27/23 | 05/19/2023 | 9,900.00 |
| 51284 | Scarborough Lumber & Building | Chainsaw supplies 3/24/23 446579-4 | 05/19/2023 | 979.23 |
| 51286 | Sentry Alarm Systems | PW fire system instal 3154.28/ PW security system upgrade 644.58 | 05/19/2023 | 1,318.29 |
| 51288 | Tope's Tree Service Inc. | Tree services citywide as directed by City Forester | 05/19/2023 | 14,453.50 |
| 51289 | Town and Country Gardening | On call landscape service for City | 05/19/2023 | 2,820.00 |
| 51290 | Universal Staffing Inc | Temporary staffing services-PW Louise Bradley-Forestry | 05/19/2023 | 3,761.08 |
| 51291 | US Bank | Earth Day promotional items | 05/19/2023 | 225.88 |
| 51293 | West Coast Arborists Inc . | Contract tree work | 05/19/2023 | 18,652.70 |

| | |
|--|------------|
| Total for Department: 119 Public Works | 155,458.80 |
|--|------------|

Department: 120 Library

| | | | | |
|-------|----------------------------|---|------------|-----------|
| 51239 | Pacific Grove Self Storage | Storage Unit - Document storage | 05/11/2023 | 353.00 |
| 51270 | Jayson Architecture | Professional architectural services Library | 05/19/2023 | 11,188.70 |

| | |
|-----------------------------------|-----------|
| Total for Department: 120 Library | 11,541.70 |
|-----------------------------------|-----------|

Department: 121 Community Activities

| | | | | |
|-------|-----------------------------------|---|------------|----------|
| 51189 | Carmel Woman's Club, Inc | Nonrefundable sanitation fee for use of space for Homecrafters' | 05/05/2023 | 100.00 |
| 51194 | Glastonbury Inc | Memorial Day Ceremony 2023 sound | 05/05/2023 | 1,725.00 |
| 51261 | Carmel Pine Cone | 2023 calendar ad 5.12.23 | 05/19/2023 | 425.00 |
| 51304 | Monterey County Health Department | FY 23-24 farmers' market Health DepartmentCEO/CFM PERMIT fee | 05/31/2023 | 1,208.00 |
| 51310 | US Bank | Earth Day craft supplies & lunches | 05/31/2023 | 107.95 |

| | |
|--|----------|
| Total for Department: 121 Community Activities | 3,565.95 |
|--|----------|

Department: 130 Non-Departmental

| | | | | |
|-------|------------------------|----------------------------------|------------|-----------|
| 51238 | Pacific Gas & Electric | Citywide gas & electric services | 05/11/2023 | 15,714.20 |
| 51277 | Pacific Gas & Electric | Citywide gas & electric services | 05/19/2023 | 1,702.73 |

Attachment 1

| | | | | |
|-------|------------------------------|---|------------|-----------|
| 51280 | Prism Public Risk Innovation | Gen Liability Program 1 Q3 Jan-Mar 2023 | 05/19/2023 | 21,341.60 |
| 51296 | Cal-Am Water Company | Water service citywide | 05/31/2023 | 12,575.70 |

| | |
|--|-----------|
| Total for Department: 130 Non-Departmental | 51,334.23 |
|--|-----------|

Department: 311 Capital Projects

| | | | | |
|-------|----------------------------------|--|------------|-----------|
| 51186 | BKF Engineers | Concrete Street Repairs - CIP | 05/05/2023 | 18,844.92 |
| 51218 | Town and Country Gardening | Beautification Upper Ocean Pathway | 05/05/2023 | 12,760.00 |
| 51259 | Ausonio, Inc | HML Generator | 05/19/2023 | 10,580.00 |
| 51285 | Schaaf & Wheeler Civil Engineers | Storm Drain Master Plan | 05/19/2023 | 7,155.00 |
| 51292 | Wallace Group | Project managment:CIP MTNP well, tank, and pump house abandonmen | 05/19/2023 | 4,563.75 |

| | |
|--|-----------|
| Total for Department: 311 Capital Projects | 53,903.67 |
|--|-----------|

Department: 411 Debt Service

| | | | | |
|-------|------------------|---------------------------|------------|------------|
| 51222 | US BANK St. Paul | CBTS 2012 Taxable Pension | 05/05/2023 | 690,303.48 |
|-------|------------------|---------------------------|------------|------------|

| | |
|--|------------|
| Total for Department: 411 Debt Service | 690,303.48 |
|--|------------|

| | |
|-------------|--------------|
| Grand Total | 1,296,834.63 |
|-------------|--------------|

| Vendor | Contract Amt | Paid thru May | Contract Balance |
|--------------------|-----------------|-----------------|------------------|
| Pen Messenger | \$ 107,730.00 | \$ 25,476.00 | \$ 82,254.00 |
| City of Monterey * | \$ 2,839,443.00 | \$ 2,602,822.31 | \$ 236,620.69 |
| J4 Systems | \$ 41,840.70 | \$ 4,022.50 | \$ 37,818.20 |
| Pureserve * | \$ 250,000.00 | \$ 232,554.85 | \$ 17,445.15 |
| 4Leaf Inc. | \$ 179,800.00 | \$ 47,378.75 | \$ 132,421.25 |

Fire Admin

* FY2022-2023 Budget



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
CONSENT AGENDA

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Mary Bilse, Environmental Programs Manager |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Letter authorizing the County of Monterey to execute all documents necessary to continue to implement the annual Used Oil Payment Program on behalf of the City during FY 2023/24 |

RECOMMENDATION:

Authorize the City Administrator to send a letter authorizing the County of Monterey to execute all documents necessary to continue to implement the annual used Oil Payment Program on behalf of the City during Fiscal Year 2023/24.

BACKGROUND/SUMMARY:

For over 15 years, the Monterey County Environmental Health Bureau has successfully collaborated with the City and other local municipalities to implement a countywide Used Oil and Filter Recycling Program.

This program is funded by an Oil Payment Program (OPP) grant from the California Department of Resources Recycling and Recovery (CalRecycle). The Monterey County Environmental Health Bureau has served as the administrator of the OPP on behalf of all cities and the unincorporated area of the County, resulting in the leveraging of resources and consistency in outreach efforts.

In Fiscal Year (FY) 2021/22, the County collected 181,145 gallons of oil and 30,000 used oil filters for proper disposal. The County also ran 120 ads through various media outlets, including radio, newspaper and online. In addition, the filter exchange program also provided 85 filter vouchers during Community Clean Up Days. Additional program highlights are included in the County's letter to the City (**Attachment 1**).

In order to continue this successful partnership, the City must each year provide a letter (**Attachment 2**) authorizing the Monterey County Environmental Health Bureau to act as the lead agency to administer the OPP.

FISCAL IMPACT:

The program is funded by a CalRecycle grant and thus does not impact the City's budget.

PRIOR CITY COUNCIL ACTION:

Council authorized sending similar letters on July 6, 2021 and June 6, 2022 to continue the Used Oil Program.

ATTACHMENTS:

Attachment 1) Letter from Monterey County DH and Annual Report
Attachment 2) Letter to Monterey County



COUNTY OF MONTEREY HEALTH DEPARTMENT

Elsa Jimenez, Director of Health

Administration Animal Services Behavioral Health Clinic Services
Emergency Medical Services Environmental Health Public Administrator/Public Guardian Public Health

May 22, 2023

Chip Rerig
City Administrator
City of Carmel-by-the-Sea
PO Box CC
Carmel-by-the-Sea, CA 93921

Dear Mr. Rerig:

Each year the Monterey County Environmental Health Bureau (EHB) requests a letter of authorization from the City Administrator or designee authorizing the County of Monterey to execute all documents necessary to continue to implement the annual Oil Payment Program Cycle 14 (OPP14) on your city's behalf. A sample letter is enclosed for your convenience. **We request that you return the signed authorization letter to our office by June 16, 2023** to ensure timely submittal to CalRecycle.

For over 15 years, the EHB has administered a successful countywide Used Oil & Filter Recycling Program on behalf of all cities and the unincorporated area of Monterey County. The Program is funded by a grant from the California Department of Resources Recycling and Recovery (CalRecycle) and supports used oil and filter recycling activities throughout the County. Enclosed is the FY 2021-2022 Annual Report Summary detailing the activities, outreach events and volume collected as a result of this program. Below are a few highlights of program activities:

- Ran over 120 ads in English and Spanish through various media outlets including radio, newspaper and online,
- Filter exchange program provided 85 filter vouchers during Community Clean Up Days
- Collected 181,145 gallons of used oil and 30,000 used oil filters.

Continuing to pool funds allows both the Cities and County to continue to achieve greater efficiencies by maximizing resources, allowing consistency in outreach efforts, and preventing duplication of labor. I look forward to continue working with your city in providing used oil and filter recycling services to our community.

Please contact Recycling Services at (831) 755-4579 should you need further information regarding this program.

Sincerely,

DocuSigned by:

Ricardo Encarnacion

77E4AF686AE44F6...

Ric Encarnacion, REHS, MPH
Bureau Chief, Environmental Health Bureau



Annual Report Summary

Recipient/Jurisdiction: Monterey County

Status: Open

Fiscal Year: 2021-22

Program Advisor: Batavia, Ashraf

| Oil Collection Type | Oil (Gallons) | Oil Filters |
|------------------------------|----------------|---------------|
| Certified Collection Centers | 94,305 | |
| PHHW and ABOPS | 9,100 | 2,250 |
| Agricultural Collection | 62,100 | 25,750 |
| Residential Collection | 12,615 | 1,500 |
| Marinas | 3,025 | 500 |
| Oil Collection Total: | 181,145 | 30,000 |

Expenditures

PAYMENT NUMBER : OPP11-20-0251

| | | |
|-------------------------------|--------------------------|-----------|
| | AVAILABLE BALANCE | 77,739.34 |
| Administration | Indirect / Overhead Cost | 7,066.21 |
| | Personnel | 9,886.80 |
| Collection | Curbside (allow resident | 6,673.50 |
| | Permanent HouseHold Haza | 33,210.52 |
| Education | DMV Ads | 1,950.00 |
| | Other | 1,122.20 |
| | Radio Ads | 5,595.00 |
| Materials/Construction | Oil Absorbent Rags/Socks | 4,069.57 |
| | Oil Tanks | 8,165.54 |
| | REMAINING BALANCE | 0.00 |

PAYMENT NUMBER : OPP12-21-0251

| | | |
|-------------------------------|--------------------------|-----------|
| | AVAILABLE BALANCE | 91,682.00 |
| Administration | Indirect / Overhead Cost | 3,563.39 |
| | Personnel | 2,762.66 |
| Collection | Curbside (allow resident | 1,082.00 |
| | Permanent HouseHold Haza | 6,863.73 |
| Education | Other | 349.89 |
| | Radio Ads | 1,020.00 |
| Materials/Construction | Oil Containers | 23,555.61 |
| | REMAINING BALANCE | 52,484.72 |

Program Highlights

Theme: One of the main activities of the Used Oil Program is to promote/increase used oil filter collection. What activities did you conduct to increase used oil filter collection?

The Monterey County Used Oil and Filter Recycling Program provides outreach and education to the residents of Monterey County on how to properly recycle used oil and filters. During the 2021 calendar year Monterey County Environmental Health (MCEH) placed print and radio advertisements, conducted site visits to local Certified Collection Centers (CCC's) and continued to cover the cost of used oil and filter hauling for garbage and recycling haulers, agricultural and marine centers. The program also continues to cover the cost of maintenance and repairs of oil tanks at various oil collection sites.

- o Paid for 5 advertisements in local newspapers such as King City Rustler, Soledad Bee, Gonzales Tribune, Greenfield News.
- o Paid for 117 radio ads both in English and Spanish radio iHeart Radio on the Total Traffic & Weather Network focusing on the residential and curbside collection programs. Advertisements are played on KDON 102.5, KION 101.1FM, KOCN 105.1, KTOM 92.7 and La Preciosa KPRC.

MCEH participated in the Agricultural Expo vendor slideshow. Staff created a slide that was shown at multiple points throughout the webinar. Staff posted information on recycling used oil and filters via Instagram. The County's website is also a source for providing information on recycling used oil and filters.

Conducted 31 site visits to Certified Collection Centers.

Did you increase or decrease used oil and filter collection compared to last year? How much and why?

Overall, Monterey County used oil and filter collection data shows a slight increase in used oil collection and a decrease in filter collection compared to 2020. The decrease could be the cause of the following:

- Filter data for Auto Zone and O'Reilly collection centers was not provided therefore was not able to be incorporated in this report.

The total gallons of used oil collected in 2021: 181,145 gallons. This was a 4% increase compared to prior year.

The total number of used oil filters collected in 2021: 30,000 filters. This was a -3.79% decrease in used oil filters compared to prior year. The decrease is mainly attributed to no filter collection data collected from a majority of the CCC's.

Oil Collection at CCC's increased by 10%. Filters data is not accurate, no data was provided. MCEH staff would like to know how to obtain the filter data collected by the CCC's so that it can be incorporated in the report.

Collection at PHHW/ABOP's decreased by -53% for used oil and -39% in filter collection. The decrease of both oil and filters collected is mainly because staff was not able to obtain data from one of the HHW collection sites. Information on HHW disposal is listed on Monterey County's website as well as the HHW collection sites webpages. Also, when staff table at community clean up events direct outreach on HHW is provided.

Collection at Agricultural Used Collection centers increased by 23% for used oil and 32% for filters. Collection at Sturdy Oil continues to be the main collection center for the Monterey County AG program. MCEH staff annually participates in the AG expo as a way to educate small farmers on how to recycle used oil and filters.

Used oil collection for the Curbside program decreased by 40% and by 22% for filter collection. MCEH staff placed print and radio advertisements for the curbside program. MCEH utilizes Instagram as a platform for outreach. Staff used the manifest data provided by Bayside Oil, our used oil hauler and contacted the haulers directly to obtain this data.

Marine

Used oil collection at marine centers increased in both categories; 34% in used oil and 50% used oil filters compared to 2020.

Non-certified Centers:

In 2021, a total of 9,880 gallons of non-DIY oil was reported from Monterey Regional Waste Management District HHW facility. This category was not included in the total gallons of used oil collected in 2021.

Were there any program changes from this year to last year?

The COVID19 pandemic cancelled all close contact outreach, therefore, no filter exchange events were held in 2020. MCEH staff resumed normal activities in 2021. There was a total of 3 filter exchange events in 2021. Staff established an agreement to provide an educational video at the local Salinas DMV; this will be reported in the 2022 annual report.

If you dropped a program or method, why do you think it didn't work?

Mainly due to the decrease in grant funding, we are not continuing our contract with Save Our Shores the contractor that performed outreach to boaters at the local marinas.

What program or method has worked best for you?

Filter exchange events continue to be the best method for providing education and outreach.

Did you develop any best practices or techniques to share with other grantees?

Not at this time.

What can CalRecycle do to help you? Or what would you like to see modified to better assist you?

Provide ideas on how to assist certified collection centers that have a problem with illegal dumping of oil/ filters.

While conducting site visits, we noticed that there were a couple sites that were no longer collect oil/ filters from the public. How do we remove these sites from the list?

Annual Report Certification

"I certify under penalty of perjury, under the laws of the State of California, that I have read the Oil Payment Program (OPP) Guidelines (Guidelines), that the submitted Annual Report and Expenditure information is correct, and that all funds received under the OPP have been expended in accordance with the Guidelines."

X

ahamymmm6

Signature of Signature Authority (as authorized in Resolution) or Authorized Designee (as authorized in Letter of Designation)

08/09/2022

Date

ESA M. Jimenez

Print Name

IMPORTANT! Recipient must print out this page, obtain Signature of Signature Authority, upload signed document to the LoGOPP system, and retain the original document in Recipient's cycle file.

City of Carmel-by-the-Sea
DEPARTMENT OF PUBLIC WORKS

Attachment 2

POST OFFICE BOX CC
CARMEL-BY-THE-SEA, CA 93921
(831) 620-2070

July 12, 2023

Mr. Ric Encarnacion, REHS, MPH
Bureau Chief of Environmental Health Bureau
County of Monterey
1270 Natividad Road
Salinas, CA 93906

Subject: Authorization Letter for the Used Oil Payment Program Cycle 14, Fiscal Year 2023/24

As the City Administrator of the City of Carmel-by-the-Sea, I am authorized to contractually bind the City of Carmel-by-the-Sea. Pursuant to this authority, I hereby authorize the County of Monterey to submit a regional application and act as Lead Agency for the Used Oil Payment Program Cycle 14 for Fiscal Year 2023/24 on behalf of the City of Carmel-by-the-Sea.

The County of Monterey is hereby authorized to execute all documents necessary to implement the grant under the Used Oil Payment Program Cycle 14 (OPP 14).

For any questions, please contact Mary Bilse, Environmental Programs Manager, at 831-620-2078.

Sincerely,

Chip Rerig
City Administrator
P.O. Box CC
Carmel-by-the-Sea, CA 93921

Cc: Robert Harary, P.E., Director of Public Works
Mary Bilse, Environmental Programs Manager



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
CONSENT AGENDA

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Nova Romero, City Clerk |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2023-068 designating Mayor Dave Potter as the voting delegate and Mayor Pro Tem Bobby Richards as the alternative voting delegate at the 2023 annual League of California Cities Conference |

RECOMMENDATION:

Adopt Resolution 2023-068 designating Mayor Dave Potter as the voting delegate and Mayor Pro Tem Bobby Richards as the alternative voting delegate at the 2023 annual League of California Cities Conference.

BACKGROUND/SUMMARY:

Every year, the League of California Cities (LOCC) convenes a member-driven General Assembly at the Cal Cities Annual Conference and Expo. The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy. Taking place on Sept. 22, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. The City's voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, the voting delegate and up to two alternates must be designated by the city council. Designating the voting delegate and alternates must be done by city council action (Resolution) every year and cannot be accomplished by individual action of the mayor or city manager alone. The voting delegate and alternates must be registered to attend the conference.

This year, Mayor Potter and Mayor Pro Tem Richards are registered to attend the League of California cities General Assembly. Adopting Resolution 2023-068 (**attachment 1**) designating Mayor Potter and Mayor Pro Tem Richards as the voting delegate and alternate, respectively, and submitting a copy with the voting delegate form (**attachment 2**) by the deadline of August 28, 2023, will ensure that the City of Carmel-by-the-Sea will have a vote during the 2023 General Assembly.

FISCAL IMPACT:

None for this item.

PRIOR CITY COUNCIL ACTION:

On August 29, 2022, Council adopted Resolution 2022-070 authorizing Mayor Dave Potter as the voting delegate and Mayor Pro Tem Bobby Richards as the alternate voting delegate for the 2022 annual League of California Cities Conference.

ATTACHMENTS:

Attachment 1) Resolution 2023-068

Attachment 2) LOCC Voting Delegate Packet

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-068

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
DESIGNATING MAYOR DAVE POTTER AS THE VOTING DELEGATE AND MAYOR PRO
TEM BOBBY RICHARDS AS THE ALTERNATE VOTING DELEGATE AT THE 2023 ANNUAL
LEAGUE OF CALIFORNIA CITIES GENERAL ASSEMBLY**

WHEREAS, the League of California Cities allows one vote per member city on matters pertaining to League policy; and

WHEREAS, this year the League of California Cities will convene a member-driven General Assembly at the Cal Cities Annual Conference and Expo on September 22, 2023; and

WHEREAS, to cast a vote during the General Assembly, the City must designate a voting delegate and up to two alternate voting delegates by Council action no later than August 28, 2023.

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF
CARMEL-BY-THE-SEA DOES HEREBY:**

Designate Mayor Dave Potter as the voting delegate and Mayor Pro Tem Bobby Richards as the alternate voting delegate at the 2023 annual League of California Cities General Assembly.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 11th day of July, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk

| |
|--|
| Council Action Advised by August 28, 2023 |
|--|

DATE: Wednesday, June 21, 2023

TO: Mayors, Council Members, City Clerks, and City Managers

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference and Expo, Sept. 20-22, 2023,
Sacramento SAFE Credit Union Convention Center**

Every year, the League of California Cities convenes a member-driven General Assembly at the [Cal Cities Annual Conference and Expo](#). The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Sept. 22, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

Please complete the attached voting delegate form and email it to Cal Cities office no later than Monday, August 28.

New this year, we will host a pre-conference information session for voting delegates to explain their role. Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

Please view Cal Cities' [event and meeting policy](#) in advance of the conference.

Action by Council Required. Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council.

Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

Conference Registration Required. The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration is open on the [Cal Cities](#) website.

For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

Seating Protocol during General Assembly. At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the SAFE Credit Union Convention Center in Sacramento, will be open at the following times: Wednesday, Sept. 20, 8:00 a.m.- 6:00 p.m. and Thursday, Sept. 21, 7:30 a.m.- 4:00 p.m. On Friday, Sept. 22, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to Cal Cities office by Monday, Aug. 28. If you have questions, please contact Zach Seals at zseals@calcities.org.

Attachments:

- General Assembly Voting Guidelines
- Voting Delegate/Alternate Form
- Information Sheet: Cal Cities Resolutions and the General Assembly

General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.
6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.
7. **Resolving Disputes.** In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.



CITY: _____

2023 ANNUAL CONFERENCE VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to Cal Cities office by Monday, August 28, 2023. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

To vote at the General Assembly, voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the General Assembly. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the voting delegate desk.

1. VOTING DELEGATE

Name: _____

Email: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

Email: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

Email: _____

ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ Email: _____

Mayor or City Clerk: _____ Date: _____ Phone: _____
(circle one) (signature)

Please complete and email this form to votingdelegates@calcities.org by Monday, August 28, 2023.

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure that we are representing California cities with one voice. These policies directly guide Cal Cities advocacy to promote local decision-making, and lobby against statewide policy that erodes local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how Resolutions and the General Assembly works.

Prior to the Annual Conference and Expo

General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved¹ by either a policy committee or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.²

General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates — one from every member city.

Seven **Policy Committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, municipal department, as well as individuals appointed by the Cal Cities president.

What's new in 2023?



- Voting delegates will receive increased communications to prepare them for their role during the General Assembly.
- The General Assembly will take place earlier to allow more time for debate and discussion.
- Improvements to the General Assembly process will make it easier for voting delegates to discuss and debate resolutions.

¹ The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

² Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
CONSENT AGENDA

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Mary Bilse, Environmental Programs Manager |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2023-069 authorizing the City Administrator to execute a Professional Services Agreement with Denise Duffy & Associates, Inc. for the North Dunes Habitat Restoration Project and On-Call Environmental Services for a not-to-exceed fee of \$111,560 |

RECOMMENDATION:

Approve Resolution 2023-069 authorizing the City Administrator to execute a Professional Services Agreement with Denise Duffy & Associates, Inc., for the North Dunes Habitat Restoration Project and On-Call Environmental Services, for a not-to-exceed fee of \$111,560.

BACKGROUND/SUMMARY:

The North Dunes consist of eight acres of an environmentally-sensitive habitat area. The white sands and native vegetation of the North Dunes have been impacted over past decades by uncontrolled public access and non-native, invasive species, including trees, ground cover, and landscape plantings. To protect and restore this irreplaceable dune habitat, the City implemented the North Dunes Habitat Restoration Project starting in October 2016.

The biological objectives of the North Dunes Habitat Restoration Plan are to eliminate all aggressive non-native species, restore the native dune scrub, expand the population of endangered Tidestrom's lupine, and increase the quantity and quality of available habitat for the California legless lizard. The recreational objectives are to establish a trail system to provide safe visitor access to the North Dunes, without compromising the dune habitat and its wildlife.

Since 2016, consultants and volunteers, notably the Carmel Garden Club, have provided critical services in support of the North Dunes Habitat Restoration Project, including directing the removal of invasive species, guiding the installation of post and cable fencing to minimize trampling of native habitats, monitoring native and endangered species, restoration tasks, weed removal, volunteer oversight, native vegetation planting, and technical reporting.

In August 2021, the Planning Commission adopted Resolution No. 2021-023-PC to extend the Coastal Development Permit for the North Dunes Habitat Restoration Project through October 2026.

Consultant Selection Process

In April 2022, requests for Statements of Qualifications (SOQs) were advertised, from San Jose to Sacramento to San Luis Obispo, seeking qualifications from consultants covering 14 professional service areas, including Environmental Services, with anticipated projects related to the North Dunes Habitat Restoration, Coastal Engineering Study, Climate Adaptation and Action Plan implementation projects, and on-call services.

In May 2022, nine (9) SOQs received for Environmental Services were independently evaluated by a Selection Committee consisting of the Public Works Director and former Environmental Programs Manager. Denise Duffy & Associates, Inc. (DD&A), of Monterey, was determined to be best qualified to provide dune restoration and habitat management and reporting for the North Dunes Habitat Restoration Project, as well for providing On-Call Environmental Services. DD&A's proposed Coastal Biologists for the North Dunes Habitat Restoration Project, Josh Harwayne and John Wandke, have over 35 years of combined experience in coastal ecology and habitat restoration planning and implementation on the Monterey Peninsula.

On-call environmental services have also been necessary over the past many years to periodically provide biological and cultural resource surveys, regulatory consultations and permit application assistance, construction monitoring, and related services.

A Professional Services Agreement was negotiated with DD&A to provide these services for two fiscal years, through June 30, 2025.

FISCAL IMPACT:

The negotiated fee of \$86,560 over two fiscal years for the North Dunes Habitat Restoration Project and \$25,000 for on-call environmental services brings the total not-to-exceed fee of the Agreement to \$111,560, or approximately \$55,780 per Fiscal Year.

In prior fiscal years, the North Dunes Habitat Restoration Project was budgeted as a Capital Improvement Project (CIP), but effective Fiscal Year (FY) 2023/24, budgets for the North Dunes Habitat Restoration Project, and other ongoing, maintenance-oriented projects, have been moved into the applicable department's Operating Budget.

All services performed under this Agreement will be charged to the Public Works/Environmental Programs Division contractual services Account No. 101-119-43-42001. Any on-call environmental services associated with a CIP project would be charged to the Capital Projects Fund Account No. 301-311-00-43008.

PRIOR CITY COUNCIL ACTION:

In June 2023, the City Council adopted Resolution 2023-067, approving the FY 2023/24 Operating Budget, which included funding for the North Dunes Habitat Restoration Project and on-call environmental services.

ATTACHMENTS:

Attachment 1) Resolution 2023-069

Attachment 2) Professional Services Agreement with DD&A

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-069

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH DENISE DUFFY & ASSOCIATES, INC., FOR THE NORTH DUNES HABITAT RESTORATION PROJECT AND ON-CALL ENVIRONMENTAL SERVICES FOR A NOT-TO-EXCEED FEE OF \$111,560

WHEREAS, in June 2023, Council adopted Resolution 2023-067, approving the Fiscal Year 2023/24 Operating Budget, which included funding for the North Dunes Habitat Restoration Project and on-call environmental services; and

WHEREAS, through a rigorous evaluation process, staff identified Denise Duffy & Associates (DD&A) as the most qualified team to provide dune restoration, habitat management and reporting services for the North Dunes Habitat Restoration Project and provide on-call environmental services; and

WHEREAS, on-call environmental services have been necessary over the past many years to periodically provide biological and cultural resource surveys, regulatory consultations and permit application assistance, construction monitoring, and related services; and

WHEREAS, the Professional Services Agreement was negotiated with DD&A to provide services for a base fee of \$86,560 over two fiscal years for the North Dunes Habitat Restoration Project and \$25,000 for on-call environmental services, which brings the total not-to-exceed fee of the Agreement to \$111,560; and

WHEREAS, the Professional Services Agreement expires on June 30, 2025; and

WHEREAS, all services for the North Dunes Restoration Project will be charged to the Public Works/Environmental Programs Division operating budget, and any on-call environmental services associated with a CIP project would be charged to the CIP project.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize the City Administrator to execute a Professional Services Agreement with Denise Duffy & Associates, Inc., for the North Dunes Habitat Restoration Project and On-Call Environmental Services for a not-to-exceed fee of \$111,560.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 11th day of July, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk

PROFESSIONAL SERVICES AGREEMENT
for the
North Dunes Habitat Restoration Project and On-Call Environmental Services
Agreement Number PW-DDA-23-24

THIS AGREEMENT is executed this ____ day of July, 2023, by and between the City of Carmel-By-The-Sea, a municipal corporation, (hereinafter "City"), and Denise Duffy & Associates, Inc., (hereinafter "Consultant"), collectively referred to herein as the "parties".

WHEREAS, the City wishes to engage Consultant to perform the services required by this Agreement; and

WHEREAS, Consultant is willing to render such professional services, as hereinafter defined, on the following terms and conditions; and

WHEREAS, Consultant represents that it is trained, experienced and competent and holds all necessary licenses and certifications to perform the services required by this Agreement.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties hereby covenant and agree as follows:

1. SERVICES

- A. **Scope of Services.** Consultant agrees to provide to the City, as the scope of services ("Scope of Services") under this Agreement, the following: Environmental Planning and Natural Resource Management for the North Dunes Habitat Restoration Project and on-call, as-needed environmental services. The Scope of Services is attached hereto as Exhibit "A." The Scope of Services under this Agreement should include, but is not limited to, a project description, project phases, task descriptions, identification of key personnel, identification of subconsultants, their key personnel and general description of services that will be performed, as further set forth in this Agreement and attachments hereto. Consultant agrees to all of the following:
- i. Consultant will furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculations, and all other means whatsoever, except as otherwise expressly specified in this Agreement, necessary to perform the services required of Consultant under this Agreement.
 - ii. Consultant's designated representative(s) who are authorized to act on its behalf and to make all decisions in connection with the performance of services under this Agreement are listed in Exhibit "B," Key Personnel, Compensation, and Fee Schedule which is made a part of this Agreement.
 - iii. Consultant must make every reasonable effort to maintain the stability and continuity of Consultant's key personnel and subcontractors, if any, listed in Exhibit B to perform the services required under this Agreement. Consultant must notify City and obtain City's written approval with respect of any changes in key personnel prior to the performance of any services by replacement personnel.

- iv. Consultant must obtain City's prior written approval before utilizing any subcontractors to perform any services under this Agreement. This written approval must include the identity of the subcontractor and the terms of compensation.
- v. City may inspect and accept or reject any of Consultant's work under this Agreement, either during performance or when completed. Acceptance of any of Consultant's work by City will not constitute a waiver of any of the provisions of this Agreement.
- vi. The Consultant must maintain any work site in the City in a safe condition, free of hazards to persons and property resulting from its operations.

B. Change Orders.

- i. Agreements and Change Orders exceeding \$24,999 require City Council approval to be valid.
- ii. The City may order changes to the Scope of Services, consisting of additions, deletions, or other revisions, and the compensation to be paid Consultant will be adjusted accordingly. All such changes must be authorized in writing, and executed by Consultant and City. The cost or credit to City resulting from changes in the services will be determined by the written agreement between the parties. However, any increase in compensation beyond the compensation limit amount approved by the City Council must be authorized in advance by the City Council and any service provided by Consultant in the absence of such approval are at Consultant's sole risk.
- iii. Consultant will not be compensated for any services rendered in connection with its performance of this Agreement that are in addition to or outside of those set forth in the Scope of Services or otherwise required by this Agreement, unless such additional services are authorized in advance and in writing by City.
- iv. If Consultant believes that additional services are needed to complete the Scope of Services, Consultant will provide the City Administrator with written notification describing the proposed additional services, the reasons for such services, and a detailed proposal regarding cost.

C. Familiarity with Services and Site.

- i. By executing this Agreement, Consultant represents that Consultant:
 - a. has thoroughly investigated and considered the Scope of Services to be performed;
 - b. has carefully considered how the services should be performed;
 - c. understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement; and
 - d. possesses all licenses required under local, state or federal law to perform the services contemplated by this Agreement, and will maintain all required licenses during the performance of this Agreement.

- ii. If services involve work upon any site, Consultant has or will investigate the site and is or will be fully acquainted with the conditions there existing, before commencing its services. Should Consultant discover any latent or unknown conditions that may materially affect the performance of services, Consultant will immediately inform City of such fact and will not proceed except at Consultant's own risk until written instructions are received from City.

2. COMPENSATION

- A. **Total Fee.** Subject to any limitations set forth in this Agreement, the City agrees to pay and Consultant agrees to accept as full and fair consideration for the performance of this Agreement, hourly fees as set forth in Consultant's Key Personnel, Compensation, and Fee Schedule for the North Dunes Habitat Restoration Project (Exhibit "B"), in an amount not-to-exceed Eighty-Six Thousand Five Hundred and Sixty Dollars (\$86,560) for Fiscal Years 2023/24 and 2024/25. A supplemental services budget of Twenty-Five Thousand Dollars (\$25,000) is available for on-call environmental services. The total amount of One Hundred and Eleven Thousand Five Hundred and Sixty Dollars (\$111,560) is the "Maximum Authorized Expenditure" under this Agreement. The Fee Schedule includes, but is not limited to, fees for each phase and task, not-to-exceed total fee, hourly rates, reimbursable rates and subconsultant mark-up rates. The use of subconsultants will not be considered a reimbursable expense, and such costs must be applied towards the approved budgeted amount. Payment of any compensation to Consultant is contingent upon performance of the terms and conditions of this Agreement to the satisfaction of the City. If the City determines that the Services set forth in the written invoice have not performed in accordance with the terms of this Agreement, the City is not responsible for payment until the Services have been satisfactorily performed.
- B. **Invoicing.** Consultant must submit to the City monthly written invoices to the City's Project Representative, identified in Section 5 below. Invoices must be prepared in a form satisfactory to the City, describing the services rendered and associated costs for the period covered by the invoice. The City will provide invoicing format upon request. Consultant may not bill the City for duplicate services performed by more than one person. Consultant's invoices must include, but are not limited to, the following information:
 - i. Project Title, the City's Purchase Order number and City's Project Code(s) for each project;
 - ii. Invoice number and date;
 - iii. A brief description of services performed for each project phase and/or task;
 - iv. The amount due for the period covered by this invoice for each phase, task, and/or item, including the total amount, with the same for approved Change Orders, if any;
 - v. For time and materials authorizations, the number of hours spent, by whom and their hourly rate for each phase, task and/or item, including the total amount;
 - vi. The costs incurred, including reimbursables, for each phase, task, and/or item for the agreed total compensation and approved Change Orders, if any, along with a brief description of those costs;

- vii. The total amount due for the period covered by this invoice, including subconsultants and vendors of services or goods;
- viii. Copies of subconsultant, vendor, and reimbursable invoices including hourly breakdowns when requested by City.
- ix. Copies of subconsultant and vendor lien releases.

Any such invoices must be in full accord with any and all applicable provisions of this Agreement. Consultant must submit invoices to the City on or before the sixteenth (16th) day of each month for services performed in the preceding month.

The City will review each invoice submitted by Consultant to determine whether the work performed and expenses incurred are in compliance with this Agreement. In the event that no charges or expenses are disputed, the invoice will be approved and paid.

Except as to any charges for work performed or expenses incurred by Consultant that are disputed by City, the City will pay on each such invoice within thirty (30) days of receipt; provided, however, that Consultant submits an invoice which is not incorrect, incomplete, or not in accord with the provisions of this Agreement. If any charges or expenses are disputed by City, the invoice will be returned by City to Consultant for correction and resubmission, and the City will not be obligated to process any payment to Consultant until thirty (30) days after a correct and complying invoice has been submitted by Consultant. Payment to Consultant for services performed under this Agreement may not be deemed to waive any defects in the services performed by Consultant, even if such defects were known to City at the time of payment. City reserves the right to withhold future payment to Consultant if any aspect of the Consultant's work is found to be non-conforming to the terms of this Agreement.

The City is not obligated to pay Consultant a greater percentage of the Maximum Authorized Expenditure than the actual percentage of services completed as of the invoice date.

Consultant agrees to remit and is responsible for all withholding taxes, income taxes, unemployment insurance deductions, and any other deductions required by applicable federal, state or local laws and regulations for Consultant, its employees, subconsultants and vendors of services or goods.

- C. **Adjustment of Maximum Authorized Expenditure.** The City may increase or decrease the Maximum Authorized Expenditure by issuing a Change Order to the Agreement in accordance with Section 1.B "Change Orders" above. Should Consultant consider that any request or instruction from the City's Project Representative constitutes a change in the scope of services, Consultant will advise the City's Project Representative, in writing, within fourteen (14) calendar days of such request or instruction. Without said written advice within the time period specified, the City is not obligated to make any payment of additional compensation to Consultant.
- D. **Hourly Rates.** Payment for all authorized services, including payment for authorized on-call, as-needed services, will be made by the City to Consultant in accordance with the various hourly rates as set forth in the Consultant's Key Personnel, Compensation & Fee Schedule (Exhibit "B").

- E. **Subconsultants and Vendors.** Invoices for subconsultants and vendors of services or goods will be paid by the City to Consultant in accordance with the various rates as set forth in the Consultant's Compensation & Fee Schedule (Exhibit "B"). All reimbursable expenses will be considered as included within the Maximum Authorized Expenditure. Consultant is solely responsible for payment to subconsultants and vendors of services or goods, and the City is not responsible or liable for any payments to subconsultants and vendors, either directly or indirectly.
- F. **Audit and Examination of Accounts:**
- i. Consultant must keep and will cause any assignee or subconsultant under this Agreement to keep accurate books of records and accounts, in accordance with sound accounting principles, which pertain to services to be performed under this Agreement.
 - ii. Any audit conducted of books of records and accounts must be kept in accordance with generally accepted professional standards and guidelines for auditing.
 - iii. Consultant must disclose and make available any and all information, reports, books of records or accounts pertaining to this Agreement to the City and any city of the County of Monterey, or other federal, state, regional or governmental agency which provides funding for these Services.
 - iv. Consultant must include the requirements of Section 2F, "Audit and Examination of Accounts," in all contracts with assignees or subconsultants under this Agreement.
 - v. All records provided for in this Section are to be maintained and made available throughout the performance of this Agreement and for a period of not less than four (4) years after full completion of the Services. All records, which pertain to actual disputes, litigation, appeals or claims, must be maintained and made available for a period of not less than four (4) years after final resolution of such disputes, litigation, appeals or claims.
- G. **On-Call Agreements.** The amount of work (scope of services) to be requested during the Agreement term cannot be well defined at the outset. The Consultant agrees to perform the work on an on-call basis in such increments and at such times as defined in written work requirements issued by the City as the need arises. The Consultant agrees that the offer to perform the work at the various rates as set forth in the Consultant's Fee Schedule (Exhibit "B") remains in effect for all work requirements issued by the City during the Agreement term or until the exhaustion of the Agreement funding limit, whichever occurs first. The City does not guaranty a minimum dollar value of work.

3. AGREEMENT TERM

- A. **Term.** The work under this Agreement will commence by July 1, 2023 and must be completed by June 30, 2025 unless sooner terminated or the City grants an extension of time in writing pursuant to the terms of this Agreement, except for provisions in this Agreement that will survive the termination or completion of this Agreement. Consultant will perform Change Order

services as set out in Section 1.B, “Amendment of Services (Change Orders),” in a timely manner or in accordance with the agreed upon Change Order Project Schedule.

- B. **Timely Work.** Consultant will perform all Services in a timely fashion, as set forth more specifically in Section 3.A, “Term,” and Section 3.C, “Project Schedule,” of this Agreement. Failure to perform is deemed a material breach of this Agreement, and the City may terminate this Agreement with no further liability hereunder, or may authorize, in writing, an extension of time to the Agreement.
- C. **Project Schedule.** Services must be completed by Consultant in accordance with the Project Schedule set forth in Exhibit “C.” The parties may, from time to time, by Change Order, alter the Project Schedule. Consultant will provide the Services pursuant to the Project Schedule or any applicable Project Schedule Change Order. If at any time Consultant discovers that the Project Schedule cannot be met, Consultant must promptly notify the City in writing and provide a revised Project Schedule for review and consideration by City.
- D. **Notice to Proceed.** Upon execution of this Agreement by both parties and the receipt of all documentation required by this Agreement to be provided by Consultant to the City, including proof of insurance and tax identification numbers, the City will issue a written Notice to Proceed to the Consultant. The City may, in its sole discretion, issue subsequent notices from time to time regarding further portions or phases of the work. Upon receipt of such notices, Consultant will diligently proceed with the Services authorized and complete those Services within the agreed time specified in said notice. Consultant will not proceed with any of the Services unless they have received a Notice to Proceed from the City.

4. CONSULTANT’S EMPLOYEES AND SUBCONSULTANTS

- A. **Listed Employees and Subconsultants.** Consultant will perform the Services using the individuals listed in the Key Employees and Subconsultants List attached hereto in Exhibit “B.”
- B. **Substitution of Employees or Subconsultants:**
 - i. Consultant may not substitute any key employee or subconsultant listed in Exhibit “B” without the prior written approval of the City, and such approval will not be unreasonably withheld. The City will not approve removal or substitution of employees or subconsultants for the reason that Consultant or its affiliates has called on such individuals to perform services for another client of the Consultant.
 - ii. If, at any time, the City reasonably objects to the performance, experience, qualifications or suitability of any of Consultant’s employees or subconsultants, then Consultant may, upon written request from the City, replace such employee or subconsultant. Consultant must, subject to scheduling and staffing considerations, make reasonable efforts to replace the individual with an individual of similar competency and experience.
 - iii. Whether or not the City consents to, or requests a substitution of any employee or subconsultant of Consultant, the City will not be liable to pay additional compensation to Consultant for any replacement or substitution.

- C. **Sub-agreements with Subconsultants.** Consultant will incorporate the terms and conditions of this Agreement into all sub-agreements with subconsultants in respect of the Services necessary to preserve all rights of the City under this Agreement. Consultant is fully responsible to the City of all acts and omissions of subconsultants and of persons employed by any subconsultant.
- D. **Not an Agent of the City.** Nothing in this Agreement will be interpreted to render the City the agent, employer, or partner of Consultant, or the employer of anyone working for or subcontracted by Consultant, and Consultant must not do anything that would result in anyone working for or subcontracted by Consultant being considered an employee of the City. Consultant is not, and must not claim to be, an agent of the City.
- E. **Independent Contractor:**
- i. Consultant is an independent contractor. This Agreement does not create the relationship of employer and employee, a partnership, or a joint venture. The City may not control or direct the details, means, methods or processes by which Consultant performs the Services. Consultant is responsible for performance of the Services and may not delegate or assign any Services to any other person except as provided for in this Agreement. Consultant is solely liable for the work quality and conditions of any partners, employees and subconsultants.
 - ii. No offer or obligation of permanent employment with the City or particular City department or agency is intended in any manner, and Consultant may not become entitled by virtue of this Agreement to receive from the City any form of employee benefits including but not limited to sick leave, vacation, retirement benefits, workers' compensation coverage, insurance or disability benefits. Consultant will be solely liable for and obligated to pay directly all applicable taxes, including federal and state income taxes and social security, arising out of Consultant's performance of Services under this Agreement. Consultant will defend, indemnify and hold the City harmless from any and all liability, which the City may incur because of Consultant's failure to pay such taxes.

5. REPRESENTATIVES AND COMMUNICATIONS

- A. **City's Project Representative.** The City appoints the individual named below as the City's Project Representative for the purposes of this Agreement ("City's Project Representative"). The City may unilaterally change its project representative upon notice to Consultant.

| | |
|------------|---|
| Name: | <u>Mary Bilse</u> |
| Title: | <u>Environmental Programs Manager</u> |
| Address: | <u>P.O. Box CC, Carmel-By-The-Sea, CA 93921</u> |
| Telephone: | <u>(831) 620-2078</u> |
| Email: | <u>mbilse@ci.carmel.ca.us</u> |

- B. **Consultant's Project Manager.** Consultant appoints the person named below as its Project Manager for the purposes of this Agreement ("Consultant's Project Manager").

| | |
|--------|------------------------|
| Name: | <u>Josh Harwayne</u> |
| Title: | <u>Project Manager</u> |

Company: Denise Duffy & Associates, Inc
 Address: 947 Cass Street Suite 5, Monterey, CA 93940
 Telephone: (831) 373-4341
 Email: jharwayne@ddaplanning.com

- C. **Meet and Confer**. Consultant agrees to meet and confer with the City's Project Representative, its agents or employees with regard to Services as may be required by the City to insure timely and adequate performance of this Agreement.
- D. **Communications and Notices**. All communications between the City and Consultant regarding this Agreement, including performance of Services, will be between the City's Project Representative and Consultant's Project Manager. Any notice, report, or other document that either party may be required or may wish to give to the other must be in writing and will be validly given to and received by the addressee, if delivered personally, on the date of such personal delivery, if delivered by email, on the date of transmission, or if by mail, seven (7) calendar days after posting.

6. **INDEMNIFICATION**

Consultant hereby agrees to the following indemnification clause:

To the fullest extent permitted by law (including, without limitation, California Civil Code Sections 2782 and 2782.6), Consultant will defend (with legal counsel reasonably acceptable to the City), indemnify and hold harmless the City and its officers, designated agents, departments, officials, representatives and employees (collectively "Indemnitees") from and against claims, loss, cost, damage, injury expense and liability (including incidental and consequential damages, Court costs, reasonable attorneys' fees as may be determined by the Court, litigation expenses and fees of expert consultants or expert witnesses incurred in connection therewith and costs of investigation) to the extent they arise out of, pertain to, or relate to, the negligence, recklessness, or willful misconduct of Consultant, any subconsultant or subcontractor, anyone directly or indirectly employed by them, or anyone that they control (collectively "Liabilities"). Such obligations to defend, hold harmless and indemnify any Indemnitee will not apply to the extent that such Liabilities are caused in part by the active negligence or willful misconduct of such Indemnitee.

Notwithstanding the provisions of the above paragraph, Consultant agrees to indemnify and hold harmless the City from and against all claims, demands, defense costs, liability, expense, or damages arising out of or in connection with damage to or loss of any property belonging to Consultant or Consultant's employees, subconsultants, representatives, patrons, guests or invitees.

In no event will the obligation of the Consultant exceed the limitations on the duty to defend and indemnify as set forth in Civil Code Sections 2782, 2782.6, and 2782.8.

7. **INSURANCE**

Consultant must submit and maintain in full force all insurance as described herein. Without altering or limiting Consultant's duty to indemnify, Consultant must maintain in effect throughout the term of this Agreement a policy or policies of insurance with the following minimum limits of liability:

- A. Commercial General Liability Insurance including but not limited to premises, personal injuries, bodily injuries, property damage, products, and completed operations, with a combined single limit of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate.
- B. Professional Liability Insurance with limits of not less than \$1,000,000 per occurrence or claim and \$2,000,000 in the aggregate. Consultant will have a policy for professional liability coverage that provides coverage on an occurrence basis or obtain extended reporting (tail) coverage (with the same liability limits) for at least three years following the City's acceptance of the work.
- C. Automobile Liability Insurance covering all automobiles, including owned, leased, non-owned, and hired automobiles, used in providing Services under this Agreement, with a combined single limit of not less than \$1,000,000 per occurrence.
- D. Workers' Compensation Insurance. If Consultant employs others in the performance of this Agreement, Consultant must maintain Workers' Compensation insurance in accordance with California Labor Code section 3700 and with a minimum of \$1,000,000 per occurrence.
- E. Other Insurance Requirements:
 - i. All insurance required under this Agreement must be written by an insurance company either:
 - a. admitted to do business in California with a current A.M. Best rating of no less than A:VI; or
 - b. an insurance company with a current A.M. Best rating of no less than A:VII. Exception may be made for the State Compensation Insurance Fund when not specifically rated.
 - ii. Each insurance policy required by this Agreement may not be canceled, except with prior written notice to the City.
 - iii. All liability and auto policies must:
 - a. Provide an endorsement naming the City of Carmel-by-the-Sea, its officers, officials, employees, and volunteers as additional insureds. General liability coverage can be provided in the form of an endorsement to the Consultant's insurance (at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).
 - b. Provide that such Consultant's insurance is primary as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City is excess to the Consultant's insurance and will not contribute with it.
 - c. Contain a "Separation of Insureds" provision substantially equivalent to that used in the ISO form CG 00 01 10 01 or their equivalent.

- d. Provide for a waiver of any subrogation rights against the City via an ISO CG 24 01 10 93 or its equivalent.
- iv. Prior to the start of work under this Agreement, Consultant will file certificates of insurance and endorsements evidencing the coverage required by this Agreement with the City. Consultant will file a new or amended certificate of insurance promptly after any change is made in any insurance policy which would alter the information on the certificate then on file.
- v. Neither the insurance requirements hereunder, nor acceptance or approval of Consultant's insurance, nor whether any claims are covered under any insurance, may in any way modify or change Consultant's obligations under the indemnification clause in this Agreement, which will continue in full force and effect. All coverage available to the Consultant as named insured will also be available and applicable to the additional insured. Notwithstanding these insurance requirements, Consultant is financially liable for its indemnity obligations under this Agreement.
- vi. All policies must be written on a first dollar coverage basis or contain a deductible provision. Any deductibles or self-insured retentions ("SIR") must be declared to and approved by the City. At the option of the City, either: the insured will reduce or eliminate such deductibles or SIR as respects the City, its officers, officials, employees and volunteers; or Consultant will provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration, and defense expenses. In no event will any SIR or insurance policy contain language, whether added by endorsement or contained in the policy conditions, that prohibits satisfaction of any self-insured provision or requirement by anyone other than the named insured, or by any means including other insurance, or which is intended to defeat the intent or protection of an additional insured.
- vii. City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.
- viii. Consultant must require and verify that all subconsultants and subcontractors maintain insurance meeting all the requirements in this Agreement.
- ix. If Consultant, for any reason, fails to have in place at all times during the term of this Agreement all of the required insurance coverage, the City may, but is not obligated to, obtain such coverage at Consultant's expense and deduct the cost from the sums due Consultant. Alternatively, City may terminate the Agreement.
- x. The existence of the required insurance coverage under this Agreement will not be deemed to satisfy or limit Consultant's indemnity obligations under this Agreement. Consultant acknowledges that the insurance coverage and policy limits set forth in this Agreement constitute the minimum coverage and policy limits required. Should any coverage carried by the Consultant or any subcontractor of any tier have limits of liability that exceed the limits or have broader coverage than required in this Agreement, those higher limits and that broader coverage are deemed to apply for the benefit of any person or organization included as an additional insured and those limits and broader coverage

will become the required minimum limits and insurance coverage in all sections of this Agreement. Any insurance proceeds available to City in excess of the limits and coverages required by this Agreement, and which is applicable to a given loss, must be made available to City to compensate it for such losses.

- xi. Consultant must give City prompt notice of claims made of lawsuits initiated that arise out of or result from Consultant's performance under this Agreement, and that involve or may involve coverage under any of the required liability insurance policies.
- xii. The Consultant hereby waives any right of subrogation that any of its insurers may have or that they may accrue out of the payment of any claim related to the Consultant's performance of this Agreement, regardless of whether any endorsements required by this section are obtained.

8. PERFORMANCE STANDARDS

- A. Consultant warrants that Consultant and Consultant's agents, employees, and subconsultants performing Services under this Agreement are specially trained, experienced, and competent and have the degree of specialized expertise contemplated within California Government Code Section 37103, and further, are appropriately licensed to perform the work and deliver the Services required under this Agreement.
- B. Consultant, its agents, employees, and subconsultants must perform all Services in a safe and skillful manner consistent with the usual and customary standards of care, diligence and skill ordinarily exercised by professional consultants in similar fields in accordance with sound professional practices. All work product of Consultant must comply with all applicable laws, rules, regulations, ordinances and codes. Consultant also warrants that it is familiar with all laws that may affect its performance of this Agreement and will advise City of any changes in any laws that may affect Consultant's performance of this Agreement. All Services performed under this Agreement that are required by law to be performed or supervised by licensed personnel must be performed in accordance with such licensing requirements.
- C. Consultant must furnish, at its own expense, all materials, equipment and personnel necessary to carry out the terms of this Agreement. Consultant may not use the City premises, property (including equipment, instruments, or supplies) or personnel for any purpose other than in the performance of its obligations under this Agreement.
- D. Consultant agrees to perform all work under this Agreement to the satisfaction of City and as specified herein. The City's Project Representative or his or her designee will evaluate the work. If the quality of work is not satisfactory, City in its discretion may meet with Consultant to review the quality of work and resolve the matters of concern, and may require Consultant to repeat the work at no additional fee until it is satisfactory.

9. CITY INFORMATION AND RESOURCES

- A. **Available Information.** The City will make available to Consultant all relevant information, plans, maps, reports, specifications, standards and pertinent data which is in the hands of the City and is required by Consultant to perform the Services. Consultant may rely upon the accuracy and

completeness of such information and data furnished by the City, except where it is stated otherwise or unreasonable.

- B. **City Resources.** The City acknowledges that Consultant's ability to provide the Services in accordance with this Agreement may be dependent on the City providing available information and resources in a prompt and timely manner as reasonably required by Consultant. To the extent that the City fails to provide City resources, Consultant will not be liable for any resulting delay in the Services or failure to meet the Project Schedule, but in no event will such delay or failure to provide City resources constitute a breach of this Agreement by the City, nor will Consultant be entitled to extra compensation for same. Consultant's sole remedy shall be an extension of time to complete the Scope of Services.
- C. **Obligations of Consultant.** No reviews, approvals, or inspections carried out or supplied by the City will derogate from the duties and obligations of Consultant, and all responsibility related to performance of the Services will be and remain with Consultant.

10. OWNERSHIP AND USE OF MATERIALS

- A. **Ownership of the Materials.** All data, studies, reports, calculations, field notes, sketches, designs, drawings, plans, specifications, cost estimates, manuals, correspondence, agendas, minutes, notes, audio-visual materials, photographs, models, software data, computer software (if purchased on the City's behalf) and other documents or products produced by Consultant under this Agreement (collectively, "the Materials") are and will remain the property of the City even though Consultant or another party may have physical possession of them or a portion thereof. Consultant hereby waives, in favor of the City, any moral rights Consultant, its employees, subconsultants, vendors, successors or assignees may have in the Materials.
- B. **No Patent or Copyright Infringement.** Consultant guarantees that in its creation of the Materials produced under this Agreement, no federal or state patent or copyright laws were violated. Consultant agrees that all copyrights, which arise from creation of the work or Services pursuant to this Agreement, will be vested in the City and waives and relinquishes all claims to copyright or intellectual property rights in favor of the City. Consultant covenants that it will defend, indemnify and hold City harmless from any claim or legal action brought against the City for alleged infringement of any patent or copyright related to City's use of Materials produced by Consultant and its employees, agents and subconsultants under this Agreement.
- C. **Delivery and Use of the Materials.** All Materials will be transferred and delivered by Consultant to the City without further compensation following the expiration or sooner termination of this Agreement, provided that the City may, at any time prior to the expiration or earlier termination of this Agreement, give written notice to Consultant requesting delivery by Consultant to the City of all or any part of the Materials in which event Consultant must forthwith comply with such request. The Materials created electronically must be submitted in a format and medium acceptable to the City. The Materials may be used by the City in any manner for the intended purpose or as part of its operations associated with the Materials.
- D. **Survival of Ownership and Use Provisions.** The provisions contained in Section 10, Ownership and Use of Materials survives the expiration or earlier termination of this Agreement, and that this Section is severable for such purpose.

- E. **Additional Copies.** If the City requires additional copies of reports, or any other material that Consultant is required to furnish as part of the Services under this Agreement, Consultant must provide such additional copies, and the City will compensate Consultant for the actual costs related to the production of such copies by Consultant.

11. CONFIDENTIALITY

- A. **No Disclosure.** Consultant must keep confidential and may not disclose, publish or release any information, data, or confidential information of the City to any person other than representatives of the City duly designated for that purpose in writing by the City. Consultant may not use for Consultant's own purposes, or for any purpose other than those of the City, any information, data, or confidential information Consultant may acquire as a result of the performance of the Services under this Agreement. Consultant must promptly transmit to the City any and all requests for disclosure of any such confidential information or records. The obligations under this Section will survive the expiration or earlier termination of this Agreement.
- B. **California Public Records Act.** Consultant acknowledges that the City is subject to the California Public Records Act (Government Code Section 6250 et seq.), known as the "PRA," and agrees to any disclosure of information by the City as required by law. Consultant further acknowledges that it may have access to personal information as defined under the PRA, and Consultant will not use any such personal information for any purposes other than for the performance of Services under this Agreement without the advance written approval of the City.

All Scopes of Services and related documents received will be public records, with the exception of those elements, identified by the Consultant as business trade secrets and are plainly marked "Trade Secret," "Confidential," or "Proprietary." If disclosure is required under the PRA or otherwise by law, the City will not be liable or responsible for the disclosure of any such records and the Consultant will indemnify, defend, and hold the City harmless for any such disclosure.

12. CONFLICT OF INTEREST

Consultant covenants that neither Consultant, nor any officer, principal or employee of its firm, has or will acquire any interest, directly or indirectly, that would conflict in any manner with the interests of City relating to this Agreement or that would in any way hinder Consultant's performance of services under this Agreement. Consultant's attention is directed to the conflict of interest rules applicable to governmental decision-making contained in the Political Reform Act (California Government Code Section 87100 and following) and its implementing regulations (California Code of Regulations, Title 2, Section 18700 et seq.), and California Government Code section 1090.

Consultant is required to file a Form 700 in compliance with the City's Conflict of Interest Code unless a written determination by the City Administrator is made modifying or eliminating said requirement, or unless otherwise exempted by law.

In addition, Consultant, Consultant's employees, and subconsultants agree as follows:

- A. That they will conduct their duties related to this Agreement with impartiality, and must, if they exercise discretionary authority over others in the course of those duties, disqualify themselves from dealing with anyone with whom a relationship between them could bring the impartiality of Consultant or its employees into question;
- B. May not influence, seek to influence, or otherwise take part in a decision of the City knowing that the decision may further their private interests;
- C. May not accept any commission, discount, allowance, payment, gift, or other benefit connected, directly or indirectly, with the performance of Services related to this Agreement, that causes, or would appear to cause, a conflict of interest;
- D. May have no financial interest in the business of a third party that causes, or would appear to cause, a conflict of interest in connection with the performance of the Services related to this Agreement, and if such financial interest is acquired during the term of this Agreement, Consultant must promptly declare it to the City, and;
- E. May not, during the term of this Agreement, perform a service for, or provide advice to, any person, firm, or corporation, which gives rise to a conflict of interest between the obligations of Consultant under this Agreement and the obligations of Consultant to such other person, firm or corporation.

13. DISPUTE RESOLUTION

- A. **Dispute Resolution Procedures.** The parties will make reasonable efforts to promptly resolve any dispute, claim, or controversy arising out of or related to this Agreement (“Dispute”) using the Dispute Resolution Procedures set forth in this Section.
- B. **Negotiations.** First, the City’s Project Representative and Consultant’s Project Manager will make reasonable efforts to resolve any Dispute by amicable negotiations and will provide frank, candid, and timely disclosure of all relevant facts, information, and documents to facilitate negotiations. Should these negotiations be unsuccessful in resolving the Dispute, the matter will be promptly referred to the City Administrator or designee, and the Consultant’s Principal, who will meet and confer, in good faith, to resolve the Dispute to mutual satisfaction of the parties.
- C. **Mediation.** If all or any portion of a Dispute cannot be resolved by good faith negotiations as set forth above within thirty (30) days of the date that the matter was referred to the City Administrator pursuant to subsection B above, either party may, by notice to the other party, submit the Dispute for formal mediation to a mediator selected mutually by the parties from the Monterey Superior Court’s Court-Directed Mediator Panel list. The duration of any such mediation may not exceed 2 hours unless otherwise agreed to by the parties. The cost of the mediation (including fees of mediators) will be borne equally by the parties, and each party will bear its own costs of participating in mediation. The mediation will take place within or in close proximity to the City of Carmel-by-the-Sea.

In any mediation conducted pursuant to this section, the provisions of California Evidence Code section 1152 will be applicable to limit the admissibility of evidence disclosed by the parties in the course of the mediation. In the event the parties are unsuccessful in resolving the dispute

through the mediation process, then the parties agree that the dispute will be submitted to Binding Arbitration to a single Arbitrator in accordance with the existing Rules of Practice and Procedure of the Judicial Arbitration and Mediation Services, Inc. (JAMS) within thirty (30) days of the close of mediation as declared by the mediator.

- D. **Arbitration.** The submission to Mediation and Arbitration in accordance with the requirements of this section of any and all agreements, differences, or controversies that may arise hereunder is made a condition precedent to the institution of any action or appeal at law or in equity with respect to the controversy involved. The award by the arbitrator will have the same force and effect and may be filed and entered, as a judgment of the Superior Court of the State of California and is subject to appellate review upon the same terms and conditions as the law permits for judgments of Superior Courts. A "Prevailing Party" will be determined in the Arbitration, and the prevailing party will be entitled to reasonable attorney's fees and costs incurred, and accrued interest on any unpaid balance that may be due. Costs will include the cost of any expert employed in the preparation or presentation of any evidence. All costs incurred and reasonable attorney fees will be considered costs recoverable in that proceeding, and be included in any award.

14. TERMINATION OF AGREEMENT

- A. **Termination for Cause or Default.** The City reserves the right to immediately terminate this Agreement, in whole or in part, if Consultant or any subconsultant defaults or fails to deliver the Services in accordance with the terms and conditions of this Agreement. Such termination must be in writing, setting forth the effective date of termination, and will not result in any penalty or other charges to the City, and may be issued without any prior notice. Without limitation, Consultant is in default of its obligations contained in this Agreement if Consultant, or any subconsultant:
- i. Fails to perform the required Services within the term and/or in the manner provided under this Agreement;
 - ii. Fails to supply sufficient, properly skilled workers or proper workmanship, products, material, tools and equipment to perform the Services;
 - iii. Fails to observe or comply with all laws, ordinances, including all requirements of governmental or quasi-governmental authorities, including federal, state, and local government enactments, bylaws, and other regulations now or, following the date of this Agreement, in force that pertain to;
 - iv. Fails to observe or comply with the City's reasonable instructions;
 - v. Breaches the Conflict of Interest provisions of this Agreement; or
 - vi. Otherwise violates any provision of this Agreement.
- B. **Termination for Convenience.** The City may, at its option and sole discretion, terminate this Agreement, in whole or in part, with or without cause, at any time during the Agreement Term for the convenience of the City, upon ten (10) days written notice to the Consultant.

C. Steps after Termination:

- i. Upon termination of this Agreement by the City for any reason, the City will pay Consultant for satisfactorily performed Services and disbursements incurred by Consultant to the date of termination pursuant to this Agreement Termination will be without prejudice to any other rights or remedies the City may have.
- ii. Upon receipt of written notice of termination of this Agreement by the City for any reason, Consultant must:
 - a. Promptly cease all Services, including Services provided by any subconsultant, unless otherwise directed by the City; and
 - b. Deliver to the City all the Materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement. Such Materials are to be delivered to the City in completed form; however, notwithstanding the provisions of Section 10, Ownership and Use of Materials, herein, the City may condition payment for services rendered to the date of termination upon Consultant's delivery to the City of such Materials.
- iii. If this Agreement is terminated by the City for any reason, the City is hereby expressly permitted to assume the projects and Services, and to complete them by any means including, but not limited to, an agreement with another party.

15. LEGAL ACTION / VENUE

- A. Should either party to this Agreement bring legal action against the other, the validity, interpretation and performance of this Agreement will be controlled by and construed under the laws of the State of California, excluding California's choice of law rules.
- B. Venue for any such action relating to this Agreement will be in Monterey County.
- C. If any legal action or proceeding, including action for declaratory relief, is brought for the enforcement of this Agreement or because of an alleged dispute, breach, default or misrepresentation in connection with this Agreement, the prevailing party may recover reasonable attorneys' fees as may be determined by the Arbitrator, experts' fees, and other costs, in addition to any other relief to which the party may be entitled.

16. MISCELLANEOUS PROVISIONS

- A. **Non-discrimination.** During the performance of this Agreement, Consultant, and its subconsultants, may not unlawfully discriminate against any person because of race, religious creed, color, sex, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, or sexual orientation, either in Consultant's employment practices or in the furnishing of services to recipients. Consultant further acknowledges that harassment in the workplace is not permitted in any form, and will take all necessary actions to prevent such conduct.

- B. **Acceptance of Services Not a Release.** Acceptance by the City of the Services to be performed under this Agreement does not operate as a release of Consultant from professional responsibility for the Services performed.
- C. **Force Majeure.** Either party is absolved from its obligation under this Agreement when and to the extent that performance is delayed or prevented, and in the City's case, when and to the extent that its need for vehicles, materials, or Services to be supplied hereunder are reduced or eliminated by any course, except financial, for reasons beyond its control. Such reasons include, but are not limited to: earthquake, flood, epidemic, fire, explosion, war, civil disorder, act of God or of the public enemy, act of federal, state or local government, or delay in transportation to the extent that they are not caused by the party's willful or negligent acts or omissions, and to the extent that they are beyond the party's reasonable control.
- D. **Headings.** The headings do not govern, limit, modify, or in any manner affect the scope, meaning or intent of the provisions of this Agreement. The headings are for convenience only.
- E. **Entire Agreement.** This Agreement, including the Exhibits attached hereto, constitutes the entire agreement between the parties hereto with respect to the terms, conditions, and Services and supersedes any and all prior proposals, understandings, communications, representations and agreements, whether oral or written, relating to the subject matter thereof pursuant to Section 1B, "Change Order of Services." Any Change Order to this Agreement will be effective only if it is in writing signed by both parties hereto and will prevail over any other provision of this Agreement in the event of inconsistency between them.
- F. **Conflict between Agreement and Exhibits.** In the event of a conflict between a provision in this Agreement and a provision in an Exhibit attached to this Agreement, the provisions in this Agreement will take precedence.
- G. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which will be deemed an original, and may be signed in counterparts, but all of which together will constitute one and the same Agreement.
- H. **Multiple Copies of Agreement.** Multiple copies of this Agreement may be executed, but the parties agree that the Agreement on file in the office of the City's City Clerk is the version of the Agreement that governs should any difference exist among counterparts of this Agreement.
- I. **Authority.** Any individual executing this Agreement on behalf of the City or Consultant represents and warrants hereby that he or she has the requisite authority to enter into this Agreement on behalf of such party and bind the party to the terms and conditions of this Agreement.
- J. **Severability.** If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions will not be impaired thereby. Limitations of liability and indemnities will survive termination of the Agreement for any cause. If a part of the Agreement is valid, all valid parts that are severable from the invalid part remain in effect. If a part of this Agreement is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

- K. **Non-exclusive Agreement.** This Agreement is non-exclusive and both the City and Consultant expressly reserve the right to enter into agreements with other Consultants for the same or similar services, or may have its own employees perform the same or similar services.
- L. **Assignment of Interest.** The duties under this Agreement are not assignable, delegable, or transferable without the prior written consent of the City. Any such purported assignment, delegation, or transfer constitutes a material breach of this Agreement upon which the City may terminate this Agreement and be entitled to damages.
- M. **City Business License.** Prior to receiving a Notice to Proceed from the City, Consultant will obtain and maintain a valid City of Carmel-by-the-Sea Business License for the duration of the Agreement. Costs associated with the license are the responsibility of Consultant.
- N. **Laws.** Consultant agrees that in the performance of this Agreement it will comply with all applicable federal, state and local laws and regulations. This Agreement will be governed by and construed in accordance with the laws of the State of California and the City of Carmel-by-the-Sea.

IN WITNESS WHEREOF, the parties enter into this Agreement hereto on the day and year first above written in Carmel-by-the-Sea, California.

CITY OF CARMEL-BY-THE-SEA

CONSULTANT

City Administrator

Consultant Signature

Chip Rerig Date

Printed Name Date

Title

Consultant Legal Company Name

APPROVED AS TO FORM:

By: _____
Brian Pierik, Esq., City Attorney

Date: _____

ATTEST:

By: _____
Nova Romero, MMC, City Clerk

Date: _____

Exhibit "A" Scope of Services
Exhibit "B" Key Personnel, Compensation, and Fee Schedule
Exhibit "C" Project Schedule

Exhibit A: Scope of Services

Project #1: North Dunes Habitat Restoration Project Scope of Services:

1. Project Initiation/Logistics/Communication
This task includes review of existing and relevant project materials and pre-project communication and coordination. During this period DD&A will work with the City to refine the project schedule, scope, and pathway.
2. Administration/Overhead
Contract management and administrative staff time.
3. Meetings/Public Hearings
This task includes site meetings, in office meetings, remote meetings and additional coordination and communication between the DD&A team, the City of Carmel and other stakeholders and participants as needed and necessary. This task may also include hearings or participation in other public meetings to support City staff and convey important information and milestones specific to the project.
4. Maintenance Inspections (6 events)
Inspections of the boardwalk, guideline fencing, and walkways will be conducted. Repair needs will be communicated to City staff.
5. Annual Monitoring and Reporting
Qualitative site monitoring will occur to evaluate plant survival, herbivory, and weed control priorities. Tidestrom's lupine areas will be monitored bi-weekly for phenological data (timing of vegetative growth, budding, flowering, fruiting, seed dispersal) and to note the density of juvenile seedlings and reproductive plants. Permanent line transects that have previously been established will be monitored at peak vegetative growth to determine percent cover of:
 - a. Native Species
 - b. Non-native species
 - c. Native debris (cypress, pine, needles, oak leaves)
 - d. Non-native debris (dead iceplant, acacia leaves, eucalyptus leaves/bark) Bare sand (clean)
 - e. Dirty sand (sift-able sand with small flecks of debris)

One Draft Annual Report will be prepared for Fiscal Year (FY) 2022/2023 and FY 2023/2024; one Draft Annual Report will be prepared for FY 2024/2025. The Draft Report will include quantitative analysis of Species Diversity and Percent Plant Cover. The Draft Report will include photos of the site during the monitoring period.

The Draft report will be submitted to the City for review and comments. DD&A will respond to one combined round of comments from City staff and revise the report to Final. The City will provide the Final Annual Report to the California Coastal Commission and the California Department of Fish and Wildlife.

6. Special Status Species Management Permit Reporting

Species to be monitored include: Tidestrom's lupine and California legless lizard. Quantitative data collected during monitoring and as reported to DD&A by the plant installation crews and volunteers will be included in the Annual Report described above.

7. Exclusions

Please note that DD&A staff will conduct monitoring and reporting services for this project, but will not conduct or manage plant installation, maintenance activities or volunteer coordination.

Project #2: On-call Environmental Services Scope of Services:

Scope of services for future on-call projects are unknown at this time but may include, but are not limited to:

- Biological and Cultural Surveys and Impact Analysis
- CEQA Preparation and Consulting
- Climate Adaptation and Climate Action Plan Implementation Services
- Condition Compliance Services
- Construction Worker Sensitive Habitat Awareness Training
- Habitat Management
- Interpretive Signage Design for North Dunes Habitat Restoration Site
- Land Planning and Document Preparation
- Municipal Planning and Document Preparation
- Plan Review and Preparation
- Regulatory Permitting
- Sensitive Habitat Restoration Plans and Specifications
- Technical Support for Environmental Grant Applications

Exhibit B: Key Personnel, Compensation, and Fee Schedule

Project #1 North Dunes Restoration Services total fee is \$84,960 and billed at hourly rates

The budget for the initial project FY 23/24 (North Dunes Habitat Restoration Project), is presented below:

| City of Carmel - North Dunes Habitat Restoration Project | | | | | | |
|---|--|--|---|--|-----------------|-------------------|
| Two Year Budget for FY 23/24 | | | | | | |
| Task # | Tasks | Josh Harwayne, Senior Project Manager | John Wandke, Senior Environmental Scientist II | Mary Echevarria, Administrative | Subtotal | Task Total |
| | Hourly Rate | \$178.00 | \$163.00 | \$93.00 | | |
| Task 1 | Project Management | | | | | \$16,904 |
| 1.1 | <i>Project Initiation/Logistics/Communication</i> | 16 | 32 | - | \$8,064 | |
| 1.2 | <i>Administration/Overhead</i> | - | - | 16 | \$1,488 | |
| 1.3 | <i>Meetings/Public Hearings</i> | 12 | 32 | - | \$7,352 | |
| Task 2 | Annual Monitoring and Reporting | | | | | \$24,424 |
| 2.1 | <i>Maintenance Inspections (6 events)</i> | - | 24 | - | \$3,912 | |
| 2.2 | <i>Annual Monitoring and Reporting</i> | 16 | 80 | - | \$15,888 | |
| 2.3 | <i>Special Status Species Management Permit Reporting (Excludes acquisition of new authorization, if needed)</i> | 4 | 24 | - | \$4,624 | |
| Total Hours by Staff | | 48 | 192 | 16 | | |
| Subtotal | | \$8,544 | \$31,296 | \$ 1,488 | \$41,328 | \$41,328 |
| TOTAL ESTIMATED COST | | | | | | \$42,128 |

| Other Expenses | | |
|-----------------------|------------------------|--------------|
| | Mileage, supplies, GIS | \$800 |
| | Total | \$800 |

The budget for the initial project FY 24/25 (North Dunes Habitat Restoration Project), is presented below:

| City of Carmel - North Dunes Habitat Restoration Project | | | | | | |
|--|--|---------------------------------------|---|---------------------------------|-----------------|-----------------|
| Two Year Budget for FY 24/25 | | | | | | |
| Task # | Tasks | Josh Harwayne, Senior Project Manager | John Wandke, Senior Environmental Scientist | Mary Echevarria, Administrative | Subtotal | Task Total |
| | Hourly Rate | \$180.00 | \$166.00 | \$95.00 | | |
| Task 1 | Project Management | | | | | \$17,184 |
| 1.1 | Project Initiation/Logistics/Communication | 16 | 32 | - | \$8,192 | |
| 1.2 | Administration/Overhead | - | - | 16 | \$1,520 | |
| 1.3 | Meetings/Public Hearings | 12 | 32 | - | \$7,472 | |
| Task 2 | Annual Monitoring and Reporting | | | | | \$24,848 |
| 2.1 | Maintenance Inspections (6 events) | - | 24 | - | \$3,984 | |
| 2.2 | Annual Monitoring and Reporting | 16 | 80 | - | \$16,160 | |
| 2.3 | Special Status Species Management Permit Reporting (Excludes acquisition of new authorization, if needed) | 4 | 24 | - | \$4,704 | |
| Total Hours by Staff | | 48 | 192 | 16 | | |
| Subtotal | | \$8,640 | \$31,872 | \$1,520 | \$42,032 | \$42,032 |
| TOTAL ESTIMATED COST | | | | | | \$42,832 |

| | | |
|--|------------------------|--------------|
| | Other Expenses | |
| | Mileage, supplies, GIS | \$800 |
| | Total | \$800 |

Project #2: On-Call Environmental will be on a T&M or Fixed-fee basis per the hourly rates

Below is the rate schedule for additional future on-call projects:

| No. | Key Personnel from FORM C | Role | Fully Burdened Hourly Rates | | |
|-----|--|--|-----------------------------|-----------------------|-----------------------|
| | | | 7/1/2022 to 6/30/2023 | 7/1/2023 to 6/30/2024 | 7/1/2024 to 6/30/2025 |
| 1. | Erin Harwayne, AICP | Senior Project Manager | \$175 | \$178 | \$180 |
| 2. | Matthew Johnson | Senior Environmental Scientist II | \$161 | \$163 | \$166 |
| 3. | John Wandke | Senior Environmental Scientist I | \$142 | \$145 | \$148 |
| 4. | Diana Staines, AICP | Assistant Project Manager | \$128 | \$131 | \$133 |
| 5. | Kurt Legleiter | Air Quality and Noise Analyses | \$155 | \$160 | \$165 |
| 6. | Reilly Murphy | Archaeological and Historic Reports | \$125.95 | \$129.73 | \$133.62 |
| No. | Other Staff (or Classifications) | Role | Fully Burdened Hourly Rates | | |
| | | | 7/1/2022 to 6/30/2023 | 7/1/2023 to 6/30/2024 | 7/1/2024 to 6/30/2025 |
| 5. | Principal | Principal | \$242 | \$246 | \$249 |
| 6. | Senior Compliance Manager/ Engineering Specialist | Senior Compliance Manager/ Engineering Specialist | \$204 | \$207 | \$210 |
| 7. | Senior Project Manager | Senior Project Manager | \$175 | \$178 | \$180 |
| 8. | Principal Planner | Principal Planner | \$183 | \$186 | \$189 |
| 9. | Senior Botanist | Senior Botanist | \$162 | \$164 | \$167 |
| 10. | Senior Planner/ Senior Env. Scientist II | Senior Planner/ Senior Env. Scientist II | \$161 | \$163 | \$166 |
| 11. | Project Manager | Project Manager | \$153 | \$156 | \$159 |
| 12. | Senior Planner/Scientist I | Senior Planner/Scientist | \$142 | \$145 | \$148 |
| 13. | Assistant Project Manager | Assistant Project Manager | \$128 | \$131 | \$133 |
| 14. | Assoc. Planner/Env. Scientist II | Assoc. Planner/Env. Scientist II | \$120 | \$122 | \$125 |
| 15. | Assoc. Planner/Env. Scientist I | Assoc. Planner/Env. Scientist I | \$116 | \$118 | \$121 |
| 16. | Assist. Planner/Env Scientist II | Assist. Planner/Env Scientist II | \$108 | \$110 | \$112 |
| 17. | Assist. Planner/Env Scientist I | Assist. Planner/Env Scientist I | \$104 | \$106 | \$108 |
| 18. | GIS/Computer Specialist | GIS/Computer Specialist | \$111 | \$113 | \$115 |
| 19. | Administrative Manager | Administrative Manager | \$90 | \$93 | \$95 |
| 20. | Graphics | Graphics | \$85 | \$88 | \$90 |
| 21. | Planning Technician | Planning Technician | \$77 | \$79 | \$82 |
| 22. | Administrative Assistant | Administrative Assistant | \$70 | \$72 | \$74 |

Note: Direct cost shall be billed with a maximum markup of 10%

Exhibit C: Project Schedule

Project #1 North Dunes Habitat Restoration Project - Schedule

| Project Schedule | |
|--|--|
| Project Initiation/Kick-Off Meeting | July/August 2023 |
| Maintenance Inspections (6 events) | August 2023 December 2023 April 2024 August 2024 December 2024 April 2025 |
| Draft Project Status Update Memo for Fiscal Year (FY) 2022/FY 2023 | August 2023 |
| 1 st Public Hearing for FY 2022/FY 2023 Project Status | September 2023 |
| Draft Annual Report for Fiscal Year (FY) 2022/FY 2023 and FY 2023/2024 Submitted to City | June 2024 |
| Final Annual Report for FY 2022/FY 2023 and FY 2023/2024 Submitted to City | July 2024 |
| 2 nd Public Hearing for FY 2022/FY 2023 and FY 2023/2024 Annual Report | August 2024 |
| Draft Annual Report for FY 2024/2025 Submitted to City | May 2025 |
| Final Annual Report for FY 2024/2025 Submitted to City | June 2025 |



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Robert Harary, P.E, Director of Public Works

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2023-070, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Davey Resource Group for additional services to complete the Urban Forest Master Plan, for a not-to-exceed fee of \$45,000

RECOMMENDATION:

Adopt Resolution 2023-070, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Davey Resource Group for additional services to complete the Urban Forest Master Plan, for a not-to-exceed fee of \$45,000.

BACKGROUND/SUMMARY:

In December 2021, the City submitted an application to the California Department of Forestry and Fire Protection (Cal Fire) requesting \$150,000 to support the creation of the City's Urban Forestry Master Plan (UFMP). At the May 2, 2022 Special Meeting, the City Council adopted Resolution 2022-040, accepting the \$150,000 grant.

In August 2022, Council adopted Resolution 2022-068, approving a Budget Amendment of \$150,000 to the Fiscal Year 2022/23 Adopted Budget for the Cal Fire Grant, and authorizing the City Administrator to execute a Professional Services Agreement with Davey Resource Group for development of the Urban Forestry Master Plan, for a not-to-exceed fee, with contingency, of \$160,000.

In June 2023, Council adopted Resolution 2023-067, approving an increase of \$57,100 to complete the UFMP Capital Improvement Project.

Due to legal and contractual issues, the project was initially delayed three months, but since then, Davey Resource Group has been making good progress with technical studies associated with development of the Urban Forest Master Plan.

The following outlines key services under the original Agreement, completed and proposed services under Amendment No. 1, as well as the status for each task as of mid-June 2023:

- Inventory of 6,000 City trees, including geo-coded locations and condition assessments in compliance with the Cal Fire grant requirements – Complete
- Inventory of 4,000 additional City trees, per Amendment No. 1 – Complete
- Inventory of final 500+ additional City trees, per Amendment No. 1 - Complete
- GIS mapping – Complete
- Operational Review of City's tree care and maintenance practices – 80% complete
- Background Review (regulations, policies, guiding documents) – 75% complete
- Tree Canopy and Land Cover Assessments – 50% complete
- Economics Analysis/Value of the urban forest – 5% complete
- Stormwater Analysis (pollution assessment) – not yet started
- Priority Planting Plan/Tree Placement Model - not yet started
- Review/Update Tree Palette, per Amendment No. 1 - not yet started
- Stakeholder Interviews and Community Survey – 25% complete
- 1st Community Workshop – Scheduled for July 12
- Forest and Beach Commission presentation – Scheduled for August 10, 2023
- Draft Urban Forest Master Plan Report - 40% complete

Services for Amendment No. 1 were negotiated with Davey Resources Group with a base fee increase of \$38,570. An additional increase of \$6,430 is recommended for additional Supplemental Services that may be needed to complete the project. These supplemental services are predominantly ear-marked for additional community workshops and presentations.

There is no change to the overall project schedule, and the final UFMP report and associated services are anticipated to be completed by late Spring 2024.

FISCAL IMPACT:

The fee for additional services included in Amendment No. 1 is \$38,570. An additional budget of \$6,430 is recommended for Supplemental Services that may be needed to complete the project, such as for additional community workshops and presentations. The total fee for Amendment No. 1 is \$45,000, and the total not-to-exceed fee for the original Agreement plus Amendment No. 1 is \$205,000.

Sufficient funding is available in the Capital Projects Fund, Account #301-311-00-43008 for Amendment No. 1 services.

PRIOR CITY COUNCIL ACTION:

In May 2022, Council adopted Resolution 2022-040, accepting a \$150,000 reimbursable grant from Cal Fire for funding of the Urban Forest Master Plan.

In August 2022, Council adopted Resolution 2022-068, approving a Budget Amendment of \$150,000 to the Fiscal Year 2022/23 Adopted Budget for the Cal Fire Grant, and authorizing the City Administrator to execute a Professional Services Agreement with Davey Resource Group for development of the Urban Forestry Master Plan, for a not-to-exceed fee, with contingency, of \$160,000.

In June 2023, Council adopted Resolution 2023-067, approving an increase of \$57,100 to complete the UFMP Capital Improvement Project.

ATTACHMENTS:

Attachment 1) Resolution 2023-070

Attachment 2) Amendment No. 1 with Davey Resource Group

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH DAVEY RESOURCE GROUP FOR ADDITIONAL SERVICES TO COMPLETE THE URBAN FOREST MASTER PLAN, FOR A NOT-TO-EXCEED FEE OF \$45,000

WHEREAS, in May 2022, Council adopted Resolution 2022-040 accepting a \$150,000 reimbursement grant from the California Department of Forestry and Fire Protection (Cal Fire) to prepare the City's Urban Forest Master Plan (UFMP); and

WHEREAS, in August 2022, Council adopted Resolution 2022-068 awarding a Professional Services Agreement to Davey Resource Group to prepare the UFMP for a not-to-exceed fee, with contingency, of \$160,000; and

WHEREAS, in June 2023, Council adopted Resolution 2023-067 approving the carry-over of the UFMP into the FY 2023/24 Capital Improvement Plan and appropriated a budget increase of \$57,100 to complete the project; and

WHEREAS, during the development of the UFMP, in addition to the 6,000 City trees to be inventoried, assessed, and geo-coded into the City's tree care software program per the Agreement, approximately 4,500 additional City trees were identified and needed to be inventoried and included into the UFMP; and

WHEREAS, in consideration of Climate Change and the Winter 2023 storm impacts to the Urban Forest, a Tree Palette was also identified as a necessary document to include in the City's UFMP; and

WHEREAS, Amendment No. 1 to the Professional Services Agreement was negotiated with Davey Resource Group to provide these additional services for a fee of \$38,570, and an additional budget of \$6,430 was included for additional Supplemental Services, such as for additional community workshops and presentations, that may be needed to complete the project; and

WHEREAS, sufficient funding is available for these services in the Capital Projects fund account.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Davey Resource Group for additional services to complete the Urban Forest Master Plan, for a not-to-exceed fee of \$45,000.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 11th day of July, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk

**AMENDMENT NO. 1 TO
AGREEMENT #PWD-DAVEY-181-22-23**

URBAN FOREST MASTER PLAN ADDITIONAL SERVICES

1. This amendment (the "Amendment") is made by **City of Carmel-by-the-Sea** and **Davey Resource Group**, parties to Agreement # PWD-DAVEY-181-22-23 (the "Agreement") executed on August 2, 2022.

2. The Agreement is amended as follows:

a. Section 1, Services, is amended to include the following additional professional services for the Urban Forest Master Plan, as described in the Scope of Services in Exhibit A.1:

- Additional Inventory of 4,000 trees
- Additional Inventory of up to an additional 500+ trees
- Update Tree List: Review/Update Tree Palette
- Additional Supplemental Services

b. Section 2, Compensation, of the Agreement is amended and restated as follows:

Subject to any limitations set forth in this Agreement, the City agrees to pay and Consultant agrees to accept as full and fair consideration for the performance of this Agreement, hourly fees as set forth in Key Personnel & Fee Schedule (Exhibit B") and Consultant's Compensation for Additional Services (Exhibit "C.1") in an amount of Forty-Five Thousand Dollars (\$45,000). Therefore, the "Maximum Authorized Expenditure" under this Agreement, including Amendment No. 1, shall be Two Hundred Five Thousand Dollars (\$205,000).

c. Section 3, Agreement Term, of the Agreement is amended as follows:

- Term, Paragraph A: The work under this Agreement will commence by August 8, 2022 and must be completed by June 30, 2025 unless sooner terminated or the City grants an extension of time in writing pursuant to the terms of this Agreement, except for provisions in this Agreement that will survive the termination or completion of this Agreement.
- Project Schedule, Paragraph C, remains as shown in the original Agreement, Exhibit D.

d. Section 5, Representatives and Communication, paragraph A, of the Agreement is amended and restated as follows:

City's Project Representative. The City appoints the individual named below as the City's Project Representative for the purposes of this Agreement ("City's Project Representative"). The City may unilaterally change its project representative upon notice to Consultant.

Name: Thomas Ford
Title: Administrative Analyst

Address: PO Box CC, Carmel-by-the-Sea, CA 93921
Telephone: 831-427-7673
Email: tford@ci.carmel.ca.us

3. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

4. Each party represents and warrants that all necessary action has been taken by such party to authorize the undersigned to execute this Amendment and to bind the parties to the performance of its obligations.

5. This Amendment may be executed in counterparts, each of which will be deemed an original, and all of which, when taken together, constitute one and the same instrument. The Amendment will be considered executed when the signature of a party is delivered by facsimile or other electronic transmission. Such facsimile or other electronic signature will have the same effect as an original signature.

6. If any term, condition, or covenant of this Amendment is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Amendment will not be affected and the Amendment will be read and construed without the invalid, void or unenforceable provision.

CONSULTANT:

By: _____

Date: _____

CITY:

By: _____
Chip Rerig, City Administrator

Date: _____

ATTEST:

By: _____
Nova Romero, MMC, City Clerk

Date: _____

EXHIBIT A.1 – SCOPE OF ADDITIONAL SERVICES FOR AMENDMENT NO. 1

- **Task 7A, Additional Inventory of 4,000 Trees**

Consultant perform a tree inventory for 6,000+ City-maintained right of way, facility, and parks trees under the original Agreement. For Task 7A, Consultant will collect data on up to 4,000 additional trees. The data will be collected and/or reviewed using International Society of Arboriculture (ISA) Arborists, and Global Positioning Satellite technology with sub-meter accuracy. The detailed requirements and specifications for the inventory services are provided in Exhibit “E” - Required Minimum Collection Attributes for CAL FIRE Grant Funded Tree Inventories. The tree inventory data shall be geo-coded into a GIS database and delivered as a new layer in the City's TreeKeeper system.

- **Task 7B, Additional Inventory of up to an Additional 500+ Trees**

Consultant will collect data on up to 500 additional trees, per the requirements cited in Task 7A above.

- **Task 7, Update Tree List: Review/Update Tree Palette**

Consultant will recommend new tree species and cultivars that should be introduced to Carmel's urban forest to increase diversity and climate change resiliency. Consultant will develop a process to identify over time which species will thrive and are suitable for this area. Consultant shall also recommend which species need to be removed from the list, either due to failure to thrive or due to a current over-representation in the tree palette. The updated recommended Tree List will be easy to understand for all stakeholders. It shall also categorize trees according to water use and classify as native, near native or ornamental, as well as other useful parameters.

- **Task 7D, Additional Supplemental Services**

Consultant may provide additional Supplemental Services, but only upon prior written authorization by the City.

EXHIBIT C.1 – COMPENSATION FOR ADDITIONAL SERVICES FOR AMENDMENT NO. 1

| Task | Item | Task Budget |
|-------------|--|--------------------|
| 7A | Additional Inventory of 4,000 trees | \$28,550 |
| 7B | Additional Inventory of up to an additional 500+ trees | 3,500 |
| 7C | Update Tree List: Review/Update Tree Palette | 6,520 |
| 7D | Additional Supplemental Services Budget | 6,430 |
| | Amendment No. Total | \$45,000 |



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
CONSENT AGENDA

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Robert Harary, P.E, Director of Public Works |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2023-071, authorizing the City Administrator to execute a Professional Services Agreement with Advance Design Consultants, Inc. for electrical engineering services for electric panel upgrades and related projects, for a not-to-exceed fee of \$79,560 |

RECOMMENDATION:

Adopt Resolution 2023-071, authorizing the City Administrator to execute a Professional Services Agreement with Advance Design Consultants, Inc. for electrical engineering services for electric panel upgrades and related projects, for a not-to-exceed fee of \$79,560.

BACKGROUND/SUMMARY:

In June 2022, Council adopted Resolution 2022-048 approving 25 Fiscal Year 2022/23 Capital Improvement Projects, including the Electrical Panel Upgrades for City Hall, Public Works, Sunset Center, and Vista Lobos Facilities project with a budget of \$75,000. These panels are at capacity, and in some cases, circuits trip with additional loads. The electrical panel for the Public Works building was incorporated into the separate Police Building project and replaced with the panel at the Fire Station.

In December 2022, the City Administrator executed a contract with PG&E to install a new meter and equipment, valued at \$200,000 but at no cost to the City, to provide discounted power to new EV charging stations along the southern row of the Vista Lobos parking lot. One new charging station would be a high capacity station for the new electric street sweeper. This plan would also reroute the existing, dual capacity EV charger that is currently powered by the near-capacity electrical panel for the Vista Lobos building, and benefit from the discounted power rates. This item is an integral part of the Electrical Panel Upgrade Project for Vista Lobos.

In June 2023, Council adopted Resolution 20230-067 approving 16 new FY 2023/24 Capital Improvement Projects, including the Sunset Center North Lot Electrical Panel Replacement Project with a budget of \$100,000. Located along Eighth Avenue, this panel is over capacity, breakers pop often resulting in EV charging stations being taken out of service, and has been tagged by the Building Official. The panel currently services the parking lot lights, the CERT Connex box, and the five EV charging stations. The replacement panel will be sized to handle current loads plus a number of additional EV charging stations

subject to PG&E service charges.

In order to proceed with the planning, design, and repairs/construction of these projects, an electrical engineering consultant is needed. Initially, the first project was planned to be managed by a program management consultant, but now will be managed, more cost-effectively, by the City's project manager.

Consultant Selection Process

In April 2022, requests for Statements of Qualifications (SOQs) were advertised, from San Jose to Sacramento to San Luis Obispo, seeking qualifications from consultants covering 14 professional service areas, including electrical and mechanical engineering services. In May 2022, four SOQs were received for these services, which identified electrical panel upgrades, EV charging stations, and on-call services as proposed projects.

In October 2022, a Selection Committee consisting of a 4Leaf Project Manager, Public Works Director, and Facilities Maintenance Supervisor independently evaluated the SOQs and determined that Advance Design Consultants (ADC), of San Jose, was best qualified for these services. The remaining firms were ranked as follows: #2 – Aurum Consulting, #3 – Salas O'Brien, and #4 - Bureau Veritas.

Scope of Services, Fee, and Schedule

As detailed in the Professional Services Agreement, Attachment #2, key tasks to be performed by Advance Design Consultants include:

- Electrical panel load testing for 30 days
- Identify code and safety deficiencies, and provide recommendations and cost estimates for urgent safety repairs or future panel upgrades
- Coordinate with PG&E, EV charging station vendors, and City staff
- Design step-down transformer, breaker panel, and electrical network for the Vista Lobos EV charging stations. Note – funding for construction has not yet been programmed, but is being pursued from 3CE, Monterey Bay Air Resources District (MRBAD), and PG&E
- Prepare engineering plans, calculations, and cost estimates for the Sunset Center Panel replacement
- Provide building permit, bidding, and construction support services

The base fee for these services was negotiated at \$64,560. Panel recommendations, and the designs of the Vista Lobos electrical improvements and Sunset Center panel replacement are anticipated to be substantially completed within three months from the Notice to Proceed.

A budget of \$15,000 is included for on-call, as-needed electrical or mechanical engineering services through the term of the Agreement which expires on June 30, 2025. There have been prior occasions where consultant expertise has been urgently needed for a variety of facility maintenance repairs. Having a consultant ready to provide these services would expedite future repairs.

FISCAL IMPACT:

| No. | Project | Total Budget | ADC Fee | Funding Source |
|-----|--|--------------|----------|----------------|
| 1 | Electrical Panel Upgrades – 4 Buildings | \$75,000 | \$19,700 | CIP |
| 2 | Electrical for EV Charging Stations at Vista Lobos Lot | Incl. w/#1 | 26,620 | CIP |
| 3 | Sunset Center Electrical Panel Replacement | 100,000 | 18,240 | CIP |
| 4 | On-call, as-needed electrical/ mechanical engineering | 15,000 | 15,000 | PW/FM |
| | Totals | \$190,000 | \$79,560 | |

Projects #1 – #3 will be charged to the Capital Projects fund account 301-311-00-43008. On-call services would be charged to the Public Works/Facility Maintenance operating budget account 101-119-42-42001, or to another CIP project if applicable.

Preliminarily, it appears that sufficient CIP funding will be available to make the most urgent safety repairs for the building electrical panels at City Hall, Fire Station, and/or Vista Lobos, and for replacement of the Sunset Center panel. However, there is no funding programmed at this time for construction of the Vista Lobos EV charging station project. Once the design and a cost estimate are prepared and staff has had the opportunity to seek funding via 3CE, MBARD, or PG&E, we may seek additional funding with the FY 2023/24 mid-year budget review. External funding for the Sunset Center Panel Replacement is also being pursued.

PRIOR CITY COUNCIL ACTION:

In June 2022, Council adopted Resolution 2022-048 approving 25 Fiscal Year 2022/23 Capital Improvement Projects, including the Electrical Panel Upgrades for City Hall, Public Works, Sunset Center, and Vista Lobos Facilities project with a budget of \$75,000.

In June 2023, Council adopted Resolution 2023- 067 approving 16 new FY 2023/24 Capital Improvement Projects, including the Sunset Center North Lot Electrical Panel Replacement Project with a budget of \$100,000.

ATTACHMENTS:

Attachment 1) Resolution 2023-071

Attachment 2) Professional Services Agreement with Advance Design Consultants

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ADVANCE DESIGN CONSULTANTS, INC. TO PROVIDE ELECTRICAL ENGINEERING SERVICES FOR ELECTRIC PANEL UPGRADES AND RELATED PROJECTS, FOR A NOT-TO-EXCEED FEE OF \$79,560

WHEREAS, in June 2022, Council adopted Resolution 2022-048 approving capital improvement projects for Fiscal Year 2022/23, including the Electric Panel Upgrades Project for four City buildings; and

WHEREAS, in December 2022, the City Administrator executed a contract with PG&E to install electrical equipment in the Vista Lobos parking lot, at no cost to the City, to allow for new electric vehicle charging stations and reduce power loads for the Vista Lobos building; and

WHEREAS, in June 2023, Council adopted Resolution 2023-067 approving capital improvement projects for Fiscal Year 2023/24, including the Sunset Center North Lot Electrical Panel Replacement Project; and

WHEREAS, based on Statements of Qualifications received from four firms, an evaluation committee selected Advance Design Consultants (ADC) as best qualified to provide electrical and mechanical engineering services for these types of projects; and

WHEREAS, a Professional Services Agreement was prepared with ADC for electrical panel evaluations, designs, and construction support services for the Vista Lobos and Sunset Center projects for a base fee of \$64,560; and

WHEREAS, a budget of \$15,000 is included to provide on-call, as-needed electrical or mechanical services for urgent safety repairs, for a combined not-to-exceed fee of \$79,560 and a term expiring on June 30, 2025; and

WHEREAS, sufficient funding is available for these projects in the Capital Projects fund account with a combined budget of \$175,000, and any on-call services will be funded by the Public Works/Facility Maintenance operating budget for contractual services, or to another CIP project if applicable.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize the City Administrator to execute a Professional Services Agreement with Advance Design Consultants for electrical engineering services for electric panel upgrades and related projects, for a not-to-exceed fee of \$79,560 and a term expiring on June 30, 2025.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 11th day of July, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk

PROFESSIONAL SERVICES AGREEMENT
for the
Electrical Panel Upgrades and Related Projects
Agreement #PW-ADC-23-24

THIS AGREEMENT is executed this ____ day of July, 2023, by and between the City of Carmel-By-The-Sea, a municipal corporation, (hereinafter "City"), and Advance Design Consultant, Inc., (hereinafter "Consultant"), collectively referred to herein as the "parties".

WHEREAS, the City wishes to engage Consultant to perform the services required by this Agreement; and

WHEREAS, Consultant is willing to render such professional services, as hereinafter defined, on the following terms and conditions; and

WHEREAS, Consultant represents that it is trained, experienced and competent and holds all necessary licenses and certifications to perform the services required by this Agreement.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties hereby covenant and agree as follows:

1. SERVICES

- A. **Scope of Services.** Consultant agrees to provide to the City, as the scope of services ("Scope of Services") under this Agreement, the following: electrical engineering, electrical panel load monitoring, design, construction support, and on-call, as-needed electrical and mechanical engineering services. The Scope of Services is attached hereto as Exhibit "A." The Scope of Services under this Agreement should include, but is not limited to, a project description, project phases, task descriptions, identification of key personnel, identification of subconsultants, their key personnel and general description of services that will be performed, as further set forth in this Agreement and attachments hereto. Consultant agrees to all of the following:
- i. Consultant will furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculations, and all other means whatsoever, except as otherwise expressly specified in this Agreement, necessary to perform the services required of Consultant under this Agreement.
 - ii. Consultant's designated representative(s) who are authorized to act on its behalf and to make all decisions in connection with the performance of services under this Agreement are listed in Exhibit "B," Key Personnel, Compensation, and Fee Schedule which is made a part of this Agreement.
 - iii. Consultant must make every reasonable effort to maintain the stability and continuity of Consultant's key personnel and subcontractors, if any, listed in Exhibit B to perform the services required under this Agreement. Consultant must notify City and obtain City's written approval with respect of any changes in key personnel prior to the performance of any services by replacement personnel.

- iv. Consultant must obtain City's prior written approval before utilizing any subcontractors to perform any services under this Agreement. This written approval must include the identity of the subcontractor and the terms of compensation.
- v. Consultant represents that it has the qualifications, experience and facilities necessary to properly perform the services required under this Agreement in a thorough, competent and professional manner. Consultant will at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described in this Agreement. In meeting its obligations under this Agreement, Consultant must employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing services similar to those required of Consultant under this Agreement.
- vi. City may inspect and accept or reject any of Consultant's work under this Agreement, either during performance or when completed. Acceptance of any of Consultant's work by City will not constitute a waiver of any of the provisions of this Agreement.
- vii. The Consultant must maintain any work site in the City in a safe condition, free of hazards to persons and property resulting from its operations.

B. Change Orders.

- i. Agreements and Change Orders exceeding \$24,999 require City Council approval to be valid.
- ii. The City may order changes to the Scope of Services, consisting of additions, deletions, or other revisions, and the compensation to be paid Consultant will be adjusted accordingly. All such changes must be authorized in writing, and executed by Consultant and City. The cost or credit to City resulting from changes in the services will be determined by the written agreement between the parties. However, any increase in compensation beyond the compensation limit amount approved by the City Council must be authorized in advance by the City Council and any service provided by Consultant in the absence of such approval are at Consultant's sole risk.
- iii. Consultant will not be compensated for any services rendered in connection with its performance of this Agreement that are in addition to or outside of those set forth in the Scope of Services or otherwise required by this Agreement, unless such additional services are authorized in advance and in writing by City.
- iv. If Consultant believes that additional services are needed to complete the Scope of Services, Consultant will provide the City Administrator with written notification describing the proposed additional services, the reasons for such services, and a detailed proposal regarding cost.

C. Familiarity with Services and Site.

- i. By executing this Agreement, Consultant represents that Consultant:
 - a. has thoroughly investigated and considered the Scope of Services to be performed;

- b. has carefully considered how the services should be performed;
 - c. understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement; and
 - d. possesses all licenses required under local, state or federal law to perform the services contemplated by this Agreement, and will maintain all required licenses during the performance of this Agreement.
- ii. If services involve work upon any site, Consultant has or will investigate the site and is or will be fully acquainted with the conditions there existing, before commencing its services. Should Consultant discover any latent or unknown conditions that may materially affect the performance of services, Consultant will immediately inform City of such fact and will not proceed except at Consultant's own risk until written instructions are received from City.

2. COMPENSATION

- A. **Total Fee.** Subject to any limitations set forth in this Agreement, the City agrees to pay and Consultant agrees to accept as full and fair consideration for the performance of this Agreement, hourly fees as set forth in Consultant's Key Personnel, Compensation, and Fee Schedule (Exhibit "B"), in a total amount not-to-exceed Sixty-Four Thousand, Five Hundred and Sixty Dollars (\$64,560), for base services. An additional budget of Fifteen Thousand Dollars (\$15,000) is available to supplemental or on-call, as-needed services and requires prior written authorization by the City before proceeding. Therefore, the "Maximum Authorized Expenditure" under this Agreement is Seventy Nine Thousand, Five Hundred and Sixty Dollars (79,560). The Fee Schedule includes, but is not limited to, fees for each phase and task, not-to-exceed total fee, hourly rates, reimbursable rates and subconsultant mark-up rates. The use of subconsultants will not be considered a reimbursable expense, and such costs must be applied towards the approved budgeted amount. Payment of any compensation to Consultant is contingent upon performance of the terms and conditions of this Agreement to the satisfaction of the City. If the City determines that the Services set forth in the written invoice have not performed in accordance with the terms of this Agreement, the City is not responsible for payment until the Services have been satisfactorily performed.
- B. **Invoicing.** Consultant must submit to the City monthly written invoices to the City's Project Representative, identified in Section 5 below. Invoices must be prepared in a form satisfactory to the City, describing the services rendered and associated costs for the period covered by the invoice. The City will provide invoicing format upon request. Consultant may not bill the City for duplicate services performed by more than one person. Consultant's invoices must include, but are not limited to, the following information:
- i. Project Title, the City's Purchase Order number and City's Project Code(s) for each project;
 - ii. Invoice number and date;
 - iii. A brief description of services performed for each project phase and/or task;
 - iv. The budgeted amount for each phase, task and item, including the total amount, with the same for approved Change Orders, if any;

- v. Amount invoiced to date divided by the agreed total compensation, expressed as a percentage, with the same for approved Change Orders, if any;
- vi. The amount earned and invoiced to date for each phase, task and/or item, including the total amount, with the same for approved Change Orders, if any;
- vii. The amount previously invoiced for each phase, task and/or item, including the total amount, with the same for approved Change Orders, if any;
- viii. The amount due for the period covered by this invoice for each phase, task, and/or item, including the total amount, with the same for approved Change Orders, if any;
- ix. For time and materials authorizations, the number of hours spent, by whom and their hourly rate for each phase, task and/or item, including the total amount;
- x. The costs incurred, including reimbursables, for each phase, task, and/or item for the agreed total compensation and approved Change Orders, if any, along with a brief description of those costs;
- xi. The total amount due for the period covered by this invoice, including subconsultants and vendors of services or goods;
- xii. Copies of subconsultant, vendor, and reimbursable invoices including hourly breakdowns when requested by City.
- xiii. Copies of subconsultant and vendor lien releases.

Any such invoices must be in full accord with any and all applicable provisions of this Agreement. Consultant must submit invoices to the City on or before the sixteenth (16th) day of each month for services performed in the preceding month.

The City will review each invoice submitted by Consultant to determine whether the work performed and expenses incurred are in compliance with this Agreement. In the event that no charges or expenses are disputed, the invoice will be approved and paid.

Except as to any charges for work performed or expenses incurred by Consultant that are disputed by City, the City will pay on each such invoice within thirty (30) days of receipt; provided, however, that Consultant submits an invoice which is not incorrect, incomplete, or not in accord with the provisions of this Agreement. If any charges or expenses are disputed by City, the invoice will be returned by City to Consultant for correction and resubmission, and the City will not be obligated to process any payment to Consultant until thirty (30) days after a correct and complying invoice has been submitted by Consultant. Payment to Consultant for services performed under this Agreement may not be deemed to waive any defects in the services performed by Consultant, even if such defects were known to City at the time of payment. City reserves the right to withhold future payment to Consultant if any aspect of the Consultant's work is found to be non-conforming to the terms of this Agreement.

The City is not obligated to pay Consultant a greater percentage of the Maximum Authorized Expenditure than the actual percentage of services completed as of the invoice date.

Consultant agrees to remit and is responsible for all withholding taxes, income taxes, unemployment insurance deductions, and any other deductions required by applicable federal, state or local laws and regulations for Consultant, its employees, subconsultants and vendors of services or goods.

- C. **Adjustment of Maximum Authorized Expenditure.** The City may increase or decrease the Maximum Authorized Expenditure by issuing a Change Order to the Agreement in accordance with Section 1.B "Change Orders" above. Should Consultant consider that any request or instruction from the City's Project Representative constitutes a change in the scope of services, Consultant will advise the City's Project Representative, in writing, within fourteen (14) calendar days of such request or instruction. Without said written advice within the time period specified, the City is not obligated to make any payment of additional compensation to Consultant.
- D. **Hourly Rates.** Payment for all authorized services, including payment for authorized on-call, as-needed services, will be made by the City to Consultant in accordance with the various hourly rates as set forth in the Consultant's Key Personnel, Compensation & Fee Schedule (Exhibit "B").
- E. **Subconsultants and Vendors.** Invoices for subconsultants and vendors of services or goods will be paid by the City to Consultant in accordance with the various rates as set forth in the Consultant's Compensation & Fee Schedule (Exhibit "B"). All reimbursable expenses will be considered as included within the Maximum Authorized Expenditure. Consultant is solely responsible for payment to subconsultants and vendors of services or goods, and the City is not responsible or liable for any payments to subconsultants and vendors, either directly or indirectly.
- F. **Audit and Examination of Accounts:**
 - i. Consultant must keep and will cause any assignee or subconsultant under this Agreement to keep accurate books of records and accounts, in accordance with sound accounting principles, which pertain to services to be performed under this Agreement.
 - ii. Any audit conducted of books of records and accounts must be kept in accordance with generally accepted professional standards and guidelines for auditing.
 - iii. Consultant must disclose and make available any and all information, reports, books of records or accounts pertaining to this Agreement to the City and any city of the County of Monterey, or other federal, state, regional or governmental agency which provides funding for these Services.
 - iv. Consultant must include the requirements of Section 2F, "Audit and Examination of Accounts," in all contracts with assignees or subconsultants under this Agreement.
 - v. All records provided for in this Section are to be maintained and made available throughout the performance of this Agreement and for a period of not less than four (4) years after full completion of the Services. All records, which pertain to actual disputes, litigation, appeals

or claims, must be maintained and made available for a period of not less than four (4) years after final resolution of such disputes, litigation, appeals or claims.

- G. **On-Call Agreements.** The amount of work (scope of services) to be requested during the Agreement term cannot be well defined at the outset. The Consultant agrees to perform the work on an on-call basis in such increments and at such times as defined in written work requirements issued by the City as the need arises. The Consultant agrees that the offer to perform the work at the various rates as set forth in the Consultant's Fee Schedule (Exhibit "B") remains in effect for all work requirements issued by the City during the Agreement term or until the exhaustion of the Agreement funding limit, whichever occurs first. The City does not guaranty a minimum dollar value of work.

3. AGREEMENT TERM

- A. **Term.** The work under this Agreement will commence by July 1, 2023 and must be completed by June 30, 2025 unless sooner terminated or the City grants an extension of time in writing pursuant to the terms of this Agreement, except for provisions in this Agreement that will survive the termination or completion of this Agreement. Consultant will perform Change Order services as set out in Section 1.B, "Amendment of Services (Change Orders)," in a timely manner or in accordance with the agreed upon Change Order Project Schedule.
- B. **Timely Work.** Consultant will perform all Services in a timely fashion, as set forth more specifically in Section 3.A, "Term," and Section 3.C, "Project Schedule," of this Agreement. Failure to perform is deemed a material breach of this Agreement, and the City may terminate this Agreement with no further liability hereunder, or may authorize, in writing, an extension of time to the Agreement.
- C. **Project Schedule.** Services must be completed by Consultant in accordance with the Project Schedule set forth in Exhibit "C." The parties may, from time to time, by Change Order, alter the Project Schedule. Consultant will provide the Services pursuant to the Project Schedule or any applicable Project Schedule Change Order. If at any time Consultant discovers that the Project Schedule cannot be met, Consultant must promptly notify the City in writing and provide a revised Project Schedule for review and consideration by City.
- D. **Notice to Proceed.** Upon execution of this Agreement by both parties and the receipt of all documentation required by this Agreement to be provided by Consultant to the City, including proof of insurance and tax identification numbers, the City will issue a written Notice to Proceed to the Consultant. The City may, in its sole discretion, issue subsequent notices from time to time regarding further portions or phases of the work. Upon receipt of such notices, Consultant will diligently proceed with the Services authorized and complete those Services within the agreed time specified in said notice. Consultant will not proceed with any of the Services unless they have received a Notice to Proceed from the City.

4. CONSULTANT'S EMPLOYEES AND SUBCONSULTANTS

- A. **Listed Employees and Subconsultants.** Consultant will perform the Services using the individuals listed in the Key Employees and Subconsultants List attached hereto in Exhibit "B."

B. Substitution of Employees or Subconsultants:

- i. Consultant may not substitute any key employee or subconsultant listed in Exhibit "B" without the prior written approval of the City, and such approval will not be unreasonably withheld. The City will not approve removal or substitution of employees or subconsultants for the reason that Consultant or its affiliates has called on such individuals to perform services for another client of the Consultant.
- ii. If, at any time, the City reasonably objects to the performance, experience, qualifications or suitability of any of Consultant's employees or subconsultants, then Consultant may, upon written request from the City, replace such employee or subconsultant. Consultant must, subject to scheduling and staffing considerations, make reasonable efforts to replace the individual with an individual of similar competency and experience.
- iii. Whether or not the City consents to, or requests a substitution of any employee or subconsultant of Consultant, the City will not be liable to pay additional compensation to Consultant for any replacement or substitution.

C. Sub-agreements with Subconsultants. Consultant will incorporate the terms and conditions of this Agreement into all sub-agreements with subconsultants in respect of the Services necessary to preserve all rights of the City under this Agreement. Consultant is fully responsible to the City of all acts and omissions of subconsultants and of persons employed by any subconsultant.

D. Not an Agent of the City. Nothing in this Agreement will be interpreted to render the City the agent, employer, or partner of Consultant, or the employer of anyone working for or subcontracted by Consultant, and Consultant must not do anything that would result in anyone working for or subcontracted by Consultant being considered an employee of the City. Consultant is not, and must not claim to be, an agent of the City.

E. Independent Contractor:

- i. Consultant is an independent contractor. This Agreement does not create the relationship of employer and employee, a partnership, or a joint venture. The City may not control or direct the details, means, methods or processes by which Consultant performs the Services. Consultant is responsible for performance of the Services and may not delegate or assign any Services to any other person except as provided for in this Agreement. Consultant is solely liable for the work quality and conditions of any partners, employees and subconsultants.
- ii. No offer or obligation of permanent employment with the City or particular City department or agency is intended in any manner, and Consultant may not become entitled by virtue of this Agreement to receive from the City any form of employee benefits including but not limited to sick leave, vacation, retirement benefits, workers' compensation coverage, insurance or disability benefits. Consultant will be solely liable for and obligated to pay directly all applicable taxes, including federal and state income taxes and social security, arising out of Consultant's performance of Services under this Agreement. Consultant will defend, indemnify and hold the City harmless from any and all liability, which the City may incur because of Consultant's failure to pay such taxes.

5. REPRESENTATIVES AND COMMUNICATIONS

- A. **City's Project Representative.** The City appoints the individual named below as the City's Project Representative for the purposes of this Agreement ("City's Project Representative"). The City may unilaterally change its project representative upon notice to Consultant.

Name: Robert M. Harary, P.E.
 Title: Director of Public Works
 Address: P.O. Box CC, Carmel, CA 93921
 Telephone: (831) 620-2021
 Email: rharary@ci.carmel.ca.us

- B. **Consultant's Project Manager.** Consultant appoints the person named below as its Project Manager for the purposes of this Agreement ("Consultant's Project Manager").

Name: Lorenzo Rios, Jr., P.E.
 Title: Vice President
 Company: Advance Design Consultants, Inc.
 Address: 998 Park Avenue, San Jose, CA 95126
 Telephone: (408) 297-1881
 Email: lorenzocr@adcengineers.com

- C. **Meet and Confer.** Consultant agrees to meet and confer with the City's Project Representative, its agents or employees with regard to Services as may be required by the City to insure timely and adequate performance of this Agreement.
- D. **Communications and Notices.** All communications between the City and Consultant regarding this Agreement, including performance of Services, will be between the City's Project Representative and Consultant's Project Manager. Any notice, report, or other document that either party may be required or may wish to give to the other must be in writing and will be validly given to and received by the addressee, if delivered personally, on the date of such personal delivery, if delivered by email, on the date of transmission, or if by mail, seven (7) calendar days after posting.

6. INDEMNIFICATION

Consultant hereby agrees to the following indemnification clause:

To the fullest extent permitted by law (including, without limitation, California Civil Code Sections 2782 and 2782.6), Consultant will defend (with legal counsel reasonably acceptable to the City), indemnify and hold harmless the City and its officers, designated agents, departments, officials, representatives and employees (collectively "Indemnitees") from and against claims, loss, cost, damage, injury expense and liability (including incidental and consequential damages, Court costs, reasonable attorneys' fees as may be determined by the Court, litigation expenses and fees of expert consultants or expert witnesses incurred in connection therewith and costs of investigation) to the extent they arise out of, pertain to, or relate to, the negligence, recklessness, or willful misconduct of Consultant, any subconsultant or subcontractor, anyone directly or indirectly employed by them, or anyone that they control (collectively "Liabilities"). Such obligations to defend, hold harmless and

indemnify any Indemnitee will not apply to the extent that such Liabilities are caused in part by the active negligence or willful misconduct of such Indemnitee.

Notwithstanding the provisions of the above paragraph, Consultant agrees to indemnify and hold harmless the City from and against all claims, demands, defense costs, liability, expense, or damages arising out of or in connection with damage to or loss of any property belonging to Consultant or Consultant's employees, subconsultants, representatives, patrons, guests or invitees.

In no event will the obligation of the Consultant exceed the limitations on the duty to defend and indemnify as set forth in Civil Code Sections 2782, 2782.6, and 2782.8.

7. **INSURANCE**

Consultant must submit and maintain in full force all insurance as described herein. Without altering or limiting Consultant's duty to indemnify, Consultant must maintain in effect throughout the term of this Agreement a policy or policies of insurance with the following minimum limits of liability:

- A. Commercial General Liability Insurance including but not limited to premises, personal injuries, bodily injuries, property damage, products, and completed operations, with a combined single limit of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate.
- B. Professional Liability Insurance with limits of not less than \$1,000,000 per occurrence or claim and \$2,000,000 in the aggregate. Consultant will have a policy for professional liability coverage that provides coverage on an occurrence basis or obtain extended reporting (tail) coverage (with the same liability limits) for at least three years following the City's acceptance of the work.
- C. Automobile Liability Insurance covering all automobiles, including owned, leased, non-owned, and hired automobiles, used in providing Services under this Agreement, with a combined single limit of not less than \$1,000,000 per occurrence.
- D. Workers' Compensation Insurance. If Consultant employs others in the performance of this Agreement, Consultant must maintain Workers' Compensation insurance in accordance with California Labor Code section 3700 and with a minimum of \$1,000,000 per occurrence.
- E. Other Insurance Requirements:
 - i. All insurance required under this Agreement must be written by an insurance company either:
 - a. admitted to do business in California with a current A.M. Best rating of no less than A:VI; or
 - b. an insurance company with a current A.M. Best rating of no less than A:VII. Exception may be made for the State Compensation Insurance Fund when not specifically rated.
 - ii. Each insurance policy required by this Agreement may not be canceled, except with prior written notice to the City.
 - iii. All liability and auto policies must:

- a. Provide an endorsement naming the City of Carmel-by-the-Sea, its officers, officials, employees, and volunteers as additional insureds. General liability coverage can be provided in the form of an endorsement to the Consultant's insurance (at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).
 - b. Provide that such Consultant's insurance is primary as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City is excess to the Consultant's insurance and will not contribute with it.
 - c. Contain a "Separation of Insureds" provision substantially equivalent to that used in the ISO form CG 00 01 10 01 or their equivalent.
 - d. Provide for a waiver of any subrogation rights against the City via an ISO CG 24 01 10 93 or its equivalent.
- iv. Prior to the start of work under this Agreement, Consultant will file certificates of insurance and endorsements evidencing the coverage required by this Agreement with the City. Consultant will file a new or amended certificate of insurance promptly after any change is made in any insurance policy which would alter the information on the certificate then on file.
- v. Neither the insurance requirements hereunder, nor acceptance or approval of Consultant's insurance, nor whether any claims are covered under any insurance, may in any way modify or change Consultant's obligations under the indemnification clause in this Agreement, which will continue in full force and effect. All coverage available to the Consultant as named insured will also be available and applicable to the additional insured. Notwithstanding these insurance requirements, Consultant is financially liable for its indemnity obligations under this Agreement.
- vi. All policies must be written on a first dollar coverage basis or contain a deductible provision. Any deductibles or self-insured retentions ("SIR") must be declared to and approved by the City. At the option of the City, either: the insured will reduce or eliminate such deductibles or SIR as respects the City, its officers, officials, employees and volunteers; or Consultant will provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration, and defense expenses. In no event will any SIR or insurance policy contain language, whether added by endorsement or contained in the policy conditions, that prohibits satisfaction of any self-insured provision or requirement by anyone other than the named insured, or by any means including other insurance, or which is intended to defeat the intent or protection of an additional insured.
- vii. City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.
- viii. Consultant must require and verify that all subconsultants and subcontractors maintain insurance meeting all the requirements in this Agreement.

- ix. If Consultant, for any reason, fails to have in place at all times during the term of this Agreement all of the required insurance coverage, the City may, but is not obligated to, obtain such coverage at Consultant's expense and deduct the cost from the sums due Consultant. Alternatively, City may terminate the Agreement.
- x. The existence of the required insurance coverage under this Agreement will not be deemed to satisfy or limit Consultant's indemnity obligations under this Agreement. Consultant acknowledges that the insurance coverage and policy limits set forth in this Agreement constitute the minimum coverage and policy limits required. Should any coverage carried by the Consultant or any subcontractor of any tier have limits of liability that exceed the limits or have broader coverage than required in this Agreement, those higher limits and that broader coverage are deemed to apply for the benefit of any person or organization included as an additional insured and those limits and broader coverage will become the required minimum limits and insurance coverage in all sections of this Agreement. Any insurance proceeds available to City in excess of the limits and coverages required by this Agreement, and which is applicable to a given loss, must be made available to City to compensate it for such losses.
- xi. Consultant must give City prompt notice of claims made of lawsuits initiated that arise out of or result from Consultant's performance under this Agreement, and that involve or may involve coverage under any of the required liability insurance policies.
- xii. The Consultant hereby waives any right of subrogation that any of its insurers may have or that they may accrue out of the payment of any claim related to the Consultant's performance of this Agreement, regardless of whether any endorsements required by this section are obtained.

8. PERFORMANCE STANDARDS

- A. Consultant warrants that Consultant and Consultant's agents, employees, and subconsultants performing Services under this Agreement are specially trained, experienced, and competent and have the degree of specialized expertise contemplated within California Government Code Section 37103, and further, are appropriately licensed to perform the work and deliver the Services required under this Agreement.
- B. Consultant, its agents, employees, and subconsultants must perform all Services in a safe and skillful manner consistent with the usual and customary standards of care, diligence and skill ordinarily exercised by professional consultants in similar fields in accordance with sound professional practices. All work product of Consultant must comply with all applicable laws, rules, regulations, ordinances and codes. Consultant also warrants that it is familiar with all laws that may affect its performance of this Agreement and will advise City of any changes in any laws that may affect Consultant's performance of this Agreement. All Services performed under this Agreement that are required by law to be performed or supervised by licensed personnel must be performed in accordance with such licensing requirements.
- C. Consultant must furnish, at its own expense, all materials, equipment and personnel necessary to carry out the terms of this Agreement. Consultant may not use the City premises, property

(including equipment, instruments, or supplies) or personnel for any purpose other than in the performance of its obligations under this Agreement.

- D. Consultant agrees to perform all work under this Agreement to the satisfaction of City and as specified herein. The City's Project Representative or his or her designee will evaluate the work. If the quality of work is not satisfactory, City in its discretion may meet with Consultant to review the quality of work and resolve the matters of concern, and may require Consultant to repeat the work at no additional fee until it is satisfactory.

9. CITY INFORMATION AND RESOURCES

- A. **Available Information.** The City will make available to Consultant all relevant information, plans, maps, reports, specifications, standards and pertinent data which is in the hands of the City and is required by Consultant to perform the Services. Consultant may rely upon the accuracy and completeness of such information and data furnished by the City, except where it is stated otherwise or unreasonable.
- B. **City Resources.** The City acknowledges that Consultant's ability to provide the Services in accordance with this Agreement may be dependent on the City providing available information and resources in a prompt and timely manner as reasonably required by Consultant. To the extent that the City fails to provide City resources, Consultant will not be liable for any resulting delay in the Services or failure to meet the Project Schedule, but in no event will such delay or failure to provide City resources constitute a breach of this Agreement by the City, nor will Consultant be entitled to extra compensation for same. Consultant's sole remedy shall be an extension of time to complete the Scope of Services.
- C. **Obligations of Consultant.** No reviews, approvals, or inspections carried out or supplied by the City will derogate from the duties and obligations of Consultant, and all responsibility related to performance of the Services will be and remain with Consultant.

10. OWNERSHIP AND USE OF MATERIALS

- A. **Ownership of the Materials.** All data, studies, reports, calculations, field notes, sketches, designs, drawings, plans, specifications, cost estimates, manuals, correspondence, agendas, minutes, notes, audio-visual materials, photographs, models, software data, computer software (if purchased on the City's behalf) and other documents or products produced by Consultant under this Agreement (collectively, "the Materials") are and will remain the property of the City even though Consultant or another party may have physical possession of them or a portion thereof. Consultant hereby waives, in favor of the City, any moral rights Consultant, its employees, subconsultants, vendors, successors or assignees may have in the Materials.
- B. **No Patent or Copyright Infringement.** Consultant guarantees that in its creation of the Materials produced under this Agreement, no federal or state patent or copyright laws were violated. Consultant agrees that all copyrights, which arise from creation of the work or Services pursuant to this Agreement, will be vested in the City and waives and relinquishes all claims to copyright or intellectual property rights in favor of the City. Consultant covenants that it will defend, indemnify and hold City harmless from any claim or legal action brought against the City for

alleged infringement of any patent or copyright related to City's use of Materials produced by Consultant and its employees, agents and subconsultants under this Agreement.

- C. **Delivery and Use of the Materials.** All Materials will be transferred and delivered by Consultant to the City without further compensation following the expiration or sooner termination of this Agreement, provided that the City may, at any time prior to the expiration or earlier termination of this Agreement, give written notice to Consultant requesting delivery by Consultant to the City of all or any part of the Materials in which event Consultant must forthwith comply with such request. The Materials created electronically must be submitted in a format and medium acceptable to the City. The Materials may be used by the City in any manner for the intended purpose or as part of its operations associated with the Materials.
- D. **Survival of Ownership and Use Provisions.** The provisions contained in Section 10, Ownership and Use of Materials survives the expiration or earlier termination of this Agreement, and that this Section is severable for such purpose.
- E. **Additional Copies.** If the City requires additional copies of reports, or any other material that Consultant is required to furnish as part of the Services under this Agreement, Consultant must provide such additional copies, and the City will compensate Consultant for the actual costs related to the production of such copies by Consultant.

11. CONFIDENTIALITY

- A. **No Disclosure.** Consultant must keep confidential and may not disclose, publish or release any information, data, or confidential information of the City to any person other than representatives of the City duly designated for that purpose in writing by the City. Consultant may not use for Consultant's own purposes, or for any purpose other than those of the City, any information, data, or confidential information Consultant may acquire as a result of the performance of the Services under this Agreement. Consultant must promptly transmit to the City any and all requests for disclosure of any such confidential information or records. The obligations under this Section will survive the expiration or earlier termination of this Agreement.
- B. **California Public Records Act.** Consultant acknowledges that the City is subject to the California Public Records Act (Government Code Section 6250 et seq.), known as the "PRA," and agrees to any disclosure of information by the City as required by law. Consultant further acknowledges that it may have access to personal information as defined under the PRA, and Consultant will not use any such personal information for any purposes other than for the performance of Services under this Agreement without the advance written approval of the City.

All Scopes of Services and related documents received will be public records, with the exception of those elements, identified by the Consultant as business trade secrets and are plainly marked "Trade Secret," "Confidential," or "Proprietary." If disclosure is required under the PRA or otherwise by law, the City will not be liable or responsible for the disclosure of any such records and the Consultant will indemnify, defend, and hold the City harmless for any such disclosure.

12. CONFLICT OF INTEREST

Consultant covenants that neither Consultant, nor any officer, principal or employee of its firm, has or will acquire any interest, directly or indirectly, that would conflict in any manner with the interests of City relating to this Agreement or that would in any way hinder Consultant's performance of services under this Agreement. Consultant's attention is directed to the conflict of interest rules applicable to governmental decision-making contained in the Political Reform Act (California Government Code Section 87100 and following) and its implementing regulations (California Code of Regulations, Title 2, Section 18700 et seq.), and California Government Code section 1090.

Consultant is required to file a Form 700 in compliance with the City's Conflict of Interest Code unless a written determination by the City Administrator is made modifying or eliminating said requirement, or unless otherwise exempted by law.

In addition, Consultant, Consultant's employees, and subconsultants agree as follows:

- A. That they will conduct their duties related to this Agreement with impartiality, and must, if they exercise discretionary authority over others in the course of those duties, disqualify themselves from dealing with anyone with whom a relationship between them could bring the impartiality of Consultant or its employees into question;
- B. May not influence, seek to influence, or otherwise take part in a decision of the City knowing that the decision may further their private interests;
- C. May not accept any commission, discount, allowance, payment, gift, or other benefit connected, directly or indirectly, with the performance of Services related to this Agreement, that causes, or would appear to cause, a conflict of interest;
- D. May have no financial interest in the business of a third party that causes, or would appear to cause, a conflict of interest in connection with the performance of the Services related to this Agreement, and if such financial interest is acquired during the term of this Agreement, Consultant must promptly declare it to the City, and;
- E. May not, during the term of this Agreement, perform a service for, or provide advice to, any person, firm, or corporation, which gives rise to a conflict of interest between the obligations of Consultant under this Agreement and the obligations of Consultant to such other person, firm or corporation.

13. DISPUTE RESOLUTION

- A. **Dispute Resolution Procedures.** The parties will make reasonable efforts to promptly resolve any dispute, claim, or controversy arising out of or related to this Agreement ("Dispute") using the Dispute Resolution Procedures set forth in this Section.
- B. **Negotiations.** First, the City's Project Representative and Consultant's Project Manager will make reasonable efforts to resolve any Dispute by amicable negotiations and will provide frank, candid, and timely disclosure of all relevant facts, information, and documents to facilitate negotiations. Should these negotiations be unsuccessful in resolving the Dispute, the matter will be promptly referred to the City Administrator or designee, and the Consultant's Principal, who will meet and confer, in good faith, to resolve the Dispute to mutual satisfaction of the parties.

- C. **Mediation.** If all or any portion of a Dispute cannot be resolved by good faith negotiations as set forth above within thirty (30) days of the date that the matter was referred to the City Administrator pursuant to subsection B above, either party may, by notice to the other party, submit the Dispute for formal mediation to a mediator selected mutually by the parties from the Monterey Superior Court's Court-Directed Mediator Panel list. The duration of any such mediation may not exceed 2 hours unless otherwise agreed to by the parties. The cost of the mediation (including fees of mediators) will be borne equally by the parties, and each party will bear its own costs of participating in mediation. The mediation will take place within or in close proximity to the City of Carmel-by-the-Sea.

In any mediation conducted pursuant to this section, the provisions of California Evidence Code section 1152 will be applicable to limit the admissibility of evidence disclosed by the parties in the course of the mediation. In the event the parties are unsuccessful in resolving the dispute through the mediation process, then the parties agree that the dispute will be submitted to Binding Arbitration to a single Arbitrator in accordance with the existing Rules of Practice and Procedure of the Judicial Arbitration and Mediation Services, Inc. (JAMS) within thirty (30) days of the close of mediation as declared by the mediator.

- D. **Arbitration.** The submission to Mediation and Arbitration in accordance with the requirements of this section of any and all agreements, differences, or controversies that may arise hereunder is made a condition precedent to the institution of any action or appeal at law or in equity with respect to the controversy involved. The award by the arbitrator will have the same force and effect and may be filed and entered, as a judgment of the Superior Court of the State of California and is subject to appellate review upon the same terms and conditions as the law permits for judgments of Superior Courts. A "Prevailing Party" will be determined in the Arbitration, and the prevailing party will be entitled to reasonable attorney's fees and costs incurred, and accrued interest on any unpaid balance that may be due. Costs will include the cost of any expert employed in the preparation or presentation of any evidence. All costs incurred and reasonable attorney fees will be considered costs recoverable in that proceeding, and be included in any award.

14. TERMINATION OF AGREEMENT

- A. **Termination for Cause or Default.** The City reserves the right to immediately terminate this Agreement, in whole or in part, if Consultant or any subconsultant defaults or fails to deliver the Services in accordance with the terms and conditions of this Agreement. Such termination must be in writing, setting forth the effective date of termination, and will not result in any penalty or other charges to the City, and may be issued without any prior notice. Without limitation, Consultant is in default of its obligations contained in this Agreement if Consultant, or any subconsultant:
- i. Fails to perform the required Services within the term and/or in the manner provided under this Agreement;
 - ii. Fails to supply sufficient, properly skilled workers or proper workmanship, products, material, tools and equipment to perform the Services;

- iii. Fails to observe or comply with all laws, ordinances, including all requirements of governmental or quasi-governmental authorities, including federal, state, and local government enactments, bylaws, and other regulations now or, following the date of this Agreement, in force that pertain to;
 - iv. Fails to observe or comply with the City's reasonable instructions;
 - v. Breaches the Conflict of Interest provisions of this Agreement; or
 - vi. Otherwise violates any provision of this Agreement.
- B. **Termination for Convenience.** The City may, at its option and sole discretion, terminate this Agreement, in whole or in part, with or without cause, at any time during the Agreement Term for the convenience of the City, upon ten (10) days written notice to the Consultant.
- C. **Steps after Termination:**
- i. Upon termination of this Agreement by the City for any reason, the City will pay Consultant for satisfactorily performed Services and disbursements incurred by Consultant to the date of termination pursuant to this Agreement, less any amounts necessary to compensate the City for damages or costs incurred by the City arising from Consultant's default. Termination will be without prejudice to any other rights or remedies the City may have.
 - ii. Upon receipt of written notice of termination of this Agreement by the City for any reason, Consultant must:
 - a. Promptly cease all Services, including Services provided by any subconsultant, unless otherwise directed by the City; and
 - b. Deliver to the City all the Materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement. Such Materials are to be delivered to the City in completed form; however, notwithstanding the provisions of Section 10, Ownership and Use of Materials, herein, the City may condition payment for services rendered to the date of termination upon Consultant's delivery to the City of such Materials.
 - iii. If this Agreement is terminated by the City for any reason, the City is hereby expressly permitted to assume the projects and Services, and to complete them by any means including, but not limited to, an agreement with another party.

15. LEGAL ACTION / VENUE

- A. Should either party to this Agreement bring legal action against the other, the validity, interpretation and performance of this Agreement will be controlled by and construed under the laws of the State of California, excluding California's choice of law rules.
- B. Venue for any such action relating to this Agreement will be in Monterey County.

- C. If any legal action or proceeding, including action for declaratory relief, is brought for the enforcement of this Agreement or because of an alleged dispute, breach, default or misrepresentation in connection with this Agreement, the prevailing party may recover reasonable attorneys' fees as may be determined by the Arbitrator, experts' fees, and other costs, in addition to any other relief to which the party may be entitled.

16. MISCELLANEOUS PROVISIONS

- A. **Non-discrimination.** During the performance of this Agreement, Consultant, and its subconsultants, may not unlawfully discriminate against any person because of race, religious creed, color, sex, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, or sexual orientation, either in Consultant's employment practices or in the furnishing of services to recipients. Consultant further acknowledges that harassment in the workplace is not permitted in any form, and will take all necessary actions to prevent such conduct.
- B. **Acceptance of Services Not a Release.** Acceptance by the City of the Services to be performed under this Agreement does not operate as a release of Consultant from professional responsibility for the Services performed.
- C. **Force Majeure.** Either party is absolved from its obligation under this Agreement when and to the extent that performance is delayed or prevented, and in the City's case, when and to the extent that its need for vehicles, materials, or Services to be supplied hereunder are reduced or eliminated by any course, except financial, for reasons beyond its control. Such reasons include, but are not limited to: earthquake, flood, epidemic, fire, explosion, war, civil disorder, act of God or of the public enemy, act of federal, state or local government, or delay in transportation to the extent that they are not caused by the party's willful or negligent acts or omissions, and to the extent that they are beyond the party's reasonable control.
- D. **Headings.** The headings do not govern, limit, modify, or in any manner affect the scope, meaning or intent of the provisions of this Agreement. The headings are for convenience only.
- E. **Entire Agreement.** This Agreement, including the Exhibits attached hereto, constitutes the entire agreement between the parties hereto with respect to the terms, conditions, and Services and supersedes any and all prior proposals, understandings, communications, representations and agreements, whether oral or written, relating to the subject matter thereof pursuant to Section 1B, "Change Order of Services." Any Change Order to this Agreement will be effective only if it is in writing signed by both parties hereto and will prevail over any other provision of this Agreement in the event of inconsistency between them.
- F. **Conflict between Agreement and Exhibits.** In the event of a conflict between a provision in this Agreement and a provision in an Exhibit attached to this Agreement, the provisions in this Agreement will take precedence.
- G. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which will be deemed an original, and may be signed in counterparts, but all of which together will constitute one and the same Agreement.

- H. **Multiple Copies of Agreement.** Multiple copies of this Agreement may be executed, but the parties agree that the Agreement on file in the office of the City's City Clerk is the version of the Agreement that governs should any difference exist among counterparts of this Agreement.
- I. **Authority.** Any individual executing this Agreement on behalf of the City or Consultant represents and warrants hereby that he or she has the requisite authority to enter into this Agreement on behalf of such party and bind the party to the terms and conditions of this Agreement.
- J. **Severability.** If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions will not be impaired thereby. Limitations of liability and indemnities will survive termination of the Agreement for any cause. If a part of the Agreement is valid, all valid parts that are severable from the invalid part remain in effect. If a part of this Agreement is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.
- K. **Non-exclusive Agreement.** This Agreement is non-exclusive and both the City and Consultant expressly reserve the right to enter into agreements with other Consultants for the same or similar services, or may have its own employees perform the same or similar services.
- L. **Assignment of Interest.** The duties under this Agreement are not assignable, delegable, or transferable without the prior written consent of the City. Any such purported assignment, delegation, or transfer constitutes a material breach of this Agreement upon which the City may terminate this Agreement and be entitled to damages.
- M. **City Business License.** Prior to receiving a Notice to Proceed from the City, Consultant will obtain and maintain a valid City of Carmel-by-the-Sea Business License for the duration of the Agreement. Costs associated with the license are the responsibility of Consultant.
- N. **Laws.** Consultant agrees that in the performance of this Agreement it will comply with all applicable federal, state and local laws and regulations. This Agreement will be governed by and construed in accordance with the laws of the State of California and the City of Carmel-by-the-Sea.

IN WITNESS WHEREOF, the parties enter into this Agreement hereto on the day and year first above written in Carmel-by-the-Sea, California.

CITY OF CARMEL-BY-THE-SEA

CONSULTANT

City Administrator

Consultant Signature

Chip Rerig Date

Printed Name Date

Title

Consultant Legal Company Name

APPROVED AS TO FORM:

By: _____
Brian Pierik, Esq., City Attorney

Date: _____

ATTEST:

By: _____
Nova Romero, MMC, City Clerk

Date: _____

Exhibit "A" Scope of Services

Exhibit "B" Key Personnel, Compensation, and Fee Schedule

Exhibit "C" Project Schedule

Exhibit A – Scope of Services

A. Scope of Work

Provide professional electrical engineering services for the installation of new EV Charging Stations at the existing City owner Public Parking lot Vista Lobos and upgrades/replacement of existing electrical panels at various sites. The project scope as follows:

1. Vista Lobos – EV Chargers

- a. Assist City in the coordination of New PG&E Service – 12kv – 480V, including new 150 kVA transformer. Design from new medium voltage utility service to new utility transformer and from secondary service from new utility transformer to new meter service shall be by PG&E.
- b. Construction Documents for Installation of new electrical infrastructure, which includes; new 400A, 480/277V Meter Service Switchboard, new 30 kVA transformer 480-208V/120V/3PH and new 100A, 208/120V Panelboard. This will include a new concrete housekeeping pad and equipment seismic anchorage.
- c. Construction Documents for Installation of two (2) new Dual Stations and one (1) Hi/Lo Street Sweeper Station and the back-feed to one (1) existing Dual Station. This will include new underground electrical power design (conduit, conductors, pull boxes, spares, etc.) from new electrical infrastructure per item 2 above. This will also include the design for anchorage, installation details, parking stall signage, etc. required for EV charging stations.
- d. ADC shall provide assistance to City for the coordination and procurement of EV Chargers from Charge Point.

2. Electrical Panels Load Monitoring

- a. **Vista Lobos**
 - i. Provide Panel Load Test (via CT's for 30 days min.) and detailed inspection of Main Service panel. Report to include a recommendation for Upgrade of Existing 100A, 120/240V single phase service as needed.
- b. **City Hall**
 - i. Provide Panel Load Test (via CT's for 30 days min.) and detailed inspection of Main Service panel and two (2) sub-panels. Report to include a recommendation for Upgrade of Existing 400A, 120/208V Main Switchboard (MSB) and/or 225A, 120/208V Panels P1 & P2 as needed.
- c. **Fire Station**
 - i. Provide Panel Load Test (via CT's for 30 days min.) and detailed inspection of Main Service panel and three (3) sub-panels. Report to include a recommendation for Upgrade of Existing 225A, 120/208V main service panel, 200A, 120V/208V Panel P1, 100A, 120V/208V Panel P2, and 100A, 120V/208V Panel P3 as needed.

d. Ocean Ave Median

- i. Provide detailed Load Calculations to determine if an upgrade is required for current and future electrical loads. (CT Load Test won't yield peak loads due to intermittent use). Report to include a recommendation for Upgrade of Existing panel as needed.

3. Sunset Center Parking Lot Upgrades

- i. Panel Upgrade: Construction Documents to Replace 100A, 120/208V 3 phase Main-Panel with Panel suitable to handle future expansion needs. The existing panels are surface-mounted inside enclosures.
- ii. Panel Upgrade: Construction Documents to Replace several Sub-Panels serving lighting loads, EV loads, police Connex, etc. The existing panels are surface-mounted inside enclosures. Proposed to consolidate and clean up these panels, possibly relocate to allow for future PG&E service expansion. This includes coordination with PG&E for service upgrades and calculations needed to justify.

4. On-Call Architecture-Engineering Services

- i. Refer to the hourly rate sheet attached.

Tasks 1 and 3 shall include:

- 30% Schematic Design (SD) for new electrical infrastructure and EV charging stations.
- 95% Construction Documents (CD) for new electrical infrastructure and EV charging stations.
- 100% Construction Documents (CD) for new electrical infrastructure and EV charging stations.
- Technical Specifications, Bid Schedule/Item Descriptions, Estimated Construction Duration & Cost Estimate.
- Construction Support services including Bidding Support Meetings, Responding to RFI's, Reviewing Submittals, Construction support meetings, and up to two (2) Site Inspections. Weekly construction meetings are NOT expected.

Task 2 shall include:

- Individual Load Study Reports per site identified with Load Summary data and Recommendations for replacement. A high-level ROM Cost Estimated shall be included in report for replacement recommendations.

B. Project Locations

The projects shall be located at the following sites within Carmel-by-the-Sea:

1. Vista Lobos - Torres Street, between Third and Fourth Avenues
2. City Hall – Monte Verde Street, between Ocean and Seventh Avenues
3. Fire Station – Sixth Avenue, between San Carlos and Mission Streets
4. Sunset Center - San Carlos Street and Eighth Avenue
5. Ocean Avenue Median – Ocean Avenue at Junipero

C. Engineering Deliverables:

1. Provide electrical engineering suitable for the scope of work as described in section A of this proposal.
2. Provide structural engineering construction documents suitable for the scope of work as described in section A of this proposal for Task 1 and 3.

3. Provide one (1) PDF of drawings file of 30%SD/95%CD per package. Attend one (1) review meeting for each phase per package for Task 1 and 3..
4. Provide book specifications. Table of Contents at 30%SD and DRAFT specs at 95%CD for Task 1 and 3.
5. Provide four (4) Technical Reports for each site identified in Task 2 and attend one review meeting to review findings.

D. Assumptions and Exclusions

1. The project excludes the design of any architectural landscape or irrigation, etc. The path for new conduits is assumed to have minimal utilities or parking lot features in its path.
2. It is assumed that the Client will be responsible for submitting the permit application to the city. All permit fees are excluded and the client or Client will pay for permit fees.
3. It is assumed There will be a separate package construction package for Task 1 & 3. Task 2 will consist of Load Test, Detailed Inspection, and Technical Report detailing findings and recommendations per site.
4. The project excludes the commissioning of systems unless proposed and accepted. Commissioning participation is excluded.
5. It is assumed that cost reduction or value engineering requiring redesign after approved systems have been designed is excluded.
6. Repairs of the retaining wall at the Sunset Center parking lot are excluded.
7. The project excludes evaluating the ADA requirements for the alteration of the public parking lot. Civil and Architectural Site Survey for developing proper as-built of site conditions and existing parking lot and public access paths.

Exhibit “B” - Key Personnel, Compensation, and Fee Schedule

The Time-and-Material (T&M) fee for each task is as follows:

- Task 1: Vista Lobos – EV Chargers - \$19,700
- Task 2: Electrical Panels Load Monitoring - \$26,620
- Task 3: Sunset Center Parking Lot Upgrades - \$18,240
- Task 4: On-Call Architecture-Engineering Services - \$15,000

For a grand total **Time-and-Material fee of \$79,560** which will be billed per hourly rates attached.

EXHIBIT B

| ENGINEERING SERVICES | | | | | | | | | | | |
|---|-----------|-----------------|-----------------------|-----------------|----------|----------------|---------|----------|-------------|-------------------|------------------|
| Fee Proposal to Carmel-by-the-Sea | | | | | | | | | | | |
| Project: Carmel Electrical Engineering Services | | | | | | | | | | | |
| TASK DESCRIPTION | PERSONNEL | | | | | | | | EQUIP | | TASK TOTAL VALUE |
| | PRINCIPAL | PROJECT MANAGER | ARCHITECT/ STRUCTURAL | SENIOR ENGINEER | DESIGNER | COST ESTIMATOR | DRAFTER | CLERICAL | TOTAL HOURS | CT DEVICES RENTAL | |
| | | | | | | | | | | | |
| Task 1: Vista Lobos EV Chargers | | | | | | | | | | | |
| Task 1.1: Site Survey | 0 | 1 | 0 | 8 | 4 | 0 | 4 | 0 | 17 | \$ - | \$ 2,820 |
| Task 1.2: 30% Schematic Design (SD) | 0 | 1 | 0 | 8 | 8 | 0 | 8 | 0 | 25 | \$ - | \$ 3,920 |
| Task 1.3: 95% Construction Documents (CD) | 2 | 1 | 4 | 12 | 8 | 0 | 12 | 0 | 39 | \$ - | \$ 6,560 |
| Task 1.4: Tech Specs, Bid Schedule, Cost Estimate | 2 | 1 | 1 | 4 | 0 | 8 | 0 | 16 | 32 | \$ - | \$ 4,380 |
| Task 1.5: Construction Support Services | 0 | 4 | 1 | 4 | 0 | 0 | 2 | 0 | 11 | \$ - | \$ 2,020 |
| Task 2: Electrical Panels Load Monitoring | | | | | | | | | | | |
| Task 2.1: Vista Lobos | 1 | 2 | 0 | 12 | 4 | 2 | 0 | 0 | 21 | \$ 500 | \$ 4,410 |
| Task 2.2: City Hall | 1 | 2 | 0 | 16 | 12 | 4 | 0 | 0 | 35 | \$ 1,500 | \$ 7,760 |
| Task 2.3: Fire Station | 1 | 2 | 0 | 24 | 16 | 4 | 0 | 0 | 47 | \$ 2,000 | \$ 10,400 |
| Task 2.4: Ocean Ave Median | 1 | 2 | 0 | 16 | 0 | 2 | 0 | 0 | 21 | \$ - | \$ 4,050 |
| Task 3: Sunset Center Parking Lot Upgrades | | | | | | | | | | | |
| Task 3.1: Site Survey | 0 | 1 | 0 | 4 | 4 | 0 | 4 | 0 | 13 | \$ - | \$ 2,060 |
| Task 3.2: 30% Schematic Design (SD) | 0 | 1 | 0 | 8 | 8 | 0 | 8 | 0 | 25 | \$ - | \$ 3,920 |
| Task 3.3: 95% Construction Documents (CD) | 2 | 1 | 4 | 12 | 8 | 0 | 12 | 0 | 39 | \$ - | \$ 6,560 |
| Task 3.4: Tech Specs, Bid Schedule, Cost Estimate | 2 | 1 | 1 | 4 | 0 | 4 | 0 | 16 | 28 | \$ - | \$ 3,680 |
| Task 3.5: Construction Support Services | 0 | 4 | 1 | 4 | 0 | 0 | 2 | 0 | 11 | \$ - | \$ 2,020 |
| | | | | | | | | | | | |
| Subtotal Hours | 12 | 24 | 12 | 136 | 72 | 24 | 52 | 32 | 364 | | |
| RATE | \$260 | \$200 | \$220 | \$190 | \$155 | \$175 | \$120 | \$80 | | | |
| PERSONNEL COST | \$3,120 | \$4,800 | \$2,640 | \$25,840 | \$11,160 | \$4,200 | \$6,240 | \$2,560 | | | |
| TOTAL | | | | | | | | | | \$64,560 | |

EXHIBIT B

FORM G - HOURLY RATE SHEET

H. ADDITIONAL INFORMATION

| No. | Key Personnel from FORM C | Role | Fully Burdened Hourly Rates | | |
|-----|----------------------------------|------------------------------------|-----------------------------|-----------------------|-----------------------|
| | | | 7/1/2022 to 6/30/2023 | 7/1/2023 to 6/30/2024 | 7/1/2024 to 6/30/2025 |
| 1. | Lorenzo Rios, P.E. | Principal-in-Charge | \$260 | \$260 | \$275 |
| 2. | Lorenzo Rios Jr., P.E. | Project Manager | \$200 | \$200 | \$215 |
| 3. | Craig Olivier, P.E. | Project Manager/Sr. Cost Estimator | \$200 | \$200 | \$215 |
| 4. | Gewargis Youssefi, P.E. LEED AP | Sr. Mechanical Engineer | \$190 | \$190 | \$205 |
| 5. | David Hammond, P.E. | Sr. Plumbing Engineer | \$190 | \$190 | \$205 |
| 6. | Alex Hernandez, P.E. | Sr. Electrical Engineer | \$190 | \$190 | \$205 |
| No. | Other Staff (or Classifications) | Role | Fully Burdened Hourly Rates | | |
| | | | 7/1/2022 to 6/30/2023 | 7/1/2023 to 6/30/2024 | 7/1/2024 to 6/30/2025 |
| 7. | Mechanical Designer | | \$155 | \$155 | \$165 |
| 8. | Electrical Designer | | \$155 | \$155 | \$165 |
| 9. | Drafter | | \$120 | \$120 | \$130 |
| 10. | Spec Writer | | \$120 | \$120 | \$125 |
| 11. | Clerical | | \$80 | \$80 | \$85 |
| 12. | Architect | | \$220 | \$220 | \$235 |
| 13. | Architect - Designer | | \$180 | \$180 | \$190 |
| 14. | Cost Estimator | | \$175 | \$175 | \$185 |

Does your firm's fully burdened hourly rates include the following?

Software Yes ☒ No ☐
 Phone/Cell Yes ☒ No ☐
 Mileage Yes ☒ No ☐

Vehicles Yes ☒ No ☐
 Printing Yes ☒ No ☐
 Postage/Courier Yes ☒ No ☐

Please initial here to acknowledge that markups for subconsultants and other direct costs shall not exceed 10.0%. LRR

EXHIBIT C - PROJECT SCHEDULE

Attachment 2

| City of Council for the City - Electrical Engineering Services | | | | | | | | | |
|--|-----------------------------|--------------------|-------------|-----------------|---------------|---------------|---------------|------------|--------------|
| Task | Task Name | Task Description | Task Status | Task Start Date | Task End Date | Task Duration | Task Progress | Task Owner | Task Manager |
| 1 | Task 1: Initial Survey | Initial Survey | Completed | 1/1/2023 | 1/1/2023 | 1 day | 100% | John Smith | John Smith |
| 2 | Task 2: Site Visit | Site Visit | In Progress | 1/1/2023 | 1/1/2023 | 1 day | 50% | John Smith | John Smith |
| 3 | Task 3: Design | Design | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 4 | Task 4: Construction | Construction | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 5 | Task 5: Commissioning | Commissioning | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 6 | Task 6: Handover | Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 7 | Task 7: Closeout | Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 8 | Task 8: Final Report | Final Report | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 9 | Task 9: Project Summary | Project Summary | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 10 | Task 10: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 11 | Task 11: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 12 | Task 12: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 13 | Task 13: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 14 | Task 14: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 15 | Task 15: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 16 | Task 16: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 17 | Task 17: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 18 | Task 18: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 19 | Task 19: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 20 | Task 20: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 21 | Task 21: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 22 | Task 22: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 23 | Task 23: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 24 | Task 24: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 25 | Task 25: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 26 | Task 26: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 27 | Task 27: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 28 | Task 28: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 29 | Task 29: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 30 | Task 30: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 31 | Task 31: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 32 | Task 32: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 33 | Task 33: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 34 | Task 34: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 35 | Task 35: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 36 | Task 36: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 37 | Task 37: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 38 | Task 38: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 39 | Task 39: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 40 | Task 40: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 41 | Task 41: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 42 | Task 42: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 43 | Task 43: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 44 | Task 44: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 45 | Task 45: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 46 | Task 46: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 47 | Task 47: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 48 | Task 48: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 49 | Task 49: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 50 | Task 50: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 51 | Task 51: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 52 | Task 52: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 53 | Task 53: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 54 | Task 54: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 55 | Task 55: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 56 | Task 56: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 57 | Task 57: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 58 | Task 58: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 59 | Task 59: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 60 | Task 60: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 61 | Task 61: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 62 | Task 62: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 63 | Task 63: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 64 | Task 64: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 65 | Task 65: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 66 | Task 66: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 67 | Task 67: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 68 | Task 68: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 69 | Task 69: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 70 | Task 70: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 71 | Task 71: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 72 | Task 72: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 73 | Task 73: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 74 | Task 74: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 75 | Task 75: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 76 | Task 76: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 77 | Task 77: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 78 | Task 78: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 79 | Task 79: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 80 | Task 80: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 81 | Task 81: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 82 | Task 82: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 83 | Task 83: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 84 | Task 84: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 85 | Task 85: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 86 | Task 86: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 87 | Task 87: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 88 | Task 88: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 89 | Task 89: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 90 | Task 90: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 91 | Task 91: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 92 | Task 92: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 93 | Task 93: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 94 | Task 94: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 95 | Task 95: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 96 | Task 96: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 97 | Task 97: Project Completion | Project Completion | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 98 | Task 98: Project Review | Project Review | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 99 | Task 99: Project Closeout | Project Closeout | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |
| 100 | Task 100: Project Handover | Project Handover | Not Started | 1/1/2023 | 1/1/2023 | 1 day | 0% | John Smith | John Smith |



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

July 11, 2023
CONSENT AGENDA

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Robert Harary, P.E, Director of Public Works |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2023-072, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Neill Engineers Corp. for civil engineering services associated with city-wide Drainage Improvement Projects, for a not-to-exceed fee of \$159,100 |

RECOMMENDATION:

Adopt Resolution 2023-072, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Neill Engineers Corp. for civil engineering services associated with city-wide Drainage Improvement Projects, for a not-to-exceed fee of \$159,100.

BACKGROUND/SUMMARY:

In September 2019, the City Council adopted Resolution 2019-064, awarding a Professional Services Agreement to Schaaf & Wheeler Consulting Civil Engineers to prepare the City's first Storm Drain Master Plan (SDMP) for a not-to-exceed fee of \$174,910. This Capital Improvement Project was successfully completed on budget in the fall 2020.

The purpose of the SDMP was to provide an examination of flooding and drainage risks within the City limits and recommend actions necessary to accomplish appropriate level-of-service and reliability for the City's storm drain system. The SDMP is available on the City's website under the Public Works main page at: [complete_final_sdmp_report_september_2020_small.pdf](#) ([carmel.ca.us](#))

The Public Works Director presented the results of the SDMP to the Climate Committee in December 2020 and to the City Council in February 2021. As discussed at these meetings, a majority of the City's existing storm drainage system was designed to handle a once in 10-year storm event, rather than a 20-year storm event that is more common in other municipalities. Coupled with increased storm events due to Climate Change, Council and the Climate Committee requested that future drainage upgrades and repairs be sized for 20-year events while also recognizing that all repairs and upgrades will require significant funding over a long period of time to minimize the potential of flooding.

In June 2022, Council adopted Resolution 2022-048, approving 25 new Fiscal Year (FY) 2022/23 Capital Improvement Projects, including the Citywide Drainage System Repair Design, Phase II. This project,

which is part of that multi-year drainage improvement program, allocated \$500,000 to continue the development of drainage system improvement plans to fix the highest priority broken pipes and bottlenecks, based on the findings of the SDMP. This funding supplemented the Drainage System Repairs, Phase I project's \$100,000 carryover funds from FY 2021/22.

In October 2022, Council adopted Resolution 2022-088, awarding a Professional Services Agreement to Schaaf and Wheeler Consulting Civil Engineers to update their 2020 Storm Drain Master Plan to reflect 20-year, rather than 10-year, storm events, for a fee of \$50,000.

Also, in October 2022, the City Administrator executed a Professional Services Agreement with Neill Engineers Corp., in an amount of \$24,999, to provide technical support services for the SDMP Update, as well as to provide on-call services associated with programming and preliminary design of the most urgent drainage improvement projects identified in the SDMP Update. Neill Engineers was selected as the most qualified firm to provide these civil engineering services base on a review of seven (7) Statements of Qualifications received in May 2022 and reviewed by a Selection Committee in September 2022.

In June 2023, Council adopted Resolution 2023-067 approving the carry-over of 25 FY 2021/22 and 2022/23 Capital Improvement Projects, including the now-combined Drainage Design – Phases I and II Projects, with a combined initial budget of \$600,000. During development of the FY 2023/24 Capital Improvement Program, Council directed staff to utilize some of the remaining funds to begin physical construction of some of the needed drainage improvements, rather than using all funds to design the most significant/costly improvements, namely trunk line capacity improvements along Junipero Street, including a bypass onto Mission Street, to be “shovel ready.”

The SDMP Update is now complete, and the Public Works Director plans to present this update at an upcoming Council meeting. As a result of Council's guidance, the remaining funds was reprogrammed to design four (4) high priority drainage improvements, by Neill Engineers, and for construction of these facilities. The improvements selected are:

- Acacia Way headwall at Flanders Way.
- Eleventh Avenue storm drain from Carmelo Street to San Antonio Avenue.
- Santa Fe Street storm drain, from Eight Avenue into an outfall into the Mission Trail Nature Preserve.
- Storm drains along Lincoln Street, from First to Second Avenues, and along Second Avenue west towards Monte Verde Street.
- Also, as an outcome of the SDMP Update and re-programming of Projects as described above, Neill Engineers will also need to complete revisions to the plans and specification for the FY 2021/2022 Pavement Rehabilitation Project by removing (deferring) the proposed paving improvements along Junipero Street until after drainage lines are installed.

Amendment No. 1 to the Professional Services Agreement was negotiated with Neill Engineers for a not-to-exceed fee of \$159,100. The design work is anticipated to be completed within five months of issuance of the Notice to Proceed. Neill Engineers' fees also include bidding and construction phase support services.

During development of the SDMP Update, the project was managed by one of the City's project management consultants, Wallace Group. With the Update complete, and a Project Manager now on board in Public Works, our in-house Project Manager will lead the project during design and subsequent construction.

FISCAL IMPACT:

Engineering design and construction support services by Neill Engineers for Amendment No. 1 is tabulated

below.

| No. | Storm Drain Projects | Fee |
|--------------|--|------------------|
| 1 | Acacia Way headwall | \$10,200 |
| 2 | Eleventh Avenue - San Antonio to Carmelo | 52,800 |
| 3 | Santa Fe Street – Eighth to MTNP | 44,800 |
| 4 | Lincoln Street and Second Avenue | 39,000 |
| 5 | FY 21 Paving Revisions | 12,300 |
| Total | | \$159,100 |

The total fee for Neill Engineers, including the original Agreement authorization of \$24,999, plus this Amendment No. 1 for a not-to-exceed fee of \$159,100, is \$184,099.

These four drainage projects were bundled together for efficiency of design, bidding, and construction. This bundling approach also provides a cost advantage due to economy of scale. Considering ongoing inflation, the rising costs of construction labor, and supply chain challenges, it is anticipated that additional funds may be needed at the time that a construction contract is awarded. The FY 2023/24 Capital Improvement Program included a Contingency Fund for such purposes.

The following table recaps the current budget associated with the \$600,000 Drainage Project:

| No. | Project/Task | Firm | Fee |
|--------------|--|------------------|------------------|
| 1 | SDMP Update | Schaaf & Wheeler | \$50,000 |
| 2 | Project Management during SDMP Update | Wallace Group | 15,000 |
| 3 | SDMP Update Tech Support | Neill Engineers | 25,000 |
| 4 | Design 4 Priority Drainage Improvements | Neill Engineers | 159,100 |
| 5 | Budget Available for 4 Drainage Improvements | TBD | 350,900 |
| Total | | | \$600,000 |

All expenditures for these projects are covered in the Capital Projects Fund Account No. 301-311-00-43008.

PRIOR CITY COUNCIL ACTION:

In June 2022, Council adopted Resolution 2022-048, approving 25 FY 2022/23 Capital Improvement Projects, including the Citywide Drainage System Repair Design, Phase II. This project allocated \$500,000 to supplement the development of drainage system improvement plans from the Drainage System Repairs, Phase I project's \$100,000 carryover funds from FY 2021/22.

In October 2022, Council adopted Resolution 2022-088, awarding a Professional Services Agreement to Schaaf and Wheeler Consulting Civil Engineers to update their 2020 Storm Drain Master Plan to reflect 20-year, rather than 10-year, storm events, for a fee of \$50,000. Also in October 2022, the City Administrator executed a Professional Services Agreement with Neill Engineers Corp., in an amount of \$24,999, to provide technical support for the SDMP Update.

In June 2023, Council adopted Resolution 2023-067 approving the carry-over of 25 Fiscal Year (FY) 2021/22 and 2022/23 Capital Improvement Projects, including the now-combined Drainage Design – Phases I and II Projects, with a combined initial budget of \$600,000.

ATTACHMENTS:

Attachment 1) Resolution 2023-072

Attachment 2) Amendment No. 1 with Neill Engineers

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-072

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 1 TO THE
PROFESSIONAL SERVICES AGREEMENT WITH NEILL ENGINEERS CORP. FOR CIVIL
ENGINEERING SERVICES ASSOCIATED WITH CITY-WIDE DRAINAGE IMPROVEMENT
PROJECTS, FOR A NOT-TO-EXCEED FEE OF \$159,100**

WHEREAS, in June 2022, Council adopted Resolution 2022-048 approving capital improvement projects for Fiscal Year (FY) 2022/23, including the City-wide Drainage Improvement Project, Phase II, to supplement the prior year Drainage System Repair Project, Phase I, with a combined initial budget of \$600,000; and

WHEREAS, in October 2022, Council adopted Resolution 2022-088 awarding a Professional Services Agreement to Schaaf and Wheeler Consulting Civil Engineers to update their 2020 Storm Drain Master Plan (SDMP) to reflect 20-year, rather than 10-year, storm events; and

WHEREAS, in October 2022, the City Administrator executed a Professional Services Agreement with Neill Engineers, Corp., in an amount of \$24,999, to provide technical support for the SDMP Update; and

WHEREAS, in June 2023, Council adopted Resolution 2023-067 approving the carry-over of these now-combined projects into FY 2023/24; and

WHEREAS, based on the results of the completed SDMP Update and Council direction during development of the FY 2023/24 Capital Improvement Program, remaining project funds were reprogrammed to facilitate construction of several high-priority drainage improvements identified in the SDMP Update; and

WHEREAS, the first four drainage improvements selected for design and construction are: Acacia Way headwall at Flanders Way, Eleventh Avenue storm drain, from Carmelo Street to San Antonio Avenue, Santa Fe Street storm drain, from Eight Avenue into an outfall into the Mission Trail Nature Preserve, and storm drains along Lincoln Street, from First to Second Avenues, and along Second Avenue west towards Monte Verde Street; and

WHEREAS, Amendment No. 1 to the Professional Services Agreement was negotiated with Neill Engineers to provide the design of these four drainage projects, as well as bidding and construction support services, for a not-to-exceed fee of \$159,100; and

WHEREAS, sufficient funding is available for these services in the Capital Projects fund account, leaving a balance of approximately \$350,900 for subsequent construction.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Neill Engineers Corp. for civil engineering services associated with City-wide Drainage Improvement Projects, for a not-to-exceed fee of \$159,100.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 11th day of July, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk

**AMENDMENT NO. 1 TO
AGREEMENT # PWD-NEILL-187-22-23**

**PROFESSIONAL CIVIL ENGINEERING DESIGN SERVICES FOR THE CITY OF CARMEL
STORM DRAIN IMPROVEMENT PROJECTS
FOR FISCAL YEAR 2021/22 & 2022/2023**

1. This amendment (the "Amendment") is made by **City of Carmel-by-the-Sea** and **Neill Engineers Corp**, parties to Agreement #PWD-NEILL-187-22-23 (the "Agreement") executed on October 24, 2022.

2. The Agreement is amended as follows:

a. Section 1, Services, is amended to include the following professional Civil Engineering design services for the following Storm Drain capital improvement projects and related services, as described in the Scope of Services in Exhibit A.1:

- Acacia Way headwall
- 11th Avenue storm drain from Carmelo Street to San Antonio Avenue
- Santa Fe Street storm drain, from 8th Avenue To an Outfall into the Mission Trail Nature Preserve
- Storm drains along Lincoln Street, from 1st to 2nd Avenues, and along 2nd Avenue to Monte Verde Street
- Revisions to Plans and Specifications for the FY 2021/2022 Pavement Rehabilitation Project resulting from phasing changes identified in the 2023 Storm Drain Master Plan Update

b. Section 2, Compensation, of the Agreement is amended and restated as follows:

Subject to any limitations set forth in this Agreement, the City agrees to pay and Consultant agrees to accept as full and fair consideration for the performance of this Agreement, hourly fees as set forth in Consultant's Fee Schedule (Exhibit "B.1"), in a total amount not-to-exceed One Hundred Fifty-Nine Thousand Once Hundred Dollars (\$159,100) for services performed in Fiscal Year 2023/24. Therefore, the "Maximum Authorized Expenditure" under this Agreement, including Amendment No. 1, is One Hundred Eighty-four Thousand Ninety-Nine Dollars (\$184,099).

c. Section 3, Agreement Term, of the Agreement is amended and restated as follows:

The work under this Agreement will commence by October 24, 2022 and must be completed by June 30, 2025 unless sooner terminated or the City grants an extension of time in writing pursuant to the terms of this Agreement, except for provisions in this Agreement that will survive the termination or completion of this Agreement.

Consultant will perform Amendment No. 1 services in a timely manner and in accordance with the Project Schedule for Fiscal Year 2023/24 in Exhibit C.1.

3. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

4. Each party represents and warrants that all necessary action has been taken by such party to authorize the undersigned to execute this Amendment and to bind the parties to the performance of its obligations.

5. This Amendment may be executed in counterparts, each of which will be deemed an original, and all of which, when taken together, constitute one and the same instrument. The Amendment will be considered executed when the signature of a party is delivered by facsimile or other electronic transmission. Such facsimile or other electronic signature will have the same effect as an original signature.

6. If any term, condition, or covenant of this Amendment is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Amendment will not be affected and the Amendment will be read and construed without the invalid, void or unenforceable provision.

CONSULTANT:

By: _____ Date: _____

CITY:

By: _____ Date: _____
Chip Rerig, City Administrator

ATTEST:

By: _____ Date: _____
Nova Romero, MMC, City Clerk

Exhibit A.1 – Scope of Services for Amendment No. 1

The proposed projects are based on the recently-completed Storm Drain Master Plan Updated Final Report 2023 prepared by Schaaf & Wheeler and as requested by the City's Public Works Department.

The scopes of the projects are generally described as follows:

1. Acacia Way Headwall - Construct a headwall at the existing 12" concrete pipe entrance located at Acacia Way and Flanders Way. Construction of a concrete headwall will improve the pipe inlet condition, increase the inlet runoff capture capacity and maximize the available pipe capacity of the existing storm drain line. The headwall is proposed to use color concrete and rock-faced for aesthetic appearance.
2. 11th Avenue storm drain from Carmelo Street to San Antonio Avenue - Install an underground storm drain system along 11th Ave. from San Antonio to Carmelo to eliminate street surface flow along the center of the street. The existing catch basins at 11th & San Antonio do not capture the high-velocity street surface flow effectively, with water splashing and ponding at the intersection. The present condition creates an unsafe traffic hazard.

The project would extend the storm drain line up 11th Avenue from San Antonio to Carmelo to capture and collect the upstream runoff into an underground system to remove the intersection safety hazard. Catch basins and manholes will be installed at key locations at the intersection of Carmelo St. and San Antonio Ave.

The surface flow within walkway easement from San Antonio to Scenic will remain unchanged. (Storm Drain Master Plan Updated Final Report recommends replacement of this surface flow with an underground pipe). However, due to several large trees and existing utilities located within the easement, it may not be feasible to install an underground pipe within the walkway easement.

3. Santa Fe Street storm drain, from 8th Avenue to an Outfall into the Mission Trail Nature Preserve - Install an underground storm drain system along Santa Fe from 8th Ave. to the drainage channel outfall discharging into Mission Trail Park located at south end of Santa Fe.

The project would add catch basins and manholes at key locations at the intersection of 8th Avenue to capture and collect the street runoff into the new storm drain system. Presently most of the street runoff along Santa Fe north of 8th turns and flows to the west along 8th St., then turns and flows along Torres St. to the south. Under heavy rains, the homes along Torres St. are subject to flooding. This project will alleviate the risk of flooding along Torres St.

This work is considered an initial phase of the overall planned storm drain CIP improvements described in the Storm Drain Master Plan Updated Final Report for an underground storm drain system along Santa Fe St. from Mountain View to Mission Trail Nature Preserve.

4. Storm drains along Lincoln Street, from 1st to 2nd Avenues, and along 2nd Avenue to Monte Verde Street - Install an underground storm drain system along Lincoln St. from south of 1st Ave. to 2nd Ave., and along 2nd Ave. down to Monte Verde. The improvements would intercept and collect runoff from an existing culvert crossing at Lincoln south of 1st Ave. and re-direct the culvert flow into an underground piping system running along Lincoln St. down to 2nd Ave. The existing culvert crossing discharges runoff onto private properties. The project will essentially eliminate the culvert runoff discharging onto private properties.

Catch basins and manholes would be added along Lincoln and at the intersection of 2nd Ave. to collect surface flow and improve drainage. The new storm drain line will extend down the closed portion of 2nd Ave. between Lincoln & Monte Verde and connect into an existing drainage inlet at Monte Verde.

This work is considered an initial phase of the overall planned storm drain CIP improvements described in the Storm Drain Master Plan Updated Final Report for 2nd Ave. & Monte Verde St.

5. Revisions to Plans and Specifications for the FY 2021/2022 Pavement Rehabilitation Project - resulting from phasing changes identified in the 2023 Storm Drain Master Plan Update to avoid impact with future Storm Drain Master Plan Improvements.

Our engineering design tasks for the above projects are as follows:

- Review Storm Drain Master Plan Updated Final Report 2023
- Meetings w/Public Works Director, Project Manager and City Staff to review project recommendations, project scope
- Field survey and mapping of the project site areas (projects #1-4)
- Prepare preliminary and progress plans
- Provide 30% and 90% submittals for City review
- Provide 90% submittal of Technical Specifications
- Complete Final Plans, Technical Specifications, Bid Schedule and Engineer's Cost Estimate (City to prepare Special Provisions & Bid Documents)
- Provide support services as needed during the bid period and during construction. (Pre-bid meeting, RFI's, addendums, pre-construction meeting, review Contractor submittals, periodic field visits during construction and other assistance as requested by City.)

Exhibit B.1 – Compensation and Hourly Rates for Amendment No. 1

Our Engineering Fees and Fee Schedule for the various projects are listed below:

ENGINEERING FEES

| Project | Title | Design | Bid | Construction | Total |
|---------------------|-------------------------------|---------------|------------|---------------------|------------------|
| 1 | Acacia Way | \$9,800 | \$200 | \$200 | \$10,200 |
| 2 | 11 th /San Antonio | 50,800 | 500 | 1,500 | 52,800 |
| 3 | Santa Fe to MTNP | 42,800 | 500 | 1,500 | 44,800 |
| 4 | Lincoln & 2nd | 37,000 | 500 | 1500 | 39,000 |
| 5 | FY 21 Paving Revisions | 12,300 | | | 12,300 |
| Total Not-to-Exceed | | | | | \$159,100 |

2023/24 FEE SCHEDULE

| Classification | Hourly Rate |
|----------------------------|--------------------|
| 3-Person Field Survey Crew | \$332.00 |
| 2-Person Field Survey Crew | \$266.00 |
| Principal Engineer | \$206.00 |
| Project Engineer | \$195.00 |
| Staff Engineer/Surveyor | \$174.00 |
| Engineering Technician | \$144.00 |
| Field Observer | \$137.00 |
| CADD Draftsperson | \$129.00 |
| Administrative Assistant | \$96.00 |
| Blueprinting and Copying | Cost + 10% |
| Other Consultants | Cost + 10% |

Exhibit C.1 – Project Schedule

| | | Aug 2023 | Sept 2023 | Oct 2023 | Nov 2023 | Dec 2023 |
|---|----|---|--|--|--|--|
| | | Wk 1-4 Wk 7-11 Wk 14-18 Wk 21-25 Wk 28-31 & 9/1 | Wk 4-8 Wk 11-15 Wk 18-22 Wk 25-29 | Wk 2-6 Wk 9-13 Wk 16-20 Wk 23-27 Wk 30-31 & 11/1-3 | Wk 6-10 Wk 13-17 Wk 20-24 Wk 27-30 & 12/1 | Wk 4-8 Wk 11-15 Wk 18-22 Wk 25-29 |
| Acacia Way Work Days | | | | | | |
| Field Mapping / Prelim Engr'ng | 3 | | | | | |
| 30% Plan Submittal | 1 | | | | | |
| 90% P&S Submittal | 2 | | | | | |
| Final P, S & E | 1 | | | | | |
| Total Work Days: | 7 | | | | | |
| 11th & San Antonio Work Days | | | | | | |
| Field Mapping / Prelim Engr'ng | 8 | | | | | |
| 30% Plan Submittal | 9 | | | | | |
| 90% P&S Submittal | 14 | | | | | |
| Final P, S & E | 6 | | | | | |
| Total Work Days: | 37 | | | | | |
| Santa Fe - 8th Work Days | | | | | | |
| Field Mapping / Prelim Engr'ng | 8 | | | | | |
| 30% Plan Submittal | 8 | | | | | |
| 90% P&S Submittal | 12 | | | | | |
| Final P, S & E | 5 | | | | | |
| Total Work Days: | 33 | | | | | |
| 2nd & Lincoln Work Days | | | | | | |
| Field Mapping / Prelim Engr'ng | 6 | | | | | |
| 30% Plan Submittal | 5 | | | | | |
| 90% P&S Submittal | 6 | | | | | |
| Final P, S & E | 5 | | | | | |
| Total Work Days: | 22 | | | | | |

Anticipate start date on August 1, 2023.

Anticipate work to be bid and constructed as a single 4-part project.

Allowed one-week City Public Works review period for 30% and 90% submittal.

No time allowed for other City Departments or Commissions review.

Project Schedule Target Completion Dates:

| | |
|--------------------------------|-------------------|
| Anticipated Start Date | August 1, 2023 |
| Field Mapping & Prelim Engr'ng | September 5, 2023 |
| 30% Plan Submittal | October 6, 2023 |
| 90% P&S Submittal | December 4, 2023 |
| Final P, S & E | December 29, 2023 |

Project Schedule subject to change as requested by City.



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

July 11, 2023
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Robert Harary, P.E, Director of Public Works

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2023-073, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Ausonio, Inc. for Project Management Services for facility renovation projects for a not-to-exceed fee of \$125,000 for Fiscal Year 2023/24

RECOMMENDATION:

Adopt Resolution 2023-073, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Ausonio, Inc. for Project Management Services for facility renovation projects for a not-to-exceed fee of \$125,000 for Fiscal Year 2023/24.

BACKGROUND/SUMMARY:

In May 2022, based on Statements of Qualifications submitted by seven project management consultants, Ausonio, Inc. was selected by an evaluation committee as best qualified to implement the City's facility renovation-oriented capital projects.

In June 2022, Council adopted Resolution 2022-048 approving 25 Fiscal Year (FY) 2022/23 Capital Improvement Projects. In August 2022, Council adopted Resolution 2022-065, awarding a three-year Professional Services Agreement to Ausonio, for delivery of nine (9) facility renovation projects, for a fee of \$125,000 for FY 2022/23.

In June 2023, Council adopted Resolution 2023-067 approving 25 carry-over Capital Improvement Projects, including several facility renovation projects that were designed in FY 2022/23 but not yet constructed, and 16 additional FY 2023/24 Capital Improvement Projects, including several new facility renovation projects.

During FY 2022/23, the nine facility renovation projects assigned to Ausonio progressed as follows:

- Two projects were substantially completed:
 1. City Hall Retaining Wall Repair
 2. Facility Conditions Assessment Report (City Hall, Fire Station, Public Works, Vista Lobos)

- Four projects were bundled together, design plans and specifications were prepared by architectural and hazardous materials testing firms, and bidding documents were compiled by Ausonio:
 1. City Hall Roof Replacement
 2. Sunset Center Hazardous Materials (Haz Mat) Remediation and Exterior Painting
 3. Sunset Center Cottage Window Repairs
 4. Harrison Memorial Library (HML) Haz Mat Remediation & Exterior/Interior Painting
- Two projects were designed to approximately 90% complete, but placed on hold pending further development of the separate Library Master Plan project:
 1. HML Backup Generator
 2. HML Carpet Replacement
- One project was limited to an initial assessment, and then placed on hold pending further development of the separate Police Building project because this building may be used as swing space during renovations:
 1. Vista Lobos Interior Remodel Design

During FY 2023/24, Ausonio will provide the following services:

- For the four bundled facility renovation projects, Ausonio will administer the public bidding phase, and provide construction management and inspection services through project closeout.
- For the San Antonio Walkway Reconstruction Project, between Second and Fourth Avenues, Ausonio will prepare design plans and specifications, administer the public bidding phase, and provide construction management and inspection services through project closeout.
- For the Sunset Center Portico and Retaining Wall Repair Projects, Ausonio will manage the design, tentatively by the City's on-call architectural firm, and have these two projects ready for bidding if funded for construction in FY 2024/25.
- On-call, as-needed services will likely include: finalizing the carry-over City Hall Retaining Wall Repair Project, and developing a capital improvement plan/schedule for the most urgent repairs identified in the Facility Conditions Assessments Report.

Other ongoing tasks will include:

- Providing project updates with City.
- Coordinating projects with Public Works, Community Planning & Building, other City staff, and building occupants.
- Meetings with technical experts, vendors, and trade contractors to solicit input.
- Preparing construction cost estimates and schedule timelines.
- Submitting projects for building permits.
- Conducting pre-bid meetings and issuing addenda.
- Writing Notice to Proceed letters, conducting meetings with agendas and minutes, approving submittals, and negotiating change orders.

FISCAL IMPACT:

PM services for all Capital Improvement Projects will be charged to CIP Account Number 301-311-00-43008. Services associated with the San Antonio Walkway, which was damaged during January storms, will be charged to the Public Works/Street Maintenance Division Account #101-119-41-42001, but these costs are anticipated to be reimbursed by FEMA. PM Services for on-call, as-needed services for incidental projects not associated with capital projects that may arise over the year, would be charged to the Public Works/Facility Maintenance Services Division Account #101-119-42-42001. There is sufficient budget in all

three accounts for the proposed services.

Ausonio's PM fee for FY 2022/23 was \$125,000, which was approximately 14% of the total budget for assigned projects. At the end of FY 2022/23, the fee was nearly exhausted but remained within budget. The overall amount of effort, and consequently the fee, negotiated for FY 2023/24 appears to be equivalent to that of the prior FY. By comparison, the fee for FY 2023/24 of \$125,000 is 17% of the total budget for assigned projects.

The FY 2022/23 and/or FY 2023/24 budgets for some of these facility renovation projects may already be low due to continuing cost escalation and inflation for architectural and engineering consultant fees, construction labor, materials, and transportation. Some of these projects will be scaled back to fit the available budget, while others will proceed as intended, with the caveat that additional funds may be needed at the time that construction contracts are awarded. A Contingency Budget was established in the FY 2023/24 Capital Improvement Program to cover such costs.

PRIOR CITY COUNCIL ACTION:

In June 2022, Council adopted Resolution 2022-048 approving 25 FY 2022/23 Capital Improvement Projects. In August 2022, Council adopted Resolution 2022-065, awarding a three-year Professional Services Agreement to Ausonio, Inc., for delivery of nine facility renovation projects, for a fee of \$125,000 for FY 2022/23.

In June 2023, Council adopted Resolution 2023-067 approving 25 carry-over Capital Improvement Projects, including several facility renovation projects that were designed in FY 2022/23 but not yet constructed, and 16 additional FY 2023/24 Capital Improvement Projects, including several new facility renovation projects.

ATTACHMENTS:

Attachment 1) Resolution 2023-073

Attachment 2) Amendment No. 1 with Ausonio, Inc.

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-073

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 1 TO THE
PROFESSIONAL SERVICES AGREEMENT WITH AUSONIO, INC. FOR PROJECT
MANAGEMENT SERVICES FOR FACILITY RENOVATION PROJECTS FOR A NOT-TO-
EXCEED FEE OF \$125,000 FOR FISCAL YEAR 2023/24**

WHEREAS, in June 2022, Council adopted Resolution 2022-048 approving 25 Fiscal Year (FY) 2022/23 Capital Improvement Projects, and in August 2022, Council adopted Resolution 2022-065, awarding a three-year Professional Services Agreement to Ausonio, Inc. for delivery of nine facility renovation projects, for a fee of \$125,000 for FY 2022/23; and

WHEREAS, in June 2023, Council adopted Resolution 2023-067 approving 25 carry-over projects, including several facility renovation projects that were designed in FY 2022/23 but not yet constructed, and 16 additional FY 2023/24 Capital Improvement Projects, including facility renovation projects; and

WHEREAS, Amendment No. 1 to the Professional Services Agreement was negotiated with Ausonio to provide bidding and construction management services for the following carry-over projects: City Hall Roof Replacement Project, Sunset Center Hazardous Materials Remediation and Exterior Painting Project, Sunset Center Cottage Window Repairs, and Harrison Memorial Library Hazardous Materials Remediation and Exterior and Interior Painting projects; and

WHEREAS, per Amendment No. 1, Ausonio will also prepare the design and manage construction of the San Antonio Walkway Reconstruction Project, manage the design of the Sunset Center Portico and Retaining Walls Repair Projects, and provide on-call, as-needed project management services, for a not-to-exceed fee of \$125,000 for FY 2023/24, and

WHEREAS, there is sufficient budget available in the Capital Fund Account to cover fees for the Capital Improvement Projects, as well as in the Public Works/Street Maintenance and Public Works/Facility Maintenance contractual services accounts to cover non-CIP projects.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF
CARMEL-BY-THE-SEA DOES HEREBY:**

Authorize the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Ausonio, Inc. for Project Management Services for facility renovation projects for a not-to-exceed fee of \$125,000 for Fiscal Year 2023/24.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 11th day of July, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk

**AMENDMENT NO. 1 TO
AGREEMENT # PWD-AUSON-180-22-23**

**PROJECT MANAGEMENT/CONSTRUCTION MANAGEMENT SERVICES
FOR FISCAL YEAR 2023/24**

1. This amendment (the "Amendment") is made by **City of Carmel-by-the-Sea** and **Ausonio, Incorporated**, parties to Agreement #PWD-AUSON-180-22-23 (the "Agreement") executed on August 2, 2022.

2. The Agreement is amended as follows:

a. Section 1, Services, is amended to include the following facility renovation-oriented capital improvement projects and related services during Fiscal Year 2023/24, as described in the Scope of Services in Exhibit A.1:

- City Hall Roof Replacement
- Sunset Center Hazardous Materials Remediation and Exterior Painting
- Sunset Center Cottage Window Repairs
- Harrison Memorial Library Exterior and Interior Painting
- Sunset Center Portico - Design
- Sunset Center Retaining Wall Repairs – Design
- San Antonio Pedestrian Walkway Reconstruction, Second to Fourth Avenues
- On-Call, As-Needed Services, which may include:
 - Completion of City Hall Retaining Wall Repair
 - CIP Programming based on Facility Condition Inspections (4 Buildings)

b. Section 2, Compensation, of the Agreement is amended and restated as follows:

Subject to any limitations set forth in this Agreement, the City agrees to pay and Consultant agrees to accept as full and fair consideration for the performance of this Agreement, hourly fees as set forth in Consultant's Fee Schedule (Exhibit B.1), in a total amount not-to-exceed One Hundred Twenty-Five Thousand Dollars (\$125,000.00) for services performed in Fiscal Year 2023/24. Therefore, the "Maximum Authorized Expenditure" under this Agreement, including Amendment No. 1, is Two Hundred Fifty Thousand Dollars (\$250,000.00).

c. Section 3, Agreement Term, of the Agreement is amended and restated as follows:

The work under this Agreement will commence by August 2, 2022 and must be completed by June 30, 2025 unless sooner terminated or the City grants an extension of time in writing pursuant to the terms of this Agreement, except for provisions in this Agreement that will survive the termination or completion of this Agreement.

Consultant will perform Amendment No. 1 services in a timely manner and in accordance with the Project Schedule for Fiscal Year 2023/24 in Exhibit C.1.

3. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

4. Each party represents and warrants that all necessary action has been taken by such party to authorize the undersigned to execute this Amendment and to bind the parties to the performance of its obligations.

5. This Amendment may be executed in counterparts, each of which will be deemed an original, and all of which, when taken together, constitute one and the same instrument. The Amendment will be considered executed when the signature of a party is delivered by facsimile or other electronic transmission. Such facsimile or other electronic signature will have the same effect as an original signature.

6. If any term, condition, or covenant of this Amendment is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Amendment will not be affected and the Amendment will be read and construed without the invalid, void or unenforceable provision.

CONSULTANT:

By: _____

Date: _____

CITY:

By: _____
Chip Rerig, City Administrator

Date: _____

ATTEST:

By: _____
Nova Romero, MMC, City Clerk

Date: _____

Amendment No. 1
EXHIBIT A.1

Section 1 - Scope of Services:

This Scope of Services document outlines the responsibilities, duties, and deliverables for the Project Management (PM) and Construction Management (CM) services to be provided by Ausonio under the Professional Services Agreement between the City of Carmel and Ausonio, Inc. The below scope is intended as a general outline and may need to be customized to apply to the specific projects identified in Section 2 of this document, as well as for additional projects that may be assigned under the on-call, as-needed component of Amendment No. 1.

1. Project Management

- a) Establish project objectives and quality standards.
- b) Develop and implement project controls, including progress tracking, cost control, and risk management.
- c) Coordinate with all project stakeholders, including architects, engineers, contractors, suppliers, applicable City departments, and building occupants.
- d) Facilitate regular meetings with the City to review project progress and provide summary minutes with action items.
- e) Ensure compliance with all applicable laws, regulations, codes, and permits.

2. Design and Bidding Phase

- a) Assist with the selection and negotiation of professional services agreements and amendments with design professionals. Support contract execution and draft Notice to Proceed and similar letters.
- b) Conduct progress meetings with design consultants, and prepare summary minutes with action items.
- c) Review design documents, including technical reports, plans, specifications, and cost estimates, for biddability/constructability, value engineering, and adherence to project goals.
- d) Develop and maintain project schedules, including critical path analysis and milestones.
- e) Prepare and manage project budgets, including cost estimates, bid analysis, and change orders.
- f) For designated projects, prepare basic site plans, details, photographs, specifications, bid item descriptions, and compile bidding documents.
- g) Assist in obtaining permits, approvals, and other necessary regulatory requirements.

- h) Provide bid phase services, coordinating advertising with the City, conducting pre-bid meetings, answering bidder questions, issuing addenda, attending the bid opening, compiling bid results, and supporting contract awards and contract document execution. Draft Notice of Award and Notice to Proceed letters for awarded contractors.

3. Construction Phase

- a) Provide construction management and daily inspection services as needed.
- b) Oversee all construction activities, including scheduling, quality control, and inspections. Coordinate with applicable City departments.
- c) Ensure contractor compliance with contract documents, project specifications, quality standards, industry best practices, and permit conditions.
- d) Conduct regular progress meetings with contractors, resolving any issues or disputes, and prepare summary minutes with action items.
- e) Review and approve contractor payment applications and change orders.

4. Post-construction Phase

- a) Prepare the project punch list, and manage the resolution of outstanding issues, defects, or punch list items.
- b) Coordinate project closeout activities, including final inspections, testing, and commissioning.
- c) Facilitate the turnover of the project to the City, including spare parts, training, and transition support.
- d) Review project record documents, warranties, and as-built drawings.
- e) Provide post-construction support and warranty management.

5. On-Call, As-Needed Services

- a) Additional services requested by the City or required by project-specific needs are anticipated during the term of Amendment No. 1. These may include closing out prior year projects, managing other new projects, or providing other services including value engineering, sustainability consulting, LEED certification, drafting, estimating, etc.

Section 2 – Assigned Projects

1. Project #1 consists of the following four (4) distinct facility renovation projects assembled as one combined bid package. *Ausonio to provide Project Management, Bidding, Construction Management, and Post-Construction Phase Services.*

A) City Hall Roof Replacement: The City Hall roof was last replaced in 1984 and is approximately 15-years past its warranty. Roof leaks have been increasing and

repaired by contractors, or staff, over the past few years as the roof progressively deteriorates. Ten Over Studio architects have developed a design to replace the roof with cedar shingles as part of FY22/23 scope of services. This year's scope will be to finish the project including hiring and construction management oversight of a roofing contractor. To control the budget an add alternate for a composition shingle roof will be bid as well.

B) Sunset Center Hazardous Materials Remediation and Exterior Painting: The exterior of Sunset Center has not been painted in many decades. Ten Over Studio architects have developed a design to paint the northern portion of the facility as part of FY22/23 scope of services. This year's scope will be to finish the project including construction management oversight of hazardous materials remediation and painting contractors in the field.

C) Sunset Center Cottage Window Repairs: This project is a companion project to the Sunset Center Hazardous Materials Remediation and Exterior Painting Project above. This project will remediate asbestos and lead paint around the windows of the Sunset Center Cottages, and repair or replace the imminently-failing window frames. Ten Over Studio architects have developed a design to as part of FY22/23 scope of services. This year's scope will be to finish the project including construction management oversight of hazardous materials remediation and painting contractors in the field.

D) Harrison Memorial Library Exterior and Interior Painting: The Harrison Memorial Library Exterior and Interior has not been painted in many decades. Ten Over Studio architects have developed a design to paint the facility as part of FY22/23 scope of services. This year's scope will be to finish the project including construction management oversight of hazardous materials remediation and painting contractors in the field. The interior painting is being bid as an alternate.

Project #2. Sunset Center–Portico Design: Sunset Center requested this project. Located at the promenade and concessions exterior, this project would provide for the architectural design of a new portico cover. This project will replace an ornamental garden trellis that was demolished in 2017 and eliminate the remaining columns that are an eyesore and have succumbed to dry rot. The proposed portico may consist of an approximately 1,000 square foot roof structure to provide a functional outdoor concession space, enhance patron experience, eliminate water intrusion into the concession stand, and provide weather protection for wood framed doors and windows at the lobby entrance.

Ausonio to provide Project Management and Design Services, tentatively working with the City's on-call architectural firm. No construction funding is available.

Project #3. Sunset Center Retaining Wall Repairs – Design: Sunset Center requested this project. This project will include hiring an engineering or architectural firm to design repairs for four retaining walls around Sunset Center. In the north lot, a 100-foot long,

Carmel stone wall along Eight Avenue is leaning, and there are significant cracks in the wall along Mission Street. In the south parking lot off of Tenth Avenue, there is 50-feet of rotted wooden wall on top of a granite wall. These and other walls require replacements of such as fencing, posts, and railings. Repairs are tentatively programmed in FY 2024/25.

Ausonio to provide Project Management and Design Services, tentatively working with the City's on-call architectural or engineering firm. No construction funding is available.

Project #4. San Antonio Pedestrian Walkway Reconstruction, Second to Fourth Avenues: Mitigate storm damage of walkway, wood retaining wall and grape stake fence on San Antonio Avenue. Design will be based on available drawings, site inspections, and consultations with engineers and other contractors. A design and bid package is to be assembled. A structural or other engineering consultant may be required for new footing details, with the potential to use the same firm as for the Sunset Center retaining wall repairs.

Ausonio to provide Project Management, Design, Bidding, Construction Management, and Post-Construction Phase Services.

Project #5. Provide On-Call, As-Needed PM/CM Services:

On-call, as-needed services may include the following, prior year closeout projects, and/or other projects and tasks.

Project 5.1. City Hall Retaining Wall Emergency Repair: Complete FY 22/23 emergency retaining wall repair/foundation retrofit project on the south side of the City Hall building. While construction was substantially completed in FY 22/23, remaining work may include punch list items, final payments to the contractor and engineering firms, and support remaining work to be done by City forces.

Project 5.2. Facilities Component Inspections: Complete FY 22/23 project - oversight on facility condition assessments for City Hall, Fire Station, Public Works, and Vista Lobos facilities by Bureau Veritas. Final draft reports are anticipated to be complete by the end of Fiscal Year 22/23. However, final edits may be needed during FY 23/24, and final payments need to be processed. In addition, Ausonio may be tasked to create a short list of the most urgent repairs identified in the report and provided recommendations for logical design and construction repair packages to be included as Facility Renovation Projects over subsequent Capital Improvement Plan cycles.



EXHIBIT B.1 - Compensation and Fee Schedule

Costs for Project Management Services will be hourly per our rate sheet, enclosed, and billed out monthly. Hourly rates are fully burdened rates and include labor, benefits, overhead, and profit. An annual rate increase of 5% to be accessed every July 1st during the project.

The anticipated manpower will be a part-time Project Manager and a part-time Project Engineer with minor support staff.

Key Staff:

- Dustin Conner, Senior Project Manager/Construction Manager
- Diane Miller, Project Manager
- Geraldo "Jerry" Ramirez, Assistant Project Manager
- Jill Kronick, Assistant Project Manager

Any Subconsultants:

- Martin D. Frankis, Cost estimator/Scheduler

The not-to-exceed budget to complete all the current projects listed above is \$250,000 spread out over two years. The budget for Fiscal Year 2023/24 is \$125,000; however, it needs to be clear that we will may not finish all the listed projects within one year.

Ausonio will provide its staff with a computer and phone. All other expenses, if needed, to be paid by City such as, but not limited to: office space, printing, travel, etc. All reimbursable expenses are in addition to the above and will include a 10% mark-up.



EXHIBIT B.1 - Fee Summary

| Project Name | Fee | Project Budget |
|--|-------------------|-------------------|
| 1 2023 Facilities Imp. - Sunset, Library, City Hall Roof | \$ 45,000 | \$ 555,000 |
| 2 Sunset Center Portico Design | \$ 11,000 | \$ 40,000 |
| 3 Sunset Center Retaining Wall Design | \$ 11,000 | \$ 40,000 |
| 4 San Antonio Walkway Reconstruction | \$ 40,000 | \$ 100,000 |
| 5 On-call PM services | \$ 18,000 | |
| Total | \$ 125,000 | \$ 735,000 |



AUSONIO

CONSTRUCTION MANAGEMENT

EXHIBIT B.1

HOURLY RATE SHEET

| No. | Key Personnel | Role | Fully Burdened Hourly Rates | | |
|-----|-------------------------------------|---------------------------|-----------------------------|--------------------------|--------------------------|
| | | | 7/1/2022 to 6/30/2023 | 7/1/2023 to 6/30/2024 | 7/1/2024 to 6/30/2025 |
| 1. | Samuel J. Phillips | Principal-in-Charge | \$250.00 | \$262.50 | \$275.63 |
| 2. | Brian Tracy | Construction Manager | \$185.00 | \$194.25 | \$203.96 |
| 3. | Dustin Conner | Construction Manager | \$185.00 | \$194.25 | \$203.96 |
| 4. | Susan Bender | Project Manager | \$140.00 | \$147.00 | \$154.35 |
| 5. | Steve Pichler | Project Manager | \$140.00 | \$147.00 | \$154.35 |
| 6. | Jill Kronick | Project Engineer | \$95.00 | \$99.75 | \$104.74 |
| 7. | Diane Miller | Project Manager | \$140.00 | \$147.00 | \$154.35 |
| 8. | Jerry Ramirez | Assistant Project Manager | \$125.00 | \$131.25 | \$137.81 |
| No. | Other Staff (or Classifications) | Role | Fully Burdened Hourly Rates | | |
| | | | 7/1/2022 to 6/30/2023 | 7/1/2023 to 6/30/2024 | 7/1/2024 to 6/30/2025 |
| 9. | Martin D. Frankis | Estimator | \$160 | \$168 | \$172 |

| ID | Task Name | Duration | Start | Finish | <div> <div> <div>Qtr 3, 2023</div> <div>Qtr 4, 2023</div> <div>Qtr 1, 2024</div> <div>Qtr 2, 2024</div> <div>Qtr 3, 2024</div> <div>Qtr 4, 2024</div> </div> <div> <div>Jun</div> <div>Jul</div> <div>Aug</div> <div>Sep</div> <div>Oct</div> <div>Nov</div> <div>Dec</div> </div> </div> | | | | | | | | | | | |
|----|---|----------|--------------|--------------|---|--|--|--|--|--|--|--|--|--|--|--|
| | | | | | Carmel - Ausonio 23/24 Amendment Project Schedule | | | | | | | | | | | |
| 1 | Carmel - Ausonio 23/24 Amendment Project Schedule | 260 days | Mon 7/3/23 | Fri 6/28/24 | <div> <div> <div>Project 1 - 2023 Facilities Improvements</div> <div> <div>Draft Bid Docs</div> <div>Bid and Procure Contractor</div> <div>City Hall Roof - Construction</div> <div>Sunset Center Work</div> <div>Sunset Center Exterior Paint Construction</div> <div>Cottage Windows Construction</div> <div>Library Work</div> <div>Library Exterior Paint Construction</div> <div>Library Interior Paint Construction</div> <div>Close-out</div> </div> </div> <div> <div>Project 4 - San Antonio Walkway Reconstruction</div> <div> <div>Procure Design and Draft Bid Docs</div> <div>Bid and Procure Contractor</div> <div>Construction</div> <div>Close-out</div> </div> </div> <div> <div>Project 2 - Sunset Center Portico Design</div> <div> <div>Procure Designer</div> <div>Design Meetings</div> <div>Finalize Design</div> </div> </div> <div> <div>Project 3 - Sunset Center Retaining Wall Design</div> <div> <div>Procure Designer</div> <div>Design Meetings</div> <div>Finalize Design</div> </div> </div> <div> <div>Project 5 - On-Call CM/PM Services</div> </div> </div> | | | | | | | | | | | |
| 2 | Project 1 - 2023 Facilities Improvements | 165 days | Mon 7/3/23 | Fri 2/16/24 | | | | | | | | | | | | |
| 3 | Draft Bid Docs | 15 days | Mon 7/3/23 | Fri 7/21/23 | | | | | | | | | | | | |
| 4 | Bid and Procure Contractor | 40 days | Mon 7/24/23 | Fri 9/15/23 | | | | | | | | | | | | |
| 5 | City Hall Roof - Construction | 30 days | Mon 9/18/23 | Fri 10/27/23 | | | | | | | | | | | | |
| 6 | Sunset Center Work | 60 days | Mon 9/18/23 | Fri 12/8/23 | | | | | | | | | | | | |
| 7 | Sunset Center Exterior Paint Construction | 20 days | Mon 9/18/23 | Fri 10/13/23 | | | | | | | | | | | | |
| 8 | Cottage Windows Construction | 60 days | Mon 9/18/23 | Fri 12/8/23 | | | | | | | | | | | | |
| 9 | Library Work | 70 days | Mon 10/16/23 | Fri 1/19/24 | | | | | | | | | | | | |
| 10 | Library Exterior Paint Construction | 20 days | Mon 10/16/23 | Fri 11/10/23 | | | | | | | | | | | | |
| 11 | Library Interior Paint Construction | 25 days | Mon 12/18/23 | Fri 1/19/24 | | | | | | | | | | | | |
| 12 | Close-out | 20 days | Mon 1/22/24 | Fri 2/16/24 | | | | | | | | | | | | |
| 13 | Project 4 - San Antonio Walkway Reconstruction | 175 days | Mon 7/3/23 | Fri 3/1/24 | | | | | | | | | | | | |
| 14 | Procure Design and Draft Bid Docs | 75 days | Mon 7/3/23 | Fri 10/13/23 | | | | | | | | | | | | |
| 15 | Bid and Procure Contractor | 40 days | Mon 10/16/23 | Fri 12/8/23 | | | | | | | | | | | | |
| 16 | Construction | 40 days | Mon 12/11/23 | Fri 2/2/24 | | | | | | | | | | | | |
| 17 | Close-out | 20 days | Mon 2/5/24 | Fri 3/1/24 | | | | | | | | | | | | |
| 18 | Project 2 - Sunset Center Portico Design | 80 days | Mon 2/5/24 | Fri 5/24/24 | | | | | | | | | | | | |
| 19 | Procure Designer | 20 days | Mon 2/5/24 | Fri 3/1/24 | | | | | | | | | | | | |
| 20 | Design Meetings | 40 days | Mon 3/4/24 | Fri 4/26/24 | | | | | | | | | | | | |
| 21 | Finalize Design | 20 days | Mon 4/29/24 | Fri 5/24/24 | | | | | | | | | | | | |
| 22 | Project 3 - Sunset Center Retaining Wall Design | 80 days | Mon 2/5/24 | Fri 5/24/24 | | | | | | | | | | | | |
| 23 | Procure Designer | 20 days | Mon 2/5/24 | Fri 3/1/24 | | | | | | | | | | | | |
| 24 | Design Meetings | 40 days | Mon 3/4/24 | Fri 4/26/24 | | | | | | | | | | | | |
| 25 | Finalize Design | 20 days | Mon 4/29/24 | Fri 5/24/24 | | | | | | | | | | | | |
| 26 | Project 5 - On-Call CM/PM Services | 260 days | Mon 7/3/23 | Fri 6/28/24 | | | | | | | | | | | | |

EXHIBIT C.1



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
CONSENT AGENDA

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Marnie R. Waffle, AICP, Principal Planner |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2023-074 authorizing the City Administrator to execute an Amendment to Professional Services Agreement No. PBD-EMC-037-22-23 with EMC Planning Group, Inc. to prepare an Initial Study in accordance with the California Environmental Quality Act (CEQA) for a not-to-exceed amount of \$40,455 increasing the total contract cost to \$279,600 |

RECOMMENDATION:

Adopt Resolution 2023-074 authorizing the City Administrator to execute an Amendment to Professional Services Agreement No. PBD-EMC-037-22-23 with EMC Planning Group, Inc. to prepare an Initial Study in accordance with the California Environmental Quality Act (CEQA) for a not-to-exceed amount of \$40,455 increasing the total contract cost to \$279,600.

BACKGROUND/SUMMARY:

On February 7, 2023, the City Council adopted Resolution 2023-024 authorizing the City Administrator to execute a Professional Services Agreement with EMC Planning Group Inc. for a not-to-exceed fee of \$239,145.00 to update the General Plan Housing and Safety Elements.

The 30-day public review period for the Public Review Draft of the updated Housing Element was completed on July 6, 2023. Staff is currently preparing responses to public comments and will be starting the required environmental review in accordance with the California Environmental Quality Act (CEQA) on the updated document. The environmental review task was an optional line item in the original contract. EMC Planning Group, Inc. has provided a proposal to complete the environmental work for a not-to-exceed amount of \$40,455.

The Carmel Municipal Code requires the City Council to approve all contracts valued at \$25,000 or more by Resolution. The purpose of this agenda item is to authorize the City Administrator to approve an amendment to the existing agreement with EMC Planning Group that increases the not-to-exceed contract amount by \$40,455, from \$239,145 to \$279,600.

FISCAL IMPACT:

Consultant fees for the project are \$239,145.00. The cost will be fully paid with grant funding from SB2, LEAP, and REAP. In 2019 and 2020, the City received three grant awards totaling \$290,000 to assist with

the cost of updating the Housing Element: SB2 (\$160,000), LEAP (\$65,000), and REAP (\$65,000).

PRIOR CITY COUNCIL ACTION:

On February 7, 2023, the City Council adopted Resolution 2023-024 authorizing the City Administrator to execute a Professional Services Agreement with EMC Planning Group Inc. for a not-to-exceed fee of \$239,145.00 to update the General Plan Housing and Safety Elements.

ATTACHMENTS:

Attachment 1) Resolution 2023-074

Attachment 2) Proposal & Schedule

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-074

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NO. PBD-EMC-037-22-23 WITH EMC PLANNING GROUP, INC. TO PREPARE AN INITIAL STUDY IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR A NOT-TO-EXCEED AMOUNT OF \$40,455 INCREASING THE TOTAL CONTRACT COST TO \$279,600

WHEREAS, on February 7, 2023, the City Council adopted Resolution 2023-024 authorizing the City Administrator to execute a Professional Services Agreement with EMC Planning Group Inc. for a not-to-exceed fee of \$239,145.00 to update the General Plan Housing and Safety Elements; and

WHEREAS, the 30-day public review period for the Public Review Draft of the updated Housing Element was completed on July 6, 2023, and City staff are currently preparing responses to public comments; and

WHEREAS, environmental review in accordance with the California Environmental Quality Act (CEQA) is required and was included as an optional task in the original contract; and

WHEREAS, EMC Planning Group, Inc. has provided a proposal to complete the environmental work for a not-to-exceed amount of \$40,455; and

WHEREAS, the Carmel Municipal Code requires Council to approve contracts with a value of \$25,000 or more by Resolution; and

WHEREAS, in 2019 and 2020 the City received three grant awards totaling \$290,000 to assist with the cost of updating the Housing Element: SB2 (\$160,000), LEAP (\$65,000), and REAP (\$65,000); and,

WHEREAS, the project will be fully funded by SB2, LEAP, and REAP grants.

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize the City Administrator to execute an amendment to Professional Services Agreement No. PBD-EMC-037-22-23 with EMC Planning Group Inc., to prepare an Initial Study in accordance with the California Environmental Quality Act (CEQA) for a not-to-exceed amount of \$40,455 increasing the total contract cost to \$279,600.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 11th day of July, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk



Planning for Success.

June 8, 2023

Marnie R. Waffle, AICP
Principal Planner
City of Carmel-by-the-Sea
City Hall
Carmel-by-the-Sea, CA 93921

Re: Carmel-by-the-Sea Housing Element Update & Safety Element Update (2023-2031)
Request for Contract Amendment #1 (CEQA) Revised

Dear Marnie,

Based on our understanding of the anticipated buildout of the Housing Element Update and a preliminary understanding of potential impacts, the assumption is the project would qualify for a mitigated negative declaration (MND), or possibly a negative declaration (ND).

The attached budget spreadsheet reflects the anticipated tasks and associated costs for preparation of an initial study to support the MND/ND. If it is determined that a significant and unavoidable impact would occur as a result of the Housing Element and Safety Element Updates, then an environmental impact report (EIR) would be prepared and an additional contract amendment would be required. Also note the scope and budget included with this contract amendment is based on the following assumptions:

- No more than ten (10) written public comment letters would be received during the 30-day public review period for the MND, and these letters would not raise new issues that require additional analysis. Any additional written public comments may require a contract amendment;
- City staff would conduct all required distribution, publication, and noticing tasks associated with release of the MND, publication of notices in a local newspaper, public hearing notices, as well as filing the Notice of Determination with the Monterey County Clerk;

- City staff will provide all internal comments on the administrative draft in one consolidated set of comments (electronically);
- City staff will coordinate with EMC Planning Group to permit EMC staff to submit all CEQA notices/documentation (as an authorized “submitter”) via the State Clearinghouse’s online submittal portal (CEQA Submit);
- Up to ten (10) hard copies of the public review IS/MND will be provided for the City’s use and distribution. The administrative draft will be provided electronically.

A spreadsheet is attached presenting the budget for the IS/MND process. The following table provides an overview of the contract, including this contract amendment request.

| Contract Overview | |
|--|-----------|
| Current Contract (including contingency) | \$239,145 |
| Amendment #1 | \$40,455 |
| Total New Contract Amount After Approval of this Amendment | \$279,600 |

We look forward to continue to work with you and City staff on this important planning effort. Please let me know if you have any questions.

Sincerely,



Teri Wissler Adam
Senior Principal

Attachment Budget Spreadsheet

| City of Carmel-by-the-Sea 6th Cycle Housing Element Update IS/MND Budget (Revised June 8, 2023) | | | | | | | | | | | |
|---|---|----------------------|-----------------------------|-------------------------------------|------------------------|---------------------|------------|-----------------------|-----------------------|--------------------|--------------------|
| Task | EMC Planning Group Inc. | | | | | | | | | | |
| Staff | Senior Principal (Wissler Adam/ Sissem) | Principal Planner | Associate Planner (Lutz) | Associate Planner (Mortensen) | Principal Biologist | Senior Biologist | Graphics | Production Manager | Admin./ Production | Total Hours | Total Cost |
| Billing Rate (Per Hour) | \$275.00 | \$220.00 | \$165.00 | \$165.00 | \$210.00 | \$170.00 | \$140.00 | \$125.00 | \$115.00 | | |
| 1. Management/Consultation/Meetings | 4.0 | 4.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 2.0 | 18.0 | \$3,530.00 |
| 2. Research | 0.0 | 0.0 | 8.0 | 8.0 | 0.0 | 2.0 | 0.0 | 0.0 | 0.0 | 18.0 | \$2,980.00 |
| 3. Project Description | 2.0 | 4.0 | 16.0 | 0.0 | 0.0 | 0.0 | 4.0 | 0.0 | 0.0 | 26.0 | \$4,630.00 |
| 4. Admin Draft IS/MND | 12.0 | 0.0 | 34.0 | 24.0 | 4.0 | 14.0 | 6.0 | 2.0 | 1.0 | 97.0 | \$17,295.00 |
| 5. Public Review IS/MND/Public Notices | 1.0 | 0.0 | 8.0 | 4.0 | 1.0 | 1.0 | 2.0 | 4.0 | 1.0 | 22.0 | \$3,530.00 |
| 6. Response to Comments/Final MND/MMRP | 4.0 | 0.0 | 14.0 | 2.0 | 2.0 | 0.0 | 0.0 | 2.0 | 1.0 | 25.0 | \$4,525.00 |
| 7. Public Hearings (2) and NOD | 12.0 | 0.0 | 1.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1.0 | 14.0 | \$3,580.00 |
| Subtotal (Hours) | 35.0 | 8.0 | 89.0 | 38.0 | 7.0 | 17.0 | 12.0 | 8.0 | 6.0 | Total Hours | Total Cost |
| Subtotal (Cost) | \$9,625.00 | \$1,760.00 | \$14,685.00 | \$6,270.00 | \$1,470.00 | \$2,890.00 | \$1,680.00 | \$1,000.00 | \$690.00 | 220.0 | \$40,070.00 |

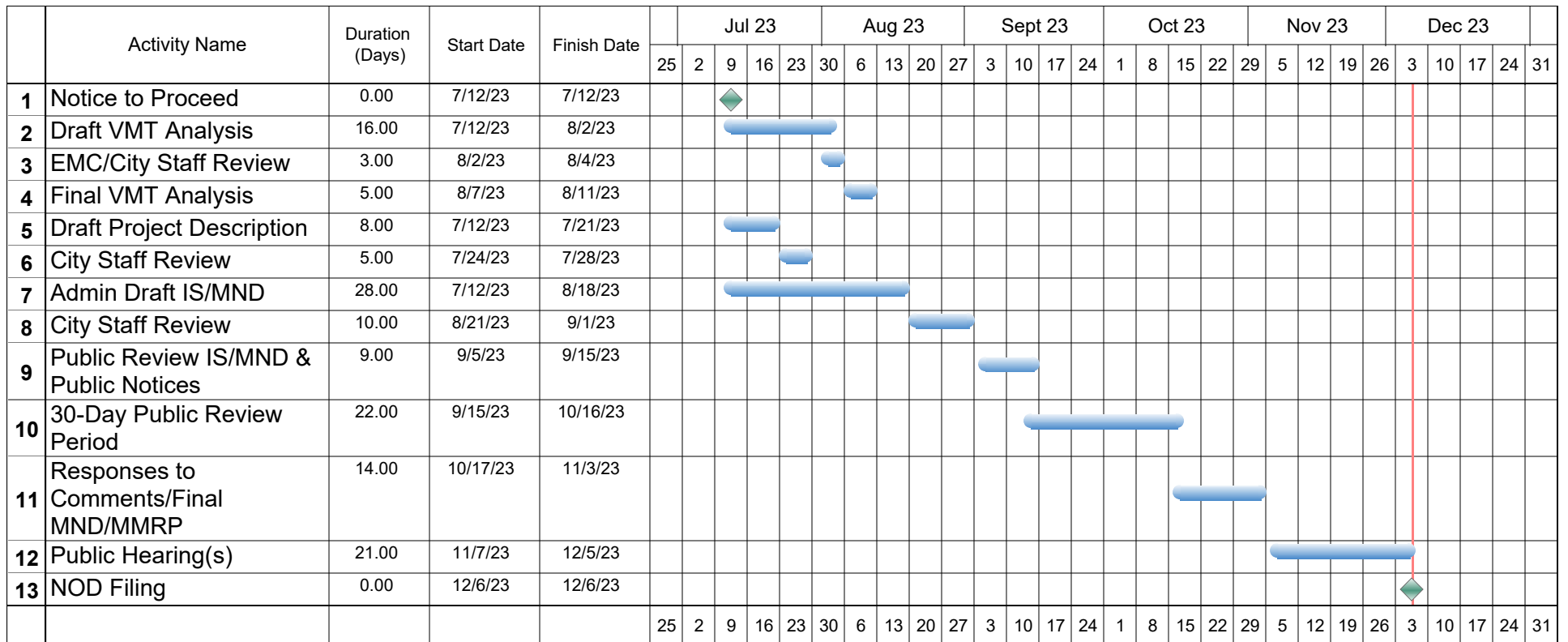
| Additional Costs | |
|--|-----------------|
| Production Costs | \$250.00 |
| Travel Costs | \$25.00 |
| Postal/Deliverables | \$25.00 |
| Miscellaneous (includes CNDDDB Records Search) | \$50.00 |
| Administrative Overhead 10% | \$35.00 |
| Total | \$385.00 |

| | |
|--------------------|--------------------|
| Total Costs | \$40,455.00 |
|--------------------|--------------------|

NOTE: This proposal is valid for 90 days

June 9, 2023

City of Carmel-by-the-Sea Housing Element Update IS/MND Schedule





CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

July 11, 2023
ORDERS OF BUSINESS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Marnie R. Waffle, AICP, Principal Planner

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Update on the Housing Element Public Review Draft

RECOMMENDATION:

Receive report and provide direction.

BACKGROUND/SUMMARY:

The City of Carmel-by-the-Sea last updated the General Plan Housing Element in 2015 for the 5th cycle planning period of 2015-2023. The Housing Element is required under State law to be updated every eight (8) years in a manner consistent with the Regional Housing Needs Allocation (RHNA). The 6th cycle planning period is 2023-2031, and the City's RHNA is 349 housing units. The Housing Element includes policies, programs, incentives, and objectives to achieve the City's housing goals and must be adopted by the local jurisdiction and certified by the California Department of Housing and Community Development (HCD) by December 2023.

Housing Ad-Hoc Committee

In 2022, a Housing Ad-Hoc Committee was established. Vice Mayor Bobby Richards and Councilmember Karen Ferlito were appointed to work with staff throughout the Housing Element update process and bring recommendations to the full Council for action throughout the process. The Housing Ad-Hoc Committee has been meeting regularly since October 2022 and has hosted three community meetings.

Contract with EMC Planning Group

On December 9, 2022, the City released a Request for Proposals (RFP) soliciting proposals from qualified professionals to update the General Plan Housing Element and Safety Element. On February 7, 2023, the city approved a professional services agreement with EMC Planning Group to assist staff with preparing the updates. EMC is located in Monterey, California, and has provided land use, planning, and environmental consulting services to public agencies throughout California for 44 years. The firm has prepared housing elements for jurisdictions throughout the State, including several recently completed and certified elements, as well as ongoing preparation of 6th Cycle Housing Element updates with the Town of Los Gatos and the Cities of Larkspur, Monte Sereno, Belvedere, and Sand City. EMC has a history of partnering with the City of Carmel-by-the-Sea. Past projects include but are not limited to the City's Local Coastal Plan and Mitigated Declaration (2000 – 2003) and the Coastal Engineering and Adaptation

Planning project (2022, ongoing).

Public Review Draft

On June 6, 2023, the Public Review Draft of the 6th cycle Housing Element was released for a 3-day public review period. The Housing Element Public Review Draft is 302 pages, and is available at the following link: <https://homecarmelbythesea.com/20454/widgets/65851/documents/43466>. A Reader's Guide is included as **Attachment 1**. On June 15, 2023, the Housing Ad Hoc Committee hosted a joint City Council and Planning Commission special meeting to discuss the Public Review Draft of the updated Housing Element. Staff received comments from the Council, Planning Commission, and the public at the meeting.

The public review period ended at 5:00 PM on Thursday, July 6th. Over the next few weeks, staff and our EMC partners will be cataloging and preparing responses to the comments received during the joint City Council/Planning Commission special meeting held on June 15th, through the dedicated project website, <https://homecarmelbythesea.com/>, and via email. The topics discussed in this report are not meant to be an exhaustive list of all public comments received during the public review period.

Policy Questions and Recommendations

Based on a preliminary review of comments received on the first draft Housing Element update, staff is seeking policy direction from the City Council on topics of significant interest and impact. Policy direction from the City Council will inform revisions to the draft Housing Element, which will be presented (along with the full public comment matrix) for Council review on August 1, 2023, prior to submittal to the State Department of Housing and Community Development (HCD) for their 90-day review.

To help guide the discussion, this section is formatted as follows:

- Description of the Policy Question
- Concerns expressed through comments received
- Response to clarify the intended policy direction
- Recommendation from Ad Hoc Committee and Staff

1. *Policy Question: Should we amend **Program 1.3.B: R-1 Motel (Conversion) Development Transfer Rights** to include existing motels not just in the R-1 but in every zoning district? Please note that the term "motel" is in reference to any transient lodging: hotel, motel, inn, b&b, etc.*

Concern: A missed opportunity to convert hotel sites in the downtown to multi-family housing.

Response: The previous 5th cycle Housing Element included Program 3-4.1.B: Conversion of R-1 Motels, allowing the conversion of R-1 motel units into permanent residences with the transfer of vacated rooms to the commercial district. This program is proposed to continue under the 6th cycle Housing Element as Program 1.3.B. Note that this program involves a transfer of development rights (motel rooms) from the existing site to an alternative downtown site.

At the joint City Council/Planning Commission special meeting on June 15, 2023, it was suggested that limiting the potential conversion of motels into permanent residences to only the R-1 district could result in a missed opportunity to convert a motel in the downtown (CC, RC, SC districts) to multi-family housing. A review of the Municipal Code revealed that a hotel in any zoning district can be converted and the rooms transferred to another commercially zoned site.

Recommendation: Modify Program 1.3.B to reflect its application to all hotels in all districts.

2. *Policy Question: Should we keep **Program 1.4.B: Objective Design Standards** to develop*

objective design standards for affordable multi-family housing projects? If not, should we remove one or more sites carried over from the 5th Housing Element cycle?

Concern: Loss of discretionary review process.

Response: State law requires that any site identified for affordable housing during the 5th cycle Housing Element that did not develop as planned, and is being carried over as a site for the 6th cycle Housing Element, must be approved by-right with no use permit or discretionary design review if the project includes at least 20 percent, deed-restricted, affordable units. There are 21 sites (with a total of 110 units) currently proposed to be carried over from the 5th cycle (refer to Table 1 below).

Table 1. 5th Cycle RHNA Sites

Carmel Realty office (6 units)
Three Garages (10 units)
Café Carmel (4 units)
Wells Fargo (11 units)
Yafa (5 units)
Court of the Fountains (12 units)
First American Title (2 units)
Monte Verde & 7th (2 units)
Chase Bank (2 units)
Olivier (2 units)
Parashis (4 units)
The Agency (2 units)
Faherty's (9 units)
Star Child (2 units)
Sunset Terrace (6 units)
Bell Tower Court (3 units)
Enzo's (4 units)
Doude Arcade (5 units)
Paseo San Carlos Square (7 units)
Carmel Office Supply (2 units)
Ocean & Dolores (10 units)

Because Carmel-by-the-Sea is facing a loss of discretionary review powers under these circumstances, the adoption of objective design standards would mitigate the potential impact of by-right approvals. Adopting objective design standards ensures that local control is retained over the design of these sites if an application is submitted for a housing project that includes at least 20 percent affordable units. The creation of objective design standards would occur through a public process in collaboration with the community and would be reviewed by the Planning Commission and adopted by the City Council. Without objective design standards in place, the City will lack a mechanism to control building design and materials, landscaping, or any other principles currently supported by the City's Design Guidelines

Recommendation: Keep Program 1.4.B and develop objective design standards for projects with at least 20% affordable multi-family housing.

3. *Policy Question: Should we keep a vacancy tax on the list of potential options in **Program 2.1.D:***

Establish Affordable Housing Trust Fund?

Concern: Imposing a vacancy tax on seasonal/vacation homes infringes on private property rights.

Response: A vacancy tax is one of many potential options that could be explored over the next 8 years (2023-2031) to fund, wholly or in part, an Affordable Housing Trust Fund. Exploring the feasibility of adopting a vacancy tax demonstrates to the State HCD that we are open to considering various funding streams. If it is determined that a vacancy tax only applies to Charter cities and not General Law cities like Carmel, or if the courts find vacancy taxes to be unconstitutional, or if we simply conclude it is not an appropriate tool for Carmel, we would cease exploration of the concept and report our findings to HCD. It is important to understand the commitment to explore is not a commitment to adopt a vacancy tax.

Recommendation: Remove vacancy tax from Program 2.1.D as a potential funding source for an Affordable Housing Trust Fund.

4. Policy Question: Should Program 3.1.A: Mixed Use Affordable Housing be modified to remove consideration of a third story when devoted to affordable housing?

Concern: Two and three-story buildings downtown may negatively impact Carmel's character.

Response: Two-story buildings are a common feature of the downtown and are allowed (and always have been allowed) throughout the commercial districts. Encouraging the addition of a second story to one-story buildings would add housing and, in many cases, would serve to improve the aesthetics of the downtown by shielding rooftop mechanical equipment and unsightly adjacent blank walls. Two examples of this existing condition are the Carmel Realty building at the northeast corner of Dolores and 8th and a series of one-story buildings on the east side of Dolores between 5th & 6th. In both of these areas, because the surrounding context is primarily two-story buildings, second-story additions could blend well with and complement the streetscape. All newly created second-floor space would be occupied by residential uses only.

Increasing the 30' height limit to allow 3-story buildings are not under consideration. However, it should be recognized there are examples of existing 3-story buildings downtown that blend well with the streetscape. These include the following buildings:

- Southeast corner of Ocean and Monte Verde;
- Monte Verde 2 southwest of Ocean (Mote Verde Inn);
- Northeast corner of Monte Verde & 6th (Pine Inn);
- Ocean 2 northwest of Lincoln (Pine Inn);
- Monte Verde 2 northeast of 7th (L'Auberge);
- Northeast corner of 7th & San Carlos (Nielsen Market);
- Northeast corner of 8th & San Carlos (Villa San Carlos);
- East side of Mission between Ocean & 7th (Carmel Plaza);
- San Carlos and Camino del Monte (Hofsas House), and
- Junipero between 5th and 6th (Carmel Bay View Inn).

In the 5th cycle Housing Element, Program 3-2.1.c: Incentives for Mixed-Use Affordable Housing included exploring the potential of allowing a third story when devoted to affordable housing as a development incentive. While no project applicants requested a third story for affordable housing, the previously approved Del Dono project included affordable housing and a third-floor mezzanine.

Encouraging third-floor (not third-story) mezzanines within two-story buildings could be a creative option to accommodate housing while maintaining the appearance of a two-story building from the exterior. Note that “story” references the exterior of a building, and “floor” references the interior.

Recommendation: Modify Program 3.1.A: Mixed Use Affordable Housing to allow for a third-floor (not a story) mezzanine within the current height limits to encourage the development of affordable housing. Note the current height limits are as follows. In the CC and SC districts, structures are limited to a maximum of 30 feet. In the RC and R-4 districts, structures are limited to a maximum of 26 feet. Building sites that face, abut, or adjoin any property in the R-1 district are limited to a height of 24 feet.

5. *Policy Question: Should we consider using Senate Bill (SB) 10 for the Regional Housing Needs Allocation (RHNA) sites zoned R-1, or should we remove them from the site's inventory?*

Concern: We committed to meeting our Regional Housing Needs Allocation (RHNA) without having to rezone property, but there are R-1 properties included in the site's inventory.

Response: The following sites are identified as potential housing sites and are currently zoned R-1:

- Red Cross (5 units),
- American Legion (5 units),
- First Church of Christ Scientist (9 units),
- Carmel Presbyterian Church (36 units), and
- Pine Inn Parking Lot (5 units).

While zoned R-1, all sites contain non-residential uses. These sites could be potential housing sites and retain their R-1 zoning if Senate Bill (SB) 10 is utilized. SB10 is a voluntary process that allows cities to override the underlying zoning of a parcel and permit up to 10 housing units.

Recommendation: Remove the Pine Inn Parking Lot and Carmel Presbyterian Church from the site's inventory. The City has learned that the property owner of the Pine Inn Parking Lot is exploring an alternative design concept. Carmel Presbyterian Church has a potential capacity that exceeds 10 units and would be underutilized under SB10. If the City Council prefers not to use SB10 on the remaining three sites, staff recommends they be removed and replaced with alternative sites.

6. *Policy Question: Should we modify **Program 1.3.C: Accessory Dwelling Units** to remove the creation of standardized, pre-approved Accessory Dwelling Unit plans?*

Concern: Accessory Dwelling Units are not affordable and are not being rented out, so why incentivize them?

Response: State law streamlined the permitting process for ADUs by eliminating a local jurisdiction's ability to require a use permit or conduct a discretionary design review for an ADU. Through the adoption of a local ADU ordinance, the City can regulate the design of an ADU through objective design standards. Carmel's local ordinance with objective ADU standards is currently being drafted.

The creation of standardized, pre-approved ADU plans provides “shelf-ready” construction drawings to interested property owners, further streamlining the permit process and reducing the cost. This type of incentive can be beneficial to homeowners seeking to establish an ADU.

Increasing the supply of ADUs is an important piece of the overall housing plan. It provides a housing opportunity for various household types (aging parents, caregivers, college students, disabled family members, single parents, empty nesters, etc.). ADUs can also provide an income stream to property owners, lessening the financial burden of homeownership. Whether or not an ADU is rented at market-rate or “free” today, tomorrow, or sometime over the course of 50 years, every new ADU adds a potential housing opportunity and diversifies the housing stock.

Recommendation: Retain Program 1.3.C to explore the creation of standardized, pre-approved Accessory Dwelling Unit plans.

7. *Policy Question: Should we keep properties that contain parking lots on the site's inventory, or should we remove them?*

Concern: Elimination of parking to provide more housing would exacerbate existing parking issues.

Response: The site's inventory can be found in Appendix C of the Draft Housing Element. A list of sites is provided in Table C-3. Some of the sites include existing parking lots that provide private parking, such as Bruno's Market, or public parking, such as the Sunset Center. While parking is unquestionably a necessity, parking lots are often underutilized pieces of land that hold a higher development potential than just parking spaces. Identifying these sites as opportunities for future housing does not mean that parking will be replaced with housing. Rather, the City can require that existing parking be incorporated into the design of a new housing project, which could include underground parking or at-grade parking with housing above. If spatially and financially feasible, the supply of parking could even increase through more efficient site design. It is worth noting numerous underground parking garages throughout the Village supply much-needed parking without the undesirable appearance of an asphalt parking lot.

Recommendation: Retain sites with parking lots on the site's inventory on the condition that existing parking spaces are incorporated into the design of any future housing project.

Next Steps and Timeline

The public comment period on the Public Review Draft of the Housing Element closed at 5:00 PM on Thursday, July 6th. Between July 7th and July 20th, City staff and EMC Planning Group will be reviewing public comments in coordination with the Housing Ad Hoc Committee, and preparing a catalog of written responses for submittal to HCD with the draft Housing Element. Based on public comments received and the feedback and policy direction received this evening, staff will revise the draft Housing Element.

On August 1, 2023, staff will present the revised document to the City Council and request authorization to submit the draft Housing Element to HCD for the State's 90-day review period.

After receiving comments from HCD, the draft Housing Element will be revised and resubmitted for certification. Any substantive changes in policy would be brought back to the City Council for consideration prior to resubmitting for certification. Once staff receives notification from HCD that the Housing Element is in substantial compliance with state law, staff will present the final document to the City Council for adoption.

FISCAL IMPACT:

Consultant fees for the 2023-2031 Housing Element (and Safety Element) update project are \$239,145.00. The cost will be fully paid with grant funding from SB2, LEAP, and REAP. In 2019 and 2020, the City received three grant awards totaling \$290,000 to assist with the cost of updating the Housing Element: SB2 (\$160,000), LEAP (\$65,000), and REAP (\$65,000).

PRIOR CITY COUNCIL ACTION:

On February 7, 2023, the City Council entered into a Professional Services Agreement with EMC Planning Group for the 6th cycle Housing Element update and General Plan Safety Element update.

ATTACHMENTS:

Attachment 1) Reader's Guide

Attachment 2) Draft - 6th Cycle Housing Element Update 2023-2031

Housing Element Update 2023-2031

Public Review Draft Summary / Reader's Guide

June 9, 2023

Attachment 1

The City is progressing with its 2023-2031 Housing Element update project, with a public review draft released on June 5, 2023. Below you will find key project dates and a high-level overview of the 5 chapters plus appendices A-F that comprise the 2023-2031 Draft Housing Element.

Key Project Dates (updated)

| | |
|------------|--|
| June 5th: | Public Review Draft published on H.O.M.E. website ("Housing Opportunities Made Easier") |
| June 6th: | Draft release advertised via City's Constant Contact Listserv and on the City website homepage |
| June 15th: | Joint City Council/Planning Commission Workshop (Sunset Center, Carpenter Hall @ 5:30 pm and via Zoom) to discuss the Public Review Draft |
| July 6th: | Public comment period closes |
| July 11th: | City Council meeting to review public comments |
| Aug 1st: | City Council meeting to review revised draft Housing Element (NEW) |
| Aug 2nd: | Submit draft Housing Element to the State Department of Housing and Community Development (HCD) for a 90-day review period (updated) |
| Oct 31st: | Receive comments from HCD (updated) |

Overview of Draft 2023-2031 Housing Element (6th cycle)

Chapter 1 - Introduction (15 pages)

- **5th Cycle: 18 above moderate** (market-rate) housing units were constructed during the eight-year 2015-2023 5th cycle Regional Housing Needs Allocation (RHNA), which equals **58%** of the 5th cycle RHNA goal of **31 units**.
- **6th Cycle:** The 6th cycle RHNA goal is **349 units** constructed over the eight-year period from July 2023 to June 2031.

Chapter 2 - Goals, Policies, and Programs (25 pages)

- State law requires that each program have a "**quantified objective**." This is a goal for the City to work towards and a metric to report annually to HCD on progress.
- At this time, there are no penalties for not reaching the objective. Programs that are unsuccessful in reaching the objective will be re-evaluated in the 7th cycle.
- Each program description is followed by a note specifying if the program is new or carried over from the 5th cycle.
- Some of the proposed programs would require a **Zoning Code Amendment** if adopted. The proposed amendments are summarized below.
 - Revise existing parking standards for new housing units;
 - Establish a 33 dwelling unit per acre (du/ac) minimum density for new housing projects (Note: This results in 3 units on a 4,000-square-foot lot);
 - Adopt a housing overlay zoning district with objective design and development standards for qualifying projects;

- Adopt an Accessory Dwelling Unit (ADU) ordinance (in progress);
- Incentivize onsite hotel employee housing;
- Establish design and development standards for the A-2 zoning district (Sunset Center) for senior housing, which is already a permitted use;
- Allow manufactured homes in the R-1 district (required per State law);
- Eliminate the Use Permit requirement for multi-family development;
- Increase the floor area bonus from 15% to 25% for projects that include affordable housing; and
- Allow a low-barrier navigation center (required per state law).
- Establish an Affordable Housing Trust Fund (funding and use to be determined by City Council): goal to **raise \$1 million in 8 years**

Chapter 3 - Housing Needs and Constraints (20 pages)

- Summary of Carmel-by-the-Sea demographic data (population, employment, housing, etc.); note that Pacific Grove and Del Rey Oaks were used as a comparison to Carmel.
- Overview of governmental constraints affecting housing production. For details, see Appendix B.

Chapter 4 - Sites Inventory (6 pages)

- High-level Sites Inventory summary. For details, see Appendix C.

Chapter 5 - Energy and Resource Conservation (9 pages)

- Incorporates information from the City's Climate Action & Adaptation Plans.
- PG&E Programs and Incentives for energy efficiency.
- MPWMD rebates for water conservation.
- Federal and State financial assistance programs.

Appendix A - Housing Needs and Fair Housing Report (89 pages)

- Introduction with an explanation of "Affirmatively Furthering Fair Housing" or "AFFH" requirements per Gov. Code, § 8899.50, subd. (a)(1).
- Population, employment, and household characteristics.
- Disproportionate housing needs.
- Special needs groups.
- Access to opportunity.
- Housing stock characteristics.
- Fair housing enforcement and outreach capacity.
- Fair housing recommendations.

Appendix B - Housing Constraints (47 pages)

- Overview of Governmental and Non-Governmental constraints to housing development, including but not limited to:
 - Lengthy design review process;
 - Fees are financially prohibitive to lower-income households;
 - Two-story building height limit;

- Use Permit requirements for new residential projects;
- Subjective design standards which create uncertainty for developers;
- Protection of historic resources;
- Coastal Zone regulations;
- Outdated Accessory Dwelling Unit (ADU) ordinance;
- Lack of development standards in the A-2 district (Sunset Center); and
- Lack of water due to State Water Resources Control Board Order 95-10 and the 2008 Cease-and-Desist Order.

Appendix C - Vacant and Available Sites (38 pages)

- 35 identified sites that could accommodate 283 housing units.
 - Sites zoned R-1 that would require a rezone if retained in the sites inventory list:
 - Pine Inn parking lot (6 units)
 - First Church of Christ (9 units)
 - Red Cross (6 units)
 - American Legion (5 units)
 - Carmel Presbyterian (36 units)
 - Options for rezoning could include A-2 (senior housing) or R-4 (multi-family).
 - An alternative to rezoning (open for discussion): eliminate one or more of these sites and replace them with other properties that do not require rezoning.
- 46 units attributed to potential onsite hotel employee housing units
- 72 units attributed to potential accessory dwelling units
- Grand Total: 401 units (52 surplus units over our 349 RHNA goal = 15% buffer) *Note: A buffer is necessary due to the likelihood HCD will reject some of our proposed sites.*

Appendix D - Review of Previous Housing Element (9 pages)

- Effectiveness of 5th cycle (2015-2023) Housing Element; progress in implementation; and appropriateness of Goals, Objectives, and Policies.

Appendix E - List of Contacted Organizations (11 pages)

- Summary of outreach efforts to date.

Appendix F - ECONorthwest Feasibility Study (37 pages)

- Feasibility Study prepared by consultant ECONorthwest and received by the City Council on February 7, 2023.

Initial Public Review Draft

6th Cycle Housing Element Update (2023-2031)

CITY OF CARMEL-BY-THE-SEA

June 5, 2023



Prepared by
EMC Planning Group

INITIAL PUBLIC REVIEW DRAFT

6TH CYCLE HOUSING ELEMENT UPDATE
(2023-2031)
CITY OF CARMEL-BY-THE-SEA

PREPARED FOR

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June 5, 2023

This document was produced on recycled paper.



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1.0 Introduction

1.1 Introduction

Carmel-by-the-Sea is a community with a high quality of life, a healthy environment, and renowned architecture. The long-term vitality of Carmel-by-the-Sea and the local economy depend upon the availability of various types of housing to satisfy the community's local housing needs while continuing to be a vacation destination for all. As Carmel-by-the-Sea looks towards the future, increasing the range and diversity of housing options is integral to the City's success. This Housing Element serves as a continuation of the City's commitment to ensuring new opportunities for residential development, as well as preserving and enhancing existing neighborhoods.

Located on the Monterey Peninsula, Carmel-by-the-Sea is a bijou coastal community boasting sweeping views of the Pacific Ocean, acclaimed architecture, and a strong residential character. The City was incorporated in 1916, lending to its 1920-1930s architectural charm that is weaved throughout the City's centralized business district and commercial district. The City has nearly 50 properties within the commercial district that are regarded as historical resources. As a result of its beauty, the City is a popular tourism and second-home destination. Approximately 51 percent of housing units are for seasonal, recreational, or occasional use, creating high barriers of entry to the housing market for locals.

This 2023-2031 Housing Element represents the City of Carmel-by-the-Sea's intent to plan for the housing needs of the community while meeting the State's housing goals as set forth in Article 10.6 of the California Government Code. The California State Legislature has identified the attainment of a decent home and a suitable living environment for every Californian as the State's major housing goal. The Carmel-by-the-Sea 6th Cycle Housing Element represents a sincere and creative effort to meet State housing mandates within the constraints of a fully established built-out community, limited land availability, coastal hazards, and extraordinarily high costs of land and housing.

Pursuant to State law, the Housing Element must be updated periodically according to statutory deadlines. This 6th Cycle Housing Element covers the planning period 2023 through 2031 and replaces the City's 5th Cycle Housing Element that covered the period 2015 through 2023.

Per State Housing Element law, the document must be periodically updated to:

- Outline the community's housing production objectives consistent with State and regional growth projections;

- Describe goals, policies and implementation strategies to achieve local housing objectives;
- Examine the local need for housing with a focus on special needs populations;
- Identify adequate sites for the production of housing serving various income levels;
- Analyze potential constraints to new housing production;
- Evaluate the Housing Element for consistency with other General Plan elements; and
- Evaluate Affirmatively Furthering Fair Housing.

1.2 California's Housing Crisis

The 6th Cycle Housing Element update comes at a critical time because California is experiencing a housing crisis, and as is the case for all jurisdictions in California, Carmel-by-the-Sea is committed to playing its part in meeting the growing demand for housing. In the period 2020 through 2045, the AMBAG region is projected to add 36,544 jobs,¹ which represents a nine (9) percent increase. These changes will increase demand for housing across all income levels, and if the region can't identify ways to significantly increase housing production, it risks worsening the burden for existing lower-income households, many of whom do not have the luxury or skill set to move to new a job center but that are nonetheless faced with unsustainable increases in housing cost.

If the region become less competitive in attracting workers and increasingly unaffordable to lower-income workers and seniors, then social and economic segregation will worsen, only exacerbating historic patterns of housing discrimination, racial bias, and segregation. This potentiality has become so acute in recent years that the California Legislature addressed the issue with new legislation in 2018. SB 686 requires all state and local agencies to explicitly address, combat, and relieve disparities resulting from past patterns of housing segregation to foster more inclusive communities. This is commonly referred to as Affirmative Furthering Fair Housing, or AFFH (more on this below).

“There's a movement in California now called 'Yes, In My Backyard,' and I'd love to see us join that.”

May 24, 2023 Ad Hoc Committee
Community Meeting Attendee

Carmel-by-the-Sea has had moderate success in meeting its housing needs. In the last housing element cycle (2015 to 2022 – 2023 pending), for example, the City built 18 housing units, which represented 58 percent of its Regional Housing Needs Allocation (RHNA) of 31 new housing units. Of the units built, none were affordable to lower- and moderate-income households,² and 100 percent were affordable to above moderate-income households.

¹ Source: AMBAG, November 18, 2022. “Final 2022 Regional Growth Forecast”

² Source: City of Carmel-by-the-Sea HCD Annual Reports and City staff.

1.3 Regional Housing Needs Allocation

For the eight-year time frame covered by this Housing Element Update, the Department of Housing and Community Development (HCD) has identified the region's housing need as 33,274 units. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to market rate housing.³ This calculation is based on population projections produced by the California Department of Finance as well as adjustments that incorporate the region's existing housing need. Per Government Code Section 65583(a), the Housing Element must also provide quantification and analysis of projected housing needs for extremely low-income households. The number of units for the extremely low-income level is not assigned by HCD, but is left for quantification by the local jurisdiction. This calculation is based on the HCD approved methodology⁴, assuming that 50 percent of very low-income households qualify as extremely low-income households.

Almost all jurisdictions in the Monterey Bay Area received a larger RHNA this cycle compared to the last cycle, primarily due to changes in state law that led to a considerably higher Regional Housing Needs Determination (RHND) compared to previous cycles.

On November 8, 2022, AMBAG's adopted RHNA Methodology, was approved by HCD. For Carmel-by-the-Sea, the RHNA to be planned for this cycle is 349 units, a substantial increase from the last cycle. [Table 1-1 Regional Housing Needs Allocation](#) shows the RHNA for Carmel-by-the-Sea for the period 2023 through 2031.

Table 1-1 Regional Housing Needs Allocation

| Income Group | Percentage of AMI | Share |
|-----------------------------------|-------------------|------------|
| Extremely Low Income ⁵ | <30 | 57 |
| Very Low Income | <50 | 56 |
| Low Income | 51-80 | 74 |
| Moderate Income | 81-120 | 44 |
| Above Moderate Income | 121 + | 118 |
| Total | | 349 |

SOURCE: AMBAG

³ HCD divides the RHND into the following four income categories:

Very Low income: 0-50% of Area Median Income

Low income: 50-80% of Area Median Income

Moderate income: 80-120% of Area Median Income

Above Moderate income: 120% or more of Area Median Income

⁴ <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/extremely-low-income-housing-needs>

⁵ Extremely low-income RHNA is found as a subset within the very low-income category for all other tables in this document

1.4 Affirmatively Furthering Fair Housing

In 2018, Assembly Bill 686 (AB 686), signed in 2018, established an independent state mandate to affirmatively furthering fair housing (AFFH). AB 686 extends requirements for federal grantees and contractors to “affirmatively further fair housing,” including requirements in the federal Fair Housing Act, to public agencies in California. Affirmatively furthering fair housing is defined specifically as taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity by replacing segregated living patterns with truly integrated and balanced living patterns; transforming racially and ethnically concentrated areas of poverty into areas of opportunity; and fostering and maintaining compliance with civil rights and fair housing laws.

AB 686 requires public agencies to:

- Administer their programs and activities relating to housing and community development in a manner to affirmatively further fair housing;
- Not take any action that is materially inconsistent with the obligation to affirmatively further fair housing;
- Ensure that the program and actions to achieve the goals and objectives of the Housing Element affirmatively further fair housing; and
- Include an assessment of fair housing in the Housing Element.

The requirement to Affirmatively Further Fair Housing (AFFH) is derived from The Fair Housing Act of 1968, which prohibited discrimination concerning the sale, rental, and financing of housing based on race, color, religion, national origin, or sex—and was later amended to include familial status and disability. The 2015 U.S. Department of Housing and Urban Development (HUD) Rule to Affirmatively Further Fair Housing and California Assembly Bill 686 (2018) mandate that each jurisdiction takes meaningful action to address significant disparities in housing needs and access to opportunity. AB 686 requires that jurisdictions incorporate AFFH into their Housing Elements, which includes inclusive community participation, an assessment of fair housing, a site inventory reflective of AFFH, and the development of goals, policies, and programs to meaningfully address local fair housing issues.

An AFFH analysis was prepared and is included as an appendix to this housing element (see [Appendix A](#)).

Defining Segregation

Segregation is the separation of different demographic groups into different geographic locations or communities, meaning that groups are unevenly distributed across geographic space. This report examines two spatial forms of segregation: neighborhood level segregation *within* a local jurisdiction and city level segregation *between* jurisdictions in the Bay Area.

Neighborhood level segregation (*within* a jurisdiction, or *intra-city*): Segregation of race and income groups can occur from neighborhood to neighborhood *within* a city. For example, if a local jurisdiction has a population that is 20 percent Latinx, but some neighborhoods are 80 percent Latinx while others have nearly no Latinx residents, that jurisdiction would have segregated neighborhoods.

City level segregation (*between* jurisdictions in a region, or *inter-city*): Race and income divides also occur *between* jurisdictions in a region. A region could be very diverse with equal numbers of white, Asian, Black, and Latinx residents, but the region could also be highly segregated with each city comprised solely of one racial group.

There are many factors that have contributed to the generation and maintenance of segregation. Historically, racial segregation stemmed from explicit discrimination against people of color, such as restrictive covenants, redlining, and discrimination in mortgage lending. This history includes many overtly discriminatory policies made by federal, state, and local governments (Rothstein 2017). Segregation patterns are also affected by policies that appear race-neutral, such as land use decisions and the regulation of housing development.

Segregation has resulted in vastly unequal access to public goods such as quality schools, neighborhood services and amenities, parks and playgrounds, clean air and water, and public safety (Trounstein 2015). This generational lack of access for many communities, particularly people of color and lower income residents, has often resulted in poor life outcomes, including lower educational attainment, higher morbidity rates, and higher mortality rates (Chetty and Hendren 2018, Ananat 2011, Burch 2014, Cutler and Glaeser 1997, Sampson 2012, Sharkey 2013).

Segregation Patterns in the Monterey Bay Area

Across the Monterey Bay Area, Hispanic and Black residents are significantly more segregated from other racial and income groups. The highest levels of racial segregation occur between the Hispanic and Black populations. The analysis completed for this report indicates that the amount of racial segregation both *within* Monterey Bay Area cities and *across* jurisdictions in the region has slightly increased since the year 2010.

Segregation and Land Use

It is difficult to address segregation patterns without an analysis of both historical and existing land use policies that impact segregation patterns. Land use regulations influence what kind of housing is built in a city or neighborhood (Lens and Monkkonen 2016, Pendall 2000). These land use regulations in turn impact demographics: they can be used to affect the number of houses in a community, the number of people who live in the community, the wealth of the people who live in the community, and where within the community they reside (Trounstein 2018). Given disparities in

wealth by race and ethnicity, the ability to afford housing in different neighborhoods, as influenced by land use regulations, is highly differentiated across racial and ethnic groups (Bayer, McMillan, and Reuben 2004).⁶

Segregation in the Carmel-by-the-Sea

The following are highlights of demographics as they apply to Carmel-by-the-Sea. For further information regarding the history of racial segregation, please refer to [Appendix A](#).

- As of 2019, white residents are the most segregated compared to other racial groups as measured by the isolation index. White residents live in neighborhoods where they are less likely to come into contact with other racial groups;
- As of 2019, Non-Hispanic White individuals comprise 87 percent of Carmel-by-the-Sea's population followed by Hispanic or Latino (8 percent) and Asian populations (5 percent);
- The City has no populations identifying as American Indian, Alaska Native, Native Hawaiian or Other Pacific Islander; and
- Black or African American non-Hispanic individuals represent less than 1 percent of the City's population.

Carmel-by-the-Sea's General Plan and Municipal Code historically emphasized single-family residential development patterns and consequently, the City offers a limited variety of housing types with 87 percent single family detached units. Historically, this type of development contributed to segregation patterns, including in Carmel-by-the-Sea, due to, among other factors, the higher purchase costs that accompany single-family homes. Financing for single-family properties favored educated higher income earners and as a result purchasing property in the City remained out of reach for many lower income households and lead to the demographics seen in the City today. Though Carmel-by-the-Sea's population demographics are not as diverse as other jurisdictions within Monterey County and restrictive covenants were not enacted specifically in the City, enacting policies and programs that promote AFFH and highlight the community's assets could attract individuals to the area, and encourage those that work in the City to live there as well.

"I urge you to enthusiastically embrace this opportunity to do exactly what you've come up with because Carmel really needs it, and it didn't happen that Carmel turned out to be a wealthy white exclusive community by accident. It was purposeful. "

May 24, 2023 Ad Hoc
Committee Community
Meeting Attendee

⁶For the source data, see U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B19013B, Table B19013D, B19013H, and B19013I.

Regional Segregation

The following are highlights of regional segregation metrics as they apply to Carmel-by-the-Sea.

- The City has a higher share of white residents than other jurisdictions in the Monterey Bay Area as a whole, a lower share of Latinx residents, a lower share of Black residents, and a lower share of Asian/Pacific Islander residents; and
- Regarding income groups, the City has a lower share of very low-income residents than other jurisdictions in the Monterey Bay Area as a whole, a lower share of low-income residents, a lower share of moderate-income residents, and a higher share of above moderate-income residents.

1.5 Overview of Planning Efforts

This section provides an overview of planning and legislative efforts that provide the context for development of the 6th Cycle Housing Element.

Effectiveness of Previous Housing Element

The 2015 Housing Element identified a Regional Housing Needs Allocation of 31 housing units in Carmel-by-the-Sea between 2015 and 2023. The RHNA was divided into the following income categories:

- 11 units affordable to extremely low- and very low-income households;
- 5 units affordable to low-income households;
- 6 units affordable to moderate-income households; and
- 13 units affordable to above moderate-income households.

During the 2015–2023 planning period, 18 new units were added to the City’s housing stock, none were low or very low income⁷. This indicates that residential growth for extremely and very low-income households was slower than anticipated, which may be in part due to the COVID pandemic, the cost of land and construction, and the overall lack of interest to develop affordable housing in the community. As a result, housing costs continued to increase substantially due to low supply, and affordability became more elusive.

The goals, objectives, policies, and actions in the 2015 Housing Element complied with State Housing Law and provided proper guidance for housing development in the City. In the 2023 Housing Element update, objectives for each of the goals will be modified as appropriate to more specifically respond to the housing environment in Carmel-by-the-Sea from 2023-2031. Policies will

⁷ [RHNA Progress Report - 5th Cycle RHNA Progress Report - California Open Data](#)

also be modified as needed to respond to current Housing Element Law and existing and anticipated residential development conditions. See [Appendix E](#) for a complete review and analysis of Carmel-by-the-Sea's 5th Cycle Housing Element (2015-2023).

New State Laws Affecting Housing

While the City has taken steps throughout the 5th cycle to increase housing production locally, the State passed numerous laws to address California's housing crisis during the same period. As the State passes new legislation in the remainder of the 5th cycle and during the 6th cycle, the City will continue to amend the Municipal Code; to monitor and evaluate policies and programs designed to meet State requirements; and to proactively implement new policies and programs to help increase housing production citywide.

In 2019, several bills were signed into law that include requirements for local density bonus programs, the Housing Element, surplus lands, accessory dwelling unit (ADU) streamlining, and removing local barriers to housing production. The City implemented changes required by State law, likely through amendments to the Municipal Code. The following is a summary of recent legislation and proposed City activities that will further the City's efforts to increase housing production during the 6th cycle. Please see the section above for a discussion of AB 686 (Affirmatively Furthering Fair Housing).

Climate Change and RHNA Methodology

Per statute, AB 1445 amends California Government Code Section 65584.04 and would require Councils of Governments to consider including the impacts of climate change as a factor when developing the methodology for allocating regional housing need. Regions would specifically need to consider emergency evacuation route capacity, wildfire risk, and sea level rise, but could also consider any other climate change-related factor. Although this does not apply to the current RHNA, it could affect the 7th cycle allocation.

Incentives for Accessory Dwelling Units

In 2020, AB 686, AB 587, AB 671, AB 881, and SB 13 further incentivize the development of accessory dwelling units (ADUs), through streamlined permits, reduced setback requirements, increased allowable square footage, reduced parking requirements, and reduced fees. The City last amended the Municipal Code in 2017 to address ADUs and currently follows State law.

The City also continues to monitor the existence of unauthorized second units. The City's zoning ordinance facilitates the legalization of unauthorized second units through the zoning clearance/building permit process. In 2023, the City intends to further amend the standards for ADUs and JADUs, consistent with State Law, to facilitate legalization of unauthorized living units and promote construction of new units.

Low-Barrier Navigation Centers

AB 101 (2019) requires jurisdictions to allow “low-barrier navigation centers” by-right in areas zoned for mixed uses and in nonresidential zones permitting multifamily uses, if the center meets specified requirements. A low-barrier navigation center is a service-enriched shelter focused on moving unhoused people into permanent housing. The center provides temporary living facilities while case-managers connect individuals to public benefits, health services, and housing. The City’s Municipal Code will be amended to comply with State law.

Surplus Public Land

AB 1255 and AB 1486 (2020) seek to identify and prioritize state and local surplus lands available for housing development affordable to lower-income households. City-owned land was considered through preparation of the adequate sites inventory of the 6th Cycle Housing Element. These sites may be developed over time or possibly leased for development.

In 2019, Governor Gavin Newsom signed an executive order to identify State owned sites to help address the California housing crisis.

Accelerated Housing Production

AB 2162 (2018) and SB 2 (2019) address various methods and funding sources that jurisdictions may use to accelerate housing production.

Priority Processing

SB 330 (2019) enacts changes to local development policies, permitting, and processes that will be in effect through January 1, 2025. SB 330 places new criteria on the application requirements and processing times for housing developments; prevents localities from decreasing the housing capacity of any site, such as through downzoning or increasing open space requirements, if such a decrease would preclude the jurisdiction from meeting its RHNA housing targets; prevents localities from establishing non-objective standards; and requires that any proposed demolition of housing units be accompanied by a project that would replace or exceed the total number of units demolished. Additionally, any demolished units that were occupied by lower-income households must be replaced with new units affordable to households with those same income levels.

Housing and Public Safety

In response to SB 379 (2015) and other recent state legislation, local jurisdictions must update their safety element to comprehensively address climate adaptation and resilience (SB 379 and SB 1035, 2018) and identify evacuation routes (SB 99 and AB 747, both 2019). These updates are triggered by the 6th Cycle housing element update. This housing element will contain an evaluation of the existing safety element and programming actions to update the safety element to satisfy the new state requirements. Also, as sites are identified and analyzed for inclusion in the City’s housing site inventory, special attention will be paid to the risk of wildfire and the need for evacuation routes. In

this way, the City will coordinate updates between the elements, so that future development is directed into areas that avoid or reduce unreasonable risks while also providing needed housing and maintaining other community planning goals.

Disadvantaged Communities

In 2011, the Governor signed SB 244 which requires local governments to make determinations regarding “disadvantaged unincorporated communities,” defined as a community with an annual median income that is less than 80 percent of the statewide annual median household income. The City has determined that there are no unincorporated islands or fringe or legacy communities that qualify as disadvantaged communities inside or near its boundaries.

Consistency with General Plan

The City of Carmel-by-the-Sea last adopted its general plan in 1988. The general plan is a long-range planning document that serves as the “blueprint” for development for local jurisdictions in California. All development-related decisions in the City must be consistent with the General Plan, and if a development proposal is not consistent with the plan, then it must be revised or the plan itself must be amended.

State law requires a community’s general plan to be internally consistent. This means that the housing element, although subject to special requirements and a different schedule of updates, must function as an integral part of the overall general plan, with consistency between it and the other general plan elements. From an overall standpoint, the development projected under this housing element is consistent with the other elements in the City’s current general plan.

Many housing needs can only be addressed on a comprehensive basis in concert with other community concerns such as infill development or mixed-use incentives, for example, which must consider land use, traffic, parking, design and other concerns as well.

The City’s housing element is being updated at this time in conformance with the 2023-2031 update cycle for jurisdictions in the Association of Monterey Bay Area Governments (AMBAG) region. The housing element builds upon the other general plan elements and contains policies to ensure that it is consistent with other elements of the general plan. As portions of the general plan are amended in the future, the plan (including the housing element) will be reviewed to ensure that internal consistency is maintained.

1.6 Public Participation

The primary purpose of this chapter is to describe the effort made by the City of Carmel-by-the-Sea to engage all economic segments of the community (including residents and/or their representatives) in the development and update of the housing element. This public participation effort also includes formal consultation, pursuant to Government Code §65352.3, with

representatives from the Tribal Nations that are present and active in Monterey County. It is also responsive to AB 686 (Affirmatively Furthering Fair Housing), which requires local jurisdictions, as they update their housing elements, to conduct public outreach to equitably include all stakeholders in the housing element public participation program.

The 6th cycle RHNA numbers are a monumental change for all California communities, and the success of the update process hinged in part on a community outreach and engagement program that was robust, inclusive, and meaningful. The City's community engagement program has included an initial presentation to City Council, a series of Housing Ad Hoc Committee community meetings, stakeholder outreach, direct contact with interested residents and property owners, and online/virtual participation. Key components of the interactive engagement plan include:

- **Website.** Housing Opportunities Made Easier (HOME) at [HOME Carmel](http://homecarmelbythesea.com) (homecarmelbythesea.com) is a dedicated website that provides portal to all of the housing-element-related public engagement activities that are available to members of the public. This includes information on housing element basics, community ideas board, property owner interest forms, site surveys, site selection details, and materials from community workshops;
- **Q&A.** Received questions in a managed space that accommodated messages through the iterative brainstorming process; and
- **Surveys.** Encouraged community-members to voice their opinions in a convenient way that also helped City staff understand what areas of the city need more encouragement to participate. Aggregate data also helped the city understand generally who is participating with the outreach tools.
 - **Stakeholder Survey.** Released for public engagement on May 24, 2023 to solicit input from Carmel-by-the-Sea residents, property owners, business owners, employees, community activists, and visitors. The survey is currently ongoing. The housing element will contain updated policies and programs as guided by the public's perspective.
 - **Property Owner Interest Form.** Released for public engagement on April 6, 2023 to develop a list of property owners interested in building an accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU). The survey is currently ongoing. A list of interested property owners will be added to [Appendix C – Sites Inventory](#) when the survey is closed.
- **Community Meetings.** Hosted to inform and educate the public on the 2023-2031 6th Cycle Housing Element Update planning process. These meetings are ongoing and continue to guide the policies and programs to ensure Carmel-by-the-Sea's character and values are upheld.
 - **November 17, 2022 Housing Ad Hoc Committee Community Meeting.** Hosted to introduce the 2023-2031 6th Cycle Housing Element Update to community residents.

- **February 28, 2023 Housing Ad Hoc Committee Community Meeting.** Hosted to discuss development constraints and potential incentives.
- **April 6, 2023 Housing Ad Hoc Committee Community Meeting.** Hosted to discuss current 5th Cycle Housing Element policies and programs, [HOME Carmel](#) unveiling and walk through, and introduction to AFFH.
- **May 24, 2023 Housing Ad Hoc Committee Community Meeting.** Hosted to discuss housing needs, fair housing, sites inventory, and policies and programs to address the needs.

Public Participation to Affirmatively Furthering Fair Housing

The Carmel-by-the-Sea public participation program was also responsive to AFFH, which requires local jurisdictions to conduct public outreach to equitably include all stakeholders in the housing element public participation program (see the discussion above for more complete information on AFFH).

The organizations listed in [Appendix E](#) were contacted initially with an invitation to further connect. There were more opportunities for deeper connection with some of the Community Based Organizations (CBOs) included with the list.

The City emphasized the power of public participation during the public draft 30-day review period. City messaging expressed the power of public comment during this 30-day period to have the community's voice included with the public record that will be read by decision-makers and the HCD reviewer, with transparent obligation to be responsive to comments as part of the preliminary draft submittal to HCD.

Tribal Consultation

This public participation effort also includes formal consultation, pursuant to Government Code §65352.3, with representatives from the Esselen Nation that is present and active in Monterey County. Consultation is in process.

Public Review of Draft and Final Housing Element

(To be completed following the Public Review Draft comment period).

2.0

Goals, Policies, and Programs

2.1 Introduction

The City is responsible for enabling the production of housing by reducing regulatory barriers, providing incentives, and supporting programs that create or preserve housing, especially for vulnerable populations. To enable the construction of quality housing, the City has identified the following goals:

- Goal HE-1 Facilitate Housing Construction
- Goal HE-2 Protect Affordable Housing and Improve the Housing Stock
- Goal HE-3 Provide Opportunities for New Affordable and Other Special Needs Housing
- Goal HE-4 Exemplify Sustainable Development and Energy Conservation
- Goal HE-5 Publicize Housing Needs and Resources

2.2 What's New

This section provides an overview of significant new policy and program directions being taken by the City of Carmel-by-the-Sea to address housing issues in the community and the larger Monterey Bay Area.

Affirmatively Furthering Fair Housing

The new policy direction that the City will undergo during the 6th Cycle Housing Element Update involves addressing historic economic and racial segregation patterns. In 2018, the California Legislature established an independent state mandate to affirmatively furthering fair housing (AFFH). Affirmatively furthering fair housing is defined specifically as taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity by replacing segregated living patterns with truly integrated and balanced living patterns; transforming racially and ethnically concentrated areas of poverty into areas of opportunity; and fostering and maintaining compliance with civil rights and fair housing laws.

The City of Carmel-by-the-Sea is adopting new policies and programs through the update of this 6th Cycle Housing Element, to align with the state’s new AFFH mandate. Policies and programs that support this alignment are identified with the letters “AFFH.”

2.3 Program Overview and Quantified Objectives

Quantified Objectives estimate the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the planning period. The Quantified Objectives do not represent a ceiling on development, but rather set a target goal for the jurisdiction to achieve, based on needs, resources, and constraints. These objectives will focus communication between the City and HCD with future Annual Progress Reports (APRs). HCD does not demand that all objectives must be met, rather, it is a goal that enables objective assessments about program effectiveness so that the City may make informed determinations to continue, modify, or delete programs with the next Housing Element update Cycle. [Table 2-1, Quantified Objectives](#), provides an estimate of the number of units likely to be constructed, rehabilitated or conserved/preserved in Carmel-by-the-Sea.

Table 2-1 Quantified Objectives Summary

| Income Category | New Construction | Rehabilitation* | Conservation/ Preservation** |
|-----------------|------------------|-----------------|---------------------------------|
| Extremely Low | 57 | 0 | 0 |
| Very Low | 56 | 5 | 0 |
| Low | 74 | 5 | 50 |
| Moderate | 44 | 6 | 0 |
| Above Moderate | 118 | 784 | 0 |
| Total | 349 | 800 | 0 |

SOURCE: City of Carmel-by-the-Sea 2023

NOTES: *The City has approximately 3,800 residential units, 50 (or about one percent) of which are affordable units. Each year the City processes approximately 100 building permits for remodels, additions, and other construction, which rehabilitates the existing housing stock. For the lower-income categories rehabilitation goals, the City assumes that one percent of the total permits processed will be for affordable units. Under these assumptions, the City would rehabilitate two units of affordable housing a year or approximately 16 units throughout the 2023-2031 planning cycle. This represents approximately 30 percent of the City’s existing affordable housing inventory.

**The City has no units at risk of converting to market rate during this planning cycle.

2.4 Goals, Policies and Programs

Community input has been and continues to be an integral part of the development of policies and programs for the 6th Cycle Housing Element. The purpose of this section is to set forth goals, policies, and programs to further the development of housing for all income levels in the community. The Implementation Programs listed below provide a workplan for programs to ensure timely implementation and tracking.

GOAL H1 FACILITATE HOUSING CONSTRUCTION

Policy 1.1: Ensure adequate sites are available to meet the City's projected housing growth needs.

Program 1.1.A: Adequate Sites

The City has a RHNA or growth need of 113 units affordable to Extremely Low- and Very Low-Income households. The City's General Plan and Zoning

Ordinances provide for housing types at appropriate densities to accommodate the RHNA. The City will encourage and facilitate the development of new units consistent with the RHNA be continuing to work with housing providers such as the Carmel Foundation and will actively find new organizations to partner with. The City also includes incentives and concessions outlined in Programs listed below including an Affordable Housing Overlay district outlined below.

Quantified Objective: 113 Extremely Low and Very Low-income housing units

Timeframe: June 2031

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-3.1.a: Adequate Sites)

Program 1.1.B: Underutilized Sites - AFFH

Publicly owned sites represent an opportunity to partner with a non-profit or developer to build affordable units. The City may enter into an agreement with a development partner that makes development of affordable units more financially feasible because the cost of the land is under City ownership. The City will actively investigate the feasibility of utilizing underutilized publicly owned

"... The land as it exists now, the way it's zoned, could support the 349 units, plus the buffer. So, the question then is how do we get people excited about developing some of those units?"

That's where these programs and processes come in to play and that's why we need to amend the municipal code, to codify those things..."

May 24, 2023 Ad Hoc
Committee Community
Meeting Attendee

sites (including Flanders Mansion, Sunset Center parking lots, Post Office parking lot, Vista Lobos, and surplus right-of-way) for housing development and partnering with housing providers to develop housing for lower-income households and/or senior housing on appropriate underutilized sites.

Quantified Objective: 50 affordable units

Timeframe: June 2029

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly 3-3.1.b: Surplus Sites)

Program 1.1.C: Development on Small Sites

Small sites can be difficult to develop particularly when development standards don't adequately take into account small lot dimensions. The City will continue incentives and provisions that facilitate development on small sites, including waived or reduced parking requirements for affordable housing projects (0.5 parking spaces per unit), density bonuses that allow for development up to 88 du/ac, flexible or in some cases no required setbacks in the R-4 zone, and lot mergers. The City will also further evaluate the parking ratio and/or reducing parking requirements in the SC and RC zoning districts to help facilitate market rate housing. Alternative parking programs such as car share will also be considered to offset reduced parking.

Quantified Objective: 20 units

Timeframe: December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly 3-3.1.c: Development on Small Sites)

Policy 1.2: Continue to monitor and work cooperatively with regional agencies to augment infrastructure in a manner that provides adequate capacity for existing and new housing needs while preserving and improving the unique visual character of the City.

Program 1.2.A: Water Distribution Policy - AFFH

One of the major constraints to housing production in Carmel-by-the-Sea is the lack of water. Potable water is a fundamental infrastructure need for housing and is a limited resource in Carmel-

by-the-Sea. Water is regulated by the State Water Resources Board (SWRB) and the Monterey Peninsula Water Management District (MPWMD). Few sites have available water credits sufficient to accommodate construction of additional residential units, and the City's water allocation is limited as is the ability to service vacant sites with water service. The City will continue to work cooperatively with MPWMD to address water infrastructure limitations that affect the ability to serve new housing development.

The City will grant water allocation priority to those projects that assist the City in meeting its share of the regional housing need for lower- and moderate-income households and will adopt City policy to clearly reflect water allocation priority and incentives for extremely low and very low-income households.

Quantified Objective: 187 units

Timeframe: June 2025

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-3.2: Address Infrastructure Constraints)

Program 1.2.B: Address Infrastructure Constraints

Ensuring the City's infrastructure is modernized and can accommodate future growth is a critical charge of local governments. Much of the City's infrastructure is nearing the end of its lifecycle and crafting Capital Improvement Programs that effectively manage infrastructure is imperative. Additionally, the City experienced significant power outages during the 2022-2023 winter season that negatively impacted the City at large. The City's Public Works Department continues to improve City infrastructure including road maintenance and storm drains, through the City's 6-Year Capital Improvement Plan process. The City will continue to work cooperatively with outside agencies, including the Pacific Gas and Electric Company, the Carmel Area Wastewater District, and California American Water, to continue to maintain and upgrade the City's infrastructure.

Quantified Objective: N/A

Timeframe: 2030

Responsible Party: Public Works Department

Funding Source: General Fund

(Formerly Program 3-3.2: Address Infrastructure Constraints)

Policy 1.3: Reduce or eliminate governmental constraints on the provision of affordable housing. Direct public funding resources to the conservation of existing housing units in neighborhoods where continued residential use is appropriate.

Program 1.3.A: Condominium Conversions - AFFH

The City will continue to implement condominium conversion policy, which restricts the conversion of apartments to condominiums to preserve the lower-cost rental housing options, typical of apartments, within the City. Apartments cannot be converted to condominiums unless a new apartment is being created to offset the conversion.

Quantified Objective: Preserve rental units

Timeframe: June 2031

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.3.a: Condominium Conversions)

Program 1.3.B: R-1 Motel (Conversion) Development Transfer Rights - AFFH

Pursuant to coastal zone requirements, the City has recognized existing R-1 motels as an important coastal visitor asset and economic base in the community and there are a number of older non-conforming motels and hotels in the R-1 residential zoning district. These commercial establishments can be encouraged to transition out of residential areas and be rehabilitated as multi-family residences. These properties are located in key residential areas and this policy would diversify the housing stock through a more affordable means of rehabilitating and refurbishing existing buildings. In order to encourage these properties to transition into permanent multi-family residences and to retain the same number of motel rooms to accommodate coastal visitor access in the City, the City will develop a program to incentivize the transfer of development rights of motels located in the R-1 zoning district to the commercial district.

Quantified Objective: 15 units converted from motel rooms to housing units

Timeframe: December 2028

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-4.1.b Conversion of R-1 Motels)

Program 1.3.C: Accessory Dwelling Units - AFFH

Accessory Dwelling Units (ADUs) and Junior ADUs (JADUs) provide affordable housing options for family members, seniors, students, in-home health care providers, and other small household types. ADUs can also be useful to generate additional rental income for the homeowner, making homeownership more financially feasible. It's also important to note that 80% percent of Carmel-by-the-Sea's vacant units are for seasonal, recreation, or occasional (second home) use. ADU and JADU development on properties used for occasional use adds to the permanent housing stock and provides on-site oversight for second home properties.

Additionally, the City has number of motel units that would greatly benefit from having an affordable on-site employee housing. These units would alleviate the current lack of housing that many employees in Carmel face.

Pre-approved, standardized plans can eliminate the costs of designing a custom ADU, and assures property owners the unit type and size is already approved by the City. Pre-approved plans can also make construction more affordable if the designs are using materials that are easily sourced and standard sizes.

As an incentive to motel and hotel owners to provide on-site affordable employee housing, the City will offer an additional motel/hotel room to offset loss of revenues for the business owners and to maintain visitor-serving coastal access.

The City will amend the Code as follows:

- Reflect current State ADU law in a timely manners as new relevant State laws are adopted during the planning cycle;
 - *Timeframe December 2024*
- Allow at least one on-site affordable employee housing unit in conjunction with one new hotel room per unit;
 - *Timeframe: December 2026*
- Develop pre-approved, standardized ADU plans.
 - *Timeframe: December 2028*

Quantified Objective: 36

Timeframe: December 2024-2028

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.3.c: Subordinate Units)

Program 1.3.E: Amend the A-2 Zoning District - AFFH

The Community and Cultural Center Zoning District, A-2, allows senior housing (55+) as a permitted use in addition to uses that provide cultural and community activities associated with the arts, education and recreation; however, development standards are not specified for the A-2 district and design review is required. The lack of development and design standards adds uncertainty and can significantly lengthen the development process. Amending the A-2 zoning district with clear setbacks, height, and objective design standards will add clarity and remove a development constraint. The City will amend the Municipal Code to include clear development standards for the A-2 zoning district to encourage affordable senior housing.

Quantified Objective: 33 senior housing units

Timeframe: December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Program 1.3.F: Manufactured Homes on a Foundation System

The City current permits manufactured homes on a foundation system on lots zoned for conventional single-family residential dwellings pursuant to State law Government Code 65852.3. Manufactured homes represent an affordable and cost-effective form of housing. The City will amend the Municipal Code to include manufactured homes as a permitted use in the R-1 zoning district subject to the same development standards to which a conventional single-family residential dwelling on the same lot would be subject.

Quantified Objective: 8 units

Timeframe: December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Policy 1.4: Improve Development Review and Approvals Processes***Program 1.4.A: Remove Use Permit requirement for multi-family development - AFFH***

Multi-family and duplex housing units constitute approximately 13 percent of Carmel's housing stock. Multi-family housing up to 22 du/ac is a permitted use in the R-4, CC, SC, and RC Districts. Multi-family housing greater than 22 du/ac is a conditionally allowed use in all those same districts.

The Conditional Use Permit (CUP) for residential developments greater than 22 du/ac is a multi-family residential unit is a development constraint. Site design review is required for multi-family

projects and the CUP process adds limited value to the review process for projects of this size and scale. In order to lessen this regulatory constraint, the City will amend the Code to remove the CUP for multi-family developments up to 33 du/ac.

Quantified Objective: 50

Timeframe: December 2024

Responsible Party: Community Development Department

Funding Source: General Fund

(Formerly Program 3-2.1.d: Multi-Family Residential Development Review)

Program 1.4.B: Objective Design Standards - AFFH

The City currently lacks any adopted objective design guidelines. Detailed subjective design guidelines for single family residences and less detailed subjective design guidelines for commercial zones are in place. While the City's single-family design guidelines are being updated this year, objective design standards are not currently being developed. The less detailed design guidelines for the commercial zones creates a higher level of subjectivity for multi-family affordable projects.

The lack of Objective Design Standards poses a constraint to residential development. Guidelines that are subjective increase uncertainty and risk for housing developers. Objective Design Standards provide a measure of clarity that proposed developments will be measured against, and provide the community with assurance that developments will conform with measurable objective standards. The City will create Objective Design standards for multi-family affordable developments.

Quantified Objective: 50

Timeframe: December 2025

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

GOAL H2 PROTECT AFFORDABLE HOUSING AND IMPROVE THE HOUSING STOCK

Policy 2.1: Maintain and encourage expansion of permanent residential housing stock in the Commercial, R-1, and R-4 Districts.

Program 2.1.A: Incentives for Mixed-Use Development - AFFH

Providing additional development capacity of any type, increases project feasibility. In order to better incentivize affordable residential development, the City will amend the Municipal Code to

increase the provide floor area bonuses from 15 to up to 25 percent for projects that include housing for moderate-, low- and very-low-income households. Distribute informational materials outlining the floor area and other applicable incentives.

Quantified Objective: 20 moderate units

Timeframe: December 2024

Responsible Party: Community Planning and Building

Funding Source:

(Formerly Program 3-2.1.a)

Program 2.1.B: Permanent Housing - AFFH

Short-term rentals can provide valuable coastal visitor-serving access; however, units used as short-term rentals remove permanent housing from the City's housing stock. The City also has a significant percentage of the housing stock that remains vacant for part of the year due to second home ownership. This creates a significant barrier for current and potential residents to enter the local housing market and squanders opportunities to correct the housing crisis, address diversity, and provide inclusive housing options to promote a vibrant and active community.

The City's ordinance prohibiting short-term, transient rentals and timeshares of residential dwellings in the R-1 District and allowing a limited number in commercial areas has successfully limited these uses and the City will continue to implement the ordinance. In an effort to address the high rate of second home ownership, the City will promote ADUs and JADUs on properties and will establish an Affordable Housing Trust Fund (see Program below).

Quantified Objective: 25 affordable units

Timeframe: June 2026

Responsible Party: Community Planning and Building and City Administrator

Funding Source: General Fund

(Formerly Program 3-4.1.a)

Program 2.1.C: Monitor Affordable Housing Stock - AFFH

The City will develop a City-managed Affordable Housing Oversight Program and continue to monitor affordable housing projects and work with the owners to preserve affordability through identification of funding sources and/or opportunities for partnerships with other housing providers. The program will formalize annual monitoring of the affordable housing stock throughout the city including in the coastal zone to ensure the affordable housing with the coastal

zone is being protected and provided as required by Government Code Section 65590. The City will updated its databases to better track data on the new construction, demolition, conversion and replacements housing units for low- and moderate-income households including the following:

- The number of new housing units approved for construction within the coastal zone;
- The number of housing units for persons and families of low- and moderate-income required to be provided in new housing developments either within or within three miles of the coastal zone;
- The number of existing residential dwelling units occupied by low- and moderate-income households required either within or three miles of the coastal zone that have been authorized to be demolished or converted; and
- The number of residential dwelling units for low- and moderate-income persons and families that have been required for replacement (of those units being demolished or converted) within or three miles of the coastal zone.

Quantified Objective: Monitor 60 housing units

Timeframe: June 2025

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Program 3-5.3.d: Monitor Affordable Housing Stock)

"I believe a vacancy tax should be proposed to the voters, which can go toward funding affordable housing. The City needs to frame affordable housing in a positive way. I feel like people's aversion to affordable housing in their communities is just a public relations failure."

May 24, 2023 Ad Hoc Committee
Community Meeting Attendee

Program 2.1.D: Establish Affordable Housing Trust Fund - AFFH

The City currently relies on outside agencies and organizations to fund affordable housing projects which severely limits the City's ability to proactively fund affordable residential units or provide rehabilitation funds. In an effort to establish a funding source dedicated to affordability, the City will establish an Affordable Housing Trust Fund. Sources of funding could include a vacancy tax, Transit Occupancy Tax and/or transfer tax.

Quantified Objective: \$1,000,000

Timeframe: June 2031

Responsible Party: City Administrator

Funding Source: General Fund

(NEW)

Policy 2.2: Preserve and protect the scale of established neighborhoods while encouraging property improvement.

Program 2.2.A: Historic Preservation Educational Programs

Cities have unique characteristics that develop over time. Carmel-by-the-Sea has a distinctive building style and form that existing residents cherish and serves to attract new residents and visitors. In an effort to continue to encourage improvements to the existing housing stock, the City will continue to promote education programs that improve public understanding of the City's rich cultural and design heritage, and provide zoning flexibility and incentives to facilitate rehabilitation of historic resources. The City will continue to use the Historic Building Code to facilitate residential rehabilitation of historic residences.

Quantified Objective: 50 rehabilitated historic units

Timeframe: December 2024

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Program 3-4.3.a: Neighborhood Preservation Educational Programs)

Policy 2.3: Preserve and expand affordable and rental housing opportunities to enable local employees to live in the community where they work.

Program 2.3.A: Preserve and Increase Second and Existing Third Floor Residential Uses - AFFH

The retail and office landscape is shifting and the City continues to experience retail and office vacancies. This shift represents an opportunity to the increase supply of housing including but not limited to housing over first-floor commercial uses, as a preferred development form in all Commercial Districts. The City will proactively work with property owners to encourage conversion of vacant existing second and third stories to affordable residential uses.

The City will continue to prohibit the conversion of existing second-floor residential floor space to commercial use and will require newly constructed floor space at the second floor to be used as residential units.

Quantified Objective: 10

Timeframe: December 2031

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-2.1.b)

Policy 2.4: Preserve the existing housing stock

Program 2.4.A: Housing Rehabilitation and Maintenance Information - AFFH

In order to stay habitable and energy efficient, all buildings need maintenance and when buildings fall into an extreme state of disrepair, a more comprehensive housing rehabilitation procedure is needed. Over the past few years, inflation and building supply chain issues have dramatically increased the cost of building materials. Labor costs have also risen significantly due to a shortage of skilled construction workers and ongoing cost-of-living increases. This results in very costly rehabilitation projects. In order to assist lower income property owners, the City will distribute information on the Inspection Services and Housing Rehabilitation programs and alternative ways of financing home repairs.

Quantified Objective: 5 rehabilitated units

Timeframe: June 3031

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Programs 3-1.1.a and 3-1.1.c Housing Rehabilitation and Housing Maintenance)

Program 2.4.B: Residential Inspection Services

Many times, property owners do not have the knowledge to identify structural deficiencies and repair needs. Updates and repairs to properties are imperative to maintain the City's housing stock in good condition. This is particularly important given the age of the City's housing. The City will continue to inspect residences in the community for structural deficiencies and repair needs through the building permit process.

Quantified Objective: 50 units inspected

Timeframe: June 2031

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Program 3-1.1.b: Residential Inspection Services)

GOAL H3 PROVIDE OPORTUNITIES FOR NEW AFFORDABLE AND OTHER SPECIAL NEEDS HOUSING

Policy 3.1: Incentivize affordable housing development, with an emphasis on affordable housing built to accommodate Extremely-Low Income residents. Encourage the private sector to produce affordable housing.

Program 3.1.A: Mixed Use Affordable Housing - AFFH

The retail and office landscapes are shifting and this change represents an opportunity to encourage mixed-use developments (housing over first-floor commercial uses) as a preferred development form. The City will proactively work with property owners to incentivize upper-story housing opportunities, including the potential of allowing a third story when devoted to affordable housing subject to appropriate objective design standards, including the City's 30-foot height limit.

Quantified Objective: 10 upper-story housing project additions

Timeframe: June 2030

Responsible Party: Planning and Building Department

Funding Source: General Fund

Formerly 3-2.1.c: Incentives for Mixed Use Affordable Housing)

Program 3.1.B: Housing for Extremely-Low Income Households - AFFH

Providing housing units for Extremely-Low Income Households earning 30 percent or less of the Area Median Income (AMI) for Monterey County has proved challenging for the City. The City will continue to place specific emphasis on the provision of family housing and non-traditional housing types such as single-room-occupancy units and transitional housing. The City will encourage development of housing for extremely-low-income households through a variety of activities such as targeted outreach to for-profit and non-profit housing developers on at least an annual basis, providing in-kind technical assistance, fee deferrals, expedited/priority processing, identifying grant and funding opportunities, applying for or supporting applications for funding on an ongoing basis, reviewing and prioritizing local funding for developments that include housing for ELI households and/or offering additional incentives to supplement the density bonus provisions in State law.

The City also has programs to encourage the development of Accessory Dwelling Units, a portion of which are affordable to Extremely-Low Income Households and the City has funded a position through the General Fund to focus on long-range planning and housing needs.

Quantified Objective: 113

Timeframe: December 2031

"I'm pretty passionate about affordable housing and diversity. I think that's what makes a community, and we do lack it. I have kids that live in the community and go to Carmel High School, and I would like to see more of a social, economic, and age difference in our community, personally."

May 24, 2023 Ad Hoc Committee
Community Meeting Attendee

Responsible Party: Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.4.b)

Program 3.1.C: Density Bonus - AFFH

Density bonuses can provide a significant incentive to build affordable housing units. By increasing the number of units permitted to be built on a property, the financial investment required to bring the development to fruition has a higher likelihood of a return. Given the high cost of materials, labor and borrowing costs, increasing the number of units can make the housing project financially feasible. The City will further review and revise applicable density bonus and bonus density ordinances to clarify the regulations and increase certainty of applicability.

Quantified Objective: 25

Timeframe: December 2024

Responsible Party: Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.4.a: Density Bonus)

Program 3.1.D: Reduced Entitlement and Development Fees - AFFH

Entitlement and development fees paid by project applicants assist in the City's ability to recover administrative and operating costs; however, these fees may have the unintended consequence of increasing the cost of housing. To encourage the development of affordable housing, the City will waive the parking in-lieu fees and reduce the planning entitlement fees by 25% for projects that provide affordable housing in commercial areas.

Quantified Objective: 25

Timeframe: December 2024

Responsible Party: Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.5.a: Reduced Entitlement and Development Fees)

Program 3.1.E: Reduced Parking Requirements - AFFH

Parking requirements increase costs to residential development and take up valuable space that can be used for housing. The City will continue to offer reduced parking requirements for affordable

housing developments. Additionally, the City will waive the in-lieu fees for projects with affordable units, clarify the program requirements in the Central Commercial zoning district, and reduce parking requirements in the R-4 and RC zoning districts

Quantified Objective: 25 units

Timeframe: December 2024

Responsible Party: Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.5.b: Reduced Parking Requirements)

Program 3.1.F: Expedited Processing Procedures - AFFH

Faster permit processing times reduce overall project timelines and allow a project to get to the construction stage in a timely manner. Reducing overall project timelines is critical during this inflationary period where materials and labor costs continue to rise. Additionally, supply chains still have not recovered to pre-pandemic levels and delays in processing can also result in delays in placing orders and receiving materials and securing labor. The City will continue to offer expedited review procedures for residential projects that include affordable housing units and will clarify and refine permit processing procedures for affordable housing to shorten processing procedures.

Quantified Objective: 187 affordable units

Timeframe: December 2024

Responsible Party: Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.5.c: Expedited Processing Procedures)

Program 3.1.G: Affordable Housing Overlay Zoning District - AFFH

Overlay districts are zoning districts established by the City to carry out specific purposes. Overlay districts can be constraints to development, or they can be used as a tool to encourage certain types of development. Currently, the city does not have an overlay district to encourage affordable housing. An overlay that requires a minimum density of 33 du/ac for specific sites, including but not limited to, identified in the Site Inventory encourages a higher unit yield and improves the financial viability of the project by increasing the unit count. Minimum density is also a tool that works to ensure the limited available land in the City is used in an efficient manner and lower densities are avoided.

The City will craft an affordable housing overlay zone with a minimum density of 33 du/ac.

Additionally, sites listed in the Sites Inventory Appendix C, that were identified in the previous 5th cycle, and provide a minimum of 20% affordable units will be subject to an Overlay District enabling a By Right approval process per Government Code 65583.2(c). By Right means a jurisdiction shall not require:

- A Conditional Use Permit;
- A Planned Unit Development Permit;
- Design review other than Objective Development and Design Standards; or
- Other discretionary, local-government review or approval that would constitute a “project” as defined in Section 21100 of the Public Resources Code (California Environmental Quality Act “CEQA”).

Quantified Objective 100 units

Timeframe: December 2024

Responsible Party: Community Planning and Development Department

Funding Source: General Fund

(NEW)

Policy 3.2: Recognize the special needs of persons with disabilities and the need to retain flexibility in the design review process to accommodate these needs.

Program 3.2.A: Reasonable Accommodation Procedures - AFFH

A reasonable accommodation is any change, exception or adjustment to a rule, policy, practice or service that allows a person with a disability to have an equal opportunity to participate. Information on reasonable accommodation procedures will continue to be provided at City Hall and on the City’s website. The City will evaluate and revise Policy C11-01, which describes procedures to provide reasonable accommodation and reduce permit fees for persons with disabilities in compliance with the provisions of SB 520, in an effort to remove any additional barriers and encourage those with disabilities to apply.

Quantified Objective: 8 applications

Timeframe: June 2031

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Program 3-5.1: Reasonable Accommodation Procedures)

Policy 3.3: Facilitate the provision of transitional and supportive housing in appropriate districts in the community.

Program 3.3.A: Zoning for Transitional and Supportive Housing - AFFH

State Bill 2, passed in 2007, revised housing element law requiring that transitional and supportive housing be permitted as a residential use, subject only to restrictions that apply to other residential dwellings of the same type in the same zone. In compliance with SB 2, the City will continue to allow transitional/supportive housing as a residential use, subject only to those requirements of other residential dwellings of the same type in the same zone. The City will also amend the Municipal Code to clarify transitional and supportive housing is a permitted use in zoning districts that allow residential uses.

Quantified Objective: N/A

Timeframe: December 2024

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Program 3-5.8: Zoning for Transitional and Supportive Housing)

Program 3.3.B: Low-Barrier Navigation Centers - AFFH

AB101 (2019) provides a pathway to permanent housing for people experiencing homelessness. A “Low Barrier Navigation Center” is a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. In order to comply with State law, the City will amend the Zoning Ordinance to include the definition for “Low Barrier Navigation Center” and will develop by right procedures for processing low barrier navigation centers.

Quantified Objective: N/A

Timeframe: December 2024

Responsible Party: Community Planning and Development

Funding Source: General Fund

(NEW)

GOAL H4 EXEMPLIFY SUSTAINABLE DEVELOPMENT AND ENERGY CONSERVATION

Policy 4.1: Support energy and water conservation programs to reduce the consumption of these resources in housing and to reduce housing costs.

Program 4.1.A: Water Conservation - AFFH

Potable water remains scarce and highly regulated in the City and continues to be a limiting constraint to new development. In order to preserve the City's limited water allocation for new residential units, the City will continue to Enforce the Water Management Program, enhance the Water Distribution Policy, and provide information to the community on water conservation retrofits and best practices. In addition, provide information on and promote water conservation education through outreach and community engagement, and retrofit rebates provided by the Monterey Peninsula Water Management District.

Quantified Objective: Conserve water

Timeframe: June 2031

Responsible Party: Community Development and Building

Funding Source: General Fund

(Formerly 3-5.6.b Water Conservation)

Program 4.1.B: Energy Conservation and Green Building

Conserving energy to reduce stress on the electrical grid and reduce the effects of climate change, including increased wildfire risk and flooding to the community, is more evident than before. The city experienced significant power outages during the 2022-23 storms, adjacent areas were flooded, and the past few wildfire seasons have significantly impacted air quality and resulted in evacuations of neighboring communities. The City will continue to review applications for new construction and substantial alterations taking into consideration solar orientation and access to sunlight and will continue to require compliance with current state building standards for energy efficiency in all new homes. The City will update the website annually with related energy conservation and green buildings information to further disseminate information. The City also participates in the Community Wildfire Protection Program and is committed to implementing Program recommendations.

Quantified Objective: 100 units

Timeframe: June 2031

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Program 3-5.6.a: Energy Conservation and Green Building)

GOAL H5 PUBLICIZE HOUSING NEEDS AND RESOURCES

Policy 5.1: Support and enforce fair housing laws. Expand fair housing choice by promoting housing opportunities and removing impediments to fair housing.

Program 5.1.A: Fair Housing Services - AFFH

The Fair Housing Act protects people from discrimination when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities. The California Department of Fair Employment and Housing and the Conflict Resolution and Mediation Center of Monterey County provide fair housing services and information. These agencies advise persons in need of information on housing and employment, mediate landlord/tenant disputes and research complaints about discriminatory housing practices. The City shall coordinate with these agencies to provide printed information about fair housing services at City Hall, on the City's website, and in other public buildings such as the City's two libraries. The City shall also refer inquiries related to fair housing to these agencies and provide fair housing resources at outreach events.

Quantified Objective: 25 referrals/materials distributed

Timeframe: June 2031

Responsible Party: Community Planning and Development

Funding Source: General Fund

(Formerly Program 3-5.7)

Program 5.1.B: Section 8 Rental Assistance - AFFH

Created by the Housing and Community Development Act of 1978, the Housing Choice Voucher program, also known as Section 8, provides assistance to eligible low- and moderate-income families to rent housing in the private market. Eligibility for this program is based on the family's gross annual income and family size. The Section 8 rental assistance program is administered by the Housing Authority of Monterey County. The City will continue to facilitate use of the Section 8 program in the community by distributing information for the program at City Hall and the Library and making referrals to the Housing Authority.

Quantified Objective: 40 referrals/materials distributed

Timeframe: June 2031

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Program 3-5.3.b Section 8 Rental Assistance)

Program 5.1.C: Shared Housing Information - AFFH

Shared housing is another important tool to provide affordable housing units. Shared housing is generally more affordable because a portion of a residence is rented as opposed to an entire unit. Shared housing can also financially help low-income individuals who own their homes and alleviate loneliness. Benefits to low-income individuals include provision of safe and secure affordable housing in a high-cost market. The City will continue to distribute informational materials from the Monterey County Housing Authority and the Carmel Foundation, display information at City Hall and other public buildings and posted on the City's website. The City will also seek out other Shared Housing providers and resources to expand this housing option.

Quantified Objective: 80 referrals/website visits

Timeframe: June 2031

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Program 3-5.2: Shared Housing Information)

Policy 5.2: Promote public awareness and foster pride in the history of the village.***Program 5.2.A: Support Community Organizations - AFFH***

Community organizations play a pivotal role to provide outreach and services to those facing housing issues. The City will continue to support neighborhood organizations that promote neighborhood involvement, safety and improvement including but not limited to the Carmel Residents Association, the Carmel Foundation and Carmel Cares. The City will develop partnerships with these organizations to promote neighborhood enhancement programs, conduct and improve outreach and education, and solicit community input.

Quantified Objective: N/A

Timeframe: June 2031

Responsible Party: Community Planning and Building

Funding Source: General Fund

(Formerly Program 3-4.2.b)

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3.0

Overview of Housing Needs and Constraints

3.1 Introduction

This chapter summarizes housing needs and constraints in the City of Carmel-by-the-Sea. The analysis of housing needs primarily utilizes U.S. Census, ACS 5-Year 2019 Estimate data. For a detailed analysis of housing needs, please see [Appendix A—Housing Needs & Fair Housing Report](#). Also, for a detailed analysis of governmental and non-governmental constraints, please see [Appendix B—Housing Constraints](#).

3.2 Overview of Housing Needs

The following section provides an overview of demographic information, household and housing stock characteristics, and special housing needs in Carmel-by-the-Sea.

Population Growth

[Table 3-1](#) shows the population projections between 2015 and 2045 according to the Association of Monterey Bay Area Governments (AMBAG) 2022 Regional Growth Forecast. In Carmel-by-the-Sea, the population is forecast to grow by approximately three (3) percent between 2015 to 2045. This reflects 11 percent less than the County, one (1) percent more than Pacific Grove, and 56 percent less than Del Rey Oaks. Population growth forecasts provide critical insight to the future demands of communities in terms of housing needs, employment, and more.

Table 3-1 Population Growth Forecast by Jurisdiction, 2015-2045

| Jurisdictions | Population | | | | | | | Change 2015-2045 | |
|-------------------|------------|---------|---------|---------|---------|---------|---------|------------------|-----|
| | 2015 | 2020 | 2025* | 2030* | 2035* | 2040* | 2045* | Numeric | % |
| Monterey County | 430,310 | 441,143 | 452,761 | 467,068 | 476,028 | 483,884 | 491,443 | 61,133 | 14% |
| Carmel-by-the-Sea | 3,854 | 3,949 | 3,946 | 3,954 | 3,964 | 3,974 | 3,984 | 130 | 3% |
| Del Rey Oaks | 1,663 | 1,662 | 1,693 | 1,734 | 1,859 | 2,330 | 2,650 | 987 | 59% |
| Pacific Grove | 15,460 | 15,265 | 15,290 | 15,395 | 15,530 | 15,676 | 15,817 | 357 | 2% |

SOURCE: AMBAG Regional Growth Forecast, 2022

NOTE: *Projected growth values

Age Characteristics

In 2010, Carmel-by-the-Sea's predominant age group was individuals between 65 and 74 years of age (19 percent). Between 2010 and 2019, the general age of the population began slowly increasing, with the most populous age groups in the City being individuals between 55 and 84 years of age. The City's median age has changed little since 2010, ranging from 56 in 2010, 54 in 2015, and 59 in 2019. Overall, the City's aging trend suggests a demand for housing geared toward middle-aged to senior groups.

Table 3-2 shows that Carmel-by-the-Sea's most populous age group in 2019 was individuals 65 to 74 years of age (21 percent). Compared to the County and neighboring cities, Carmel-by-the-Sea has the largest 55 to 85+ age group (43 percent) followed by Pacific Grove (27 percent), Del Rey Oaks (23 percent), and the County (13 percent).

Table 3-2 Population Age Distribution by Jurisdiction, 2019

| Jurisdiction | Population Age | | | | | | | | | |
|--------------------------|----------------|-------------|-------------|-------------|--------------|--------------|--------------|--------------|--------------|-----------|
| | 0-4 | 5-14 | 15-24 | 25-34 | 35-44 | 45-54 | 55-64 | 65-74 | 75-84 | 85+ |
| Monterey County | 7.3% | 14.8% | 14.3% | 14.4% | 13.0% | 11.8% | 11.1% | 7.7% | 3.6% | 1.9% |
| Carmel-by-the-Sea | 1.4% | 9.7% | 1.4% | 8.1% | 10.6% | 11.4% | 14.3% | 21.3% | 14.9% | 7% |
| Del Rey Oaks | 5.7% | 8.3% | 5.7% | 12.6% | 12.5% | 13% | 18.9% | 15.9% | 4.4% | 2.9% |
| Pacific Grove | 3.5% | 12.2% | 8.5% | 10.0% | 10.4% | 13.3% | 14.7% | 16.5% | 6.6% | 4.3% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

Race and Ethnicity Characteristics

When comparing the City and the County, non-Hispanic White and Hispanic or Latino populations are the most represented; however, the County presents more diversity than Carmel-by-the-Sea. Non-Hispanic White individuals comprise 87 percent of Carmel-by-the-Sea's population followed by Hispanic or Latino (8 percent) and Asian populations (5 percent). In contrast, the County's largest population is Hispanic or Latino individuals (60 percent) followed by non-Hispanic White (31 percent). The City has no populations identifying as American Indian or Alaska Native or Native Hawaiian or Other Pacific Islander. Black or African American non-Hispanic individuals represent less than 1 percent of the City's population.

Table 3-3 provides a comparison of racial and ethnic composition by jurisdiction. In 2019, Carmel-by-the-Sea (87 percent) and the neighboring City of Pacific Grove (83 percent) had the largest non-Hispanic White populations compared to Del Rey Oaks (75.5 percent) and the County (30.8 percent). Compared to surrounding cities and the County, Carmel-by-the-Sea had the lowest Asian population (5 percent). Overall, Carmel-by-the-Sea is the least diverse when compared to the County and the neighboring cities of Del Rey Oaks and Pacific Grove.

Table 3-3 Population by Race by Jurisdiction, 2019

| Jurisdiction | American Indian or Alaska Native | Asian, alone | Black or African American, Non-Hispanic | White, Non-Hispanic | Some Other Race | Hispanic or Latino | Native Hawaiian and Other Pacific Islander |
|--------------------------|----------------------------------|--------------|---|---------------------|-----------------|--------------------|--|
| Monterey County | 0.2% | 5.5% | 2.5% | 30.8% | 0.1% | 60.3% | 0.5% |
| Carmel-by-the-Sea | 0.0% | 5.2% | 0.1% | 86.5% | 0.0% | 8.2% | 0.0% |
| Del Rey Oaks | 0.0% | 7.1% | 2.5% | 75.5% | 0.0% | 13% | 0.3% |
| Pacific Grove | 0.2% | 5.8% | 1.0% | 82.8% | 0.0% | 10.3% | 0.1% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019, ACS 5-Year Estimates, 2019

Between 2010-2019, Carmel-by-the-Sea's population composition experienced fluctuations in nearly all populations, and by 2019 saw a decline in each population except non-Hispanic White. In 2015, the non-Hispanic White population experienced a two (2) percent decrease in size, while the Asian and Hispanic or Latino populations increased two (2) percent and three (3) percent, respectively. In 2019, Carmel-by-the-Sea experienced a seven (7) percent increase in the non-Hispanic White population, and a decline in both the Asian and Hispanic or Latino populations by four (4) percent and three (3) percent, respectively. Since 2015, population levels have remained less than one (1) percent for Black or African American, American Indian or Alaska Native, Native Hawaiian and Other Pacific Islander populations in Carmel-by-the-Sea.

Racially or Ethnically Concentrated Areas of Poverty and Affluence

A Racially Concentrated Area of Poverty or an Ethnically Concentrated Area of Poverty (R/ECAP) and a Racially Concentrated Area of Affluence (RCAAs) represent opposing ends of the segregation spectrum from racially or ethnically segregated areas with high poverty rates to affluent predominantly White neighborhoods.

The City of Carmel-by-the-Sea is not considered a R/ECAP nor is the City considered an RCAA. As highlighted previously, Carmel-by-the-Sea does not have a majority-minority population and thus cannot be labelled as a R/ECAP. According to the HCD AFFH Data Viewer, less than or equal to 20 percent of the City's population is non-White. Though Carmel-by-the-Sea's percentage of exclusively White population and AMI are higher than the county-wide average, the median income in the City is not high enough for the jurisdiction to be considered an RCAA. This could be a reflection of the high vacancy rate (over 50%) which could be explained by the high rate of second home (seasonal use) homeownership in the City.

Employment

According to the AMBAG 2022 Regional Growth Forecast, Carmel-by-the-Sea was projected to experience an employment growth of 17 percent (562 new jobs) between 2015-2045. [Table 3-4](#)

shows the employment growth forecast for Carmel-by-the-Sea, the County, and neighboring cities. This projected employment growth mirrors the County (17 percent) and is 4 percent higher than Pacific Grove (13 percent), but reflects one (1) percent lower than Del Rey Oaks (18 percent). This projected increase in job growth presents an opportunity for cities to construct additional housing options for the existing and future workforce.

Table 3-4 Employment Growth Forecast by Jurisdiction, 2015-2045

| Jurisdictions | Population | | | | | | | Change 2015 - 2045 | |
|-------------------|------------|---------|---------|---------|---------|---------|---------|-----------------------|---------|
| | 2015 | 2020 | 2025* | 2030* | 2035* | 2040* | 2045* | Numeric | Percent |
| Monterey County | 225,268 | 243,015 | 245,054 | 249,613 | 253,918 | 258,553 | 263,437 | 38,169 | 17% |
| Carmel-by-the-Sea | 3,353 | 3,566 | 3,593 | 3,674 | 3,752 | 3,833 | 3,915 | 562 | 17% |
| Del Rey Oaks | 705 | 748 | 753 | 774 | 794 | 815 | 834 | 129 | 18% |
| Pacific Grove | 7,470 | 8,016 | 8,061 | 8,152 | 8,244 | 8,343 | 8,445 | 975 | 13% |

SOURCE: AMBAG Regional Growth Forecast, 2022

NOTE: *Projected growth values

According to U.S. Census Bureau data reported in a Housing Feasibility Study for the City of Carmel-by-the-Sea by ECONorthwest,¹ a mere 2.6 percent of workers live and work in Carmel-by-the-Sea, while approximately half of all workers live within 10 miles of the City and 26 percent commute from more than 25 miles away.² Concentrations in hospitality and leisure services may create obstacles for local workers that earn lower-incomes and cannot afford to live in the community. Such imbalances of jobs to housing impacts an individual's ability to integrate into the community due to long distance travel, excessive costs of travel, and reduced personal time.

Table 3-5 provides a breakdown of unemployment rates for Carmel-by-the-Sea, the County, and neighboring cities. Compared to the County and neighboring cities, Carmel-by-the-Sea has the lowest unemployment rate with less than 1 percent of unemployed residents. This indicates an approximate 4.8 percent less than the County, 5 percent less than the Del Rey Oaks, and 3.8 percent less than Pacific Grove.

"I know, being an artist in this town and a gallery owner, that many of our artists cannot afford to live in Carmel. And that is the very heartbeat of where this town was really rooted from."

May 24, 2023 Ad Hoc
Committee Community
Meeting Attendee

¹ ECONorthwest, Housing Feasibility Study, 2023

² U.S. Census Bureau Longitudinal Employer-Household Dynamics Data (See <https://lehd.ces.census.gov/>)

Table 3-5 Unemployment Rate, Carmel-by-the-Sea, 2019

| Jurisdictions | Unemployment Rate |
|--------------------------|-------------------|
| Monterey County | 4.9% |
| Carmel-by-the-Sea | 0.1% |
| Del Rey Oaks | 5.1% |
| Pacific Grove | 3.9% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

Household Characteristics

Table 3-6 provides an overview of the projected housing units needed in Monterey County, Carmel-by-the-Sea, and neighboring cities, Del Rey Oaks and Pacific Grove.³ Carmel-by-the-Sea is forecast to have a household growth of approximately one (1) percent by 2045 – an increase of 42 housing units. Compared to the County, this reflects 18 percent less projected growth and two (2) percent less growth than Pacific Grove. Of the neighboring cities, the City of Del Rey Oaks has the highest projected increase in housing unit growth at 61 percent.

Table 3-6 Housing Forecast by Jurisdiction, 2015-2045

| Jurisdictions | Population | | | | | | | Change 2015 - 2045 | |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-----------------------|-----------|
| | 2015 | 2020 | 2025* | 2030* | 2035* | 2040* | 2045* | Numeric | Percent |
| Monterey County | 139,177 | 141,764 | 146,716 | 153,852 | 159,100 | 162,612 | 165,328 | 26,151 | 19% |
| Carmel-by-the-Sea | 3,417 | 3,437 | 3,437 | 3,442 | 3,450 | 3,453 | 3,459 | 42 | 1% |
| Del Rey Oaks | 741 | 741 | 762 | 809 | 848 | 1,052 | 1,195 | 454 | 61% |
| Pacific Grove | 8,184 | 8,201 | 8,214 | 8,267 | 8,336 | 8,400 | 8,463 | 279 | 3% |

SOURCE: AMBAG Regional Growth Forecast, 2022

NOTE: *Projected growth values

Household Type and Size

In Carmel-by-the-Sea, the largest household type was married-couple family households (47 percent) followed by single-person households (40 percent). This is consistent with the County and neighboring cities. Carmel-by-the-Sea has the lowest percentage of female-headed households (6 percent) compared to the County (13 percent), Del Rey Oaks (7 percent), and Pacific Grove (9 percent).

³ Source: AMBAG Regional Growth Forecast, 2022

Carmel-by-the-Sea's largest household type according to size is two-person households (42 percent) followed by one-person households (40 percent). This is consistent with married-couple family households remaining the largest household type since 2010 followed by single-person households. This reflects a demand for affordable housing units appealing to married-couple and single-person households.

Household Income

In Carmel-by-the-Sea, above moderate-income households make up the majority of households in the City (62 percent) followed by lower-income households (28 percent). [Table 3-7](#) shows households by income category in Carmel-by-the-Sea. Approximately seven (7) percent of households in Carmel-by-the-Sea identify as extremely low-income.

Table 3-7 Households by Income Category, Carmel-by-the-Sea, 2019

| Income Category (% of County MFI) | Households | Percent |
|--|--------------|-------------|
| Extremely Low-Income (30% MFI or less) | 140 | 7% |
| Very Low-Income (30-50% MFI) | 170 | 9% |
| Low-Income (50-80% MFI) | 235 | 12% |
| Moderate-Income (80-100% MFI) | 185 | 10% |
| Above Moderate-Income (>100% MFI) | 1,200 | 62% |
| Total | 1,930 | 100% |

SOURCE: Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS), 2015-2019

In 2019, Carmel-by-the-Sea's median household income was \$98,188 – approximately \$27,173 higher than the County (\$71,015)⁴. The City of Del Rey Oaks had the second highest median household income at \$95,000 followed by Pacific Grove at \$88,250. Understanding Carmel-by-the-Sea's median household income determines what income category households identify with and what affordability levels look like for the community.

The household income characteristics in Carmel-by-the-Sea reveal a demand for the development of more affordable housing options that appeal to both lower-income and above-moderate households.

Tenure

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity (i.e., ability for individuals to stay in their homes) in a City and region. Generally, renters may be displaced more quickly if prices increase.

⁴ U.S. Census Bureau ACS 5-Year Estimate, 2019

In Carmel-by-the-Sea, the housing stock includes 828 renter-occupied housing units and 1,099 owner-occupied housing units. Table 3-8 shows housing units by type and tenure in Carmel-by-the-Sea. When analyzing housing unit type in tandem with tenure, the majority of all housing units are single-family detached (87 percent), of which 17 percent are renter-occupied and 32 percent are owner-occupied.

Table 3-8 Housing Units by Type and Tenure, Carmel-by-the-Sea, 2019

| Tenure | Single-Family Detached | | Single-Family Attached | | Multifamily | | Mobile Homes | | Total Units |
|-----------------|------------------------|---------|------------------------|---------|-------------|---------|--------------|---------|-------------|
| | Count | Percent | Count | Percent | Count | Percent | Count | Percent | |
| Renter-Occupied | 568 | 69% | 19 | 2% | 221 | 27% | 20 | 2% | 828 |
| Owner-Occupied | 1,076 | 98% | 0 | 0% | 23 | 2% | 0 | 0% | 1,099 |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Homeownership rates often vary considerably across race/ethnicity in the Monterey Bay Area and throughout the country. These disparities not only reflect differences in income and wealth but also stem from federal, state, and local policies that limited access to homeownership for communities of color while facilitating homebuying for White residents. While many of these policies, such as redlining, have been formally disbanded, the impacts of race-based policy are still evident across Monterey Bay Area communities.

Tenure by race varies some in Carmel-by-the-Sea as the majority of all households are non-Hispanic White (87 percent), of which 58 percent are owner-households and 42 percent are renter-households. Hispanic or Latino households (8 percent) makeup the second largest population in Carmel-by-the-Sea, of which 72 percent are owner-households and 28 percent are renter-households. Less than 1 percent of Black or African American, Native Hawaiian or Other Pacific Islander, and American Indian or Alaska Native households are represented in the City's housing market.

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. In Carmel-by-the-Sea, 98 percent of households in detached single-family homes are homeowners, while 2 percent of households in multifamily housing are homeowners.

Displacement

Because of increasing housing prices, displacement is a major concern in the Monterey Bay Area. Displacement has the most severe impacts on low- and moderate-income residents. When individuals or families are forced to leave their homes and communities, they also lose their support network.

According to the California Department of Housing and Community Development (HCD) AFFH Data Viewer and the Urban Displacement Project 2022 estimates, Carmel-by-the-Sea renter-occupied households earning between 0-80 percent AMI are at low risk of potential displacement or gentrification in the northern region of the City.

Disproportionate Housing Needs

Overcrowding

Understanding the prevalence of overcrowded households within a community helps determine the need for affordable and adequately sized housing units for the community. Overcrowding is defined as a household with more than one occupant per room excluding bathrooms and kitchens. Units with more than 1.5 persons per room are considered severely overcrowded. Overcrowding may occur due to a lack of available affordable and/or adequately sized housing units. Cultural norms and customs combined with low-income or lack of adequately size housing units can result in overcrowding too.

In Carmel-by-the-Sea, the majority of households (94 percent) do not experience overcrowding. Six (6) percent of households in Carmel-by-the-Sea are severely overcrowded and zero percent are moderately overcrowded. When analyzing overcrowding by tenure, 10 percent of renter-occupied households experience severe overcrowding compared to two (2) percent of owner-occupied households. Monterey County has an eight (8) percent higher rate of overcrowding than Carmel-by-the-Sea.

Cost Burden

According to HCD, overpayment or cost burden is measured as households spending more than 30 percent of their gross income including utilities for housing; severe overpayment or severe cost burden is measured as households spending 50 percent or more of their gross income for housing.

The cost burden rates of owners and renters in a community provide insight to housing needs such as, the affordability of the local housing market and the availability of housing units that accommodate household needs like size and housing type. Additionally, federal and state agencies examine cost burden to determine a community's need for housing assistance.

In Carmel-by-the-Sea, 23 percent of households are cost burdened and 23 percent are severely cost burdened, while the County has a cost burden rate of 22 percent and a severe cost burden rate of 18 percent. It is important to relate Carmel-by-the-Sea's 46 percent total cost burden to the 10 percent of renter households experiencing overcrowding, as these may be indicators of an unaffordable and homogenous local housing market.

When analyzing cost burden by tenure, renter and owner households experience similar levels of cost burden. Renter-occupied households experience 24 percent cost burden and 23 percent severe cost burden (47 percent total), whereas owner-occupied households experience 23 percent cost burden and 22 percent severe cost burden (45 percent total).

Neighborhoods

All Carmel-by-the-Sea residents live in neighborhoods identified as “Highest Resource” areas by State-commissioned research, while none live in areas identified by this research as “Low Resource” or “High Segregation and Poverty” areas. These neighborhood designations are based on a range of indicators covering areas such as education, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors.⁵

Special Needs Groups

Extremely Low-Income Households and Poverty Status

Extremely low-income households are those that earn less than 30 percent of the median family income (MFI). Very low-income households are those that earn 50 percent or less of the MFI.

The 2015-2019 Comprehensive Housing Affordability Strategy (CHAS) data indicates there were approximately 310 extremely low- and very low-income households living in Carmel-by-the-Sea. There are approximately 140 extremely low-income households in Carmel-by-the-Sea, 100 of which are owner-occupied households and 40 extremely low-income renter-occupied households.

In Carmel-by-the-Sea, 62 percent of households make more than 100 percent of the Area Median Income (AMI),⁶ compared to 7 percent making less than 30 percent of AMI, which is considered extremely low income. In Monterey County, 30 percent AMI is the equivalent to the annual income of \$21,305. Many households with multiple wage earners, including food service workers, full-time students, teachers, farmworkers and healthcare professionals, can fall into lower AMI categories due to relatively stagnant wages in many industries.

Throughout the region, there are disparities between the incomes of homeowners and renters. Typically, the number of low-income renters greatly outpaces the amount of housing available that is affordable for these households. In Carmel-by-the-Sea, the largest proportion of both renters and homeowners fall in the Greater than 100 percent of AMI group. Lower-income owner-occupied households as a whole (0-80 percent of AMI), makeup 16 percent of households and renter-occupied households makeup 13 percent of households.

“We can’t allow cities and counties to export their poverty. Every community has to be responsible for the sum total of its parts and every community has low-income people.”

May 24, 2023 Ad Hoc Committee
Community Meeting Attendee

⁵ For more information on the “opportunity area” categories developed by HCD and the California Tax Credit Allocation Committee, see this website: <https://www.treasurer.ca.gov/ctcac/opportunity.asp>. The degree to which different jurisdictions and neighborhoods have access to opportunity will likely need to be analyzed as part of new Housing Element requirements related to affirmatively furthering fair housing.

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents.⁷ These economic disparities also leave communities of color at higher risk for housing insecurity, displacement or homelessness. In Carmel-by-the-Sea, Black or African American residents experience the highest rates of poverty (50 percent), followed by Hispanic or Latinx residents (13 percent).

Seniors

Seniors are identified as individuals 65 years and older. Senior households often experience a combination of factors that can make accessing or keeping affordable housing a challenge. They often live on fixed incomes and are more likely to have disabilities, chronic health conditions and/or reduced mobility. Seniors who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups.

In Carmel-by-the-Sea, senior households makeup 43 percent of all households, of which 15 percent rent their homes. Similarly, the County and neighboring cities' senior households primarily own their homes. The majority of Carmel-by-the-Sea senior households earn a yearly income of \$200,000 or more (14 percent). However, an estimated 61 percent of senior households earn less than the City's median household income (\$98,188).

People with Disabilities

Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old. This can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe mental retardation. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them.

Overall, 12 percent of people in Carmel-by-the-Sea have a disability of some kind. Of the 12 percent of people with a disability, approximately less than 70 individuals have a developmental disability.⁸ Of the individuals in Carmel-by-the-Sea with a developmental disability, less than 31 are children (i.e., under the age of 18) and less than 36 are adults. The most common living arrangement for individuals with disabilities in Carmel-by-the-Sea is the home of a parent/family/guardian.⁹

⁷ Moore, E., Montojo, N. and Mauri, N., 2019. Roots, Race & Place: A History of Racially Exclusionary Housing the San Francisco Bay Area. *Hass Institute*.

⁸ California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2021).

⁹ California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2021).

Large Households

Large households are defined as households of five (5) or more individuals. Large households often have different housing needs than smaller households. Household income and local housing markets can greatly impact a household's ability to afford adequately sized housing. If a city's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions. Similarly, large households may experience overpayment as a result of a high housing market and limited availability.

Carmel-by-the-Sea has 70 large households of which 57 percent are renter-occupied households. Renter-occupied households makeup the majority of all 3-5+ person households. This combined with a total cost burden rate of 46 percent for renter-occupied households, suggests it is likely that large households in Carmel-by-the-Sea may experience overcrowding and/or overpayment.

Single-Parent Households

Households headed by one person are often at greater risk of housing insecurity, particularly female-headed households, who may be supporting children or a family with only one income. Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make finding a home that is affordable more challenging.

In Carmel-by-the-Sea, female-headed family households make up 75 percent of single-parent households and male-headed households makeup 25 percent. This is consistent with the County and neighboring cities. In 2019, there were no single-parent households that fell in the Below Poverty Level category in Carmel-by-the-Sea.

Farmworkers

Across the state, housing for farmworkers has been recognized as an important and unique concern. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Finding decent and affordable housing can be challenging, particularly in the current housing market.

According to the California Employment Development Department, the average farm worker (Farming, Fishing, and Forestry Occupation) in Monterey County earned a median annual income of \$29,901. This annual income places each individual or household in the very low-income bracket for Carmel-by-the-Sea. Additionally, this limited income may be significantly impacted by employment status (permanent or seasonal).

There are no agriculture uses within the City of Carmel-by-the-Sea. Nonetheless, Carmel-by-the-Sea shares the responsibility for farmworker housing as farmworkers may work within 75 miles of agricultural land uses (including dairy, vineyards and produce) and the City is within 75 miles of these uses.

Persons Experiencing Homelessness

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Far too many residents who have found themselves housing insecure have ended up homeless in recent years, either temporarily or longer term. Addressing the specific housing needs for the unhoused population remains a priority throughout the region, particularly since homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction and those dealing with traumatic life circumstances.

In Monterey County, the most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, 83 percent are unsheltered. Forty-five (45) percent of homeless households with children are unsheltered. In Carmel-by-the-Sea, the number of households experiencing homelessness has decreased between 2017 to 2022 from 16 persons to one (1), respectively.

Housing Stock Characteristics

Housing Growth

The number of new homes built in the Monterey Bay Area has not kept pace with the demand, resulting in longer commutes, increasing prices, and exacerbating issues of displacement and homelessness. In 2019, Carmel-by-the-Sea had 3,832 housing units, an approximate 6 percent increase from the 3,606 units that existed in 2010. This reflects 4 percent more growth than Monterey County during the same period.

Between 2015 and 2022, 18 housing units were issued permits in Carmel-by-the-Sea which represents 58 percent of the RHNA number of 31 units assigned in the 5th Cycle Housing Element. [Table 3-9](#) shows housing permits by income group in Carmel-by-the-Sea. Of the 18 housing units permitted, all were for above moderate-income.

Housing Type

In recent years, most housing produced in the region and across the state consisted of single-family homes and larger multi-unit buildings. However, some households are increasingly interested in “missing middle housing,” including duplexes, triplexes, townhomes, cottage clusters and accessory dwelling units. These housing types may open up more options across incomes and tenure, from young households seeking homeownership options to seniors looking to downsize and age-in-place.

Table 3-9 Housing Permits by Income Group, Carmel-by-the-Sea, 2015-2021

| Income Group | Number | Percent of RHNA |
|-------------------------------|-----------|-----------------|
| Very Low-Income Permits | 0 | 0.0% |
| Low-Income Permits | 0 | 0.0% |
| Moderate-Income Permits | 0 | 0.0% |
| Above Moderate-Income Permits | 18 | 58.0% |
| Total | 18 | 58.0% |

SOURCE: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2022).

NOTE: Universe: Housing permits issued between 2015 and 2022. Notes: HCD uses the following definitions for the four income categories: Very Low Income: units affordable to households making less than 50 percent of the Area Median Income for the county in which the jurisdiction is located. Low Income: units affordable to households making between 50 percent and 80 percent of the Area Median Income for the county in which the jurisdiction is located. Moderate Income: units affordable to households making between 80 percent and 120 percent of the Area Median Income for the county in which the jurisdiction is located. Above Moderate Income: units affordable to households making above 120 percent of the Area Median Income for the county in which the jurisdiction is located.

It is important to have a variety of housing types to meet the needs of a community today and in the future. In 2019 Carmel-by-the-Sea's mix of housing types was as follows:

- 87 percent of homes were single-family detached;
- 10 percent were multifamily;
- 2 percent were mobile homes; and
- 1 percent were single-family attached.

Chapter 2 of the Housing Element includes programs to expand the variety of housing types available in Carmel-by-the-Sea.

Housing Availability

Compared to the County and neighboring cities, Carmel-by-the-Sea has the highest vacancy rates at 50 percent. Table 3-10 shows vacant housing units by type in Carmel-by-the-Sea. From 2010 to 2019, the City has experienced a stable vacancy average of 51 percent as a result of tourism and second-home ownership. Eighty (80) percent of Carmel-by-the-Sea's vacant units are for seasonal, recreations, or occasional (second home) use, aligning with the 51 percent average vacancy trends. This creates a significant barrier for current and potential residents to enter the local housing market and squanders opportunities to correct the housing crisis, address diversity, and provide inclusive housing options to promote a vibrant and active community.

“One way to increase the stock of people living here is to rent out empty houses and put disincentives on them for not renting.”

May 24, 2023 Ad Hoc Committee
Community Meeting Attendee

The House Element includes programs to address the high vacancy rate related to occasional (second home) use. All policies and programs can be found in [Chapter 2](#) of the Housing Element.

Table 3-10 Vacant Housing Units by Type, Carmel-by-the-Sea, 2019

| Housing Unit Type | Estimate | Percentage |
|---|--------------|-------------|
| For rent | 96 | 5% |
| Rented, not occupied | 12 | 1% |
| For sale only | 11 | 1% |
| Sold, not occupied | 49 | 3% |
| For seasonal, recreational, or occasional use | 1,522 | 80% |
| For migrant workers | 0 | 0% |
| Other vacant | 215 | 11% |
| Total | 1,905 | 100% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Displacement

Because of increasing housing prices, displacement is a major concern in the Monterey Bay Area. Displacement has the most severe impacts on low- and moderate-income residents. When individuals or families are forced to leave their homes and communities, they also lose their support network.

According to the California Department of Housing and Community Development (HCD) AFFH Data Viewer and the Urban Displacement Project 2022 estimates, Carmel-by-the-Sea renter-occupied households earning between 0-80 percent AMI are at low risk of potential displacement or gentrification in the northern region of the City. Displacement risk data is insufficient for the central and southern regions of the City.

Housing Costs and Affordability

Housing costs reflect a complex mix of supply and demand factors, including an area's demographic profile, labor market, prevailing wages and job outlook, coupled with land and construction costs. In the Monterey Bay Area, the costs of housing have been steadily increasing since 2000, besides a decrease during the Great Recession.

A diversity of homes at all income levels creates opportunities for all Carmel-by-the-Sea residents to live and thrive in the community. The following represent current housing costs in Carmel-by-the-Sea:

- **Ownership:** The median home value was estimated to be \$2,070,835 in 2022. Home prices increased by 59 percent from 2019 to 2022. This reflects a 20 percent higher increase than the County, which is similar to neighboring cities.¹⁰
- **Rental Prices:** As of 2023, the average rent for an apartment in Carmel-by-the-Sea ranged from \$2,200 (studio) to \$5,459 (three bedrooms).¹¹

Table 3-11 reports the maximum monthly housing costs affordable to households according to income group in Monterey County. Income groups are based on the HCD 2022 State Income Limits Report, which considers housing affordable assuming a household can pay up to 30 percent of its monthly income toward housing.

Table 3-11 Housing Affordability, Carmel-by-the-Sea, 2022

| Income Group | HCD Income Limits | Maximum Affordable Price | |
|---------------------------|-------------------|--------------------------|-----------|
| | | Monthly Rental | Ownership |
| Extremely Low (0-30% AMI) | | | |
| One Person | \$23,900 | \$598 | \$100,340 |
| Two Person | \$27,300 | \$683 | \$114,614 |
| Three Person | \$30,700 | \$768 | \$128,889 |
| Four Person | \$34,100 | \$853 | \$143,163 |
| Very Low (30-50% AMI) | | | |
| One Person | \$39,800 | \$995 | \$167,093 |
| Two Person | \$45,500 | \$1,138 | \$191,024 |
| Three Person | \$51,200 | \$1,280 | \$214,954 |
| Four Person | \$56,850 | \$1,421 | \$238,675 |
| Low (50-80% AMI) | | | |
| One Person | \$63,700 | \$1,593 | \$267,433 |
| Two Person | \$72,800 | \$1,820 | \$305,638 |
| Three Person | \$81,900 | \$2,048 | \$343,843 |
| Four Person | \$91,000 | \$2,275 | \$382,048 |
| Moderate (80-120% AMI) | | | |
| One Person | \$75,650 | \$1,891 | \$317,603 |
| Two Person | \$86,500 | \$2,163 | \$363,155 |
| Three Person | \$97,300 | \$2,433 | \$408,497 |
| Four Person | \$108,100 | \$2,700 | \$453,839 |

SOURCE: California Department of Housing and Community Development, State Income Limits, 2022, Monterey County

¹⁰ Zillow Home Value Index, December 2019-2022

¹¹ Zillow Rental Price Index, March 2023

As discussed earlier, the median home price in Carmel-by-the-Sea in December 2022 was \$2,070,835 which is only affordable to above moderate-income households earning approximately \$495,000 annually or more (62 percent of Carmel-by-the-Sea households are categorized as above moderate-income).

3.3 Governmental and Non-Governmental Constraints

Housing development is affected by government regulations and other non-governmental forces, such as the cost of land and building materials and the availability and cost of housing loans. Housing elements are required to investigate the impact of these constraints as they present themselves in the city for which the housing element is being prepared. This subsection provides a brief overview of governmental and non-governmental constraints in the City. Please see [Appendix B](#) for a full discussion of housing constraints.

Summary of Governmental Constraints

The governmental constraints to the development of affordable housing in Carmel-by-the-Sea are summarized below.

Location in the Coastal Zone

Carmel-by-the-Sea is located in the California Coastal Zone and is therefore subject to a host of regulations that are not present in communities outside the Coastal Zone. The presence of additional land use regulation via the Local Coastal Program, in general, means that housing development in Carmel-by-the-Sea faces a high bar to succeed

Most of the recent remedies brought forward by the California legislature to facilitate housing development are either outright inapplicable in the Coastal Zone (SB 35) or are secondary to California Coastal Commission policies that protect habitat resources (SB 9).

Conversion of Motels for Multi-Family Housing (Opportunity)

The City will explore the development of a program to allow the transfer of development rights of hotels and motels located in the R-1 zoning district to the commercial zoning district. This might allow older motels to convert to multi-family housing and thereby provide a new source of affordable housing in the community.

Accessory Dwelling Units

The City of Carmel-by-the-Sea last updated its ADU ordinance in 2017, and therefore the City's regulations addressing ADUs are out of date. The City has included a new program in this 6th Cycle Housing Element to revise its Zoning Code to be consistent with ADU and JADU state law, incentivize manager's units in existing hotels and motels and develop standardized ADU plans.

Manufactured Homes and Mobile Homes

A new program to amend the Municipal Code to clarify that manufactured homes and mobile homes are allowed as a permitted use in the R-1 zoning district is included in the Housing Element.

Multi-Family Housing

Currently, the City allows multi-family housing without a conditional use permit (CUP) at densities up to 22 dwelling units per acre. In order to provide additional incentive to build multi-family housing, the City will amend the Code to remove the CUP for multi-family developments up to 33 du/ac.

Transitional and Supportive Housing

The 6th Cycle Housing Element includes a program to update the Municipal Code to further clarify that transitional and supportive housing in the R-1 and R-4 zoning district are permitted uses.

Low Barrier Navigation Centers

A program has been included in the element to develop by-right procedures for processing low-barrier navigation centers.

Development Standards for Senior Housing

A program is included to address the lack of development standards in the A-2 zone in order to provide greater clarity and certainty to guide and future development design.

Lack of Water Resources

The primary infrastructure constraint to the development of housing in Carmel is the lack of potable water. The lack of a reliable available water supply continues to limit growth in Carmel and throughout the Monterey Peninsula region.

"You have a water allocation from the Water Management District. You also have a record from Cal-Am of uses, and all these absentee houses are not using any water.

So, that difference could be used for affordable housing."

May 24, 2023 Ad Hoc Committee
Community Meeting Attendee

Non-Governmental Constraints

In terms of non-governmental constraints, the availability of land and land costs will remain a constraint to affordable housing, and programs to use publicly-owned lands—such as City-owned land—can make a difference. The cost of construction and construction materials is also a constraint, and to the degree that the City can subsidize affordable housing projects with available funds dedicated to housing, this too can make a difference.

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4.0 Housing Sites Inventory

4.1 Introduction

The Association of Monterey Bay Area Governments' forecasts that the two-county Monterey Bay Area will add 32,867 new households between 2020 and 2045¹. For the eight-year time frame covered by this Housing Element Update, HCD has identified the region's housing need as 33,274 units. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to market rate housing. This calculation, known as the Regional Housing Needs Allocation (RHNA), is based on population projections produced by the California Department of Finance as well as adjustments that incorporate the region's existing housing need. The adjustments result from recent legislation requiring HCD to apply additional adjustment factors to the baseline growth projection from the California Department of Finance, in order for the regions to get closer to healthy housing markets. To this end, adjustments focus on the region's vacancy rate, level of overcrowding and the share of cost burdened households, and seek to bring the region more in line with comparable ones. These new laws governing the methodology for how HCD calculates the RHNA resulted in a significantly higher number of housing units for which the Monterey Bay Area must plan compared to previous cycles.

4.2 Regional Housing Needs Allocation

AMBAG adopted its *Final 6th Cycle Regional Housing Needs Allocation Plan 2023-2031* in October 2022. Carmel-by-the-Sea-by-the-Sea's share of the regional housing need for the eight-year period from 2023 to 2031 is 349 units, which is a 1,125 percent increase over the 31 units required by the 2014 to 2023 RHNA. The housing need is divided into the four income categories of housing affordability. [Table 4-1](#) shows Carmel-by-the-Sea-by-the-Sea's RHNA for the planning period 2023 – 2031.

¹ Final 2022 Regional Growth Forecast, AMBAG, November 18, 2020

Table 4-1 Carmel-by-the-Sea-by-the-Sea's Regional Housing Needs Allocation 2023–2031

| Income Group | Carmel-by-the-Sea-Units | Percent | Monterey County Units | Percent | Monterey Bay Area Units | Percent |
|--------------------------------------|-------------------------|---------------|-----------------------|---------------|-------------------------|---------------|
| Extremely Low Income (<30% of AMI) | 57 | 16.3% | 2,206 | 10.9% | 3,934 | 11.8% |
| Very Low Income (<50% of AMI) | 56 | 16.0% | 2,206 | 10.9% | 3,934 | 11.8% |
| Low Income (50%-80% of AMI) | 74 | 21.2% | 2,883 | 14.2% | 5,146 | 15.5% |
| Moderate Income (80%-120% of AMI) | 44 | 12.6% | 4,028 | 19.8% | 6,167 | 18.5% |
| Above Moderate Income (>120% of AMI) | 118 | 33.9% | 8,972 | 44.2% | 14,093 | 42.4% |
| Total | 349 | 100.0% | 20,295 | 100.0% | 33,274 | 100.0% |

SOURCE: AMBAG 2021

NOTE: The Association of Monterey Bay Area Governments (AMBAG) Executive Board adopted the 2023-2031 Regional Housing Needs Allocation Plan (RHNA) on October 12, 2022 (Resolution No. 2022-24). The plan was approved by the California Housing and Community Development on November 8, 2022.

4.3 Site Inventory

The purpose of the sites inventory is to identify and analyze specific sites that are available and suitable for residential development from 2023-2031 in order to accommodate Carmel-by-the-Sea's remaining RHNA of 349 units. The City doesn't build the housing but creates the programs and policies within its control to plan for where housing can be developed and how many units can be on the sites. This inventory only lists sites that are likely to be developed during this housing element period.

The City has identified 35 sites capable of accommodating 283 housing units. In addition, the City has developed a program of new incentives for the 46 hotel owners in the community to house lower-income employees in existing hotel rooms. Finally, the City has an active accessory dwelling unit program that is capable of providing additional lower-income housing. Together, these housing resources have the potential to accommodate 401 housing units across all income levels (approximately 115 percent of Carmel-by-the-Sea's RHNA). [Table 4-2](#) provides an overview of Carmel-by-the-Sea's housing resources for the 2023-2031 planning period. For a detailed analysis of Carmel-by-the-Sea's housing resources, please see [Appendix C](#).

Table 4-2 Overview of Housing Sites Inventory Sites

| Housing Resource | Very Low-Income Capacity | Lower Income Capacity | Moderate Income Capacity | Above Moderate-Income Capacity | Total Capacity |
|------------------|--------------------------|-----------------------|--------------------------|--------------------------------|----------------|
| Total | 115 | 84 | 75 | 127 | 401 |
| RHNA* | 113 | 74 | 44 | 118 | 349 |
| Difference | 2 | 10 | 31 | 9 | 52 |
| Percent of RHNA | 101% | 113% | 170% | 108% | 115% |

SOURCE: City of Carmel-by-the-Sea-by-the-Sea; EMC Planning Group Inc.

NOTE: *Adjusted as shown in Table 4-2, above.

4.4 Summary and Conclusions

The vacant and underutilized sites, converted hotel rooms, and accessory dwelling units identified in this report are sufficient to accommodate approximately 115 percent of the City of Carmel-by-the-Sea-by-the-Sea's Regional Housing Needs Allocation for the 6th Cycle planning period. This 15 percent “cushion” is highly recommended because of the state's no-net-loss policy, which precludes jurisdictions from approving development that results in an overall housing site deficit. The “cushion” essentially provides a degree of flexibility for policy makers as they make development decisions. Many of the sites identified in this report have existing uses that would need to be demolished or remodeled to accommodate new housing.

Nonetheless, for communities like Carmel-by-the-Sea-by-the-Sea that are largely built out and surrounded on all sides by other communities, redevelopment and densification is the only practical solution to providing its share of housing for the Monterey Bay Area RHNA. By its nature, such redevelopment is more costly and more time consuming than building new units on vacant land. To offset these constraints, City Officials have proposed a “Housing Priority Overlay Zone” to facilitate redevelopment and/or intensification of uses on sites included in the City's housing sites inventory (see [Table C-3, Appendix C](#)). This overlay zone allows for housing development by right (objective design and development standards apply), minimum density, and otherwise overrides the development standards of the base district to ensure that the number and types of units identified in the housing sites inventory can be achieved.

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5.0

Energy Conservation and Reduction of Greenhouse Gas Emissions

5.1 Introduction

This chapter summarizes opportunities for energy conservation and the reduction of Greenhouse Gas emissions in the construction of housing in the City of Carmel-by-the-Sea.

5.2 Opportunities for Energy Conservation and Reducing Greenhouse Gas Emissions

The City adopted a Climate Adaption Plan (CAP) and Climate Action Plan on August 2, 2022. The documents which identify goals, policies and actions that seek to contribute to increasing resilience to climate change in Carmel. The CAP includes a policy to minimize health impacts of climate change that includes the following actions that address energy conservation and reducing greenhouse gases:

- **Invest in Improving Resilience in Critical Facilities.** Invest in sustainable backup power sources to provide redundancy and continued services for critical facilities, including City Hall, Carmel Police Department, Carmel Fire Department, the Libraries, and assisted living facilities, in the event of a power outage triggered by a climate event.
- **Conduct a Feasibility Study for Existing Building Electrification and Back-up Power.** Perform an electrification feasibility study/existing building analysis in order to understand the potential for, and associated costs of, electrification retrofitting, including heat pumps, along with on-site energy generation and battery storage to provide a more resilient back-up power supply. Establish a plan for reducing or eliminating natural gas from existing buildings, potentially through a reach code, and building resilience to potential electrical grid shutoffs.
- **Improve Resilience in Existing Building Stock.** Develop a program for identifying funding and incentives to weatherize residential and commercial buildings that addresses severe weather protection, energy efficiency, indoor air quality improvements, and other housing improvements. Include an outreach campaign as part of this program to advertise the benefits of weatherizing and electrifying buildings.

- **Promote Funding Opportunities.** Work with partners like 3CE and PG&E to identify and promote potential resilience opportunities and accessible funding and financing mechanisms to pay for building electrification, weatherization, and battery backups.

State Regulations

The City requires compliance with Title 24 of the California Code of Regulations on the use of energy efficient appliances and insulation. Through compliance with Title 24, new residential development has reduced energy demand particularly when contrasted with older building stock.

Providing energy conservation opportunities to residents who reside in less energy efficient residential units can ultimately lead to a reduction in utility-related housing costs for many households. The City processes in excess of 500 building permits per year for remodels, additions and other construction which rehabilitates the existing housing stock and increases energy efficiencies and improves water conservation.

Central Coast Community Energy

Central Coast Community Energy (3CE) is the community electricity provider for 33 Central Coast communities in Monterey, San Benito, Santa Cruz, San Luis Obispo, and Santa Barbara counties and is governed by local elected officials serving on the Board of Directors. 3CE was formed with the mission to reduce dependence on fossil fuels by providing carbon-free, affordable and reliable electricity and innovative programs within the community. CCCE is on a path to sourcing 100 percent clean and renewable energy by 2030. In collaboration with regional and statewide partners, 3CE provides customers with access to energy program rebates and incentives to electrify the region's transportation, buildings, and agricultural sector. Carmel-by-the-Sea is a member of 3CE.

Pacific Gas & Electric

Pacific Gas and Electric Company (PG&E), which provides energy efficiency services in Carmel-by-the-Sea, offers public information and technical assistance to homeowners regarding energy conservation. PG&E also provides numerous incentives for energy efficiency in new construction and home remodeling. For example, remodeling rebates exist for projects installing three or more upgrades from a flexible menu of options that earn points towards incentives and rebates. This program's incentives range between \$1,000 and \$4,500.

Additionally, PG&E provides residents with information regarding energy saving measures including various incentives and programs available to developers and residential property owners. [Table 5-1, PG&E Programs and Incentives for Residential Properties](#), includes a description of the various types of financial and energy-related assistance that PG&E offers low-income customers.

Table 5-1 PG&E Programs and Incentives for Residential Properties

| Program | Description |
|---|--|
| Energy Savings Assistance Program | PG&E's Energy Savings Assistance program offers free weatherization measures and energy-efficient appliances to qualified low-income households. PG&E determines qualified households through the same sliding income scale used for CARE. The program includes measures such as attic insulation, weather stripping, caulking, and minor home repairs. Some customers qualify for replacement of appliances including refrigerators, air conditioners, and evaporative coolers. |
| Energy Efficiency for Multifamily Properties | The Energy Efficiency for Multi-Family Properties program is available to owners and managers of existing multi-family residential dwellings containing five or more units. |
| Multifamily Properties | The Energy Efficiency for Multifamily Properties program is available to owners and managers of existing multifamily residential dwellings containing five or more units. The program encourages energy efficiency by providing rebates for the installation of certain energy-saving products. |
| California Alternate Rates for Energy (Care) | PG&E offers this rate reduction program for low-income households. PG&E determines qualified households by a sliding income scale based on the number of household members. The CARE program provides a discount of 20 percent or more on monthly energy bills. |
| Reach (Relief for Energy Assistance Through Community Help) | The REACH program is sponsored by PG&E and administered through a non-profit organization. PG&E customers can enroll to give monthly donations to the REACH program. Qualified low-income customers who have experienced uncontrollable or unforeseen hardships, which prohibit them from paying their utility bills may receive an energy credit. Eligibility is determined by a sliding income scale based on the number of household members. To qualify for the program, the applicant's income cannot exceed 200 percent of the Federal poverty guidelines. |
| Medical Baseline Allowance | The Medical Baseline Allowance program is available to households with certain disabilities or medical needs. The program allows customers to get additional quantities of energy at the lowest or baseline price for residential customers. |

SOURCE: PG&E, 2022.

Monterey Water Management District

The Monterey Peninsula Water Management District was formed on June 6, 1978 under the enabling legislation found in West's California Water Code. District functions include:

- Augmenting the water supply through integrated management of ground and surface water;
- Promote water conservation;
- Promote water reuse and reclamation of storm and wastewater; and
- Foster the scenic values, environmental qualities, native vegetation, fish and wildlife, and recreation on the Monterey Peninsula and in the Carmel River Basin.

The Water Management District serves approximately 105,911 people within the cities of Carmel-by-the-Sea, Del Rey Oaks, Monterey, Pacific Grove, Seaside, Sand City, Monterey Peninsula Airport District and portions of unincorporated Monterey County including Pebble Beach, Carmel Highlands and Carmel Valley. The District has established five main goals:

1. Increase the water supply to meet community and environmental needs;
2. Assist California American Water in developing a legal water supply;
3. Protect the quality of surface and groundwater resources and continue the restoration of the Carmel River environment;
4. Instill public trust and confidence; and
5. Manage and allocate available water supplies and promote water conservation.

Rebates are available for water saving fixtures and appliances for homes and businesses. California American Water (Cal-Am), Seaside Municipal Water District, and other system customers within the District are eligible for a rebate when purchasing and installing water saving devices. Residential rebates are available for purchase of the Qualifying Devices when funding is available. The following are residential rebates:

- High Efficiency Toilet — \$75;
- Ultra High Efficiency Toilet — \$125;
- Toilet Flapper — \$15;
- Pint Urinal — \$250;
- High Efficiency Residential Dishwasher (Maximum of 3.5 gallons per cycle and has Energy Star certification) — \$125;
- High Efficiency Residential Clothes Washer (Water Factor of 4.3 and Energy Star Certification) — \$500;
- A second or subsequent rebate for replacing a High Efficiency Clothes Washer is available after 8 years;
- Instant-Access Hot Water System — \$200 per Qualifying Property;
- On-demand pump or point-of source water heater as part of an Instant-Access Hot Water System — \$100 per component, to a maximum of two components per Qualifying Property;
- Multi-Family Dwelling Meter Split — \$100/dwelling unit;
- Smart Controller — \$100 with four stations. Additional \$10 available per station up to twenty (20) stations;
- One or more Soil Moisture Sensor(s) on a conventional automatic Irrigation System — \$25 per sensor;

- Cistern water tanks — \$50 per 100 gallons of water storage capacity (up to 500 gallons) in a Cistern, then \$25 per 100 gallons of water storage capacity up to a maximum storage capacity of 25,000 gallons per Qualifying Property. Sites must have sufficient roof area to fill Cistern and may require an inspection;
- Lawn removal and replacement with low water use plants or permeable surfaces — \$1.00 per square-foot to a maximum of 2,500 square-feet per Qualifying Property. Pre-qualification, inspections and deed restrictions are required;
- Rotating Sprinkler Nozzles (minimum purchase and installation of ten) — \$4.00 per nozzle;
- Graywater Irrigation System supplied by one Clothes Washer for irrigation — \$100. A site inspection is required by Building Inspector and/or MPWMD; and
- Graywater Irrigation System supplied by one or more Bathrooms that have a Bathtub/Shower connected to a Graywater Irrigation System — \$100 per Bathroom. (Residential limit: 4) A site inspection is required by Building Inspector and/or MPWMD.

As part of the 6th Cycle Housing Element Update process, the City of Carmel-by-the-Sea will continue to implement a Water Conservation program that supports the MPWMD and also provides information to the community on water conservation retrofits and best practices.

Federal and State Programs

The Low-Income Home Energy Assistance Program (LIHEAP) is a federally funded program aimed at assisting low-income households that pay a high portion of their income to meet their energy needs. LIHEAP is funded by the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Community Services.

- The Home Energy Assistance Program (HEAP) provides one-time financial assistance to help balance an eligible household's utility bill;
- The Energy Crisis Intervention Program (ECIP) provides assistance to low-income households that are in a crisis situation. Such an example would be a household receiving a 24-48 hour disconnect notice or service termination by their utility company. Another example would be a household facing an energy-related crisis that could be deemed potentially life-threatening in the household, such as a combustible appliance;
- LIHEAP Weatherization provides free energy efficiency upgrades to low-income households to lower their monthly utility bills while also improving the health and safety of the household's occupants;
- Education on basic energy efficiency practices and instruction on the proper use and maintenance of installed weatherization measures; and
- Energy budget counseling.

The Inflation Reduction Act (IRA) has provided significant federal funding to support electrification of new construction, renovations, and existing buildings over the next ten years. Enhanced amounts are provided for income-qualified residents. Support provided by IRA includes:

New Home Construction Tax Credits (single family or multi-unit)

- Up to \$2,500 tax credit if meets Energy Star certification requirements;
- Up to \$5,000 tax credit if meets Zero Energy Ready Homes certification requirements; and
- Tax credit is "per unit" for multifamily developments; maximum tax credit requires conformance with prevailing wage requirements.

Home Improvement Tax Credits (for households with tax liability)

- 30 percent of project cost, capped at \$2,000 for heat pump installation and \$1,200 for other energy efficiency appliances and improvements; and
- Available January 2023 through 2032; tax credits can be claimed on a per year basis.

Home Improvement Tax Rebates (for low and moderate-income households)

- Rebates up to \$14,000 depending on income for heat pumps, induction and electric ranges, and other energy efficiency improvements; and
- Available Fall 2023 through 2032.

Home Renewable Power Tax Credits

- 30 percent of project cost for installation of solar panels, battery storage, and any other renewable power source on property;
- Example: \$19,000 to install rooftop solar panels generates \$5,700 tax credit; and
- Retroactive to 2022, full credit sunsets in 2032; then 22 percent credit expires in 2035.

The Property Assessed Clean Energy (PACE) Financing program enables property owners to secure upfront funding for energy efficiency, water efficiency, renewable energy, and seismic improvement projects. These improvements are repaid through an up to 20-year special line item on their property taxes instead of traditional consumer credit.

The City includes a program in the 6th cycle Housing Element to promote energy conservation and green building and to actively disseminate information about State and Federal programs.

Housing Needs & Fair Housing Report



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Appendix A

Housing Needs & Fair Housing Report

A.1 Introduction

The following report provides both the City of Carmel-by-the-Sea Housing Needs Assessment and Fair Housing Assessment. This analysis primarily utilizes U.S. Census Bureau American Community Survey (ACS) 5-Year Estimate data and California Department of Housing and Community Development (HCD) data. It is important to note, there are discrepancies between U.S. Census Bureau ACS data and HCD data, specifically when analyzing Carmel-by-the-Sea at a regional scale.

Housing Needs Assessment

The Housing Needs Assessment for the City of Carmel-by-the-Sea provides an in-depth analysis of the City's housing and population conditions including population, employment, economics, household and housing stock characteristics. This assessment develops context for the City's goals, programs, and policies for the 6th Cycle Housing Element.

Fair Housing Assessment

In 2018, Governor Brown signed Assembly Bill (AB 686) requiring all public agencies in the state to affirmatively requirements went into effect on January 1, 2019 and required all public agencies to “administer programs and activities relating to housing further fair housing (AFFH) beginning January 1, 2019.¹ The new and community development in a manner that affirmatively furthers fair housing, and take no action inconsistent with this obligation”² AB 686 also made changes to Housing Element Law to incorporate requirements to AFFH as part of the housing element and general plan to include an analysis of fair housing outreach and capacity, integration and segregation, access to opportunity, disparate housing needs, and current fair housing practices.

¹ Public agencies receiving funding from the U.S. Department of Housing and Urban Development (HUD) are also required to demonstrate their commitment to AFFH. The federal obligation stems from the fair housing component of the federal Civil Rights Act mandating federal fund recipients to take “meaningful actions” to address segregation and related barriers to fair housing choice.

² California Department of Housing and Community Development Guidance, 2021, page 9.

Affirmatively Furthering Fair Housing

“Affirmatively furthering fair housing” means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a public agency’s activities and programs relating to housing and community development. (Gov. Code, § 8899.50, subd. (a)(1).)”

SOURCE: California Department of Housing and Community Development Guidance, 2021, page 14.

History of segregation in the region

The United States’ oldest cities have a history of mandating segregated living patterns—and cities south of Monterey Bay are no exception. Monterey County and the Monterey Bay region have an interesting past, as far as the fight to end racial segregation is concerned. Some of the segregation in the Monterey Bay area can be attributed to historically discriminatory practices, such as: redlining and discriminatory mortgage approvals—as well as “structural inequities” in society, and “self-segregation” (i.e., preferences to live near similar people).

Kent Seavey’s 2007 book *Carmel: A History in Architecture* details the history of Carmel-by-the-Sea and adjacent cities, from its early settlement by Spanish explorers to its marketing as a “seaside resort for Catholics” in the 1880s to the development of the City’s more contemporary history and architectural design. Similar to other jurisdictions within Monterey County, Carmel-by-the-Sea does not have a high level of diversity.

Ann Marie Shambaugh, in a contribution to a “Current in Carmel” news article, further states: “...for much of Carmel’s Black community, which makes up less than 3 percent of the

This history of segregation in the region is important not only to understand how residential settlement patterns came about—but, more importantly, to explain differences in housing opportunity among residents today.

In sum, not all residents had the ability to build housing wealth or achieve economic opportunity.

This historically unequal playing field in part determines why residents have different housing needs today.

population, choosing to live here leads to certain burdens not faced — or often even realized — by the city’s 84-percent white majority. Frequent misunderstandings. Being stereotyped. Battle fatigue. Not likely to help any city achieve a top ranking, these are scenarios many of Carmel’s Black residents often face in their hometown, a place some moved to despite advice from friends against it”.³

In addition to historical discriminatory practices that embedded segregation into living patterns throughout the Monterey Bay area, it’s also necessary to recognize the historical impacts of colonization and genocide on Indigenous populations and how the effects of those atrocities are still being felt today. Historically, the Monterey Peninsula had been home to indigenous populations for more than 10,000 years. The original inhabitants of present-day Monterey County were the Ohlone (Costanoan), Salinan, and Esselen tribes who have “...lived in communities related by language, family, and custom.”⁴ However, “[d]ue to the devastating policies and practices of a succession of explorers, missionaries, settlers, and various levels of government over the centuries since European expansion, these tribes have lost the vast majority of their population as well as their land.”⁵ The lasting influence of these policies and practices have contributed directly to the disparate housing and economic outcomes collectively experienced by Native populations today.⁶

The *Monterey County Weekly* news outlet highlights the past and present effects of restrictive covenants, along with other housing issues such as “the lack of affordable housing, generational wealth inequities and zoning issues,” as contributing factors to the higher levels of segregation within the county.⁷ Carmel-by-the-Sea’s General Plan and Municipal Code historically emphasized single-family residential patterns and consequently, the City offers a limited variety of housing types with 87 percent single family detached units. Historically, this type of development contributed to segregation patterns, including in Carmel-by-the-Sea, due to, among other factors, the higher purchase costs that accompany single-family homes. Financing for single-family properties favored educated higher income earners and as a result purchasing property in the City remained out of reach for many lower income households and lead to the demographics seen in the City today.

³ <https://www.youarecurrent.com/2020/10/13/the-best-place-for-all-to-live-black-carmel-residents-speak-out-on-frustrations-building-more-inclusive-community/>

⁴ From *Racial Beachhead: Diversity and Democracy in a Military Town*, by Carol Lynn McKibben, 2012, Stanford University Press.

⁵ <https://www.smcoe.org/for-communities/indigenous-people-of-san-mateo-county.html>

⁶ <https://www.americanprogress.org/article/systemic-inequality-displacement-exclusion-segregation/>

⁷ [A new group sets out to explore the history of racist housing covenants in Monterey County. | News | montereycountyweekly.com](https://www.montereycountyweekly.com/a-new-group-sets-out-to-explore-the-history-of-racist-housing-covenants-in-monterey-county-news/)

Though Carmel-by-the-Sea’s population demographics are not as diverse as other jurisdictions within Monterey County and restrictive covenants were not enacted specifically in the City, enacting policies and programs that promote AFFH and highlight the community’s assets could attract individuals to the area, and encourage those that work in the City to live there as well.

The timeline of major Federal Acts and court decisions related to fair housing choice and zoning and land use appears on the following page.

As shown in the timeline, exclusive zoning practices were common in the early 1900s. Courts struck down only the most discriminatory and allowed those that would be considered today to have a “disparate impact” on classes protected by the Fair Housing Act. For example, the 1926 case *Village of Euclid v. Amber Realty Co.* (272 U.S. 365) supported the segregation of residential, business, and industrial uses, justifying separation by characterizing apartment buildings as “mere parasite(s)” with the potential to “utterly destroy” the character and desirability of neighborhoods. At that time, multifamily apartments were the only housing options for people of color, including immigrants.

The Federal Fair Housing Act was not enacted until nearly 60 years after the first racial zoning ordinances appeared in U.S. cities. This coincided with a shift away from federal control over low-income housing toward locally-tailored approaches (block grants) and market-oriented choice (Section 8 subsidies)—the latter of which is only effective when adequate affordable rental units are available.

Figure A-1 below provides a timeline of major legal and public actions that have influenced fair access to housing beginning in 1910.

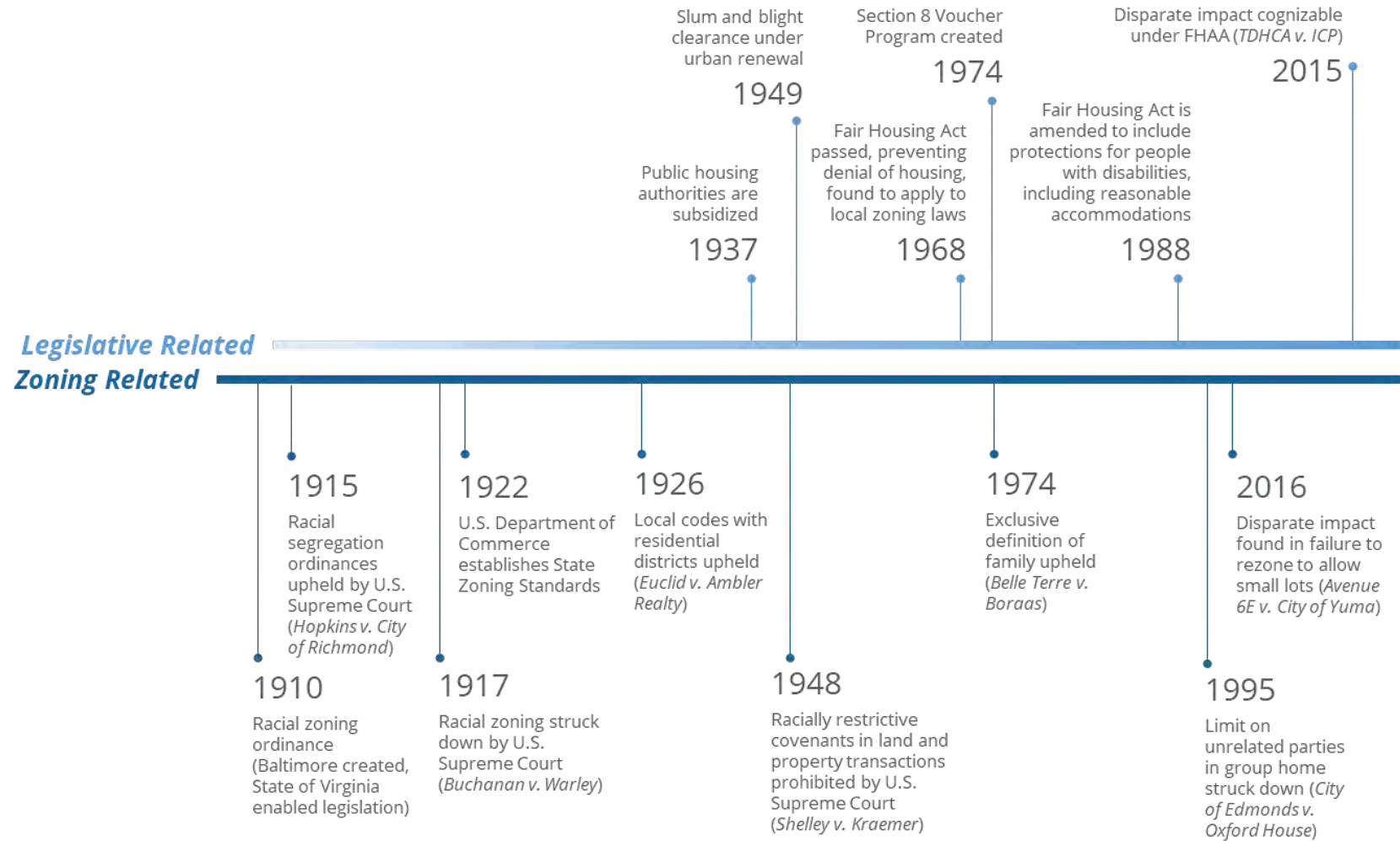
Carmel-by-the-Sea has been and will continue to be enriched and enhanced in its cultural fabric, economic prosperity and personal understanding of others by having a principled and respectful community standard towards all people,

July 5, 2021

Proclamation of the City

Council of Carmel-By-The-Sea

Figure A-1 Major Public and Legal Actions that Influence Fair Access to Housing



SOURCE: Root Policy Research

Overview of Carmel-by-the-Sea

Over the past 20 years, Carmel-by-the-Sea has experienced growth in both population and jobs, which means more housing of various types and sizes is needed to ensure that residents across all income levels, ages, and abilities have a place to call home. While the number of people drawn to the City has steadily increased, housing production has stalled, contributing to the housing shortage that communities are experiencing today. In many cities within Monterey County, this has resulted in residents being priced out, increased traffic congestion caused by longer commutes, and fewer people across incomes being able to purchase homes or meet surging rents. Additionally, with increasing population and economic pressures comes the space for inequitable housing practices. The following Housing Needs and Fair Housing Assessment develops context for the goals, programs, and policies that Carmel-by-the-Sea will implement to address inequities in the 6th Cycle Housing Element.

A.2 Population, Employment, and Household Characteristics

Population characteristics impact current and future housing needs in a community. A city's population growth, age composition and race and ethnicity composition determine the type and extent of housing needed. The following section provides analysis of population characteristics and local trends that affect housing demand in Carmel-by-the-Sea.

Population Growth

Table A-1 shows the population projections through 2045 according to the Association of Monterey Bay Area Governments (AMBAG) 2022 Regional Growth Forecast. In Carmel-by-the-Sea, the population is forecast to grow approximately 3 percent between 2015 to 2045. This reflects 11 percent less than the County, 1 percent more than Pacific Grove, and 56 percent less than Del Rey Oaks. Population growth forecasts provide critical insight to the future demands of communities in terms of housing needs, employment, and more.

Table A-1 Population Growth Forecast by Jurisdiction, 2015-2045

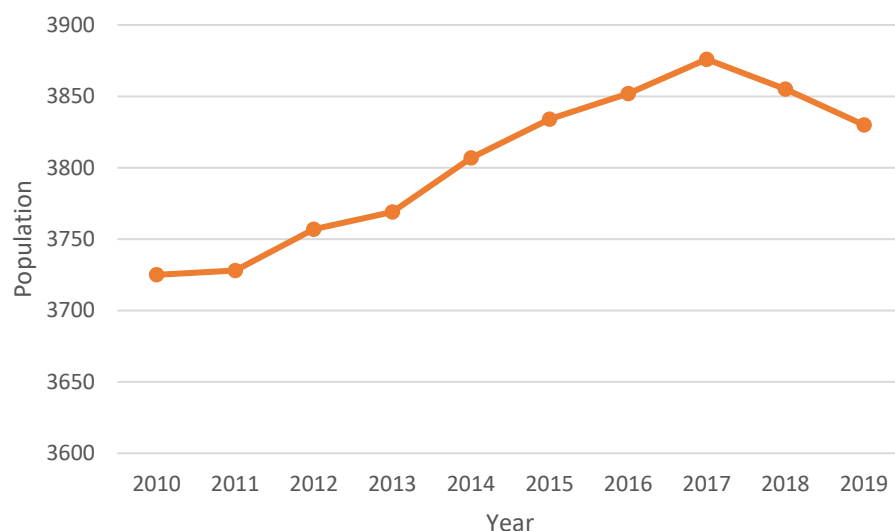
| Jurisdictions | Population | | | | | | | Change 2015-2045 | |
|-------------------|------------|---------|---------|---------|---------|---------|---------|------------------|-----|
| | 2015 | 2020 | 2025* | 2030* | 2035* | 2040* | 2045* | Numeric | % |
| Monterey County | 430,310 | 441,143 | 452,761 | 467,068 | 476,028 | 483,884 | 491,443 | 61,133 | 14% |
| Carmel-by-the-Sea | 3,854 | 3,949 | 3,946 | 3,954 | 3,964 | 3,974 | 3,984 | 130 | 3% |
| Del Rey Oaks | 1,663 | 1,662 | 1,693 | 1,734 | 1,859 | 2,330 | 2,650 | 987 | 59% |
| Pacific Grove | 15,460 | 15,265 | 15,290 | 15,395 | 15,530 | 15,676 | 15,817 | 357 | 2% |

SOURCE: AMBAG Regional Growth Forecast, 2022

NOTE: *Projected growth values

Figure A-2 illustrates population growth in Carmel-by-the-Sea between 2010-2019. Carmel-by-the-Sea's population increased by 2.8 percent from 2010 to 2019. The City's population steadily increased from 2010 to 2017 before experiencing a sharp decline through 2019.

Figure A-2 Population Growth, Carmel-by-the-Sea, 2010-2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2010-2019

Age Characteristics

A community's housing needs are partly determined by preferences of age groups and household types (age, family/non-family, presence of children, female-headed, etc.). When seeking housing, households may prioritize factors such as size, accessibility, and price. For instance, younger and middle-aged households may seek homes that can accommodate a growing household size, whereas older adults may seek to downsize to an apartment with assistive care services or a smaller more affordable single-family home. Disabled persons may seek homes that are accessible and include universal design or visitability features. Overall, the life stages of a population determine the housing stock that is needed in a community.

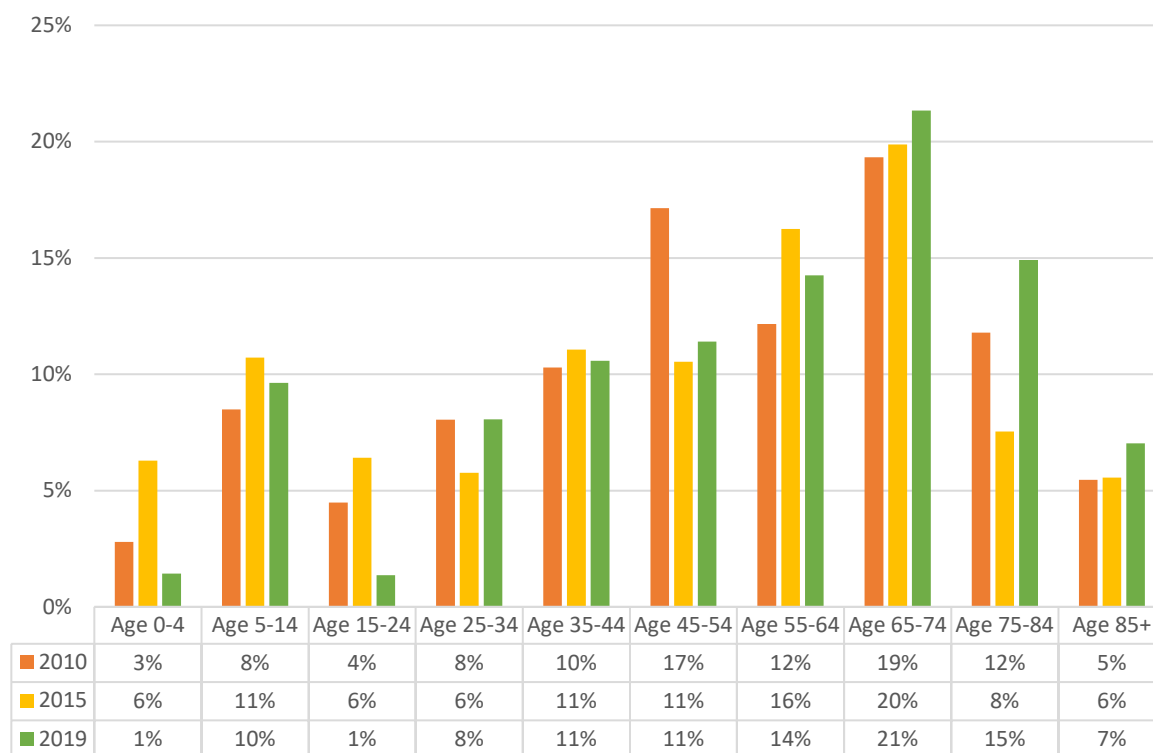
"When I grew up, this was a town of children. All the property owners were parents. All the employees in the stores were parents. So, everything in this town was about children, and we don't have children anymore."

May 24, 2023 Ad Hoc
Committee Community
Meeting Attendee

In 2010, Carmel-by-the-Sea's predominant age group was individuals between 65 and 74 years of age (19 percent). Figure A-3 shows that between 2010 and 2019, the general age of the population has been slowly increasing, with the most populous age groups in the City being individuals between 55

and 84 years of age. The City's median age has changed little since 2010, ranging from 56 in 2010, 54 in 2015, and 59 in 2019. Overall, the City's aging trend suggests a demand for housing geared toward middle-aged to senior groups.

Figure A-3 Population Distribution by Age, Carmel-by-the-Sea, 2010-2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2010, 2015, 2019

Table A-2 shows population age distribution revealing that Carmel-by-the-Sea's most populous age group in 2019 was individuals 65 to 74 years of age (21 percent). Compared to the County and neighboring cities, Carmel-by-the-Sea has the largest 55 to 85+ age group (43 percent) followed by Pacific Grove (27 percent), Del Rey Oaks (23 percent), and the County (13 percent). Since 2010, Carmel-by-the-Sea's smallest age demographic are those aged 0-14.

Table A-2 Population Age Distribution by Jurisdiction, 2019

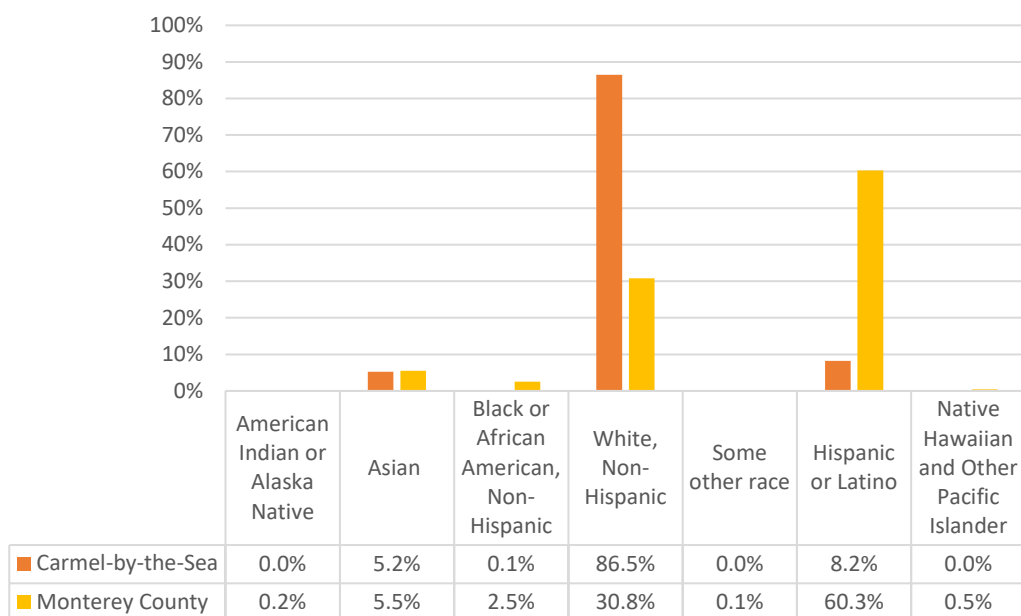
| Jurisdiction | Population Age | | | | | | | | | |
|--------------------------|----------------|-------------|-------------|-------------|--------------|--------------|--------------|--------------|--------------|-----------|
| | 0-4 | 5-14 | 15-24 | 25-34 | 35-44 | 45-54 | 55-64 | 65-74 | 75-84 | 85+ |
| Monterey County | 7.3% | 14.8% | 14.3% | 14.4% | 13.0% | 11.8% | 11.1% | 7.7% | 3.6% | 1.9% |
| Carmel-by-the-Sea | 1.4% | 9.7% | 1.4% | 8.1% | 10.6% | 11.4% | 14.3% | 21.3% | 14.9% | 7% |
| Del Rey Oaks | 5.7% | 8.3% | 5.7% | 12.6% | 12.5% | 13% | 18.9% | 15.9% | 4.4% | 2.9% |
| Pacific Grove | 3.5% | 12.2% | 8.5% | 10.0% | 10.4% | 13.3% | 14.7% | 16.5% | 6.6% | 4.3% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

Race and Ethnicity Characteristics

Understanding the racial and ethnic composition of a city is vital to ensuring equal opportunity to housing for all groups, inclusive of cultural norms and preferences. An in-depth analysis of race and ethnicity is provided in the Fair Housing Report in [Appendix A](#). [Figure A-4](#) illustrates the racial and ethnic composition of Carmel-by-the-Sea compared to the County.

Figure A-4 Population by Race Compared to the County, 2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

When comparing the City and the County, non-Hispanic White and Hispanic or Latino populations are the most represented; however, the County presents more diversity than Carmel-by-the-Sea. Non-Hispanic White individuals comprise 87 percent of Carmel-by-the-Sea's population followed by Hispanic or Latino (8 percent) and Asian populations (5 percent). In contrast, the County's largest population is Hispanic or Latino individuals (60 percent) followed by non-Hispanic White (31 percent). The City has no populations identifying as American Indian or Alaska Native or Native Hawaiian or Other Pacific Islander. Black or African American non-Hispanic individuals represent less than 1 percent of the City's population.

[Table A-3](#) provides a comparison of racial and ethnic composition by jurisdiction. In 2019, Carmel-by-the-Sea (87 percent) and the neighboring City of Pacific Grove (83 percent) had the largest non-Hispanic White populations compared to Del Rey Oaks (75.5 percent) and the County (30.8 percent). Compared to surrounding cities and the County, Carmel-by-the-Sea had the lowest Asian population (5 percent). Overall, Carmel-by-the-Sea is the least diverse when compared to the County and the neighboring cities of Del Rey Oaks and Pacific Grove.

Table A-3 Population by Race by Jurisdiction, 2019

| Jurisdiction | American Indian or Alaska Native | Asian, alone | Black or African American, Non-Hispanic | White, Non-Hispanic | Some Other Race | Hispanic or Latino | Native Hawaiian and Other Pacific Islander |
|--------------------------|----------------------------------|--------------|---|---------------------|-----------------|--------------------|--|
| Monterey County | 0.2% | 5.5% | 2.5% | 30.8% | 0.1% | 60.3% | 0.5% |
| Carmel-by-the-Sea | 0.0% | 5.2% | 0.1% | 86.5% | 0.0% | 8.2% | 0.0% |
| Del Rey Oaks | 0.0% | 7.1% | 2.5% | 75.5% | 0.0% | 13% | 0.3% |
| Pacific Grove | 0.2% | 5.8% | 1.0% | 82.8% | 0.0% | 10.3% | 0.1% |

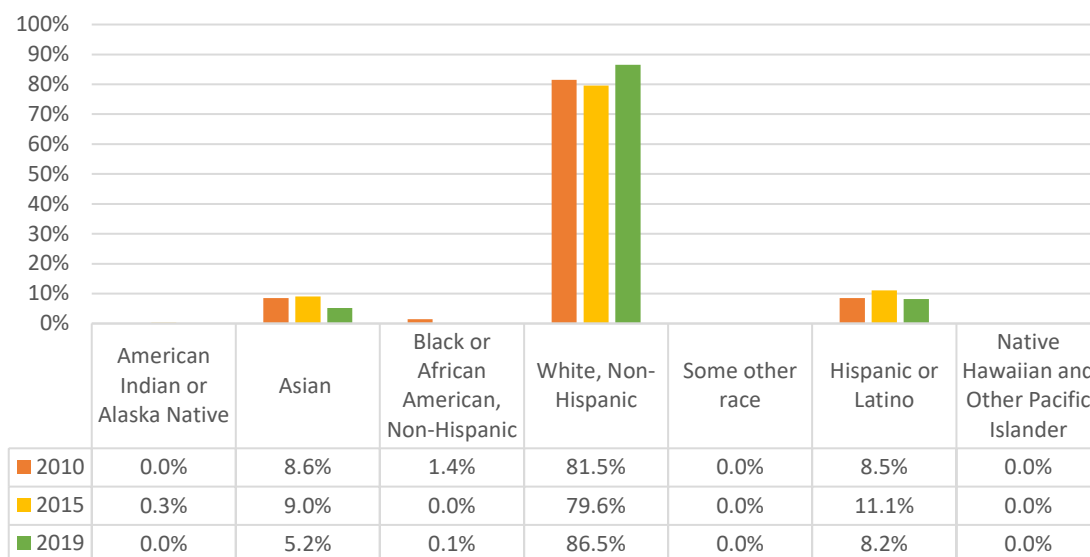
SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

When analyzing race and ethnicity in a city, it's important to understand how demographics have changed over time. [Figure A-5](#) illustrates changes in population by race between 2010-2019 in Carmel-by-the-Sea. During this time frame, Carmel-by-the-Sea's population composition experienced fluctuations in nearly all populations, and by 2019 saw a decline in each population except non-Hispanic White. In 2015, the non-Hispanic White population experienced a 2 percent decrease in size, while the Asian and Hispanic or Latino populations increased 2 percent and 3 percent, respectively. In 2019, Carmel-by-the-Sea experienced a 7 percent increase in the non-Hispanic White population, and a decline in both the Asian and Hispanic or Latino populations by 4 percent and 3 percent, respectively. Since 2015, population levels have remained less than 1 percent for Black or African American, American Indian or Alaska Native, Native Hawaiian and Other Pacific Islander populations in Carmel-by-the-Sea.

Demographic characteristics such as the racial and ethnic composition of a city are necessary to inform the housing needs of a community inclusive of cultural norms and preferences.

Diversity Index

The Diversity Index measures the degree to which the five major ethnic populations (non-Hispanic White, non-Hispanic Black, Asian and Pacific Islander, Hispanic, and Two or more races) are evenly distributed across a geographic area. The index ranges from 0 to 1 – where 0 is low diversity, meaning only one group is present and 1 is high diversity, meaning an equal proportion of all five groups is present).

Figure A-5 Population by Race, Carmel-by-the-Sea, 2010-2019

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2010, 2015, 2019

Integration and Segregation

“Integration generally means a condition in which there is not a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a particular type of disability when compared to a broader geographic area.

Segregation generally means a condition in which there is a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a type of disability in a particular geographic area when compared to a broader geographic area.”

SOURCE: California Department of Housing and Community Development Guidance, 2021, page 31.

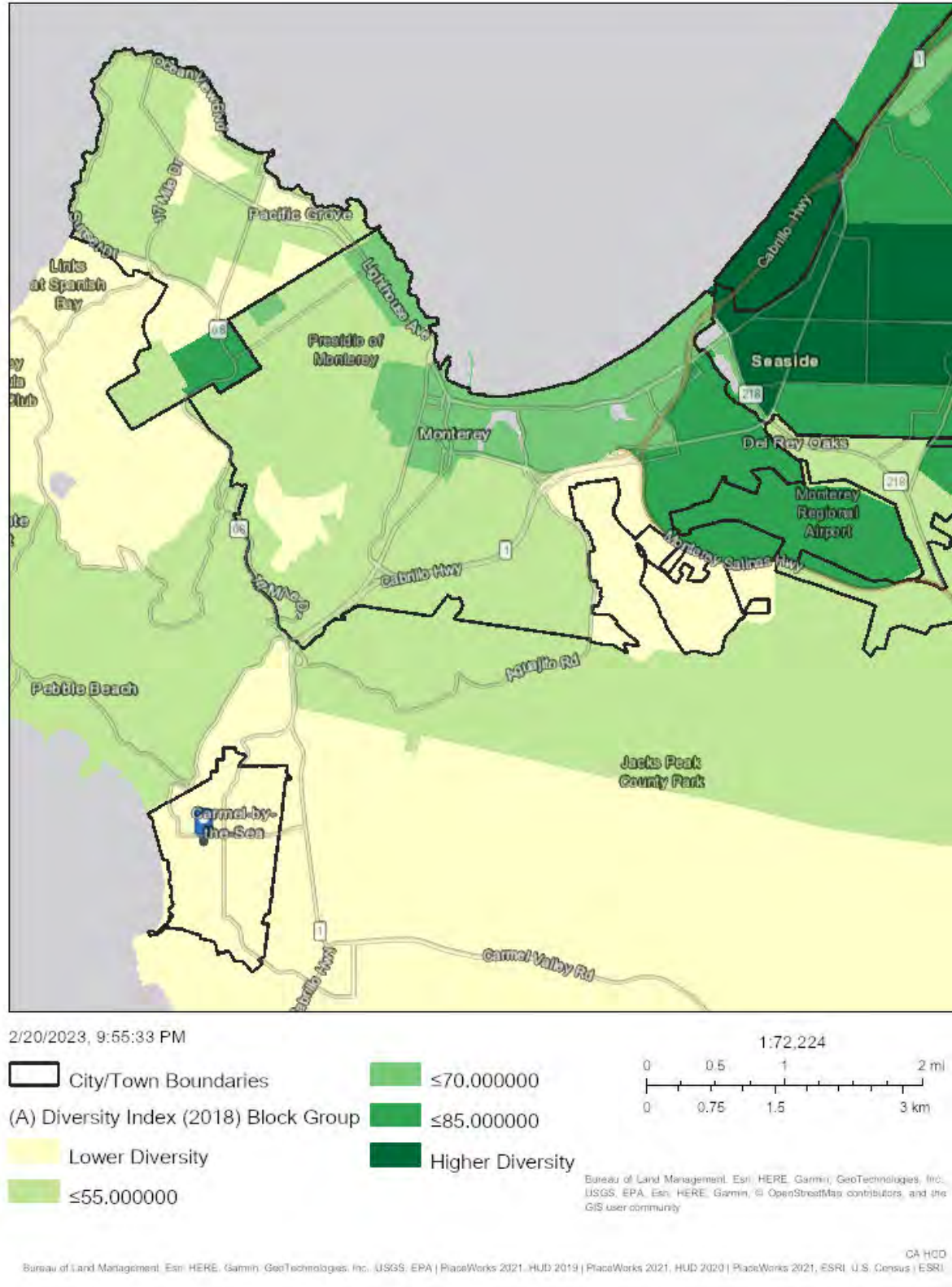
Figure A-6 below depicts the level of diversity within the City. Carmel-by-the-Sea, along with neighboring jurisdictions have the lowest levels of diversity within the region. Carmel-by-the-Sea has a low level of diversity with 86.5 percent of the population identifying as non-Hispanic White.

Racially or Ethnically Concentrated Areas of Poverty and Affluence

A Racially Concentrated Area of Poverty or an Ethnically Concentrated Area of Poverty (R/ECAP) and a Racially Concentrated Area of Affluence (RCAAs) represent opposing ends of the segregation spectrum from racially or ethnically segregated areas with high poverty rates to affluent predominantly White neighborhoods. Historically, HUD has paid particular attention to R/ECAPs as a focus of policy and obligations to AFFH. Recent research out of the University of Minnesota Humphrey School of Public Affairs argues for the inclusion of RCAAs to acknowledge current and past policies that created and perpetuate these areas of high opportunity and exclusion.⁸

⁸ Goetz, E. G., Damiano, A., & Williams, R. A. (2019). Racially Concentrated Areas of Affluence: A Preliminary Investigation. *Cityscape: A Journal of Policy Development and Research*, 21(1), 99–124

Figure A-6 Diversity Index, Carmel-by-the-Sea, 2018



SOURCE: California Department of Housing and Community Development, AFFH Data Viewer

R/ECAPs

HCD and HUD's definition of a Racially/Ethnically Concentrated Area of Poverty is:
A census tract that has a non-White population of 50 percent or more (majority-minority) or, for non-urban areas, 20 percent, AND a poverty rate of 40 percent or more; OR A census tract that has a non-white population of 50 percent or more (majority-minority) AND the poverty rate is three times the average tract poverty rate for the County, whichever is lower.

SOURCE: California Department of Housing and Community Development Guidance, 2021.

It is important to note that R/ECAPs and RCAAs are not areas of focus because of racial and ethnic concentrations alone. This study recognizes that racial and ethnic clusters can be a part of fair housing choice if they occur in a non-discriminatory market. Rather, R/ECAPs are meant to identify areas where residents may have historically faced discrimination and continue to be challenged by limited economic opportunity, and conversely, RCAAs are meant to identify areas of particular advantage and exclusion.

RCAAs

HCD and HUD's definition of an RCAA is a census tract 1) with a percentage of its total White population that is 1.25 times higher than the average percentage of the COG region's White population; and 2) has a median income that is 2 times higher than the COG Area Median Income (AMI). Generally, these are understood to be neighborhoods in which there are both high concentrations of non-Hispanic White households and high household income rates.

SOURCE: California Department of Housing and Community Development Guidance, 2023

As can be seen in the [Figure A-7](#) and [Figure A-8](#), the City of Carmel-by-the-Sea is not considered a R/ECAP; nor, is the City considered an RCAA. As highlighted previously, Carmel-by-the-Sea does not have a majority-minority population and thus cannot be labelled as a R/ECAP. [Figure A-9](#) shows that less than or equal to 20 percent of the City's population is non-White. Though Carmel-by-the-Sea's percentage of exclusively White population and AMI are higher than the county-wide average, the median income in the City is not high enough for the jurisdiction to be considered an RCAA. This could be a reflection of the high vacancy rate (over 50%) which could be explained by the high rate of second home (seasonal use) homeownership in the City.

Figure A-7 R/ECAP by Census Tract, Carmel-by-the-Sea, 2009-2013



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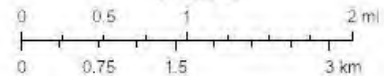
City/Town Boundaries

Current R/ECAP Score

1 - R/ECAP

0 - Not a R/ECAP

1:72,224

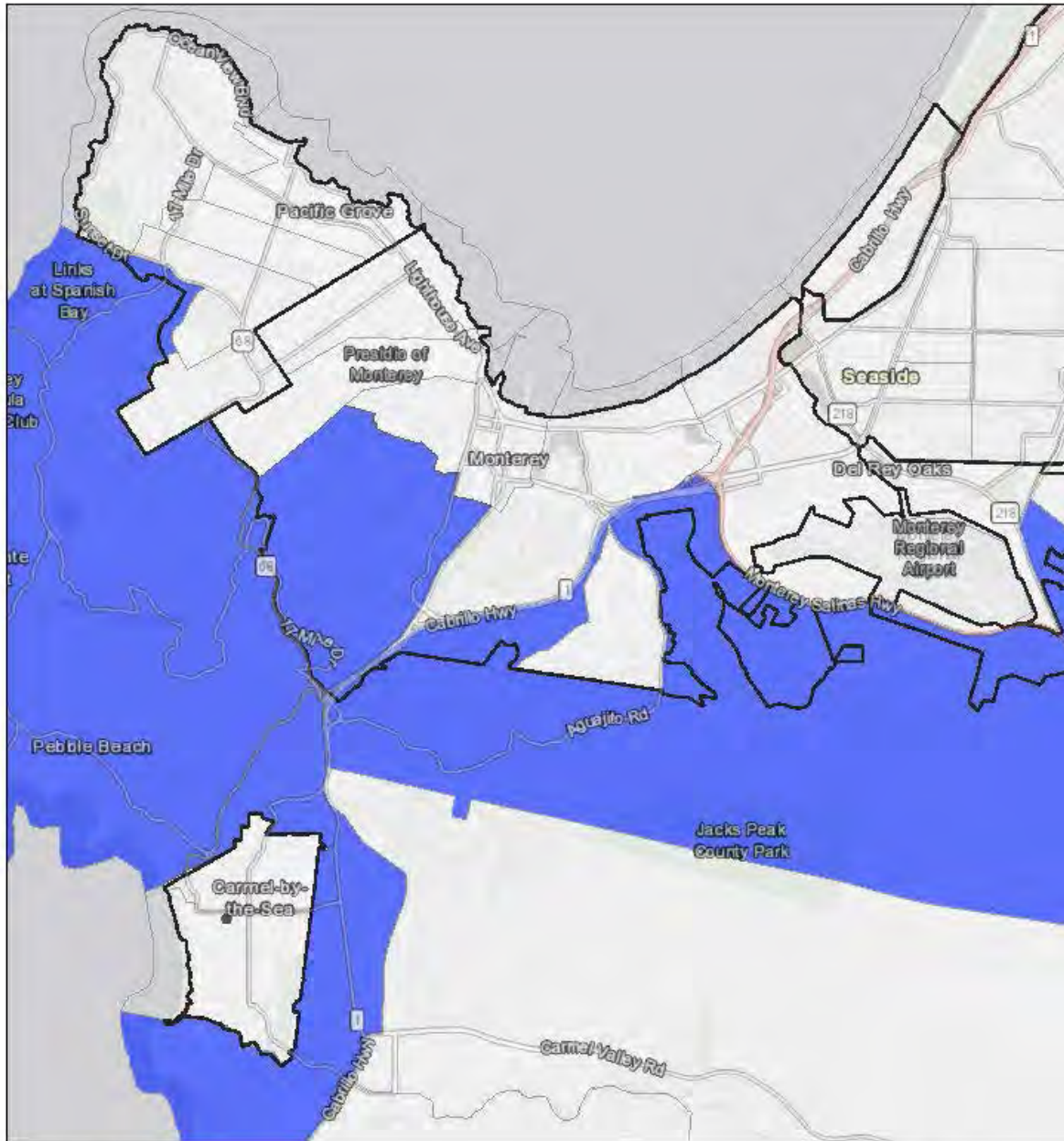


Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, OpenStreetMap contributors, and the GIS user community

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, OpenStreetMap contributors, and the GIS user community

SOURCE: California Department of Housing and Community Development, AFFH Data Viewer

Figure A-8 RCAAs by Census Tract, Carmel-by-the-Sea, 2015-2019



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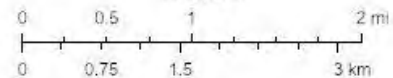
1:72,224

City/Town Boundaries

(R) Racially Concentrated Areas of Affluence "RCAA" (ACS, 2015 -2019) - Tract

0 - Not a RCAA

1 - RCAA



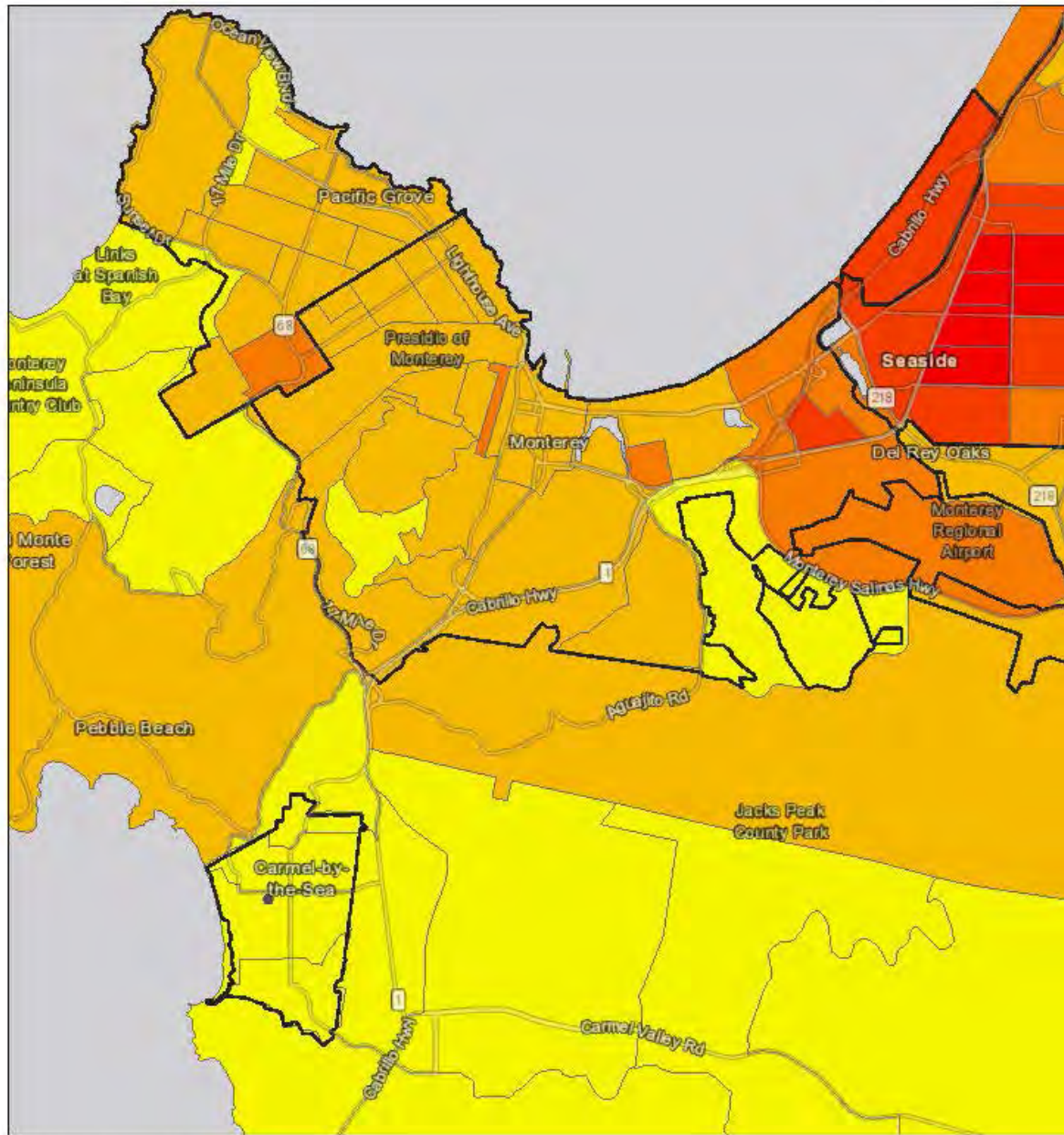
Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc.,
USGS, EPA, Esri, HERE, Garmin, © OpenStreetMap contributors, and the
GIS user community

CA HCD

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | ESRI

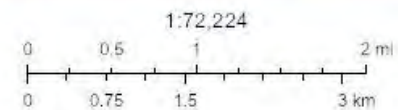
SOURCE: California Department of Housing and Community Development, AFFH Data Viewer

Figure A-9 Percent Non-White by Block Group, Carmel-by-the-Sea, 2018



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- City/Town Boundaries
- (R) Racial Demographics (2018) - Block Group
- ≤ 20%
 - 21 - 40%
 - 41 - 60%
 - 61 - 80%
 - > 81%



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc.,
USGS, EPA, Esri, HERE, Garmin, OpenStreetMap contributors, and the
GIS user community

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | ESRI, CA HCD

SOURCE: California Department of Housing and Community Development, AFFH Data Viewer

Employment

Employment characteristics can significantly impact the housing needs and trends of a community from income and wage scale to job location and industry. Employment and income are determinates of a population's ability to purchase housing including the type of housing and size, both of which can induce negative effects such as overpayment and overcrowding. [Table A-4](#) summarizes projected employment growth for Carmel-by-the-Sea, the County, and neighboring cities from 2015-2045.

Table A-4 Employment Growth Forecast by Jurisdiction, 2015-2045

| Jurisdictions | Population | | | | | | | Change 2015 - 2045 | |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-----------------------|------------|
| | 2015 | 2020 | 2025* | 2030 | 2035* | 2040* | 2045* | Numeric | Percent |
| Monterey County | 225,268 | 243,015 | 245,054 | 249,613 | 253,918 | 258,553 | 263,437 | 38,169 | 17% |
| Carmel-by-the-Sea | 3,353 | 3,566 | 3,593 | 3,674 | 3,752 | 3,833 | 3,915 | 562 | 17% |
| Del Rey Oaks | 705 | 748 | 753 | 774 | 794 | 815 | 834 | 129 | 18% |
| Pacific Grove | 7,470 | 8,016 | 8,061 | 8,152 | 8,244 | 8,343 | 8,445 | 975 | 13% |

SOURCE: AMBAG Regional Growth Forecast, 2022

NOTE: *Projected growth values

According to the AMBAG 2022 Regional Growth Forecast, Carmel-by-the-Sea was projected to experience an employment growth of 17 percent (562 new jobs) between 2015-2045. This projected employment growth mirrors the County (17 percent) and is 4 percent higher than Pacific Grove (13 percent), but reflects 1 percent lower than Del Rey Oaks (18 percent). This projected increase in job growth presents an opportunity for cities to construct additional housing options for the existing and future workforce.

[Table A-5](#) shows 2010 and 2019 employment data for Carmel-by-the-Sea by sector. Key findings in employment data include the following:

- Education services, healthcare, and social assistance industries were the largest employers of Carmel-by-the-Sea (28 percent) in both 2010 and 2019, followed by arts, entertainment, recreation, accommodation, and food services (19 percent and 15 percent, respectively);
- Information industries experienced the greatest increase between 2010 and 2019 (585 percent), followed by construction (276 percent);
- Five sectors experienced drastic declines in employment between 2010 and 2019 including finance and insurance, real estate, and rental leasing (137 percent), professional, scientific, management, and administrative services (61 percent), public administration (54 percent), arts, entertainment, recreation, accommodation, and food services (35 percent), and education services, healthcare, and social assistance (20 percent);

- Wholesale trade (2 percent) and agriculture, forestry, fishing and hunting, and mining (0 percent) industries experienced the least amount of growth; and
- Overall, there was a 19 percent decrease in employment for Carmel-by-the-Sea residents between 2010 and 2019.

Table A-5 Employment by Sector, Carmel-by-the-Sea, 2010 and 2019

| Industry Sector | 2010 | | 2019 | | Percent Change 2010-2019 |
|---|-----------------|----------------------------|-----------------|--------------------------|--------------------------|
| | People Employed | Percent of City Employment | People Employed | Percent of City Employed | |
| Agriculture, forestry, fishing and hunting, and mining | 0 | 0% | 0 | 0% | 0% |
| Construction | 25 | 1% | 94 | 7% | 276% |
| Manufacturing | 40 | 2% | 67 | 5% | 68% |
| Wholesale Trade | 0 | 0% | 26 | 2% | 2% |
| Retail Trade | 247 | 14% | 213 | 15% | 14% |
| Transportation and warehousing, and utilities | 63 | 4% | 95 | 7% | 51% |
| Information | 14 | 1% | 96 | 7% | 585% |
| Finance and insurance, real estate, and rental leasing | 172 | 10% | 73 | 5% | -137% |
| Professional, scientific, management, and administrative services | 273 | 15% | 106 | 7% | -61% |
| Education services, healthcare, and social assistance | 493 | 28% | 394 | 28% | -20% |
| Arts, entertainment, recreation, accommodation, and food services | 330 | 19% | 216 | 15% | -35% |
| Public Administration | 112 | 6% | 52 | 4% | -54% |
| Total Employment | 1,769 | 100% | 1,432 | 100% | -19% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2010, 2019

Balance of Jobs to Workers

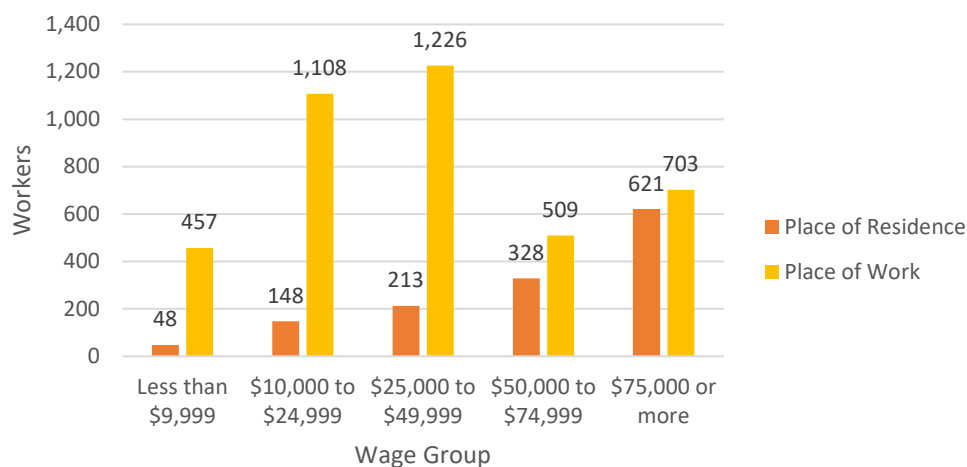
A city houses employed residents who either work in the community where they live or work elsewhere in the region. Conversely, a city may have job sites that employ residents from the same city but more often employ workers commuting from outside of it. Smaller cities will typically have more employed residents than jobs and export workers, while larger cities tend to have a surplus of jobs and import workers. To some extent, the regional transportation system is set up for this flow of workers to the region's core job centers. At the same time, as the housing affordability crisis has illustrated, local imbalances may be severe, where local jobs and worker populations are out of sync at a sub-regional scale.

One measure of local imbalance is the relationship between workers and jobs. A city with a surplus of workers, “exports” workers to other parts of the region, while a city with a surplus of jobs must conversely “import” them.

A community may offer employment for relatively low-income workers but have relatively few housing options for those workers. Conversely, it may house residents who are low-wage workers but offer few employment opportunities for them. Such relationships may cast extra light on potentially pent-up demand for housing in particular price categories. A relative surplus of jobs relative to residents in a given wage category suggests the need to import those workers, while conversely, surpluses of workers mean the community will export those workers to other jurisdictions. Such flows are not inherently bad, though over time, sub-regional imbalances may appear.

Figure A-10 illustrates earnings of workers in comparison to worker place of residence and place of work in Carmel-by-the-Sea. In 2019, Carmel-by-the-Sea had more low-wage jobs than low-wage residents (where low-wage refers to jobs paying less than \$25,000). At the high end of the wage spectrum (i.e., wages over \$75,000 per year), the City had more high-wage jobs than high-wage residents.⁹ This indicates the City is a net-importer of workers.

Figure A-10 Worker Earnings by Place of Residence & Place of Work, Carmel-by-the-Sea, 2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

⁹ The source table is top-coded at \$75,000, precluding more fine-grained analysis at the higher end of the wage spectrum.

According to U.S. Census Bureau data reported in a Housing Feasibility Study for the City of Carmel-by-the-Sea by ECONorthwest,¹⁰ a mere 2.6 percent of workers live and work in Carmel-by-the-Sea, while approximately half of all workers live within 10 miles of the City and 26 percent commute from more than 25 miles away.¹¹ Concentrations in hospitality and leisure services may create obstacles for local workers that earn lower-incomes and cannot afford to live in the community. Such imbalances of jobs to housing impacts an individual's ability to integrate into the community due to long distance travel, excessive costs of travel, and reduced personal time.

Unemployment rates are essential to understanding the affordability needs of a community when determining housing options. Table A-6 provides a breakdown of unemployment rates for Carmel-by-the-Sea, the County, and neighboring cities. Compared to the County and neighboring cities, Carmel-by-the-Sea has the lowest unemployment rate with less than 1 percent of unemployed residents. This indicates an approximate 4.8 percent less than the County, 5 percent less than the Del Rey Oaks, and 3.8 percent less than Pacific Grove.

Table A-6 Unemployment Rate, Carmel-by-the-Sea, 2019

| Jurisdictions | Unemployment Rate |
|--------------------------|-------------------|
| Monterey County | 4.9% |
| Carmel-by-the-Sea | 0.1% |
| Del Rey Oaks | 5.1% |
| Pacific Grove | 3.9% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

The Monterey Bay Area approved Regional Housing Needs Assessment (RHNA) Methodology is broken down into four income levels:

- Very Low Income (50 percent or less of the County's median income);
- Low Income (50-80 percent of the County's median income);
- Moderate Income (80-120 percent of the County's median income); and
- Above moderate Income (120 and above the County's median income).

Carmel-by-the-Sea's RHNA allocation is presented below in Table A-7.

¹⁰ ECONorthwest, Housing Feasibility Study, 2023

¹¹ U.S. Census Bureau Longitudinal Employer-Household Dynamics Data (See <https://lehd.ces.census.gov/>)

Table A-7 Regional Housing Needs Allocation

| Income Group | Percentage of AMI | Share |
|------------------------------------|-------------------|------------|
| Extremely Low-Income ¹² | <30 | 57 |
| Very Low-Income | <50 | 56 |
| Low-Income | 50-80 | 74 |
| Moderate-Income | 80-120 | 44 |
| Above Moderate-Income | 120+ | 118 |
| Total | | 349 |

SOURCE: City of Carmel-by-the-Sea, 2023

In Monterey County, the median household income in 2019 was an estimated \$71,015 compared to Carmel-by-the-Sea at \$98,188. [Table A-8](#) lists occupations by mean salary in Monterey County. According to [Table A-8](#), the occupations that fall below 50 percent of the median income are Food Preparation and Serving-Related Occupations; Personal Care and Services Occupations; and Farming, Fishing, and Forestry Occupations. The majority of occupations in Monterey County have an average income that is low (50-80 percent AMI) or very low (<50 percent AMI). If applied to Carmel-by-the-Sea, it should be anticipated that affordable housing is needed to accommodate potential low- and very low-income households.

Table A-8 Occupations by Mean Salary, Monterey County, 2019

| Occupation | Salary |
|--|-----------|
| Management Occupations | \$117,738 |
| Business and Financial Operations Occupations | \$78,900 |
| Computer and Mathematical Occupations | \$96,980 |
| Architecture and Engineering Occupations | \$92,554 |
| Life, Physical, and Social Science Occupations | \$84,516 |
| Community and Social Services Occupations | \$59,549 |
| Legal Occupations | \$103,094 |
| Education, Training, and Library Occupations | \$69,296 |
| Arts, Design, Entertainment, Sports, and Media Occupations | \$56,599 |
| Healthcare Practitioners and Technical Occupations | \$115,486 |
| Healthcare Support Occupations | \$42,625 |
| Protective Service Occupations | \$70,161 |

¹² Extremely low-income RHNA is found as a subset within the very low-income category for all other tables in this document.

| Occupation | Salary |
|---|----------|
| Food Preparation and Serving-Related Occupations | \$30,127 |
| Building and Grounds Cleaning and Maintenance Occupations | \$36,330 |
| Personal Care and Service Occupations | \$31,984 |
| Sales and Related Occupations | \$42,099 |
| Office and Administrative Support Occupations | \$44,239 |
| Farming, Fishing, and Forestry Occupations | \$29,901 |
| Construction and Extraction Occupations | \$60,870 |
| Installation, Maintenance, and Repair Occupations | \$54,180 |
| Production Occupations | \$41,905 |
| Transportation and Material Moving Occupations | \$37,144 |

SOURCE: California Employment Development Division, Occupational Wage data, 2019

Household Characteristics

Characteristics of a household include household type and size, income, affordability, and special needs groups. According to HCD, a household is defined as “All persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any groups of related or unrelated persons who share living arrangements.” Large families, single parent households, female-headed households, or extremely low- and low-income households may be classified as Special Needs groups. Special Needs groups are identified due to the unique nature of household characteristics and potential housing challenges faced. The following section examines household characteristics trends in Carmel-by-the-Sea and the region.

Table A-9 provides an overview of the projected housing units needed in Monterey County, Carmel-by-the-Sea, and neighboring cities, Del Rey Oaks and Pacific Grove.¹³ Carmel-by-the-Sea is forecast to have a household growth of approximately 1 percent by 2045 – an increase of 42 housing units. Compared to the County, this reflects 18 percent less projected growth and 2 percent less growth than Pacific Grove. Of the neighboring cities, the City of Del Rey Oaks has the highest projected increase in housing unit growth at 61 percent.

¹³ Source: AMBAG Regional Growth Forecast, 2022

Table A-9 Housing Forecast by Jurisdiction, 2015-2045

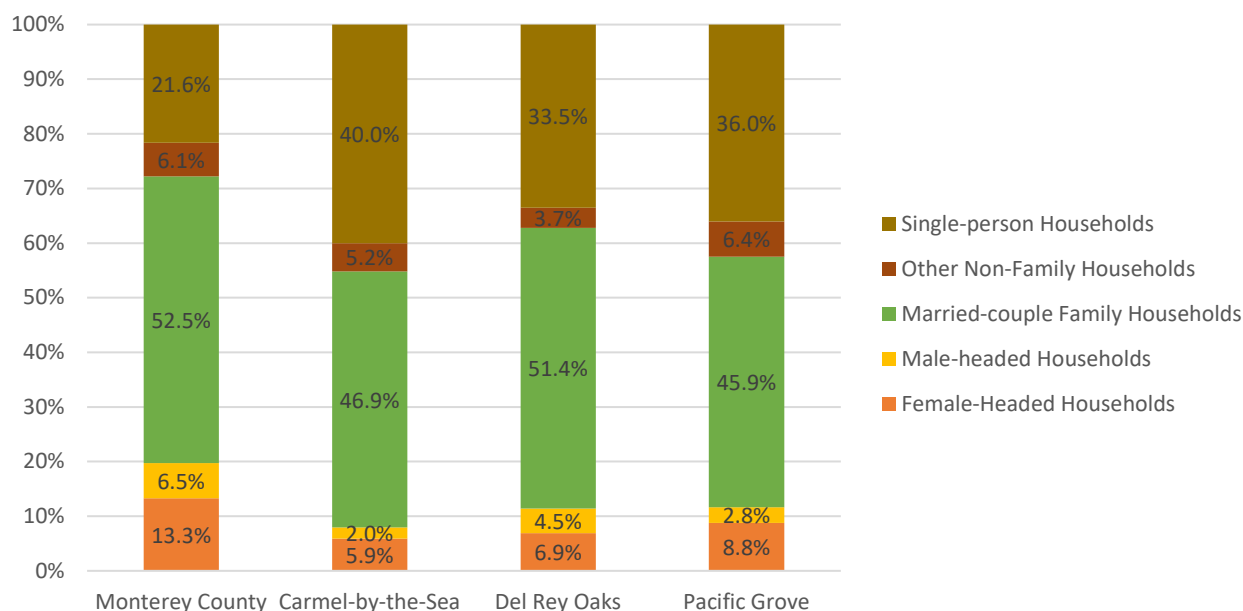
| Jurisdictions | Population | | | | | | | Change 2015 - 2045 | |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-----------------------|-----------|
| | 2015 | 2020 | 2025* | 2030* | 2035* | 2040* | 2045* | Numeric | Percent |
| Monterey County | 139,177 | 141,764 | 146,716 | 153,852 | 159,100 | 162,612 | 165,328 | 26,151 | 19% |
| Carmel-by-the-Sea | 3,417 | 3,437 | 3,437 | 3,442 | 3,450 | 3,453 | 3,459 | 42 | 1% |
| Del Rey Oaks | 741 | 741 | 762 | 809 | 848 | 1,052 | 1,195 | 454 | 61% |
| Pacific Grove | 8,184 | 8,201 | 8,214 | 8,267 | 8,336 | 8,400 | 8,463 | 279 | 3% |

SOURCE: AMBAG Regional Growth Forecast, 2022

NOTE: *Projected growth values

Household Type and Size

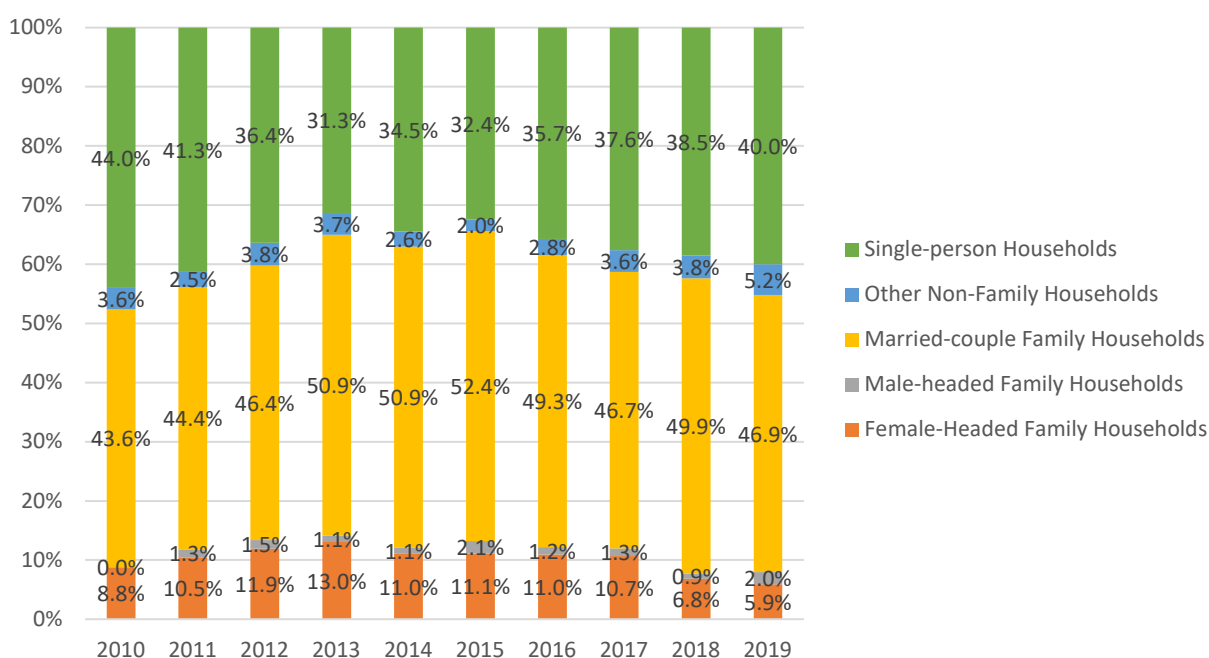
Figure A-11 illustrates household characteristics by type in 2019 for Carmel-by-the-Sea, the County, and neighboring cities, Del Rey Oaks and Pacific Grove. In Carmel-by-the-Sea, the largest household type was married-couple family households (47 percent) followed by single-person households (40 percent). This is consistent with the County and neighboring cities. Carmel-by-the-Sea has the lowest percentage of female-headed households (6 percent) compared to the County (13 percent), Del Rey Oaks (7 percent), and Pacific Grove (9 percent).

Figure A-11 Household by Type by Jurisdiction, 2019

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

Figure A-12 illustrates household changes between 2010-2019 in Carmel-by-the-Sea. Over the last decade, married-couple family households have remained the largest household type in the City followed by single-person households. Since 2015, married-couple family households have begun declining, while single-person households have increased. Female-headed households experienced the most fluctuation between 2010-2019, showing a steady increase between 2010-2013, then slowly decreasing through 2019 to 6 percent (7 percent decrease between 2013-2019). Male-headed households have slightly increased since 2010 from zero to 2 percent in 2019. These changes in household type over time indicate a need for housing options that appeal to both family-sized and smaller-sized households (keeping affordability in mind).

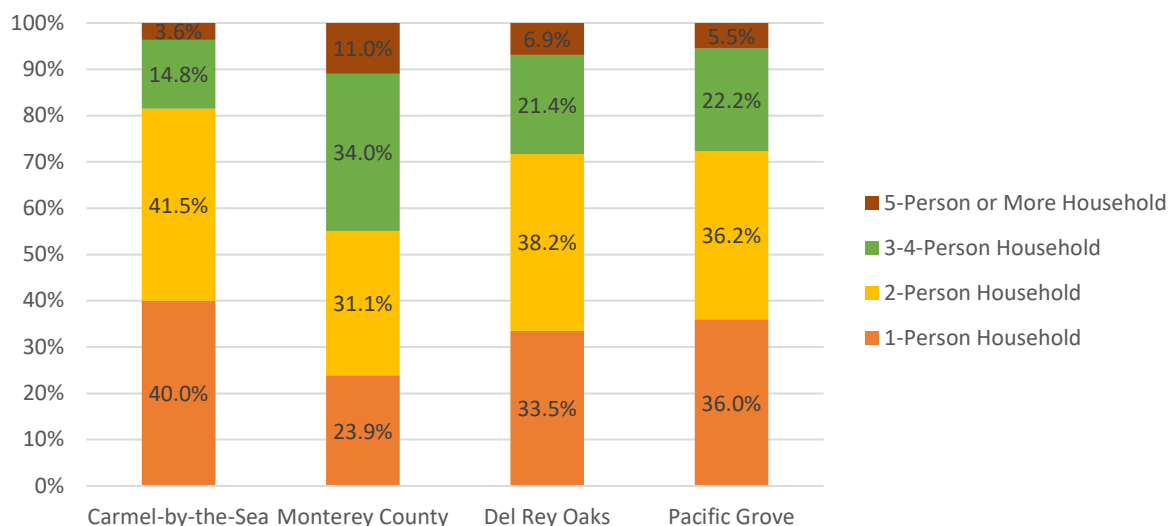
Figure A-12 Changes in Household Type, Carmel-by-the-Sea, 2010-2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2010-2019

NOTE: Non-family households include unrelated persons living in one housing unit.

Figure A-13 illustrates households by household size for Carmel-by-the-Sea, the County, and neighboring cities. Carmel-by-the-Sea's largest household type according to size is 2-person households (42 percent) followed by 1-person households (40 percent). This is consistent with findings in Figure A-12, with married-couple family households remaining the largest household type since 2010 followed by single-person households. This reflects a demand for affordable housing units appealing to married-couple and single-person households.

Figure A-13 Households by Household Size by Jurisdiction, 2019

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

Household Income

Affordability is a key component in determining the housing needs of a community. Household income determines the ability of a household to purchase or rent a housing unit. However, fluctuating household incomes may result in the need to spend disproportionate amounts of income on housing costs, referred to as overpayment or cost burden. As a result, this may also lead to overcrowding and/or substandard living conditions.

The following are income categories based on area median income (AMI) according to HCD:

- Extremely low-income: households earning 0-30 percent of AMI;
- Very low-income: households earning 30-50 percent of AMI;
- Low-income: households earning 50-80 percent of AMI;
- Moderate-income: households earning 80-100 percent of AMI; and
- Above-moderate income: households earning 100-120 percent of AMI.

Government Code Section 65583(a) defines extremely low-income households as earning 30 percent or below area median income, and considers them as a subset of the very low-income category. The extremely low-, very low-, and low-income groups are referred to as lower-income.

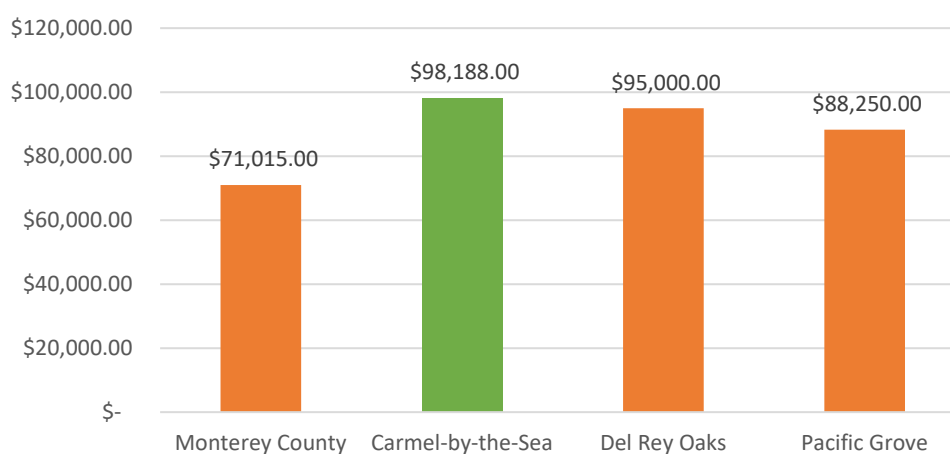
Table A-10 summarizes households by income category in Carmel-by-the-Sea in 2019. Above moderate-income households makeup the majority of households in the City (62 percent) followed by lower-income households (28 percent). Approximately 7 percent of households in Carmel-by-the-Sea identify as extremely low-income. This reflects a need for more affordable housing in the City, and in tandem with Figure A-12 and Figure A-13 findings, it is likely the demand for single-person households is accompanied by a need for affordable options.

Table A-10 Households by Income Category, Carmel-by-the-Sea, 2019

| Income Category (% of County MFI) | Households | Percent |
|--|--------------|-------------|
| Extremely Low-Income (30% MFI or less) | 140 | 7% |
| Very Low-Income (30-50% MFI) | 170 | 9% |
| Low-Income (50-80% MFI) | 235 | 12% |
| Moderate-Income (80-100% MFI) | 185 | 10% |
| Above Moderate-Income (>100% MFI) | 1,200 | 62% |
| Total | 1,930 | 100% |

SOURCE: Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS), 2015-2019

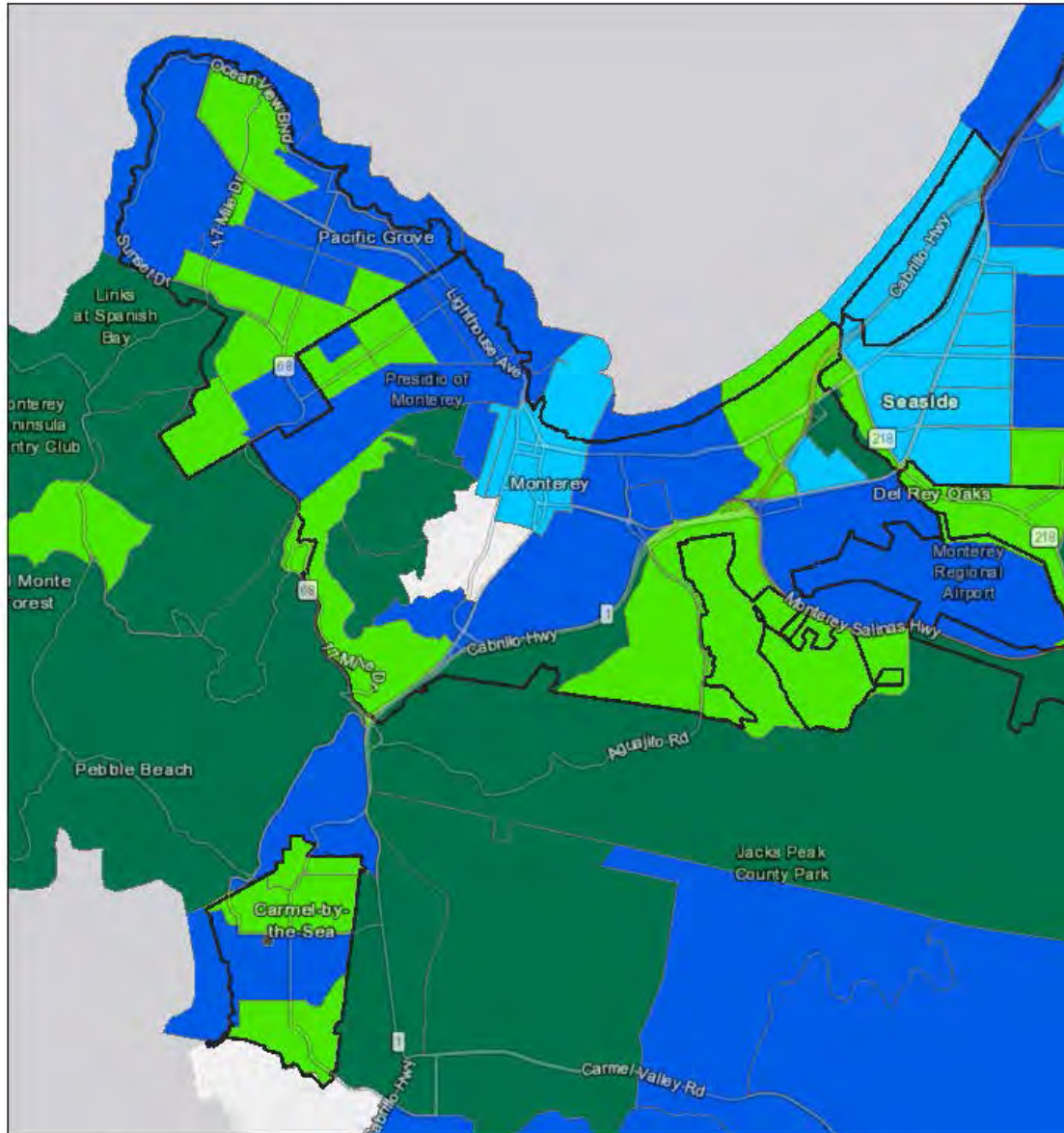
Figure A-14 illustrates the median household income in Carmel-by-the-Sea, the County, and neighboring cities in 2019. Carmel-by-the-Sea's median household income was \$98,188 – approximately \$27,173 higher than the County (\$71,015). The City of Del Rey Oaks had the second highest median household income at \$95,000 followed by Pacific Grove at \$88,250. Understanding Carmel-by-the-Sea's median household income determines what income category households identify with and what affordability levels look like for the community.

Figure A-14 Median Household Income by Jurisdiction, 2019

SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

Figure A-15 illustrates median household income across Carmel-by-the-Sea. According to the HCD AFFH Data Viewer, Carmel-by-the-Sea households experience variation in median household income based on location. Households located in the center of the City reportedly earn less than the City's annual median income (\$98,188) and households located in the north and south earn more (>\$87,100 - <\$125,000).

Figure A-15 Median Income by Block Group, Carmel-by-the-Sea, 2015-2019



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City/Town Boundaries

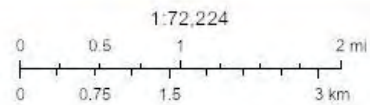
(R) Median Income (ACS, 2015-2019) - Block Group

< \$55,000

< \$87,100 (HCD 2020 State Median Income)

< \$125,000

Greater than \$125,000



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, OpenStreetMap contributors, and the GIS user community

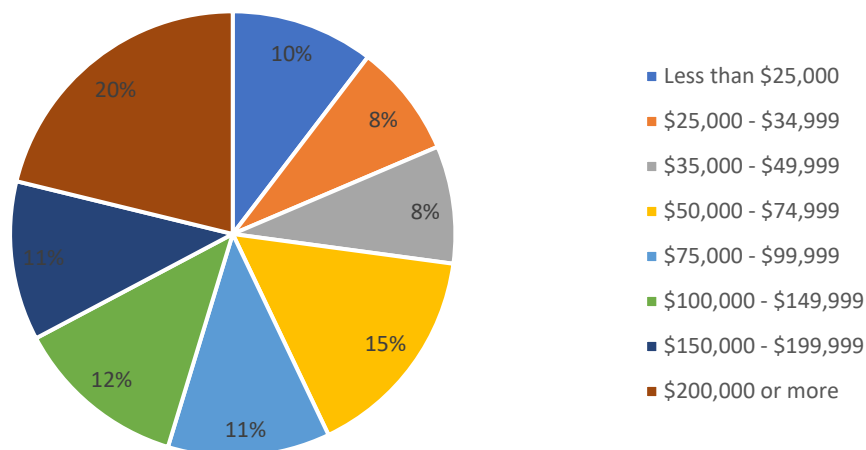
CA HCD

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | ESRI

SOURCE: California Department of Housing and Community Development, AFFH Data Viewer

Figure A-16 provides a breakdown of 2019 incomes by category in Carmel-by-the-Sea. Approximately 43 percent of households are earning \$100,000 or more (more than the City's annual median income). Conversely, 26 percent households earn an annual income less than \$50,000 (\$48,188 less than the City's annual median income). Approximately 41 percent of households are earning below the City's annual median income, of which 10 percent earn less than \$25,000.

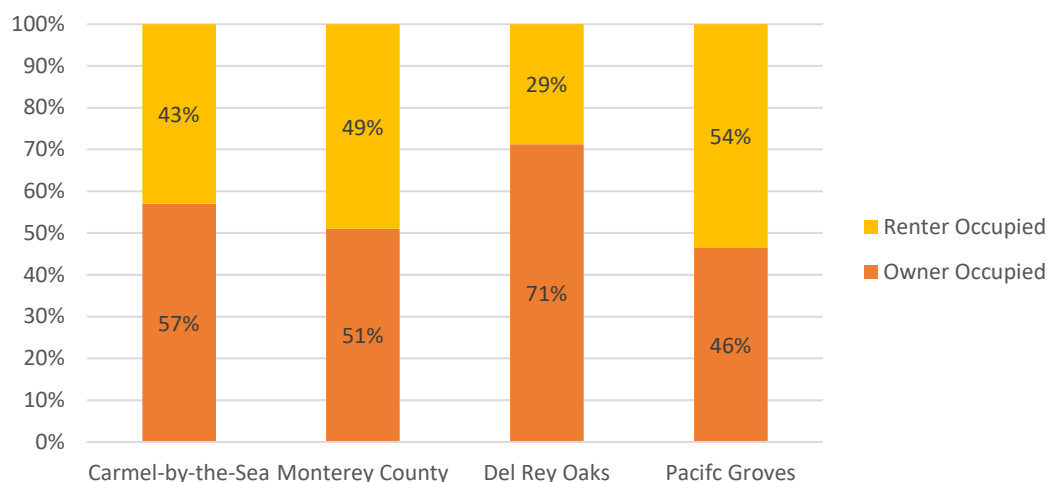
Figure A-16 Income by Category, Carmel-by-the-Sea, 2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimates, 2019

The household income characteristics in Carmel-by-the-Sea reveal a demand for the development of more affordable housing options that appeal to both lower-income and above-moderate households. Carmel-by-the-Sea is comprised primarily of above moderate-income households (62 percent), most of which identify as married-couple families (47 percent). Nonetheless, 28 percent of households are lower-income and 40 percent of households identify as single-persons. Affordable housing in Carmel-by-the-Sea must accommodate these households as well despite their non-majority makeup.

Figure A-17 illustrates housing by tenure in Carmel-by-the-Sea, the County, and neighboring cities. Fifty-seven (57) percent of households in Carmel-by-the-Sea are owners and 43 percent are renters. This reflects an approximate 6 percent higher owner household population than the County (51 percent), 11 percent higher than Pacific Grove (46 percent), and 14 percent lower than Del Rey Oaks (71 percent).

Figure A-17 Housing Tenure by Jurisdiction, 2019

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

A.3 Disproportionate Housing Needs

Housing Problems and Severe Housing Problems

The following section details housing problems and severe housing problems in Carmel-by-the-Sea according to the Census Bureau Comprehensive Housing Affordability Strategy (CHAS).

Disproportionate Housing Needs

“Disproportionate housing needs generally refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area. For purposes of this definition, categories of housing need are based on such factors as cost burden and severe cost burden, overcrowding, homelessness, and substandard housing conditions.”

SOURCE: California Department of Housing and Community Development Guidance, 2021, page 39.

The CHAS data set provides in-depth analysis on housing needs by income level according to types of households. According the CHAS, housing problems are defined as having one or more of the following variables:

- Incomplete kitchen facilities;
- Incomplete plumbing facilities;
- More than one person per room; and
- Cost burden greater than 30 percent.

Severe housing problems are defined as having one or more of the following variables:

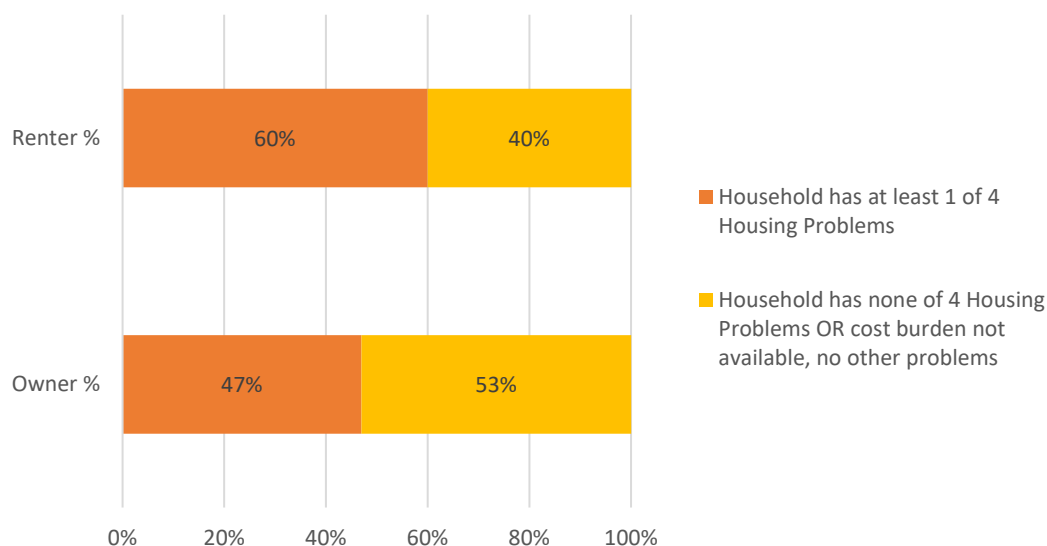
- Incomplete kitchen facilities;
- Incomplete plumbing facilities;
- More than 1.5 persons per room; and
- Cost burden greater than 50 percent.

Additionally, CHAS defines cost burden as the ratio of housing costs to household income. The following defines cost burden by renter and owner:

- Renter Cost Burden: gross rent (contract rent plus utilities); and
- Owner Cost Burden: select monthly owner costs including mortgage payment, utilities, association fees, insurance, and real estate taxes.

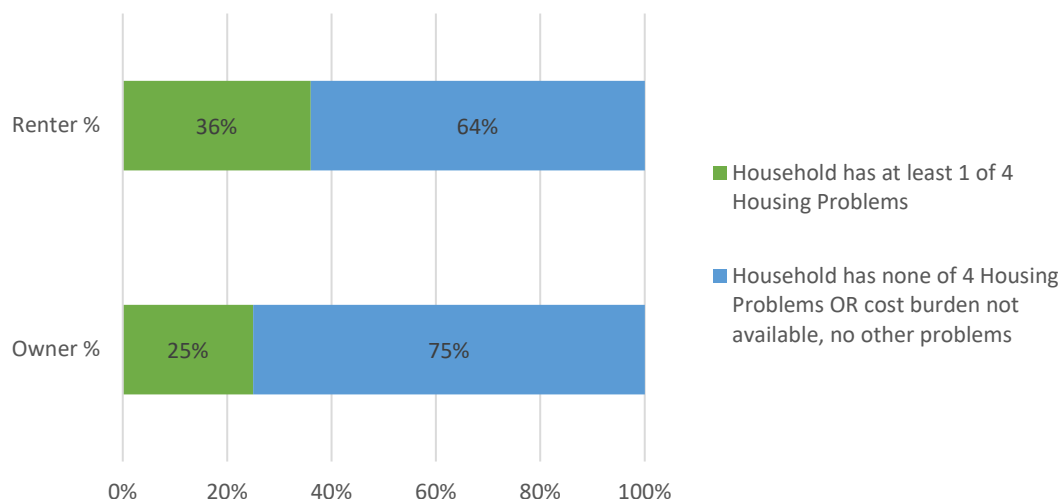
Figure A-18 and Figure A-19 illustrate housing problems by tenure and severe housing problems by tenure in Carmel-by-the-Sea during 2019. Approximately 60 percent of renter households have at least one of four housing problems and 36 percent have at least one of four severe housing problems. In contrast, 47 percent of owner households experience at least one housing problem and 25 percent have at least one severe housing problem.

Figure A-18 Housing Problems by Tenure, Carmel-by-the-Sea, 2015-2019



SOURCE: U.S. Census Bureau, CHAS Data, 2015-2019

NOTE: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%.

Figure A-19 Severe Housing Problems by Tenure, Carmel-by-the-Sea, 2015-2019

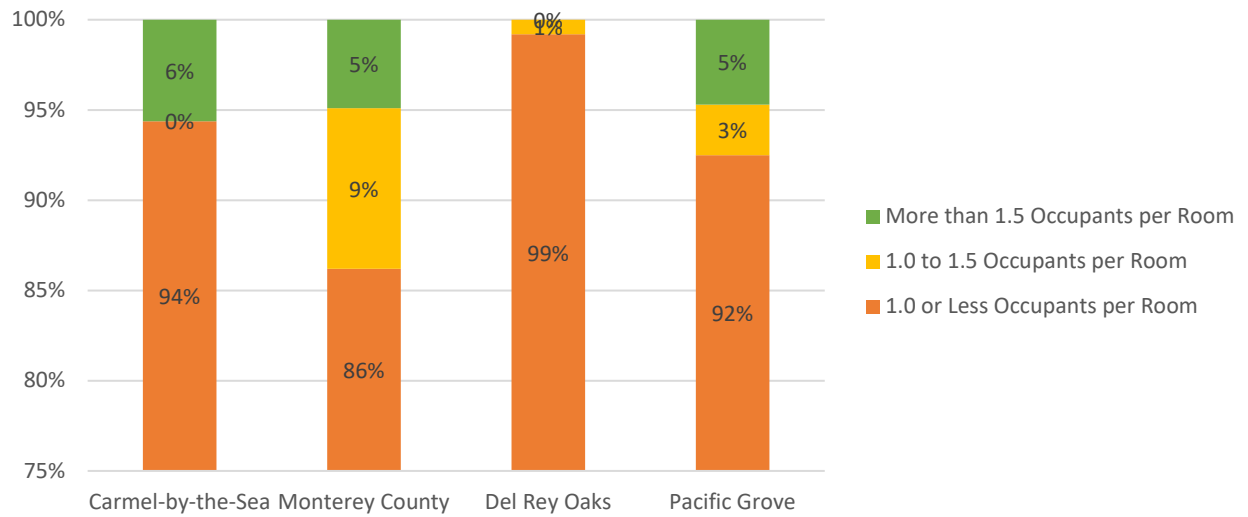
SOURCE: U.S. Census Bureau, CHAS Data, 2015-2019

NOTE: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 person per room, and cost burden greater than 50%.

Overcrowding

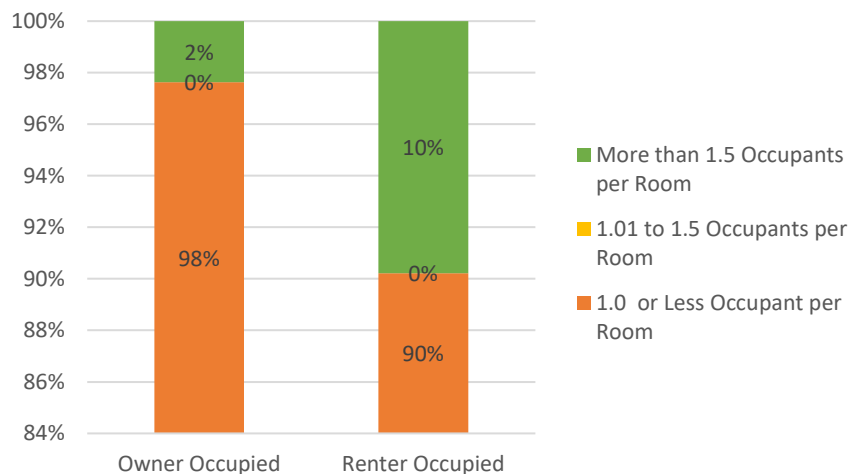
Understanding the prevalence of overcrowded households within a community helps determine the need for affordable and adequately sized housing units for the community. Overcrowding is defined as a household with more than one occupant per room excluding bathrooms and kitchens. Units with more than 1.5 persons per room are considered severely overcrowded. Overcrowding may occur due to a lack of available affordable and/or adequately sized housing units. Cultural norms and customs combined with low-income or lack of adequately size housing units can result in overcrowding too. For example, in Asian culture, households are often comprised of multi-generations. If this custom is also compounded by low-income or lack of adequately sized housing units overcrowding may occur.

Figure A-20 illustrates overcrowding by severity in Carmel-by-the-Sea, the County, and neighboring cities in 2019. The City of Del Rey Oaks households experience the least amount of overcrowding (0.8 percent) and no severe overcrowding, compared to Carmel-by-the-Sea households that experience zero percent moderate overcrowding, but 6 percent severe overcrowding. Monterey County has a higher overall percentage of households that experience overcrowding (9 percent) and severe overcrowding (5 percent) compared to Carmel-by-the-Sea.

Figure A-20 Overcrowding by Severity by Jurisdiction, 2019

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

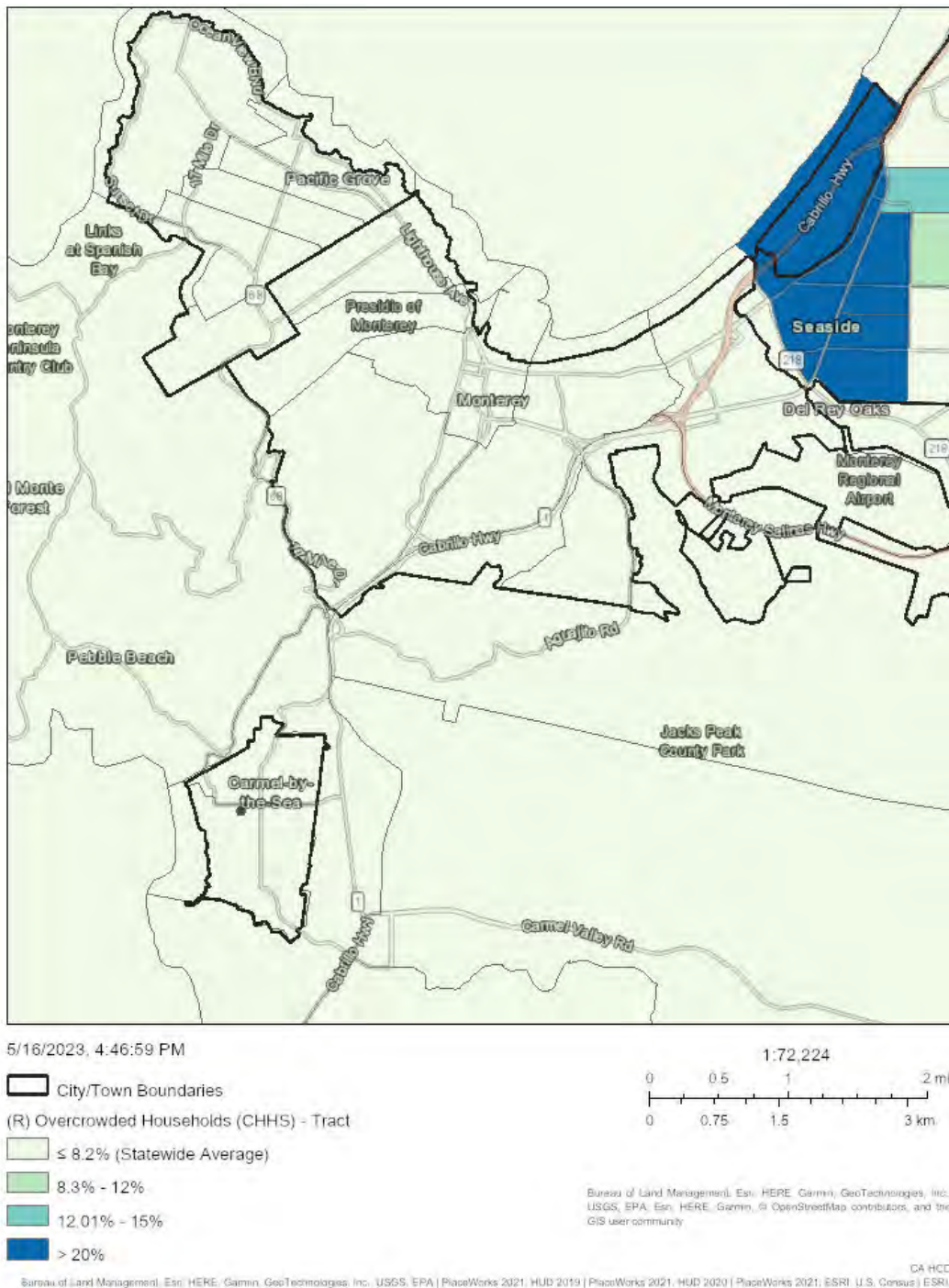
Figure A-21 illustrates overcrowding by tenure and severity in Carmel-by-the-Sea during 2019. Renter households in Carmel-by-the-Sea experience 8 percent more overcrowding than owner households. While renter households do not experience overcrowding (more than 1-person per room), 10 percent experience severe overcrowding (more 1.5-persons per room). Similarly, owner households in Carmel-by-the-Sea do not experience overcrowding, but 2 percent do experience severe overcrowding.

Figure A-21 Overcrowding by Tenure and Severity, Carmel-by-the-Sea, 2019

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Figure A-22 illustrates overcrowded households in Carmel-by-the-Sea. According to the HCD AFFH Data Viewer, Carmel-by-the-Sea households experience no variation in overcrowding based on location. In the City, overcrowding rates are less than 8.2 percent.

Figure A-22 Overcrowded Households, Carmel-by-the-Sea



SOURCE: California Department of Housing and Community Development, AFFH Data Viewer

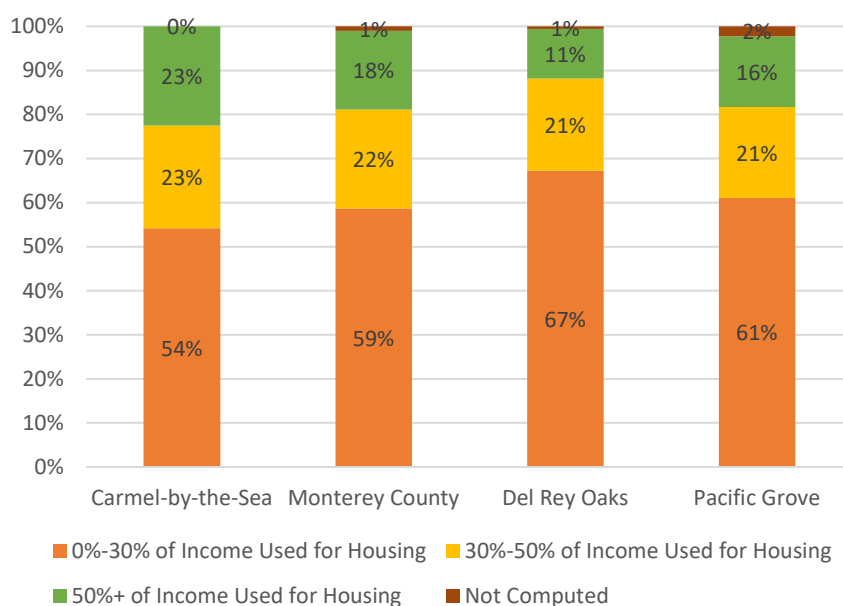
Cost Burden

According to HCD, overpayment or cost burden is measured as households spending more than 30 percent of their gross income including utilities for housing; severe overpayment or severe cost burden is measured as households spending 50 percent or more of their gross income for housing. For the duration of this report, overpayment will be referred to as cost burden.

The cost burden rates of owners and renters in a community provide insight to housing needs such as, the affordability of the local housing market and the availability of housing units that accommodate household needs like size and housing type. Additionally, federal and state agencies examine cost burden to determine a community's need for housing assistance.

Figure A-23 illustrates cost burden severity in Carmel-by-the-Sea, the County, and neighboring cities. Carmel-by-the-Sea household cost burden rates are similar to the County. In Carmel-by-the-Sea, 46 percent of households experience some level of cost burdened, of which 23 percent are severely cost burdened, while the County has a cost burden rate of 22 percent and a severe cost burden rate of 18 percent. The cities of Del Rey Oaks and Pacific Grove have slightly lower rates of cost burden overall with 67 percent and 61 percent of households experiencing no cost burden, respectively. Overall, the City of Del Rey Oaks has the lowest percent of households experiencing any type of cost burden. It is important to relate Carmel-by-the-Sea's approximate 46 percent cost burden with its 10 percent population of overcrowded renter households, as these may be indicators of an unaffordable and homogenous local housing market.

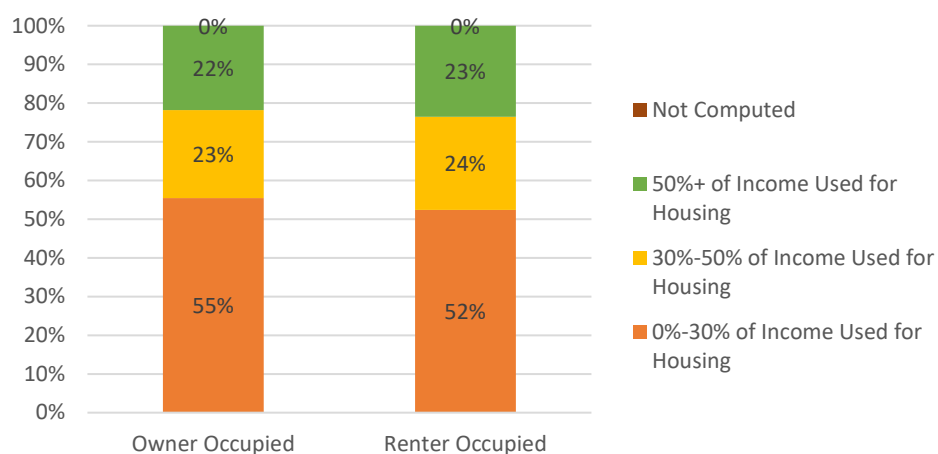
Figure A-23 Cost Burden Severity by Jurisdiction, 2015-2019



SOURCE: U.S. Census Bureau, CHAS Data, 2015-2019

Figure A-24 illustrates cost burden by tenure in Carmel-by-the-Sea. Renter and owner households experience similar levels of cost burden. Renter households experience 24 percent cost burden and 23 percent severe cost burden (47 percent total), whereas owner households experience 23 percent cost burden and 22 percent severe cost burden (45 percent total). This reflects a 1 percent difference between cost burden and severe cost burden for renter and owner households, respectively.

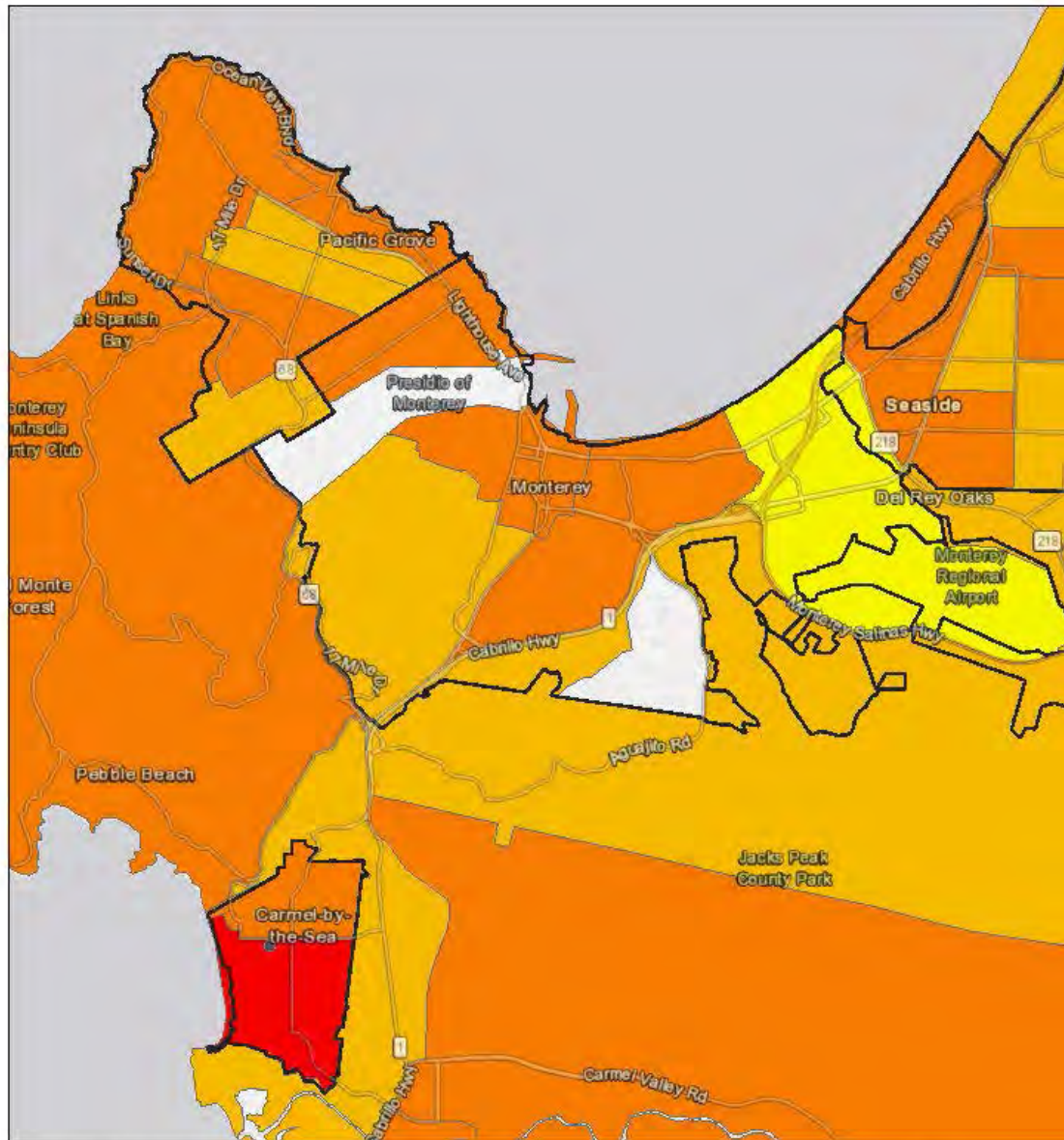
Figure A-24 Cost Burden by Tenure, Carmel-by-the-Sea, 2015-2019



SOURCE: U.S. Census Bureau, CHAS Data, 2015-2019

Figure A-25 illustrates cost burden of home owners in Carmel-by-the-Sea. According to the HCD AFFH Data Viewer, the highest rates of cost burden among home owners in Carmel-by-the-Sea are concentrated in the central and southern regions of the City. In these regions, 80 percent of households experience cost burden. In the northern region of the City, 40-60 percent of households experience cost burden.

Figure A-25 Cost Burden by Home Owners, Carmel-by-the-Sea, 2015-2019



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City/Town Boundaries

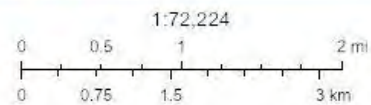
(R) Overpayment by Home Owners (ACS, 2015 - 2019) - Tract

< 20%

20% - 40%

40% - 60%

> 80%



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc.,
USGS, EPA, Esri, HERE, Garmin, © OpenStreetMap contributors, and the
GIS user community

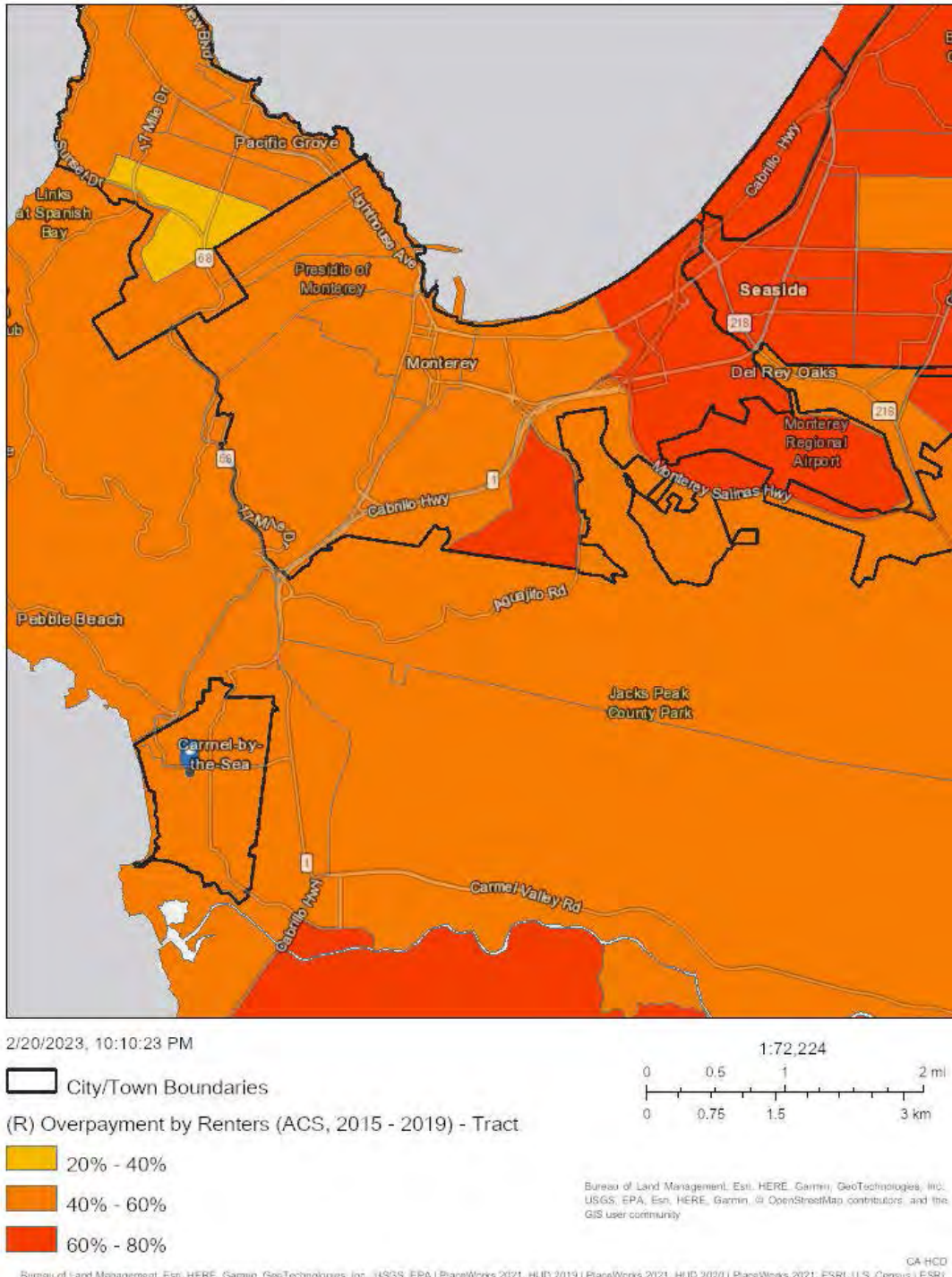
CA-HCD

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, © OpenStreetMap contributors, and the
GIS user community

SOURCE: California Department of Housing and Community Development, AFFH Data Viewer

Figure A-26 illustrates cost burden of renters in Carmel-by-the-Sea. When analyzing concentrations of cost burden among renter-occupied households in Carmel-by-the-Sea, there is no variation based on location. Between 40-60 percent of renter-households experience cost burden across the City.

Figure A-26 Cost Burden by Renter Households, Carmel-by-the-Sea, 2015-2019



SOURCE: California Department of Housing and Community Development, AFFH Data Viewer

A.4 Special Needs Groups

Special needs groups are those that may face particular challenges in obtaining adequate housing due to inherent circumstances such as age, disabilities, household size, income level, age, and occupation. Large families, single parent households, female-headed households, or extremely low- and low-income households, and homeless persons may be classified as Special Needs groups. Special Needs groups are identified due to the unique nature of household characteristics and potential housing challenges faced.

Extremely Low-Income Households and Poverty Status

Extremely low-income (ELI) households are those that earn less than 30 percent of the median family income (MFI). Very low-income households are those that earn 50 percent or less of the MFI. Extremely low-income households typically face a combination of housing challenges related to income status, family size/type, disability status, access to housing opportunities and other household characteristics. Additionally, ELI households are more likely to experience overcrowding, cost burden, and substandard housing conditions. Extremely low-income households are typically minimum-wage workers, disabled persons, farmworkers, and seniors on fixed incomes.

Table A-11 provides a breakdown of extremely low-income households in Carmel-by-the-Sea. The 2015-2019 Comprehensive Housing Affordability Strategy (CHAS) data indicates there were approximately 140 ELI households (7 percent of total households) in Carmel-by-the-Sea. Of the extremely low-income households in Carmel-by-the-Sea, 29 percent are renter-occupied households and 71 percent are owner-occupied households, or 2 percent and 5 percent of all households, respectively.

When analyzing cost burden of ELI households, approximately 120 ELI households experience severe cost burden (paying more than 50 percent of median gross income on housing) and 140 experience moderate cost burden (paying more than 30 percent of median gross income on housing). Of the ELI households experiencing some form of cost burden, the majority are owner-occupied households.

Data for overcrowding by income level is not available for Carmel-by-the-Sea. However, because owner-occupied households represent the majority of ELI households and experience higher rates of cost burden, overcrowding, substandard housing issues it may be assumed that ELI households experience overcrowding.

The projected RHNA for ELI households was based on the assumption that 50 percent of very low-income households qualify as extremely low-income households. The very low-income housing need is 113 housing units, of which the City estimates 57 housing units will accommodate the extremely low-income housing need.

Table A-11 Extremely Low-Income Households, Carmel-by-the-Sea, 2015-2019

| Households | Number | Percentage of Total Households |
|--|--------|--------------------------------|
| Total occupied units (households) | 1,925 | 100% |
| Total Lower-income (0-80% of HAMFI) households | 545 | 28% |
| Extremely Low-income (0-30% of HAMFI) households | 140 | 7% |
| <i>Extremely Low-income renters</i> | 40 | 2% |
| <i>Extremely Low-income owners</i> | 100 | 5% |
| Lower-income households paying more than 50% | 270 | 14% |
| Extremely Low-income paying more than 50% | 120 | 6% |
| <i>ELI Renter HH severely cost burdened</i> | 20 | 1% |
| <i>ELI Owner HH severely cost burdened</i> | 100 | 5% |
| Lower-income households paying more than 30% | 430 | 22% |
| Extremely Low-income paying more than 30% | 140 | 7% |
| <i>ELI Renter HH moderately cost burdened</i> | 40 | 2% |
| <i>ELI Owner HH moderately cost burdened</i> | 100 | 5% |
| Lower-income households experiencing 1 of 4 Housing Problems | 450 | 23% |
| Extremely Low-income households experiencing 1 of 4 Housing Problems | 140 | 7% |
| <i>ELI Renter HH experiencing 1 of 4 Housing Problems</i> | 40 | 2% |
| <i>ELI Owner HH experiencing 1 of 4 Housing Problems</i> | 100 | 5% |

SOURCE: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2015-2019.

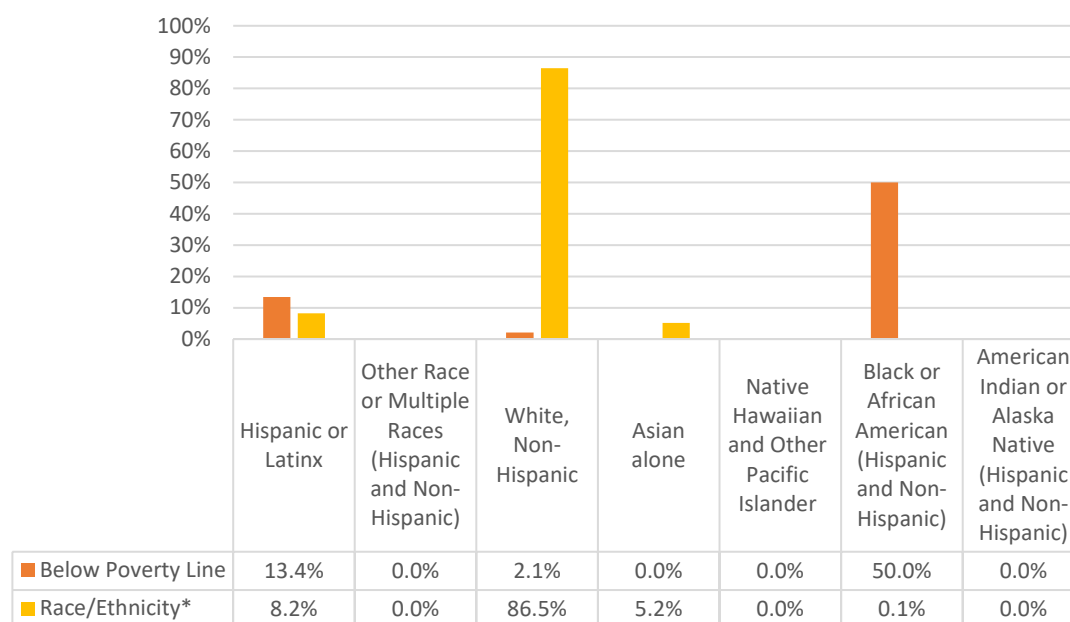
NOTE: MFI = HUD Median Family Income, this is the median family income calculated by HUD for each jurisdiction, to determine Fair Market Rents (FMRs) and income limits for HUD programs. MFI will not necessary be the same as other calculations of median incomes (such as Census number), due to a series of adjustments that are made.

The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%.

***Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes.

Figure A-27 illustrates the percent of the population in Carmel-by-the-Sea living below the poverty line in 2019 by race and ethnicity. Despite being the smallest population in the City, the Black or African American population is estimated to have the highest rate of poverty (50 percent). In contrast, the non-Hispanic White population represents 87 percent of the total population and only 2 percent is living below the poverty line. The Hispanic or Latinx population experiences the second highest rate of poverty with 13 percent living below the poverty line.

Figure A-27 Percent Living Below the Poverty Line by Race and Ethnicity, Carmel-by-the-Sea, 2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

NOTE: Race/Ethnicity represents percentage of the total population*

To address the needs of ELI households, the City will adopt housing programs to facilitate the construction of affordable and supportive housing for ELI households. Programs that will directly impact ELI households in Carmel-by-the-Sea include:

- Policy 3.1: Incentivize affordable housing development, with an emphasis on affordable housing built to accommodate Extremely Low-Income residents. Encourage the private sector to produce affordable housing; and
- Policy 4.1: Support energy and water conservation programs to reduce the consumption of these resources in housing and to reduce housing costs.

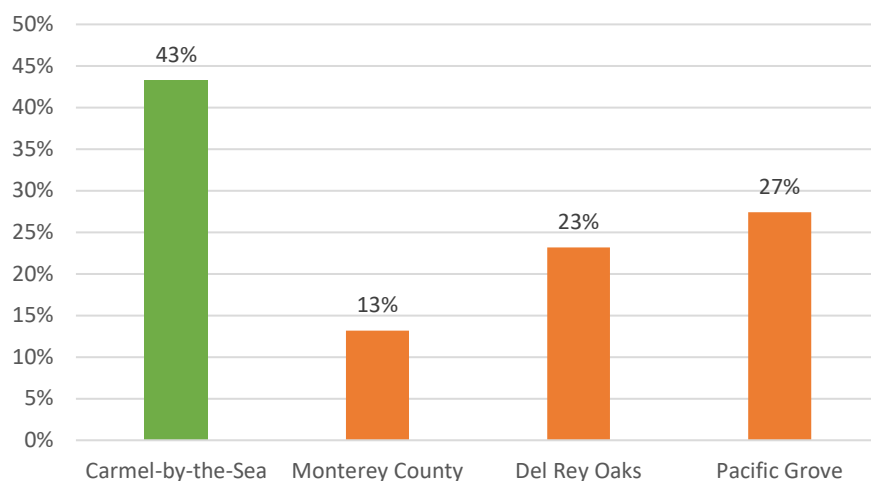
All housing policies and programs can be found in full detail in [Chapter 2](#) of the Housing Element.

Seniors

Seniors are identified as individuals 65 years and older. Senior households often experience a combination of factors that can make accessing or keeping affordable housing a challenge. They often live on fixed incomes and are more likely to have disabilities, chronic health conditions and/or reduced mobility. Seniors who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups.

Figure A-28 illustrates the senior population in Carmel-by-the-Sea, the County, and neighboring cities. Compared to the County and neighboring cities, Carmel-by-the-Sea has the highest senior population (43 percent), approximately 30 percent more than the County and 16 percent more than Pacific Grove.

Figure A-28 Senior Population by Jurisdiction, 2019

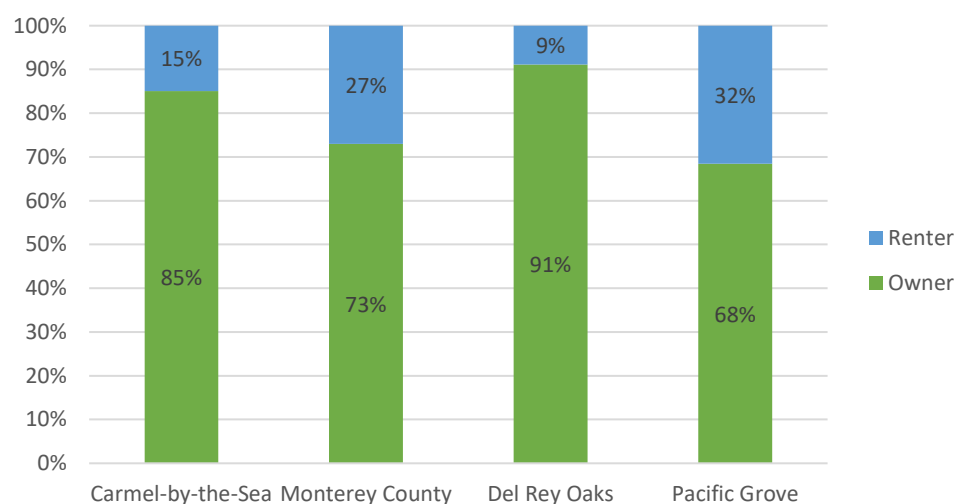


SOURCE: U.S. Census Bureau, 2019

NOTE: Senior population is defined as persons 65 years and older.

Figure A-29 illustrates senior housing by tenure in Carmel-by-the-Sea during 2019. Senior households in Carmel-by-the-Sea are primarily owners (85 percent). Similarly, the senior households of the County (73 percent) and neighboring cities of Del Rey Oaks (91 percent) and Pacific Grove (68 percent) are majority owners.

Figure A-29 Senior Housing by Tenure, Carmel-by-the-Sea, 2019

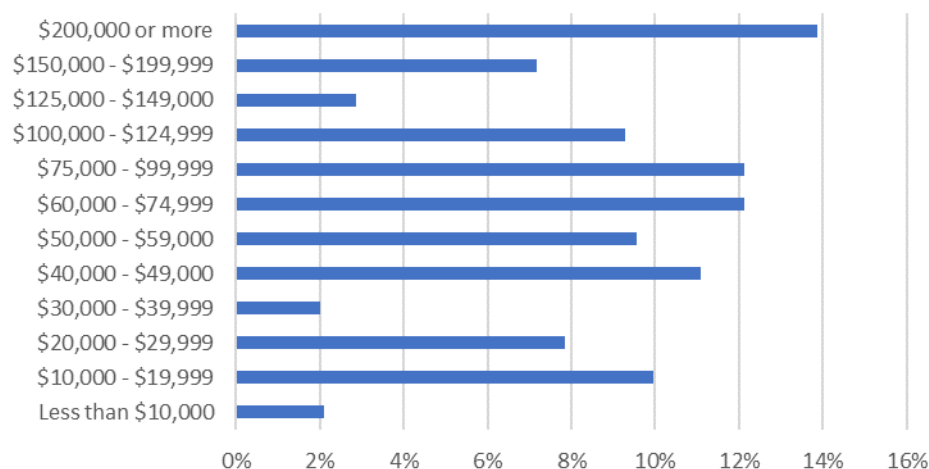


SOURCE: U.S. Census Bureau, 2019

NOTE: Senior population is identified as persons 65 years and older.

Figure A-30 illustrates senior households by their income. The majority of Carmel-by-the-Sea senior households earn a yearly income of \$200,000 or more (14 percent). However, an estimated 61 percent of senior households earn less than the City's median household income (\$98,188).

Figure A-30 Senior Households by Income, Carmel-by-the-Sea, 2019



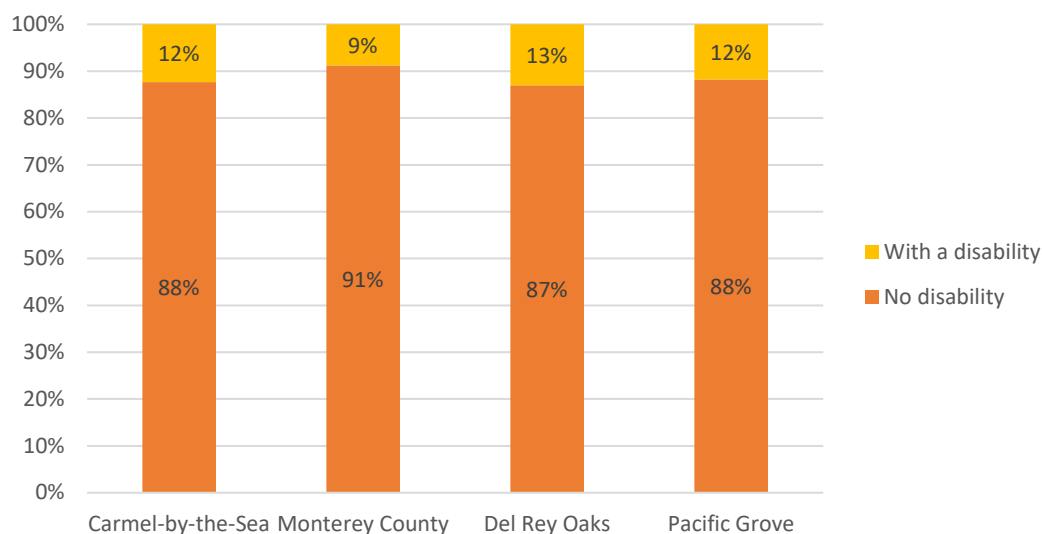
SOURCE: U.S. Census Bureau, 2019

NOTE: Senior population is identified as persons 65 years and older.

People with Disabilities

People with disabilities face additional housing challenges. Encompassing a broad group of individuals living with a variety of physical, cognitive and sensory impairments, many people with disabilities live on fixed incomes and are in need of specialized care, yet often rely on family members for assistance due to the high cost of care. When it comes to housing, people with disabilities are not only in need of affordable housing but accessibly designed housing, which offers greater mobility and opportunity for independence. Unfortunately, the need typically outweighs what is available, particularly in a housing market with such high demand. People with disabilities are at a high risk for housing insecurity, homelessness and institutionalization, particularly when they lose aging caregivers.

Figure A-31 illustrates population by disability status in Carmel-by-the-Sea, the County, and neighboring cities in 2021. Twelve (12) percent of the population in Carmel-by-the-Sea has some form of disability, which is on par with neighboring cities. The cities of Del Rey Oaks and Pacific Grove each have a population of 13 percent and 12 percent, respectively, with a disability. The County has the lowest percentage of persons with a disability at 9 percent.

Figure A-31 Population by Disability Status by Jurisdiction, 2021

SOURCE: U.S. Census Bureau, 2021

Table A-12 provides an overview of disability by type and age in Carmel-by-the-Sea during 2021. Hearing difficulty is the most widespread disability in Carmel-by-the-Sea (41 percent) with the highest concentration in persons 65 years of age and older. Self-care difficulty is the least common disability with 2 percent experiencing this in Carmel-by-the-Sea. Overall, seniors (persons aged 65+) makeup the largest demographic with a disability (50 percent).

Table A-12 Disability Status by Age, Carmel-by-the-Sea, 2021

| Disability Type | Under 18 | 18-64 | 65 and Over | Total | Percent of Population with a Disability |
|-------------------------------|-----------|-----------|-------------|------------|---|
| Hearing Difficulty | 20 | 0 | 305 | 325 | 41% |
| Vision Difficulty | 20 | 0 | 50 | 70 | 9% |
| Cognitive Difficulty | 0 | 29 | 46 | 75 | 9% |
| Ambulatory Difficulty | 0 | 0 | 142 | 142 | 18% |
| Self-care Difficulty | 0 | 0 | 56 | 56 | 7% |
| Independent Living Difficulty | 0 | 0 | 130 | 130 | 16% |
| Total | 40 | 29 | 729 | 798 | 100% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2021

NOTE: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

State law also requires Housing Elements to examine the housing needs of people with developmental disabilities. Developmental disabilities are defined as severe, chronic, and attributed

to a mental or physical impairment that begins before a person turns 18 years old. This can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe mental retardation. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them.

Table A-13 shows the population with developmental disabilities by age in Carmel-by-the-Sea. In Carmel-by-the-Sea, of the 798 persons with a disability, approximately less than 70 have a developmental disability. Of these, less than 31 are children (I.e., under the age of 18) and less than 36 are adults.

Table A-13 Population with Developmental Disabilities by Age, Carmel-by-the-Sea, 2021

| Age Group | Number |
|--------------|--------|
| Age Under 18 | <31 |
| Age 18+ | <36 |

SOURCE: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2021).

NOTE: Universe: Population with developmental disabilities. Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Table A-14 shows the population with developmental disabilities by residence in Carmel-by-the-Sea. The most common living arrangement for individuals with developmental disabilities in Carmel-by-the-Sea is the home of parent/family/guardian.

Table A-14 Population with Developmental Disabilities by Residence, Carmel-by-the-Sea, 2021

| Residence Type | Number |
|--------------------------------|--------|
| Home of Parent/Family/Guardian | <38 |
| Foster/Family Home | 0 |
| Independent/Supported Living | <11 |
| Other | 0 |
| Community Care Facility | <11 |
| Intermediate Care Facility | 0 |

SOURCE: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2021).

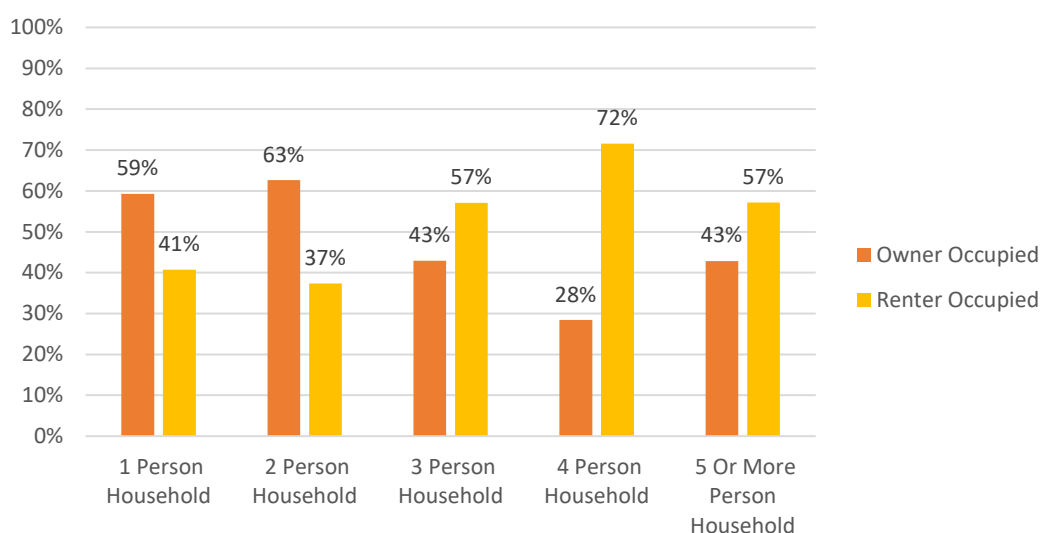
NOTE: Universe: Population with developmental disabilities. Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Large Households

Large households are defined as households of five or more individuals. Large households often have different housing needs than smaller households. Household income and local housing markets can greatly impact a household's ability to afford adequately sized housing. If a city's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions. Similarly, large households may experience overpayment as a result of a high housing market and limited availability.

Figure B-32 illustrates 2019 households by size and tenure in Carmel-by-the-Sea. The City has 70 large households, of which 57 percent are renter-occupied households. Owner-occupied households makeup the majority of 1-person and 2-person households, whereas renter-occupied households makeup the majority of all 3-5 person households. This combined with a total cost burden rate of 46 percent for renter households (Figure A-24), suggests it is likely that large households in Carmel-by-the-Sea may experience overcrowding and/or overpayment.

Figure A-32 Households by Size and Tenure, Carmel-by-the-Sea, 2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

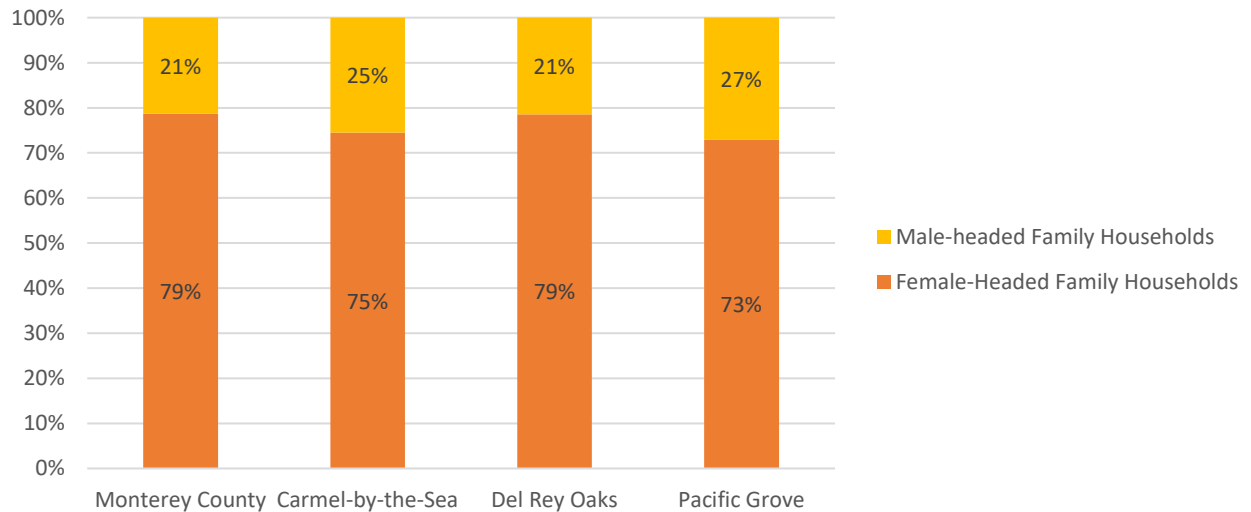
Single-Parent Households

Households headed by one person are often at greater risk of housing insecurity, particularly female-headed households, who may be supporting children or a family with only one income.

In Carmel-by-the-Sea, the largest proportion of households are married-couple family households at 47 percent, while female-headed households make up 6 percent and male-headed households make up 2 percent of all households (Figure A-11). Figure A-33 shows single-parent households in Carmel-by-the-Sea, the County, and neighboring cities. Compared to the County and neighboring

cities, Carmel-by-the-Sea's ratio of single-parent households is on par. Carmel-by-the-Sea's single-parent households are predominantly female-headed family households (75 percent). Male-headed family households makeup 25 percent.

Figure A-33 Single-Parent Households by Jurisdiction, 2019



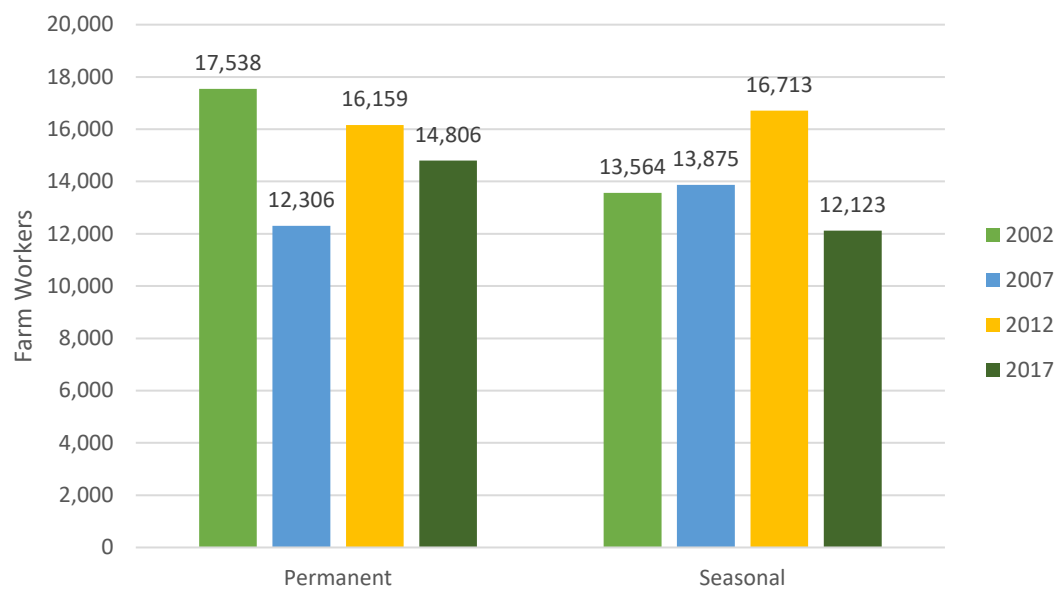
SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make finding a home that is affordable more challenging. In 2019, there were no single-parent households that fell in the Below Poverty Level category in Carmel-by-the-Sea.

Farmworkers

Across the state, housing for farmworkers has been recognized as an important and unique concern. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Finding decent and affordable housing can be challenging, particularly in the current housing market.

According to the U.S. Department of Agriculture Census of Farmworkers, the number of permanent farm workers in Monterey County has decreased since 2002, totaling 14,806 in 2017, and the number of seasonal farm workers has also decreased, totaling 12,123 in 2017. [Figure A-34](#) shows hired farm labor in Monterey County between 2002-2017.

Figure A-34 Hired Farm Labor, Monterey County, 2002-2017

SOURCE: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor.

NOTES: Universe: Hired farm workers (including direct hires and agricultural service workers who are often hired through labor contractors). Farm workers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.

There are no agriculture uses within the City of Carmel-by-the-Sea. However, Carmel-by-the-Sea shares the responsibility for farmworker housing as farmworkers may work within 75 miles of agricultural land uses (including dairy, vineyards and produce) and the City is within 75 miles of these uses.

Persons Experiencing Homelessness

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Addressing the specific housing needs for the unhoused population remains a priority throughout the region, particularly since homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction and those dealing with traumatic life circumstances.

Table A-15 show changes in the homeless population between 2017-2022 in Carmel-by-the-Sea, the County and neighboring jurisdictions. According to the 2022 Monterey Homeless Count and Survey Comprehensive Report, Carmel-by-the-Sea has seen a decrease in homeless persons since 2017, totaling one person in 2019. Similarly, the Monterey Bay Area overall has seen a decrease in homeless populations with the exception of Seaside.

Table A-15 Homeless Population by Jurisdiction, 2017-2022

| Jurisdiction | Unsheltered | | | Sheltered | | | Total | | | 2019-2022 % Change |
|-------------------|-------------|------------|------------|------------|-----------|-----------|------------|------------|------------|--------------------|
| | 2017 | 2019 | 2022 | 2017 | 2019 | 2022 | 2017 | 2019 | 2022 | |
| Monterey (city) | 292 | 167 | 74 | 46 | 37 | 27 | 338 | 204 | 101 | -50% |
| Carmel-by-the-Sea | 16 | 6 | 1 | 0 | 0 | 0 | 16 | 6 | 1 | * |
| Del Rey Oaks | 111 | 0 | 2 | 0 | 0 | 0 | 111 | 0 | 2 | * |
| Seaside | 40 | 126 | 90 | 58 | 56 | 62 | 98 | 182 | 152 | -16% |
| Pacific Grove | 35 | 14 | 29 | 0 | 0 | 0 | 35 | 14 | 29 | * |
| Total | 509 | 315 | 198 | 104 | 93 | 89 | 613 | 408 | 287 | -66% |

SOURCE: 2022 Monterey Homeless Count and Survey Comprehensive Report

NOTE: % change was not calculated when jurisdiction was below 25 individuals.

Table A-16, shows household type and shelter status in Monterey County in 2019. In Monterey County, the most common type of household experiencing homelessness are those without children in their care. Among households experiencing homelessness that do not have children, 83 percent are unsheltered. Similarly, the majority of homeless households with children are unsheltered (45 percent).

Table A-16 Homelessness by Household Type and Shelter Status, Monterey County, 2019

| Jurisdiction | People in Households Composed Solely of Children Under 18 | | People in Households with Adults and Children | | People in Households without Children Under 18 | | Total |
|----------------------------------|---|-------------|---|-------------|--|-------------|--------------|
| | Count | Percent | Count | Percent | Count | Percent | |
| Sheltered – Emergency Shelter | 0 | 0% | 146 | 22% | 218 | 11% | 364 |
| Sheltered – Transitional Housing | 0 | 0% | 218 | 33% | 124 | 6% | 342 |
| Unsheltered | 10 | 100% | 303 | 45% | 1,685 | 83% | 2,340 |
| Total | 10 | 100% | 667 | 100% | 2,027 | 100% | 2,704 |

SOURCE: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019). For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMEELS-01.

NOTES: Universe: Population experiencing homelessness. This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area County is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness.

A.5 Access to Opportunity

This section discusses disparities in access to opportunity among protected classes including access to quality education, employment, transportation, and environment. The California Tax Credit Allocation Committee (TCAC) in collaboration with HCD developed a series of opportunity maps that help to identify areas of the community with good or poor access to opportunity for residents. These maps were developed to align funding allocations with the goal of improving outcomes for low-income residents—particularly children.

Access to Opportunity

“Access to opportunity is a concept to approximate place-based characteristics linked to critical life outcomes. Access to opportunity oftentimes means both improving the quality of life for residents of low-income communities, as well as supporting mobility and access to ‘high resource’ neighborhoods. This encompasses education, employment, economic development, safe and decent housing, low rates of violent crime, transportation, and other opportunities, including recreation, food and healthy environment (air, water, safe neighborhood, safety from environmental hazards, social services, and cultural institutions).”

SOURCE: California Department of Housing and Community Development Guidance, 2021, page 34.

The opportunity maps highlight areas of highest resource, high resource, moderate resource, moderate resource (rapidly changing), low resource and high segregation and poverty. TCAC provides opportunity maps for access to opportunity in quality education, employment, transportation, and environment. Opportunity scores are presented on a scale from zero to one and the higher the number, the more positive the outcomes.

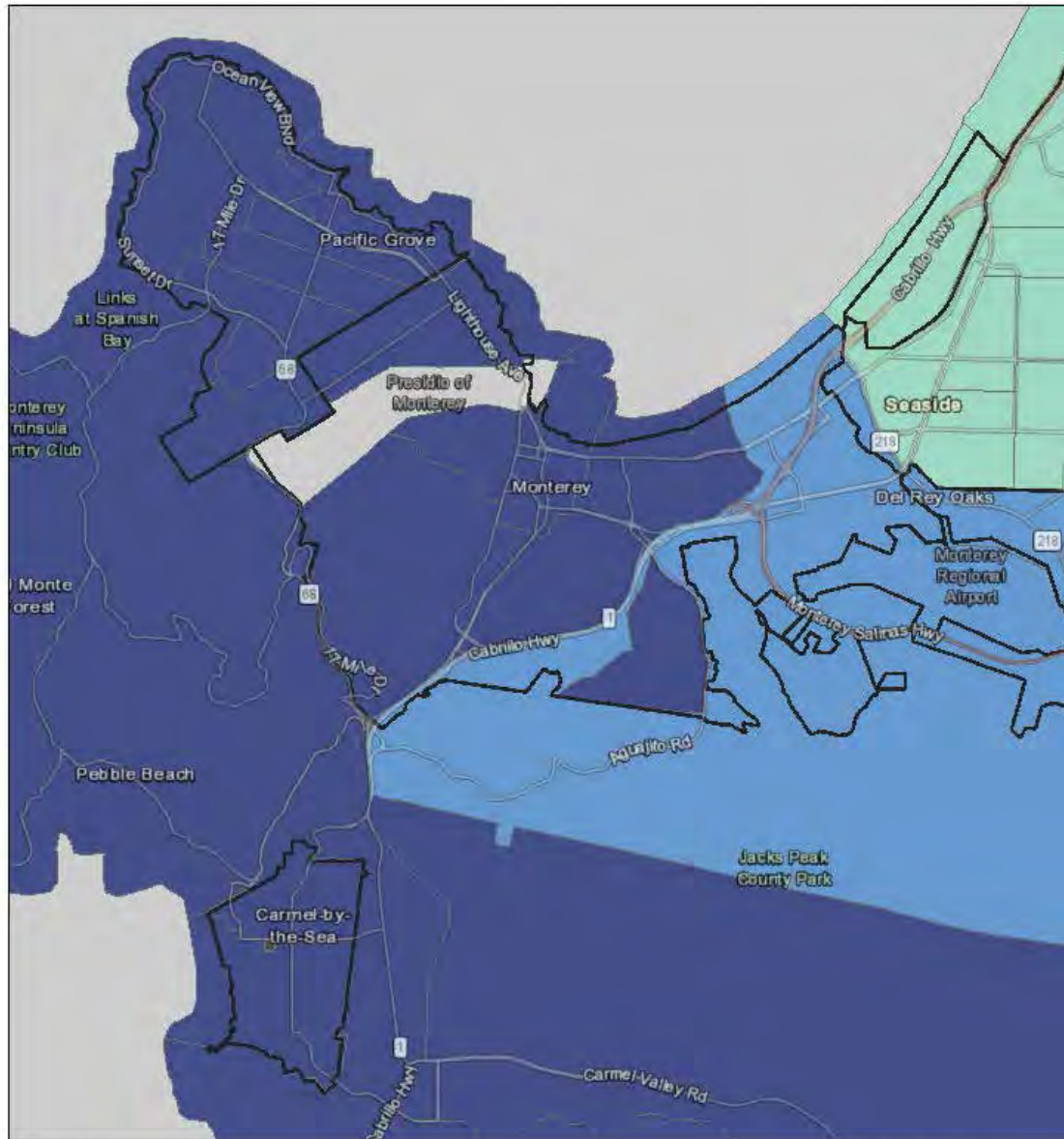
Disparities in Access to Opportunity

As can be seen in [Figure A-35, TCAC Opportunity Composite Score](#), Carmel-by-the-Sea is considered a highest resource area as is much of western Monterey County. According to the HCD AFFH Data Viewer TCAC Opportunity Map, there are no areas of variation in access to opportunity across the City.

Economic

TCAC’s economic opportunity score is comprised of poverty, adult educational attainment, employment, job proximity, and median home value. [Figure A-36](#) shows concentrations of economic outcomes in Carmel-by-the-Sea. According the HCD AFFH Data Viewer TCAC Economic Opportunity Map, all areas of Carmel-by-the-Sea have a high economic opportunity score of 0.75-1.0. This reflects a high level of opportunity for economic advancement for residents in Carmel-by-the-Sea.

Figure A-35 TCAC Opportunity Composite Score, Carmel-by-the-Sea, 2022



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City/Town Boundaries

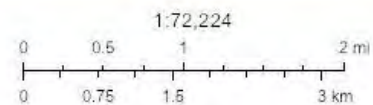
(R) COG Geography TCAC Opportunity Map 2022 - Composite Score (Tract)

Highest Resource

High Resource

Moderate Resource

Missing/Insufficient Data



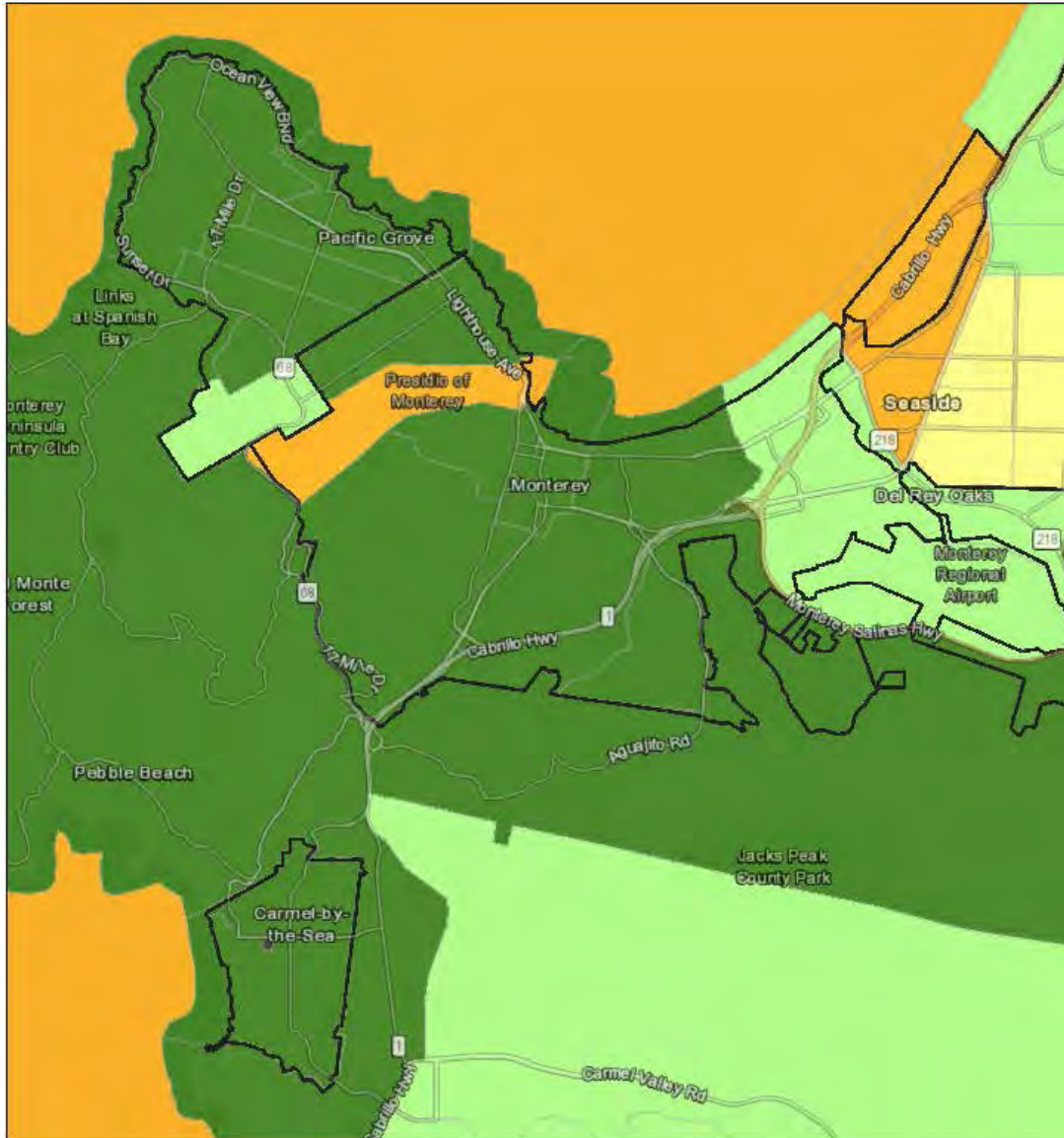
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GIS user community

CA HCD

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | ESRI.

SOURCE: California Department of Housing and Community Development AFFH Data Viewer

Figure A-36 TCAC Opportunity Economic Score, Carmel-by-the-Sea, 2022



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(R) COG Geography TCAC Opportunity Map 2022 - Economic Score (Tract)

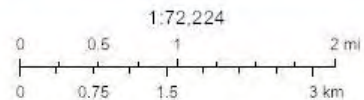
< 0.25 (Less Positive Economic Outcomes)

0.25 - 0.5

0.5 - 0.75

.75 - 1 (More Positive Economic Outcomes)

City/Town Boundaries



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

CA HCD

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | ESRI

SOURCE: California Department of Housing and Community Development AFFH Data Viewer

Education

TCAC's education score is based on math proficiency, reading proficiency, high school graduation rates, and the student poverty rate. Opportunity scores are presented on a scale from zero to one and the higher the number, the more positive the outcomes.

Figure A-37 shows the level of TCAC educational opportunity across Carmel-by-the-Sea. According to TCAC's Educational Opportunity Map, Carmel-by-the-Sea scores between 0.75-1.0 indicating a high level of positive educational outcomes for residents in Carmel-by-the-Sea.

Carmel-by-the-Sea is served by the Carmel Unified School District (CUSD), along with elementary, middle, and high schools within the City and school district. As of 2022, the State of California School Dashboard highlights a 97.9 percent graduation rate among all students enrolled in Carmel High School, which is higher than the statewide average (87.4 percent) and county average (88.5 percent).

When broken down by race/ethnicity, Hispanic and White students graduated at a high rate (97.4 percent for both groups). There is no performance data available for the graduation rates of African American, Asian, Filipino, and American Indian students at Carmel High.

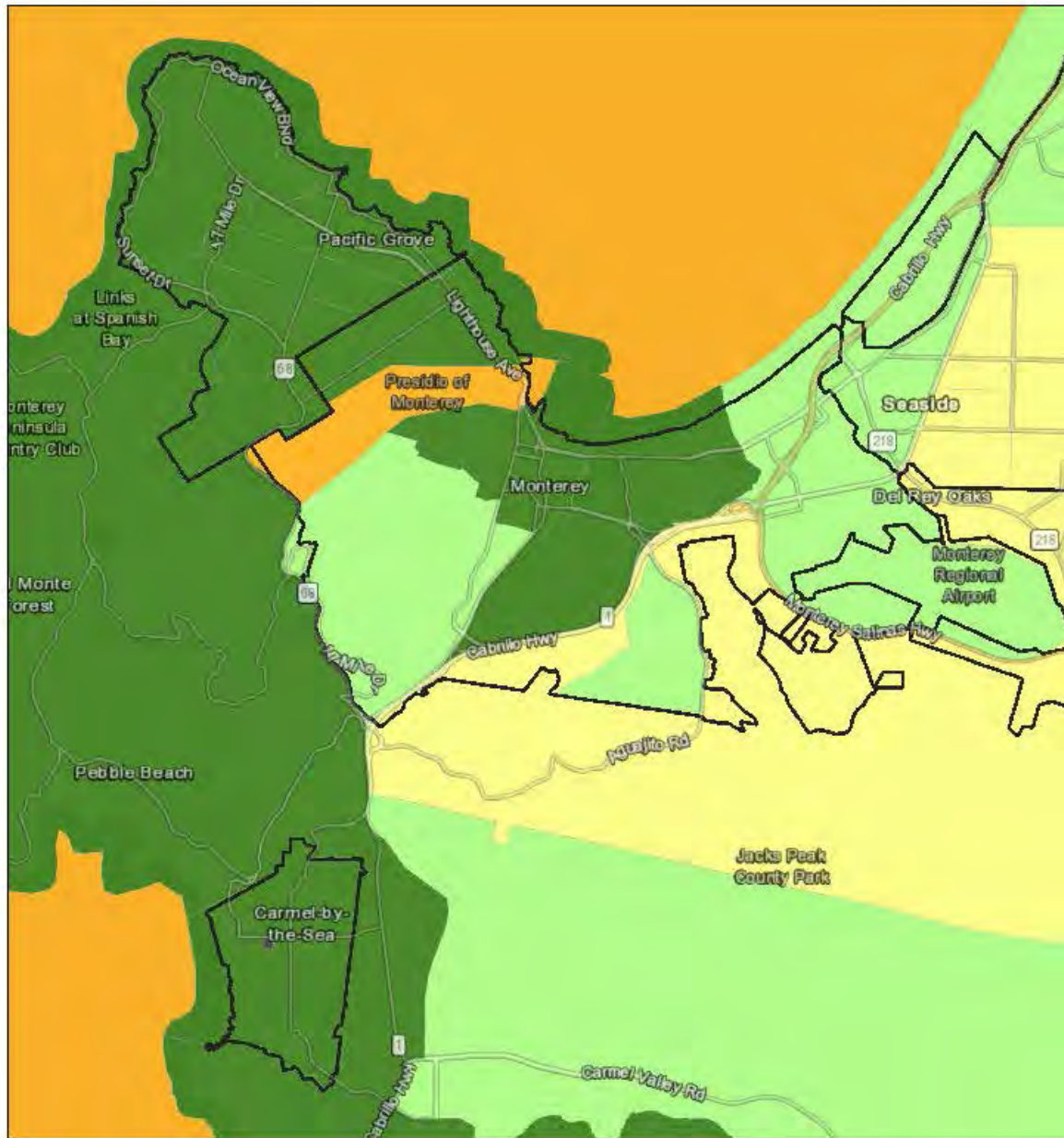
Additionally, there is no performance data available for the graduation rates of students with a disability within Carmel High.

Environment

TCAC's opportunity areas environmental scores are based on the CalEnviroScreen 4.0 indicators, which identify areas disproportionately vulnerable to pollution sources such as ozone, PM2.5, diesel PM, pesticides, toxic release, traffic, cleanup sites, groundwater threats, hazardous waste, impaired water bodies, and solid waste sites.

Figure A-38 shows TCAC environmental outcomes across Carmel-by-the-Sea. According to the HCD AFFH Data Viewer TCAC Environmental Opportunity Map, Carmel-by-the-Sea scores between 0.75-1.0 indicating a low level of environmental pollution burden and positive outcomes for residents in Carmel-by-the-Sea.

Figure A-37 TCAC Opportunity Education Score, Carmel-by-the-Sea, 2022



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City/Town Boundaries

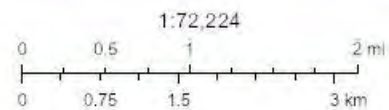
(R) COG Geography TCAC Opportunity Map 2022 - Education Score (Tract)

< 0.25 (Less Positive Education Outcomes)

.25 - 0.5

0.5 - 0.75

.75 - 1 (More Positive Education Outcomes)



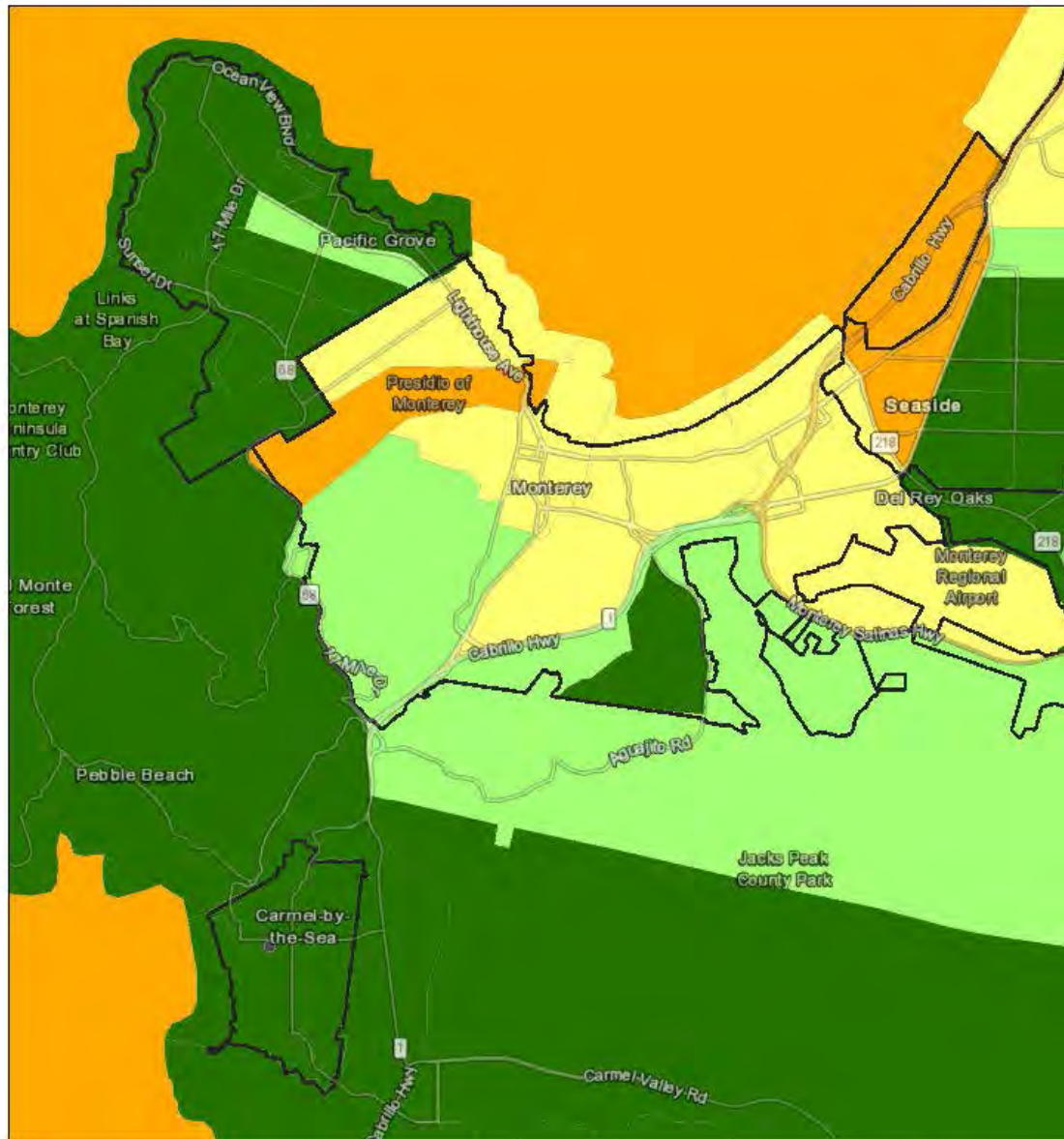
Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, OpenStreetMap contributors, and the GIS user community

CA HCD

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | ESRI

SOURCE: California Department of Housing and Community Development AFFH Data Viewer

Figure A-38 TCAC Opportunity Environmental Score, Carmel-by-the-Sea, 2022



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City/Town Boundaries

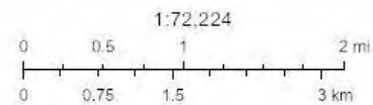
(R) COG Geography TCAC Opportunity Map 2022 - Environmental Score (Tract)

Orange: < .25 (Less Positive Environmental Outcomes)

Yellow: 0.25 – 0.5

Light Green: 0.5 – 0.75

Dark Green: .75 – 1 (More Positive Environmental Outcomes)



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CA HCD

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

SOURCE: California Department of Housing and Community Development AFFH Data Viewer

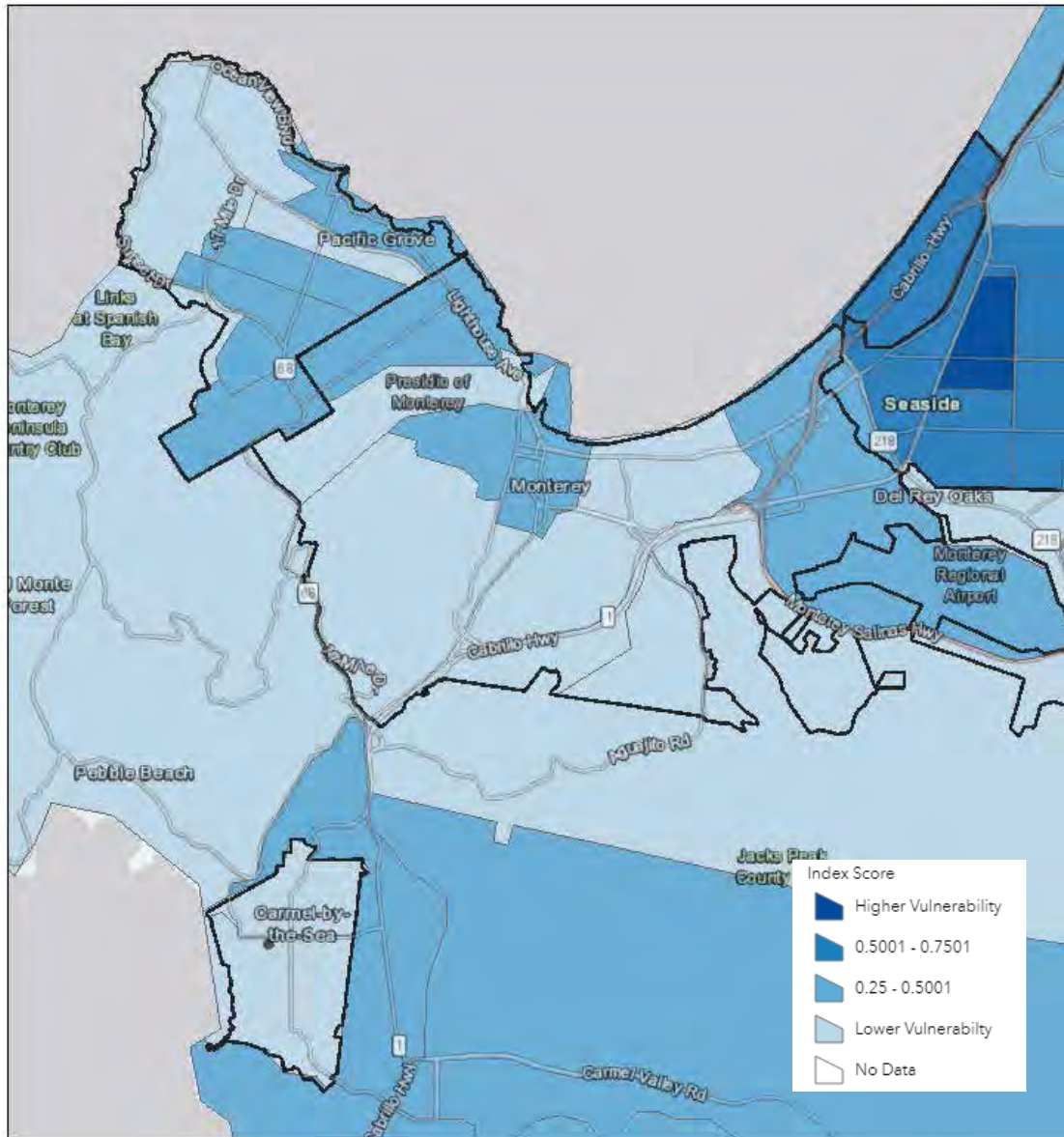
The Social Vulnerability Index (SVI) provided by the Center for Disease Control (CDC)—ranks census tracts based on their ability to respond to a disaster—includes four themes of socioeconomic status, household composition, race or ethnicity, and housing and transportation.

Figure A-39 shows SVI levels across Carmel-by-the-Sea. Carmel-by-the-Sea scores low on the SVI (less than 0.25) indicating that the City is slightly vulnerable to disasters, but highly equipped to respond to them. Just outside of the City's borders however, vulnerability levels increase to 0.25-0.5. This is likely due to a difference in jurisdictional resources.

Disparities Specific to the Population Living with a Disability

In Carmel-by-the-Sea, 12.3 percent of the population is living with at least one disability, compared to 8.8 percent in Monterey County. The most common disabilities in the City are: hearing difficulty (9.9 percent), ambulatory difficulty (4.4 percent), and independent living difficulty (4.3 percent). For the population 65 and over, the share of the population with hearing difficulties increases to 19.3 percent.

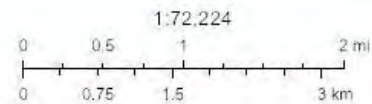
Figure A-39 Social Vulnerability Index, Carmel-by-the-Sea, 2018



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City/Town Boundaries

(A) Social Vulnerability Index (CDC, 2018) - Tract



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Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | ESRI

SOURCE: California Department of Housing and Community Development AFFH Data Viewer

A.6 Housing Stock Characteristics

Carmel-by-the-Sea's housing stock is defined as all housing units within its jurisdiction.

Characteristics of housing stock include housing type, age, condition, tenure, vacancy rates, costs, affordability, and growth. The following section provides an in-depth analysis of the housing stock in Carmel-by-the-Sea to determine how/if the current the housing stock meets the needs of existing and future residents.

Housing Growth

Table A-17 provides an overview of housing growth trends between 2010-2019 in Carmel-by-the-Sea, the County, and neighboring cities. Between 2010-2019, Carmel-by-the-Sea housing unit estimates grew approximately 6 percent, more than the County and Del Rey Oaks, but 2 percent less than Pacific Grove. These estimates show the majority of housing growth in Carmel-by-the-Sea occurred between 2015-2019 (8 percent).

Table A-17 Housing Unit Growth Trends by Jurisdiction, 2010-2019

| Jurisdiction | 2010 | 2015 | 2019 | Percent Change 2010-2015 | Percent Change 2015-2019 |
|-------------------|---------|---------|---------|-----------------------------|-----------------------------|
| Monterey County | 138,833 | 139,794 | 141,820 | 1% | 1% |
| Carmel-by-the-Sea | 3,606 | 3,532 | 3,832 | -2% | 8% |
| Del Rey Oaks | 752 | 733 | 745 | -3% | 2% |
| Pacific Grove | 7,723 | 8,411 | 8,347 | 9% | -1% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2010-2019

Housing Type

Table A-18 provides a comparison of housing unit types in Carmel-by-the-Sea, the County, and neighboring cities. In Carmel-by-the-Sea, single-family detached units are the most common housing type (87 percent). This aligns with the County (63 percent), Del Rey Oaks (76 percent) and Pacific Grove (60 percent) having majority single-family detached units. Overall, Carmel-by-the-Sea has the highest percentage of single-family detached units compared to the County and neighboring cities, but the lowest percentage of multifamily housing units (10 percent).

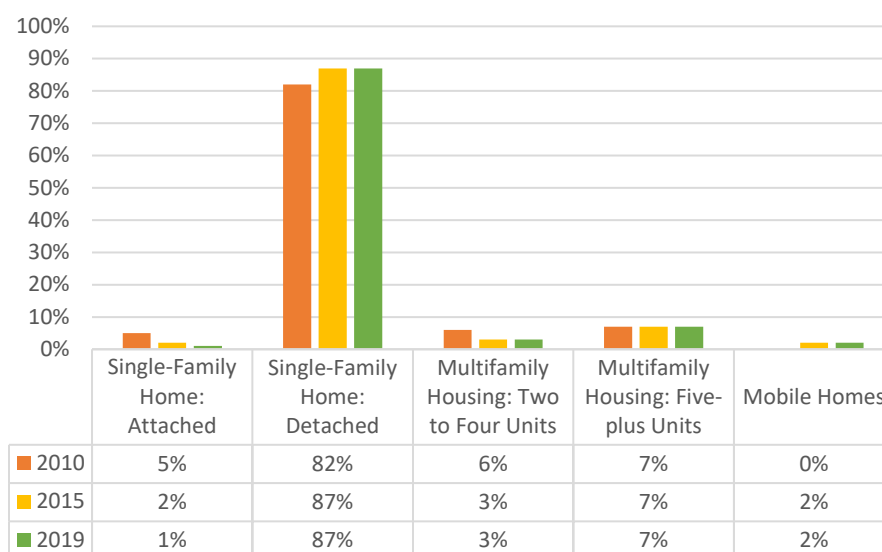
Figure A-40 illustrates housing type trends in Carmel-by-the-Sea between 2010-2019. In 2010, the majority of housing types were single-family detached homes (82 percent); this has since increased to 87 percent in 2019. Multifamily housing (2+ units) has decreased by 3 percent since 2010 accounting for only 10 percent of housing types in 2019. In 2010, mobile homes comprised the smallest percentage of housing type in Carmel-by-the-Sea, and have since slightly increased to 2 percent in 2019.

Table A-18 Housing Units by Type by Jurisdiction, 2019

| Jurisdiction | Single-Family Detached | | Single-Family Attached | | Multifamily | | Mobile Homes | | Total Units |
|--------------------------|------------------------|------------|------------------------|-----------|-------------|------------|--------------|-----------|--------------|
| | Count | Percent | Count | Percent | Count | Percent | Count | Percent | |
| Monterey County | 88,721 | 63% | 8,796 | 6% | 37,734 | 27% | 6,529 | 5% | 141,820 |
| Carmel-by-the-Sea | 3,319 | 87% | 54 | 1% | 367 | 10% | 92 | 2% | 3,832 |
| Del Rey Oaks | 567 | 76% | 49 | 7% | 118 | 16% | 11 | 2% | 745 |
| Pacific Grove | 5,023 | 60% | 497 | 6% | 2,668 | 32% | 159 | 2% | 8,347 |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

NOTE: Table indicates total housing units.

Figure A-40 Housing by Type in Carmel-by-the-Sea, 2010-2019

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2010-2019

Housing Availability and Tenure

Housing tenure refers to individuals who own or rent a housing unit. The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity (i.e., ability for individuals to stay in their homes) in a city and region. Generally, renters may be displaced more quickly if prices increase. Additionally, housing tenure may be an indicator of housing affordability (i.e., if the local housing market has high barriers to entry, there may be more renter households than owner households).

In Carmel-by-the-Sea, the housing stock includes 828 renter-occupied housing units and 1,099 owner-occupied housing units (Table A-19). When analyzing housing unit type in tandem with tenure, the majority of all housing units are single-family detached (87 percent), of which 17 percent are renter-occupied and 32 percent are owner-occupied (Figure A-17; Table A-19).

Table A-19 Housing Units by Type and Tenure, Carmel-by-the-Sea, 2019

| Tenure | Single-Family Detached | | Single-Family Attached | | Multifamily | | Mobile Homes | | Total Units |
|-----------------|------------------------|---------|------------------------|---------|-------------|---------|--------------|---------|-------------|
| | Count | Percent | Count | Percent | Count | Percent | Count | Percent | |
| Renter-Occupied | 568 | 69% | 19 | 2% | 221 | 27% | 20 | 2% | 828 |
| Owner-Occupied | 1,076 | 98% | 0 | 0% | 23 | 2% | 0 | 0% | 1,099 |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

NOTE: Table indicates total occupied housing units.

Table A-20 provides an overview of household size by tenure for Carmel-by-the-Sea, the County, and neighboring cities. In Carmel-by-the-Sea, the average household size is 2.04, of which the majority of larger households are comprised of renter-occupied units (2.13 persons/unit). An average household size of 2.04 suggests a need for more smaller housing units. This aligns with 82 percent of Carmel-by-the-Sea's population being comprised of 1-2 person households (Figure A-13). Compared to the County and neighboring cities, Carmel-by-the-Sea has the lowest average household size (2.04 persons/unit). The County has a high average household size of 3.27 suggesting a need for large housing units and even a need for smaller independent units such as ADUs/JADUs for extended family, etc.

Table A-20 Household Size by Tenure by Jurisdiction, 2019

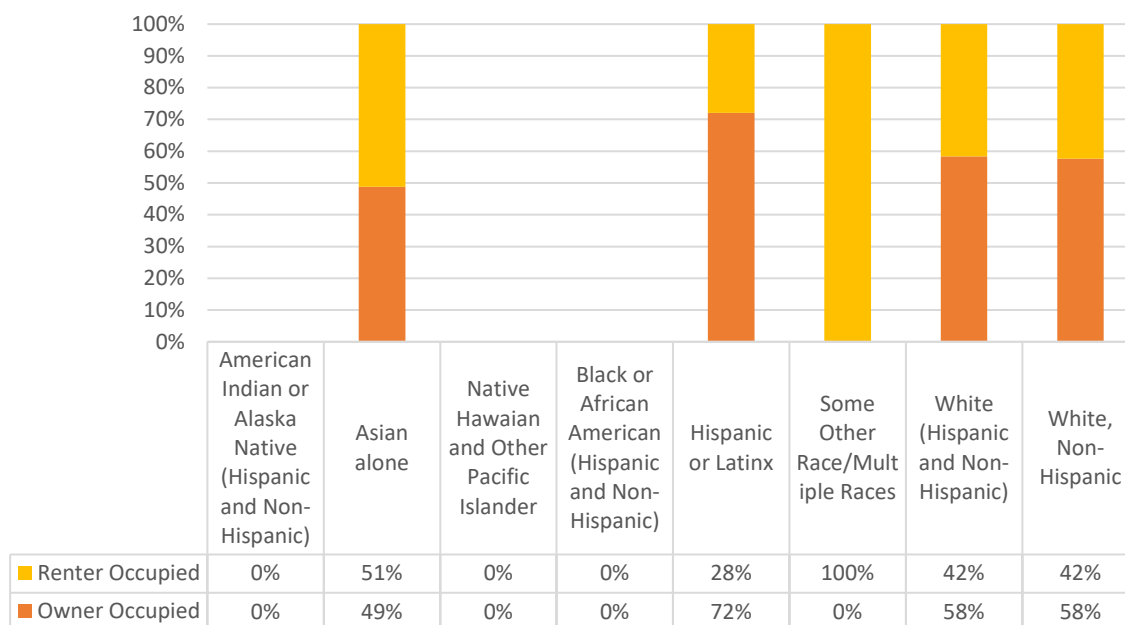
| Jurisdiction | Owner-Occupied | Renter-Occupied | Average Household Size |
|--------------------------|----------------|-----------------|------------------------|
| Monterey County | 3.13 | 3.41 | 3.27 |
| Carmel-by-the-Sea | 1.97 | 2.13 | 2.04 |
| Del Rey Oaks | 2.29 | 2.49 | 2.35 |
| Pacific Grove | 2.34 | 2.15 | 2.23 |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Figure A-41 illustrates 2019 household tenure by race in Carmel-by-the-Sea. Tenure by race varies some in Carmel-by-the-Sea as the majority of all households are non-Hispanic White (87 percent), of which 58 percent are owner-households and 42 percent are renter-households (Figure A-4; Figure

A-41). Hispanic or Latino households (8 percent) makeup the second largest population in Carmel-by-the-Sea, of which 72 percent are owner-households and 28 percent are renter-households. Less than 1 percent of Black or African American, Native Hawaiian or Other Pacific Islander, and American Indian or Alaska Native households are represented in the City's housing market.

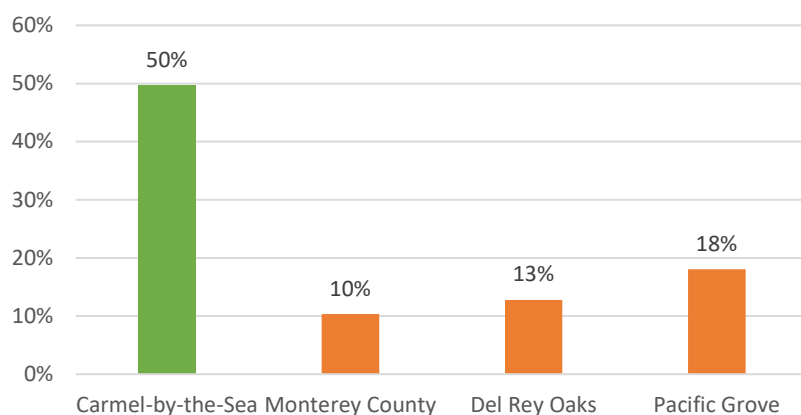
Figure A-41 Household Tenure by Race, Carmel-by-the-Sea, 2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Figure A-42 illustrates vacancy rates in Carmel-by-the-Sea, the County neighboring cities. Carmel-by-the-Sea has a vacancy rate of 50 percent. This reflects a 40 percent higher vacancy rate than the County (10 percent) and 32 percent higher than Pacific Grove (18 percent). The City of Seaside has the lowest vacancy rate at 8 percent (9 percent below Sand City).

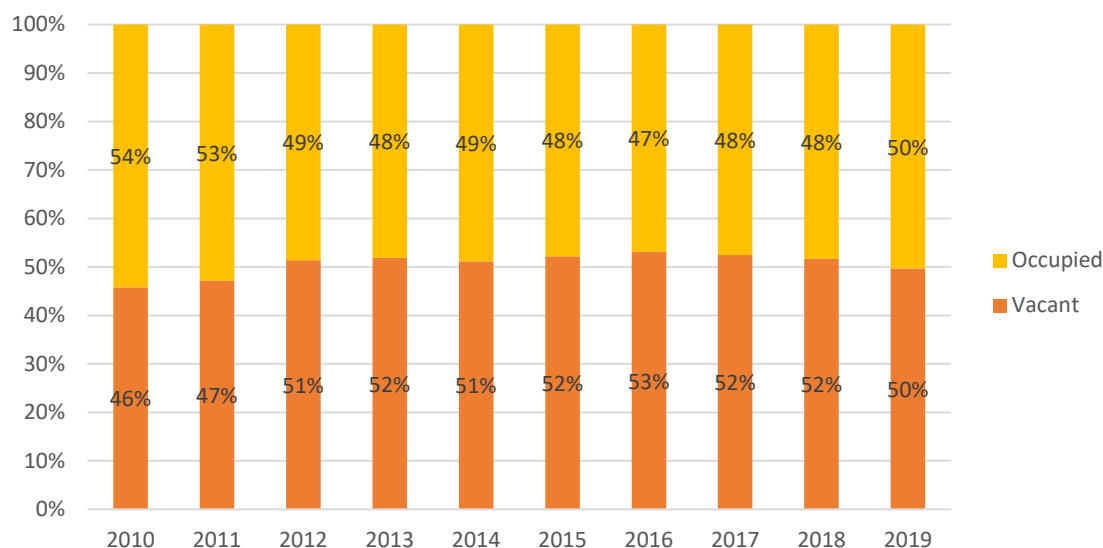
Figure A-42 Vacancy Rates by Jurisdiction, 2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Figure A-43 illustrates vacancy trends in Carmel-by-the-Sea from 2010-2019. Over the course of nearly a decade, the City has experienced a stable vacancy average of 51 percent. This is staggeringly high considering the current housing crisis. Additionally, this affects the accuracy of data reporting for the city, as the majority of homeowners do not live in Carmel-by-the-Sea full time, thus resulting in skewed data collection.

Figure A-43 Vacancy Trends, Carmel-by-the-Sea, 2010-2019



SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Table A-21 shows vacant housing units by type, revealing 80 percent of Carmel-by-the-Sea's vacant units are for seasonal, recreational, or occasional use, aligning with the 51 percent average vacancy trends (Figure A-43). The high percentage of vacant housing units is largely impacted by tourism and second-home ownership. This creates a significant barrier for current and potential residents to enter the local housing market and squanders opportunities to correct the housing crisis, address diversity, and provide inclusive housing options to promote a vibrant and active community.

Table A-22 shows housing permits issued by the City of Carmel-by-the-Sea by income group. Between 2015 and 2022, 18 housing units were issued permits in Carmel-by-the-Sea which represents 58 percent of the RHNA number of 31 units assigned in the 5th Cycle Housing Element. Table 3-9 shows housing permits by income group in Carmel-by-the-Sea. Of the 18 housing units permitted, all were for above moderate-income.

Table A-21 Vacant Housing Units by Type, Carmel-by-the-Sea, 2019

| Housing Unit Type | Estimate | Percentage |
|---|--------------|-------------|
| For rent | 96 | 5% |
| Rented, not occupied | 12 | 1% |
| For sale only | 11 | 1% |
| Sold, not occupied | 49 | 3% |
| For seasonal, recreational, or occasional use | 1,522 | 80% |
| For migrant workers | 0 | 0% |
| Other vacant | 215 | 11% |
| Total | 1,905 | 100% |

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Table A-22 Housing Permits by Income Group, Carmel-by-the-Sea, 2015-2021

| Income Group | Number | Percent |
|-------------------------------|-----------|--------------|
| Very Low-Income Permits | 0 | 0.0% |
| Low-Income Permits | 0 | 0.0% |
| Moderate-Income Permits | 0 | 0.0% |
| Above Moderate-Income Permits | 18 | 58.0% |
| Total | 18 | 58.0% |

SOURCE: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2022).

NOTE: Universe: Housing permits issued between 2015 and 2021. Notes: HCD uses the following definitions for the four income categories: Very Low Income: units affordable to households making less than 50 percent of the Area Median Income for the county in which the jurisdiction is located. Low Income: units affordable to households making between 50 percent and 80 percent of the Area Median Income for the county in which the jurisdiction is located. Moderate Income: units affordable to households making between 80 percent and 120 percent of the Area Median Income for the county in which the jurisdiction is located. Above Moderate Income: units affordable to households making above 120 percent of the Area Median Income for the county in which the jurisdiction is located.

Assisted Housing Developments At-Risk of Conversion

While there is an immense need to produce new affordable housing units, ensuring that the existing affordable housing stock remains affordable is equally important. Additionally, it is typically faster and less expensive to preserve currently affordable units that are at risk of converting to market-rate than it is to build new affordable housing.

The California Housing Partnership Preservation Database is the state's most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing.¹⁴ According to the database, there are no federal or state assisted units in Carmel-by-the-Sea. Currently, there are no affordable housing units at risk of conversion to market rate.

¹⁴ This database does not include all deed-restricted affordable units in the state, so there may be at-risk assisted units in a jurisdiction that are not captured.

Displacement

Because of increasing housing prices, displacement is a major concern in the Monterey Bay Area. Displacement has the most severe impacts on low- and moderate-income residents. When individuals or families are forced to leave their homes and communities, they also lose their support network.

According to the California Department of Housing and Community Development (HCD) AFFH Data Viewer and the Urban Displacement Project 2022 estimates, Carmel-by-the-Sea renter-occupied households earning between 0-80 percent AMI are at low risk of potential displacement or gentrification in the northern region of the City. Mapping of the central and southern regions of the City show sufficient data was not captured to definitively report displacement risk. [Figure A-44](#) illustrates displacement risk in Carmel-by-the-Sea.

Housing Age and Condition

Housing age and condition are factors considered in overall housing quality as they may affect the structural integrity and ability to adequately function for a household. Thus, the age and condition of a house may indicate the need for major repairs to the foundation, plumbing, or roof.

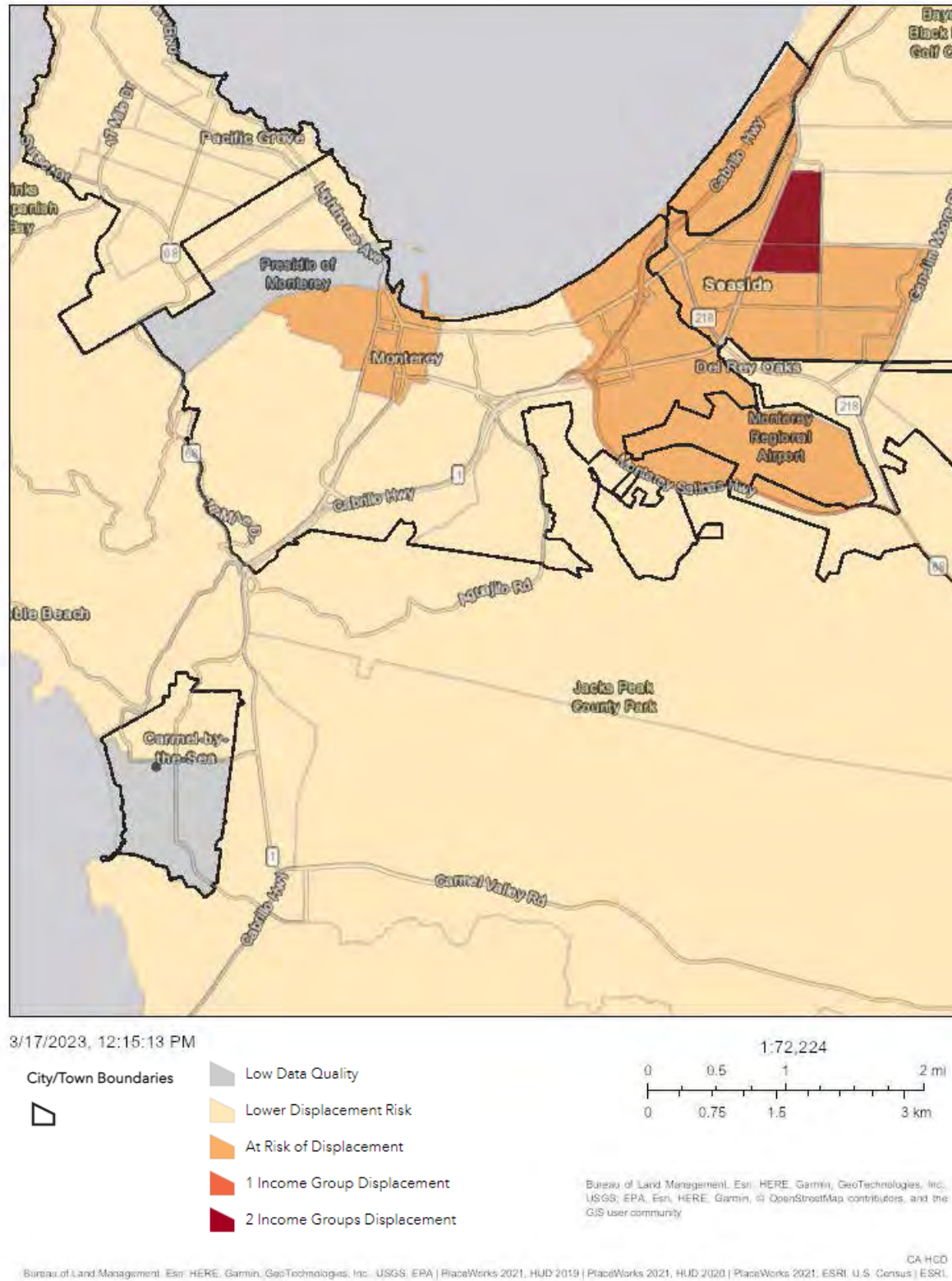
[Figure A-45](#) illustrates housing stock by age in Carmel-by-the-Sea. In Carmel-by-the-Sea, 95 percent of the housing stock was built prior to 1999 and is over 20 years old. Thirty-seven (37) percent of the housing stock was built between 1940-1959 and 2 percent was built in 2010 or later.

According to historical data from Carmel-by-the-Sea's Code Enforcement Office and Housing Authority, the City estimates that there are approximately five (5) units in need of rehabilitation. This 6th Cycle Housing Element proposes the following policies and programs to address and facilitate the rehabilitation of these units.

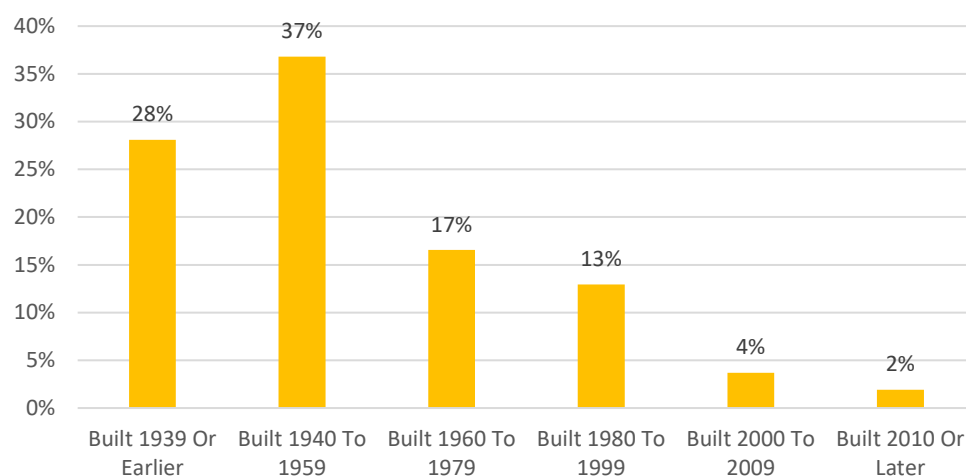
- Policy 2.1: Maintain and encourage expansion of permanent residential housing stock in the Commercial, R-1, and R-4 Districts;
- Policy 2.2: Preserve and protect the scale and character of established neighborhoods while encouraging property improvement;
- Policy 2.3: Preserve and expand affordable and rental housing opportunities to enable local employees to live in the community where they work; and
- Policy 2.4: Preserve the existing housing stock.

All programs and policies can be found in [Chapter 2](#) of the Housing Element.

Figure A-44 Displacement Risk, Carmel-by-the-Sea, 2022



SOURCE: California Department of Housing and Community Development AFFH Data Viewer

Figure A-45 Housing Stock by Age, Carmel-by-the-Sea, 2019

SOURCE: U.S. Census Bureau, ACS 5-Year Estimate, 2019

Housing Costs and Affordability

Identifying the cost of owning or renting a home in a city helps determine the affordability of housing at different income levels. Understanding housing affordability also informs what types and sizes of housing are needed by the community's households.

Home Prices and Rental Costs

Table A-23 show changes in median home values between 2019-2022 in Carmel-by-the-Sea, the County and neighboring cities. According to Zillow Home Value Index data, the median home value in Carmel-by-the-Sea was estimated at \$1,299,387 in December 2019. By 2022, the median home value in Carmel-by-the-Sea increased approximately 59 percent due to market demand. By comparison, the median home value in the County was valued at \$561,490 in December 2019 and experienced a 39 percent increase by 2022.

Table A-233 Median Home Value by Jurisdiction, 2019-2022

| Jurisdiction | Median Home Value | | | | Percent Change 2019-2022 |
|--------------------------|--------------------|--------------------|--------------------|--------------------|-----------------------------|
| | 2019 | 2020 | 2021 | 2022 | |
| Monterey County | \$561,490 | \$632,834 | \$735,469 | \$778,164 | 39% |
| Carmel-by-the-Sea | \$1,299,387 | \$1,450,127 | \$1,912,421 | \$2,070,835 | 59% |
| Del Rey Oaks | \$630,204 | \$701,060 | \$779,099 | \$840,663 | 33% |
| Seaside | \$550,015 | \$616,786 | \$690,126 | \$729,055 | 33% |
| Pacific Grove | \$943,900 | \$1,032,675 | \$1,237,054 | \$1,294,881 | 37% |

SOURCE: Zillow Home Value Index, 2019-2022

NOTE: Housing value estimates were taken from December for years 2019-2022.

Rental Affordability

Similar to home value prices, rental prices have also increased over the last decade. This significantly affects lower-income households as they are typically majority renters. High rental prices can exacerbate housing challenges such as overcrowding and cost burden if adequate rental stock is not available to suit household needs.

Table A-24 shows average rent estimates by unit size in Carmel-by-the-Sea based on 2023 Zillow rental market data. Included in the table is Housing and Urban Development's (HUD) Fair Market Rents (FMR) for 2023, which establishes rental subsidy limits for Section 8 housing voucher recipients.

Table A-24 Average Rent by Number of Bedrooms, Carmel-by-the-Sea, 2023

| Unit Type | Average Rents | Fair Market Rents (HUD) |
|----------------|---------------|-------------------------|
| Studio | \$2,200 | \$2,112 |
| One bedroom | \$2,500 | \$2,194 |
| Two bedrooms | \$4,000 | \$2,675 |
| Three bedrooms | \$5,459 | \$3,790 |
| Four+ bedrooms | n/a | \$4,144 |

SOURCE: Zillow, 2023; HUD, Fair Market Rent Documentation System, 2023

NOTES: Zillow rental value estimates were taken from March 2023. No rental units with four + bedrooms are listed as available within the Carmel-by-the-Sea City boundary. Fair Market Rent values are based on Salinas, CA MSA

Table A-25 reports the maximum monthly housing costs affordable to households according to income group in Monterey County. Income groups are based on the HCD 2022 State Income Limits Report, which considers housing affordable assuming a household can pay up to 30 percent of its monthly income toward housing. In Table A-25, maximum affordable sales prices are based on the following assumptions: 6.42 percent interest rate,¹⁵ 30-year fixed loan, and a 5 percent down payment.

As mentioned in Table A-23, the median home price in Carmel-by-the-Sea in December 2022 was \$2,070,835 which is only affordable to above moderate-income households earning approximately \$495,000 or more annually (62 percent of Carmel-by-the-Sea households are categorized as above moderate-income).

¹⁵ Interest rate based on December 29, 2022 interest rate according to Freddie Mac Primary Mortgage Market Survey

Table A-255 Housing Affordability, Carmel-by-the-Sea, 2022

| Income Group | HCD Income Limits | Maximum Affordable Price | |
|---------------------------|-------------------|--------------------------|-----------|
| | | Monthly Rental | Ownership |
| Extremely Low (0-30% AMI) | | | |
| One Person | \$23,900 | \$598 | \$100,340 |
| Two Person | \$27,300 | \$683 | \$114,614 |
| Three Person | \$30,700 | \$768 | \$128,889 |
| Four Person | \$34,100 | \$853 | \$143,163 |
| Very Low (30-50% AMI) | | | |
| One Person | \$39,800 | \$995 | \$167,093 |
| Two Person | \$45,500 | \$1,138 | \$191,024 |
| Three Person | \$51,200 | \$1,280 | \$214,954 |
| Four Person | \$56,850 | \$1,421 | \$238,675 |
| Low (50-80% AMI) | | | |
| One Person | \$63,700 | \$1,593 | \$267,433 |
| Two Person | \$72,800 | \$1,820 | \$305,638 |
| Three Person | \$81,900 | \$2,048 | \$343,843 |
| Four Person | \$91,000 | \$2,275 | \$382,048 |
| Moderate (80-120% AMI) | | | |
| One Person | \$75,650 | \$1,891 | \$317,603 |
| Two Person | \$86,500 | \$2,163 | \$363,155 |
| Three Person | \$97,300 | \$2,433 | \$408,497 |
| Four Person | \$108,100 | \$2,700 | \$453,839 |

SOURCE: California Department of Housing and Community Development, State Income Limits, 2022, Monterey County

A.7 Fair Housing Enforcement and Outreach Capacity

This section discusses fair housing legal cases and inquiries, fair housing protections and enforcement, and outreach capacity.

Fair Housing Legal Cases and Inquiries

California fair housing law extends beyond the protections in the Federal Fair Housing Act (FHA). In addition to the FHA protected classes—race, color, ancestry/national origin, religion, disability, sex, and familial status—California law offers protections for age, sexual orientation, gender identity or expression, genetic information, marital status, military or veteran status, and source of income (including federal housing assistance vouchers).

The California Department of Fair Employment in Housing (DFEH) was established in 1980 and is now the largest civil rights agency in the United States. According to their website, the DFEH's mission is, "to protect the people of California from unlawful discrimination in employment, housing and public accommodations (businesses) and from hate violence and human trafficking in accordance with the Fair Employment and Housing Act (FEHA), Unruh Civil Rights Act, Disabled Persons Act, and Ralph Civil Rights Act".¹⁶

DFEH receives, evaluates, and investigates fair housing complaints. DFEH plays a particularly significant role in investigating fair housing complaints against protected classes that are not included in federal legislation and therefore not investigated by HUD. DFEH's website provides detailed instructions for filing a complaint, the complaint process, appealing a decision, and other frequently asked questions.¹⁷ Fair housing complaints can also be submitted to HUD for investigation.

Additionally, Monterey County has a number of local resource and enforcement organizations:

- **The Housing Authority of the County of Monterey:** A public agency that provides rental assistance and develops and manages affordable housing throughout Monterey County, California;
- **South County Housing:** A non-profit community development corporation. The organization's mission is to promote viable neighborhoods that enhance healthy, sustainable communities by collaboratively providing affordable housing and promoting neighborhood services;
- **Public Interest Law Project:** a nonprofit support center for California legal services and other public interest law programs. The California Affordable Housing Law Project (CAHLP) is a project of the Public Interest Law Project. CAHLP concentrates primarily on the enforcement of California's housing element and redevelopment statutes and of state and federal relocation assistance and fair housing laws;
- **Coalition of Homeless Service Providers:** Advocate on the subject of homelessness with policy makers, public funders, and those with lived experience; and
- **California Rural Legal Assistance (CRLA):** a nonprofit legal service program created to help California's low-income individuals and communities. CRLA provides low-income rural Californians with free legal assistance and a variety of community education and outreach programs. Half of its resources are committed to multi-client cases that grapple with the root causes of poverty, with the goal of improving conditions for farmworkers, single parents, school children, the elderly, people with disabilities, and entire communities.

¹⁶ <https://www.dfeh.ca.gov/aboutdfeh/>

¹⁷ <https://www.dfeh.ca.gov/complaintprocess/>

Between 2012 and 2017, 53 fair housing complaints in Monterey County had been filed with the California Department of Fair Employment and Housing (DFEH). Among the complaints countywide, most were related to physical disabilities (23 instances) and familial/marital status (ten instances). Discrimination based on race was also common (seven instances). A complaint may involve multiple acts of discrimination and vice versa. A total of 57 acts of discrimination were recorded in Monterey County. Refusal to rent (17 instances), discriminatory statements (12 instances), and denial of reasonable accommodation/modifications (12 instances) were the most common discriminatory acts in the County.¹⁸

In 2020, a total of six (6) discrimination cases were found with the Office of Fair Housing and Equal Opportunity. Fifty percent of the cases were filed on the basis of disability bias. None of the complaints alleged racial bias. Figure A-46 illustrates that out of all of the FHEO cases filed in the state of California in 2020 (398), only between 1 and 2.5 percent of the cases were filed in Monterey County. None of the discrimination cases filed in Monterey County in 2020 took place in Carmel-by-the-Sea.¹⁹

A total of six discrimination complaints were filed within Monterey County during 2020. Of those cases, three of them alleged discrimination based on disability. Figure A-47 illustrates this statistic by showing that 40.01 to 65 percent of the cases filed in Monterey County during 2020 reflected disability bias. None of the FHEO complaints occurred in the City of Carmel-by-the-Sea.

NFHA identifies three significant trends in 2020 that are relevant for this AFFH:

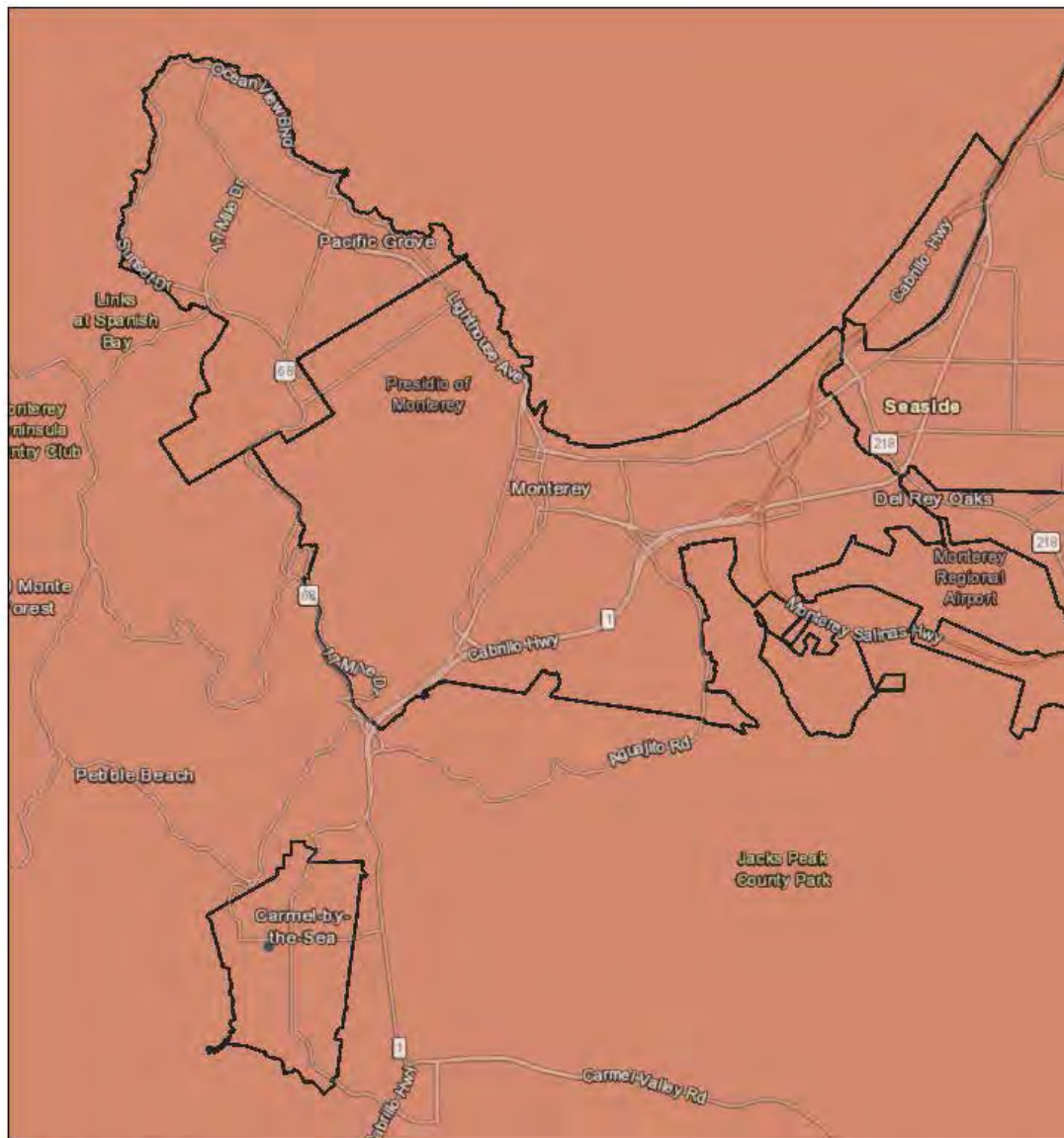
- First, fair lending cases referred to the Department of Justice from federal banking regulators has been declining, indicating that state and local government entities may want to play a larger role in examining fair lending barriers to homeownership;
- Second, NFHA identified a significant increase in the number of complaints of harassment—1,071 complaints in 2020 compared to 761 in 2019; and
- Finally, NFHA found that 73 percent of all fair housing complaints in 2020 were processed by private fair housing organizations, rather than state, local, and federal government agencies—reinforcing the need for local, active fair housing organizations and increased funding for such organizations.²⁰

¹⁸ Source: California Department of Fair Employment & Housing, 2018; Monterey County Regional Analysis of Impediments to Fair Housing Choice, 2019

¹⁹ City of Carmel-by-the-Sea, 2023

²⁰ <https://nationalfairhousing.org/2021/07/29/annual-fair-housing-report-shows-increase-in-housing-harassment/>

Figure A-46 FHEO Cases Total, Monterey County, 2020

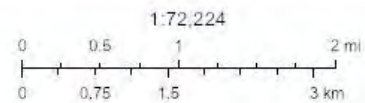


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City/Town Boundaries

(A) FHEO Cases - Total (2020) - County

.01 - .025 Cases

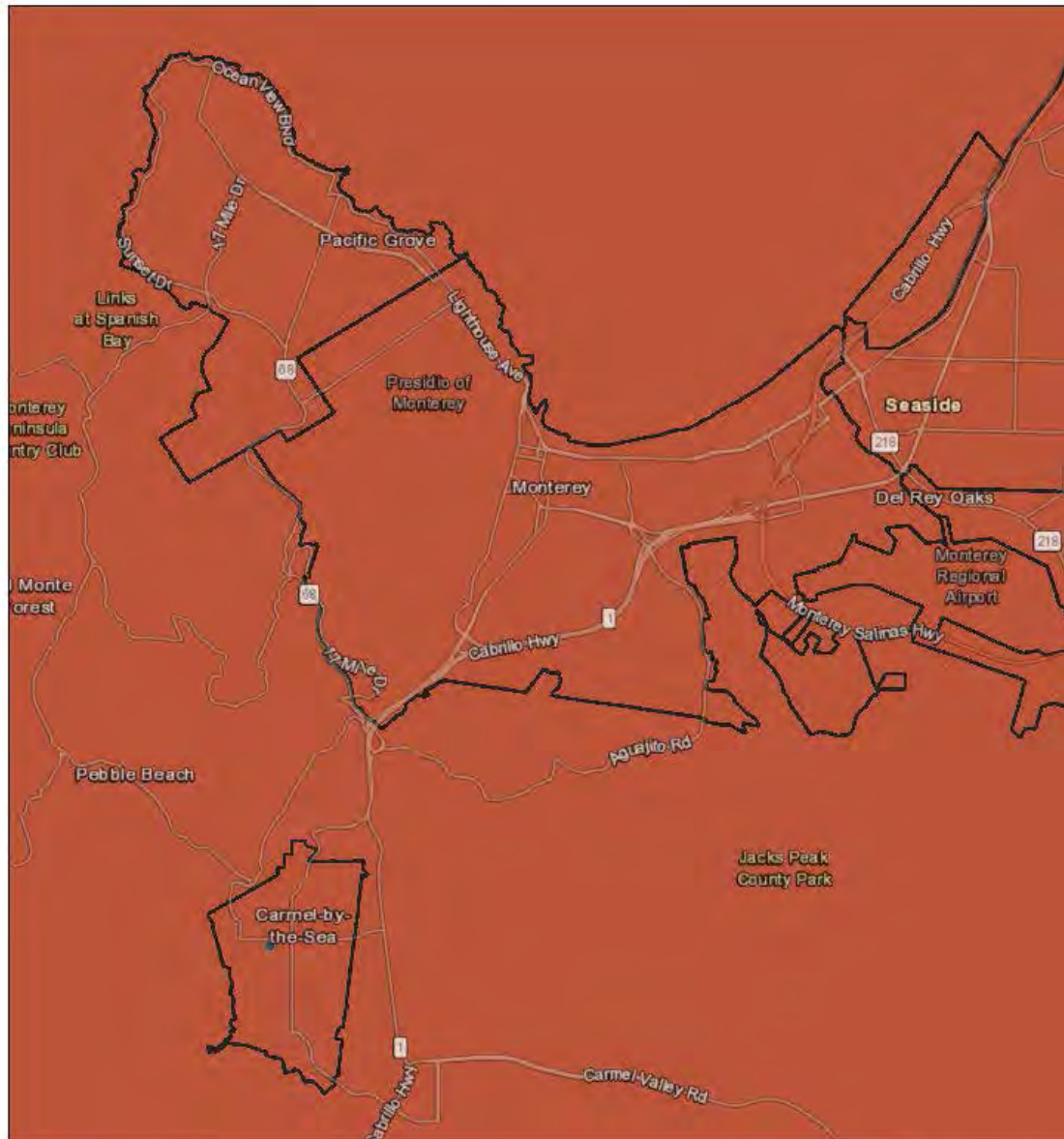


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SOURCE: California Department of Housing and Community Development AFFH Data Viewer

Figure A-47 FHEO Cases, Disability Bias, Monterey County, 2020

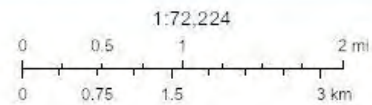


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City/Town Boundaries

(A) FHEO Cases - Disability Bias (2020) - County

40.01% - 65%



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CA HCD

Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

SOURCE: California Department of Housing and Community Development AFFH Data Viewer

Outreach and Capacity

Currently, Carmel-by-the-Sea's website is being updated to contain outright information about local fair housing ordinances. The website will transparently describe the steps residents should take if they feel they have faced discrimination and are seeking information about filing complaints (e.g., link to HUD's and State of California fair housing pages). The site will also reference the organizations that provide fair housing services and assistance to City residents.

The following organizations offer fair housing services and assistance to the residents of Carmel-by-the-Sea:

- Conflict Resolution and Mediation Center;
- Legal Services for Seniors;
- California Rural Legal Assistance;
- ECHO Fair Housing Services
- HUD Housing Assistance;
- Central Coast Center for Independent Living; and
- Center for Community Advocacy.

Compliance with state law. Carmel-by-the-Sea is compliant with the following state laws that promote fair and affordable housing. The city has not been alleged or found in violation of the following:

- Housing Accountability Act (Gov. Code. Section 65589.5) requiring adoption of a Housing Element and compliance with RHNA allocations;
- No Net Loss Law (Gov. Code Section 65863) requiring that adequate sites be maintained to accommodate unmet RHNA allocations;
- Least Cost Zoning Law (Gov. Code. Section 65913.1);
- Excessive Subdivision Standards Law (Gov. Code. Section 65913.2); and
- Limits on Growth Controls Law (Gov. Code. Section 65302.8).

Housing Specific Policies Enacted Locally

The City of Carmel-by-the-Sea identified the following local policies that contribute to the regulatory environment for affordable housing development in the City:

- Policy 1.1: Ensure adequate sites are available to meet the City's projected housing growth needs.

- Policy 1.3: Reduce or eliminate governmental constraints on the provision of affordable housing. Direct public funding resources to the conservation of existing housing units in neighborhoods where continued residential use is appropriate.
- Policy 2.3: Preserve and expand affordable and rental housing opportunities to enable local employees to live in the community where they work.
- Policy 2.4: Preserve the existing housing stock.
- Policy 3.2: Recognize the special needs of persons with disabilities and the need to retain flexibility in the design review process to accommodate these needs.

A.8 Fair Housing Recommendations

Contributing Factors and Fair Housing Action Plan

The disparities in housing choice and access to opportunity discussed above stem from historical actions, socioeconomic factors that limit employment and income growth, barriers to open housing choice, and until recently, very limited resources to respond to needs.

FAIR HOUSING ISSUE: Household Characteristics

Carmel-by-the-Sea has significantly lower proportions of racial and ethnic minorities compared to Monterey County and the AMBAG region. The absences of protected classes and housing options suitable to them may indicate exclusionary behavior.

CONTRIBUTING FACTORS

- Lack of racial and ethnic diversity within the City;
- Lack of adequate affordable housing options.

FAIR HOUSING ISSUE: Disproportionate Housing Needs

Forty-six (46) percent of Carmel-by-the-Sea households are cost burdened households, of which 24 percent are renter-occupied households and 23 percent are owner-occupied.

CONTRIBUTING FACTORS

- Lack of affordable housing;
- Lack of adequate housing stock that meets the needs of residents; and
- Jobs-worker imbalance.

FAIR HOUSING ISSUE: Special Needs Groups

In Carmel-by-the-Sea, extremely low-income and special needs groups experience disproportionate impacts of poverty, increasing the challenge of obtaining adequate housing in the City.

CONTRIBUTING FACTORS

- Lack of affordable housing;
- Jobs-worker imbalance;
- Lack of accessible units for individuals with disabilities; and
- Lack of Transitional and Supportive Housing/Emergency Shelters.

FAIR HOUSING ISSUE: Housing Stock

Carmel-by-the-Sea's lack of affordable housing production, limited variety of housing types, and increasing housing costs create barriers to enter the local housing market.

CONTRIBUTING FACTORS

- Since 2015, there have been 18 housing permits in the City for only above moderate-income households; and
- Lack of developable land, due to coastal zoning ordinances.

FAIR HOUSING ISSUE: Access to Opportunity

Low production of affordable housing in Carmel-by-the-Sea limits housing choices for low-income households, and has a disproportionate impact on Hispanic or Latino, Asian, and Black/African American households.

CONTRIBUTING FACTORS

- Of the 18 housing permits issued in Carmel-by-the-Sea since 2015, zero were issued for lower-income households; and
- Costs of land, materials, and labor which limit profitability of affordable housing.

FAIR HOUSING ISSUE: Fair Housing Enforcement

No residents filed fair housing complaints in Carmel-by-the-Sea, indicating a potential lack of awareness about fair housing rights.

CONTRIBUTING FACTORS

- Lack of access to information about fair housing rights; and
- Limited knowledge of fair housing by residents.

Local Knowledge of Contributing Factors to Fair Housing

In order to better inform this Housing Element to meet the needs of residents of Carmel-by-the-Sea, the City prompts the input of the public. All responses will be taken into consideration for incorporation into the Housing Element to guide policies and programs that address the housing needs of existing and future residents.

In your experience in Carmel-by-the-Sea, what has contributed to the fair housing issues? What solutions do you envision to address these issues?

Priority Contributing Factors

The City of Carmel-by-the-Sea has prioritized the following contributing factors to the Fair Housing issues mentioned above:

- Lack of diverse housing stock;
- Lack of affordable housing overall;
- Lack of access to information about Fair Housing rights;
- Lack of Transitional and Supportive Housing/Emergency Shelters; and
- Lack of accessible units for individuals with disabilities.

Recommended Fair Housing Programs and Policies

The following are recommended policies that are intended to address the City's fair housing issues and contributing factors:

- Lack of diverse housing stock
 - Program 1.3.A: Condominium Conversions;
 - Program 1.3.B: R-1 Motel Development Rights Transfer;
 - Program 1.3.C: Accessory Dwelling Units; and
 - Program 1.3.E: Amend the A-2 Zoning District.

- Lack of Affordable Housing overall
 - Program 3.1.B: Housing for Extremely-Low Income Households;
 - Program 3.1.C: Density Bonus; and
 - Program 3.1.G: Affordable Housing Overlay Zoning District.
- Lack of accessible units for individuals with disabilities
 - Program 3.2.A: Reasonable Accommodation Procedures.
- Lack of Transitional and Supportive Housing/Emergency Shelters
 - Program 3.3.A: Zoning for Transitional and Supportive Housing; and
 - Program 3.3.B: Low-Barrier Navigation Centers.
- Lack of access to information about Fair Housing rights
 - Program 5.1.A: Fair Housing Services;
 - Program 5.1.B: Section 8 Rental Assistance; and
 - Program 5.2.A: Shared Housing Information.

A.9 Conclusion

To address the fair housing issues identified in this Housing Needs and Fair Housing report, the programs listed in the above section are included in [Chapter 2](#) of this Housing Element.

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Housing Constraints

B
APPENDIX

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Appendix B

Housing Constraints

B.1 Introduction

Housing development is affected by public regulations and other forces. This chapter discusses both governmental and non-governmental constraints that affect housing in the City of Carmel-by-the-Sea. Governmental constraints consist of policies, requirements, or other actions imposed by various levels of government on land and housing ownership and development. In addition to local standards, the City follows building and design requirements put forth by State laws, the Uniform Building Code, Subdivision Map Act, energy conservation requirements, as well as other regulatory standards. However, Federal and State agency regulations that may constrain development are beyond the City's control and are therefore not addressed in this document. Non-governmental constraints are other conditions that impact housing development such as market factors, environmental setting, land availability, and construction costs.

B.2 Governmental Constraints

Governmental constraints are policies, standards, requirements, or actions imposed by the various levels of government upon land and housing ownership and development. Although federal and state agencies play a role in the imposition of governmental constraints, these agencies are beyond the influence of local government and are therefore not addressed in this document. As appropriate, the City will monitor federal and State legislation that could impact housing and support, or change additions to existing legislation. The City will update the Planning Regulations, as needed, to comply with any new housing related planning or zoning laws enacted by the State during the 6th Cycle Planning Period (2023-2031)

General Plan and Land Use Controls

Each city and county in California must prepare a comprehensive, long-term General Plan to guide its future. The Land Use Element of the General Plan establishes the basic land uses and density of development within each jurisdiction. Under state law, the General Plan elements must be internally consistent, and each jurisdiction's zoning must be consistent with its General Plan. Thus, the Land Use Element must provide suitable locations and densities to implement the policies of the Housing Element.

The City’s development policies, standards and requirements were established with the intent of maintaining the long-term health, safety, and welfare of the community. To achieve this, the City has implemented a range of procedures, regulations, and fees associated with all local development. Specific land use and development constraints, such as zoning regulations, governmental fees, building code standards, design review, and processing and permitting time can greatly influence the type and cost of construction that occurs.

The City of Carmel-by-the-Sea General Plan/Coastal Land Use Plan (General Plan) was adopted in 2003 and most recently amended in 2015. The General Plan Housing Element identifies permitted land uses and development intensities for all land within City boundaries. Permitted uses within the City include “Single-Family Residential” and “Multi-Family Residential.” The “Commercial/Residential” designation also permits mixed use building designations under Commercial Zoning and is intended to provide for a mix of residential dwellings and a limited range of office and service uses in scale with the character of the community. [Table B-1, Residential Land Use Designations](#), identifies the residential land use designations and their maximum permitted densities.

Table B-1 Residential Land Use Designations

| Designation | Maximum Density |
|---------------------------|---|
| Single-Family Residential | 11 du/ac |
| Multi-Family Residential | 33 du/ac 44 du/ac (with affordable housing) |
| Commercial/Residential | 33 du/ac |

SOURCE: Carmel-by-the-Sea 2003 General Plan

The range of residential densities provided by Carmel-by-the-Sea’s General Plan is sufficient to accommodate a range of housing types and affordability levels. It does not, therefore, pose an undue governmental constraint the development of housing for the community.

Local Coastal Program and Coastal Land Use Plan

The California Coastal Act was established to balance landowners’ rights to develop and the public’s right to enjoy the coastline. This resulted in an area defined as the Coastal Zone and it is regulated to ensure orderly, long-range conservation, use, and management of the natural, scenic, cultural, recreational, and manmade resources of the coast. All of the Carmel-by-the-Sea is located within the coastal zone, which in this area extends from the coast east to California State Route 1.

Carmel-by-the-Sea’s Local Coastal Program (LCP) was certified by the Coastal Commission in 2004, enabling the City to issue Coastal Development Permits (CDPs). This allows the City to process development applications more quickly than would occur without this certification and direct

permitting authority and oversight from the Coastal Commission. The LCP includes the following General Plan Elements: Land Use, Circulation, Coastal Access and Recreation, and Coastal Resource Management; Carmel Municipal Code Chapter 17 (Implementation Plan); and, the General Plan and Zoning Code.

The presence of land use regulation via the LCP, in general, means that housing development in Carmel-by-the-Sea faces a high bar to succeed. Most of the recent remedies brought forward by the California legislature to facilitate housing development are either outright inapplicable in the Coastal Zone (SB 35) or are secondary to California Coastal Commission policies that protect habitat resources (SB 9).

Zoning Code

The City of Carmel-by-the-Sea Zoning Code (City Municipal Code Title 17, Chapter 17.08-Residential Zoning Districts) establishes regulatory standards that dictate the type, location, density, and scale of residential development within the City's boundaries. Below are the two primary zoning districts within the city that allow for residential uses:

- R-1 Single-Family Residential District; and
- R-4 Multifamily Residential District.

In addition, the following zoning districts provide for some residential uses above commercial uses or on ground floor after review and approval of a conditional uses permit.

- CC Central Commercial District;
- SC Service Commercial; and
- RC Residential and Limited Commercial.

The following public and quasi-public zoning districts also permit limited residential uses:

- P-2 Improved Parklands (Park and Recreation District);
- A-2 Community and Cultural (Other Public District); and
- A-3 Senior Citizen Facility (Other Public District).

The City of Carmel-by-the-Sea Municipal Code (CMC) provides zoning regulations that are more specific than the General Plan Land Use designations. The R-1 (Single-Family Residential) district provides an appropriate land area for permanent single-family residential uses and structures and to enhance and maintain the residential character of the City. The R-4 (Multifamily Residential) district is intended to serve two purposes: 1) to provide an appropriate location for a mix of multifamily residential dwelling units convenient to the commercial area; and 2) to serve as a buffer or transitional zone between the commercial area and the single-family residential district.

Commercial zoning districts that permit some residential uses include: Central Commercial District (CC), which is intended to provide an appropriate location for a broad range of retail, residential and service uses. Uses which generate high pedestrian traffic and which do not have large space requirements are appropriate in this district. Residential uses are appropriate on the second floor of structures. Service Commercial (SC) is intended to provide an appropriate location for services, offices, residential and limited retail activities that primarily serve local needs. This district is intended to provide a distinct transition between the more intense activities in the CC district and the less intense activities in the districts on its periphery. Mixed uses of commercial and residential activities are appropriate throughout this district. The Residential and Limited Commercial (RC) district seeks to provide an appropriate location for permanent and transient residential uses, service and office uses, and limited retail uses that do not adversely impact the residential neighborhood. This district is intended to provide a transition and buffer between the more intense activities in the CC and SC districts and the less intense activities in the R-1 and R-4 districts.

Certain public and quasi-public zoning districts also permit limited residential uses. “Improved Parklands” (P-2) zoned areas permit single-family, senior citizen, and family day care uses which are limited to the use and maintenance of existing buildings for nonprofit organizations, governmental buildings and uses, and residential use. Sites located in the “Community and Cultural Center” (A-2) and “Senior Citizen Facility” (A-3) districts permit senior citizen housing outright.

Table B-2, *Residential Uses Permitted by Zone*, shows residential uses, the zoning districts in which they are permitted, and whether they are permitted by right (without discretionary action) or with a conditional use permit (CUP). The City’s Municipal Code is available online: (<https://www.codepublishing.com/CA/CarmelbytheSea/>).

Zoning regulations do not appear to pose any serious problems to the development of the remaining undeveloped residential sites. Rather, the challenges to developing the remaining sites have more to do with the design review and non-governmental constraints such as: site topography, available land, and construction costs. Regulations concerning building setbacks and open space are not unusually restrictive, and on-site parking is not required to be covered by a carport or garage. The City’s zoning standards have been written with the unique aspects of the community in mind and have attempted to mitigate the issues of topographic and other environmental constraints.

Table B-2 Residential Uses Permitted by Zone

| Residential Use | Residential Zoning Districts | | Commercial Zoning Districts | | | Public and Quasi-Public Districts (Park and Recreation & Other Public Districts) | | |
|--|------------------------------|-----|-----------------------------|----|----|---|-----|-----|
| | R-1 | R-4 | CC | SC | RC | P-2 | A-2 | A-3 |
| Single-Family | P | P | C-L-5 | C | C | P-L-1 | - | - |
| <i>Accessory Dwelling Units</i> | | | | | | | | |
| Accessory Dwelling Unit (Interior) | P | P | - | - | - | - | - | - |
| Accessory Dwelling Unit (New Structure) | P | P | - | - | - | - | - | - |
| Class I Accessory Dwelling Unit | P | - | - | - | - | - | - | - |
| Class II Accessory Dwelling Unit | P | - | - | - | - | - | - | - |
| Studio | P | P | - | - | - | - | - | - |
| Guesthouse (Noncommercial) | C | - | - | - | - | - | - | - |
| <i>Multifamily Dwellings</i> | | | | | | | | |
| 0-22 dwelling units/acre | - | P | P | P | P | - | - | - |
| 22 dwelling units/acre | - | C | | | | - | - | - |
| 23-33 dwelling units/acre | - | - | C | C | C | - | - | - |
| 34-44 dwelling units/acre | - | - | C | C | C | - | - | - |
| 45-88 dwelling units/acre | - | - | C | C | C | - | - | - |
| Senior Citizen Housing | R-L-5 | P | P | P | P | P-L-1 | P | P |
| <i>Family Day Care</i> | | | | | | | | |
| Small Family | R-L-5 | P | - | | P | P-L-1 | - | - |
| Large Family | - | C-4 | - | C | C | P-L-1 | - | - |
| Group Residential | - | C | - | - | - | - | - | - |

| Residential Use | Residential Zoning Districts | | Commercial Zoning Districts | | | Public and Quasi-Public Districts (Park and Recreation & Other Public Districts) | | |
|---------------------------------------|------------------------------|-------|-----------------------------|-------|-------|--|-----|-----|
| | R-1 | R-4 | CC | SC | RC | P-2 | A-2 | A-3 |
| Transient Rental, Legal Nonconforming | - | R-L-6 | C-L-7 | C-L-7 | C-L-7 | - | - | - |
| Transient Rental, Housing Incentive | - | R-L-7 | C-L-8 | C-L-8 | C-L-8 | - | - | - |

SOURCE: CMC Title 17 Zoning 2023

NOTE: Key:

(P) permitted use classifications.

(L) use classifications that are permitted, subject to certain specific limitations noted by the number designations and listed at the end of Schedule II-1 (CMC Section 17.08.040) and Schedule II-B (CMC Section 17.14.030).

(C) use classifications permitted after review and approval of a conditional use permit by the Planning Commission. Conditions or standards may apply to these uses, noted by the number designations and listed at the end of Schedule II-1.

(—) prohibited

Residential Districts Specific Limitations and Conditions

R-L-1. Limited to advertising, consumer credit reporting, secretarial and court reporting, equipment maintenance and repair, personnel supply services, and nonretail computer services and repair.

R-L-2. Allowed only on existing quasi-public use sites established prior to December 1, 1980, or added as an accessory use to such existing uses.

R-L-3. Limited to existing units established prior to January 1, 1967, and/or authorized by a use permit issued between 1967 and 1990. *Note: These provisions approved by voter referendum.

R-L-4. Limited to existing commercial spaces established prior to 1993 and occupied by commercial uses continuously since that time.

R-L-5. Limited to occupancy within a single-family residence.

R-L-6. Limited to permits approved prior to the adoption of Ordinance 2019-03.

R-L-7. Limited to transient rental units approved through the issuance of a conditional use permit as an incentive for the creation of new housing units. See CMC 17.14.040(W)(2)(b).

Commercial Districts Specific Limitations and Conditions

C-L-1. Limited to advertising, consumer credit reporting, secretarial court reporting, equipment maintenance and repair, personnel supply services, and nonretail computer services and repair.

C-L-2. Allowed only as accessory use to gasoline stations and limited to a maximum of 300 square feet. No sales of alcohol are permitted. See CMC 17.14.040(D)(2) and (J)(2).

C-L-3. Any establishments with activities generating noise, odors, deliveries by large vehicles, high traffic by customers, or requiring large storage needs are not permitted.

C-L-4. Limited to offices for the following categories: operators of nonresidential buildings, apartment buildings, dwellings, real estate agents and managers, and title companies.

C-L-5. Limited to sites that are already developed with a single-family dwelling, or that were originally developed as, or used as, a single-family dwelling but have since been converted to another use. Existing single-family dwellings can be maintained, altered, repaired and/or redeveloped. R-1 district floor area ratio standards shall apply to these sites.

C-L-6. Subject to the same regulations as apply to other family residential dwellings in the same zone.

C-L-7. Limited to permits approved prior to the adoption of Ordinance 2019-03.

C-L-8. Limited to transient rental units approved through the issuance of a conditional use permit as an incentive for the creation of new housing units. See CMC 17.14.040(W)(2)(b).

Public and Quasi-Public Districts Specific Limitations and Conditions

P-L-1: Limited to the use and maintenance of existing buildings for nonprofit organizations, governmental buildings and uses, and residential use.

P-L-2: Limited to facilities serving only park visitors and/or tenants of park buildings.

P-L-3: Limited to schools for theater arts.

P-L-4: Limited to workshops and classes connected with the arts.

P-L-5: Only as an accessory use, when in connection with any other authorized use.

Commercial Motel Uses in R-1 Residential Areas

Pursuant to coastal zone requirements, the City has recognized existing R-1 motels as an important coastal visitor asset and economic base in the community and there are a number of older non-conforming motels in the R-1 residential zoning district. These commercial establishments can be targeted to transition out of residential areas and be rehabilitated as multi-family residences. The properties are located in key prime residential areas. Enabling commercial uses to relocate to commercial zoning districts would diversify the housing stock by allowing the existing motels and hotels to be rehabilitated and refurbished into multi-family units. In order to encourage these properties to transition into permanent multi-family residences, and to retain the same number of hotel and motel rooms for the current businesses, the City will develop a program to allow the transfer of development rights of hotels and motels located in the R-1 zoning district to the commercial zoning district.

Overlay Zoning Districts

Overlay districts are zoning districts established by the City to carry out specific purposes. They are governed by a set of regulations that address specific subjects such as archaeological significant resources or environmentally sensitive habitat areas. The City current has overlay districts that address the following:

- Archeological significance;
- Parks;
- Beach and Riparian areas;
- Environmentally Sensitive Habitats;
- Annexed County Lots; and
- Downtown Conservation District.

Overlay districts can be constraints to development, or they can be used as a tool to encourage certain types of development. Currently, the city does not have an overlay district to encourage affordable housing. An overlay district crafted to require a minimum density of 33 du/ac for specific sites identified in the Site Inventory would be another tool to encourage efficient use of property by requiring a minimum density that a project would need to achieve if in the affordable housing overlay zone. The City will craft an affordable housing overlay zone with a minimum density of 33 du/ac.

Development Standards

With the exception of building heights, development standards in Carmel-by-the-Sea are typical for a small residential community. As for building heights, the City limits building heights to two stories and 30 feet or less, which can render higher allowable densities (up to 44 du/ac with affordable

housing) unachievable. The City has discussed the possibility of increasing height limits, but community resistance to increasing the height limit has been consistent (e.g., damaging to the character of the downtown). Some community members have supported the allowance of mezzanines as a third interior story, if it could be accomplished without appearing as a three-story building. The Zoning Code permits multi-family dwellings in all commercial districts and existing underutilized commercial spaces can be repurposed for residential uses.

The Community and Cultural Center Zoning District, A-2, allows senior citizen housing (55+) as a permitted use in addition to uses that provide cultural and community activities associated with the arts, education and recreation; however, development standards are not specified for the A-2 district and design review is required. The lack of development standards adds uncertainty to the development process. Amending the A-2 zoning district with clear setbacks, height, and landscaping requirements will add clarity and remove a development constraint. The City of Carmel-by-the-Sea has included a new program in this 6th Cycle Housing Element to amend the A-2 Zoning District to include clear development standards as a means to encourage affordable senior citizen housing.

[Table B-3, Residential Development Standards](#), summarizes residential development standards in Carmel-by-the-Sea.

Density Bonus

Floor area bonuses are available for projects in the commercial zones that include an intra-block walkway and/or a courtyard (see CMC 17.14.140.D.2). The same floor area bonus is available for projects that include affordable units. This indicates that the City equally values walkways or courtyards and affordable units. The City may consider making walkways and/or courtyards a requirement, and keep or increase the bonus for affordable units. Additionally, the existing floor area bonus for affordable units really only incentivizes creation of moderate units, not low or very low (see CMC 17.14.140.D.1).

Table B-3 Residential Development Standards

| Zoning | Minimum Lot Area (sq ft) | Setbacks | | | Maximum Height ^{1,2,3} | Maximum Floor Area (sq ft) | Maximum Lot Coverage or Density (R-4) | |
|-----------------------|-----------------------------|---|-----------------------------|-------------|--|----------------------------|--|--|
| | | Front (in feet) | Minimum Side Yard (in feet) | Rear | | | | |
| Residential Districts | | | | | | | | |
| R-1 | 2,500 ¹ 4,000 | 15 | Interior | Street Side | 15 | 24 feet 2 stories | Less than 45 percent of the area of the building site ² 2,400 ³ | 22% of the base floor area |
| | | | 3 | 5 | | | | |
| R-4 | 4,000 | No setback. 5 – if across from R-4, RC; 7.5 across from R-1 | No setback ^{4,5} | N/A | No setback. 10 – if abutting R-1 or R-4 | 26 feet 2 stories | N/A | 33 units/acre 44 units/acre with density bonus |
| Commercial Districts | | | | | | | | |
| CC | N/A | No setback. 5 – if across from R-4, RC; 7.5 across from R-1 | No setback ⁴ | N/A | No setback 10 – if abutting R-1 or R-4 | 30 feet 2 stories | N/A ¹ | One story – 95% of the site area Two story – 135% of the site area 150% with 15% bonus |
| SC | N/A | No setback. 5 – if across from R-4, RC; 7.5 across from R-1 | No setback ⁴ | N/A | No setback 10 – if abutting R-1 or R-4 | 30 feet 2 stories | N/A | One story – 95% of the site area Two story – 135% of the site area 150% with 15% bonus |
| RC | N/A | No setback. 5 – if across from R-4, RC; 7.5 across from R-1 | No setback ⁴ | N/A | No setback 10 – if abutting R-1 or R-4 | 26 feet 2 stories | N/A | One story – 70% of the site area Two story – 80% of the site area 95% with 15% bonus |

SOURCE: CMC Title 17 2023

NOTE: 1. Lots of record in existence on February 4, 1948.

2. Applies to sites less than 4,000 square feet.

3. The maximum potential floor area on a site is the sum of the base floor area plus any bonus floor area. The City uses a sliding scale to determine maximum floor area and site coverage.

4. If abutting R-4 or RC district a side yard setback of at least 5 feet along at least 50% of each side property line. The remaining 50% requires no setback unless the faces a public street. Any site abutting R-1 district requires a setback of five feet along entire side yard.

5. Buildings shall not be less than six feet from any other buildings on the same site.

Site Plan and Design Review

Architectural design is important to Carmel-by-the-Sea. The historic character of Carmel's built environment has been shaped by decades of careful and deliberative design review (referred to as "design study" in Carmel) that addresses such features as site design, architectural style, building materials, color palettes, window treatments, tree placement and landscaping. This attention to detail has resulted in a beautiful, forested village atmosphere that continues to capture the imagination of people from around the world who visit and even choose to make Carmel their home.

The same design review process that has contributed to Carmel becoming a world-famous destination, however, has also impacted its ability to provide housing for lower-income households and by extension housing for a less affluent and racially diverse population. In this way, Carmel has in some ways become a victim of its own success. Many of the actors, artists, and writers who have made Carmel their home over the decades came from modest beginnings and travelled to the area not to live in multi-million-dollar homes, but to experience and become part of a "rich" artistic community. They came for inspiration not exclusivity.

Part of the challenge, then, is for Carmel to find a way back to its roots—to provide space again for the next generation of the artistically gifted who have yet to make their mark on the world, a space that contains a full mix of incomes and backgrounds within which the artist can find meaning and inspiration. All of which leads back, in this instance, to the City's design study process, which involves multiple layers of overly exhaustive, and depending on the scale and size of the project, prohibitively time-consuming and expensive review components.

The following subsection provides a detailed description of Carmel's design review process.

Residential Design Review Process

The typical residential development review process for Carmel-by-the-Sea generally falls under two design study "tracks" – Track 1 and Track 2.

Residential Track 1 Design Study

Track 1 Major Design Study Applications are projects that can be approved at the staff level and typically do not require a public hearing. "Track 1 Major" projects are projects involving additions of less than 10% of the existing floor area, or projects with multiple minor components (Track 1 Minor) that together add complexity and require a more detailed review.

The Track 1 Major review is also limited to projects that: 1) do not require significant cuts to the roots/limbs of any "significant" or "moderately significant" trees; 2) do not require the demolition of substantial alteration of any dwelling unit; and 3) are sited and designed to protect public views to and along the ocean and scenic coastal access.

The major steps involved with a Track 1 Design Study Application are as follows:

1. Submit a Design Study Application – This is the formal project application. Planning staff will review the application for completeness and provide early feedback.
2. Staff Review and Decision – Staff will review the application for completeness and consistency with the Residential Design Guidelines. If the application is incomplete or inconsistent with the Design Guidelines, staff will notify the project applicant of the changes that are required. If the application is complete and approvable, staff will notify the applicant has been approved. If approved, an approval packet is completed and issued. The approval packet consists of (1) an Approval Letter, (2) Conditions of Approval, (3) a Notice of Approval, and (4) an Affidavit of Posting of the Notice of Approval.
3. Noticing/Appeal Period - The Notice of Approval is required to be posted on-site by the applicant for a 10-calendar day appeal period. For Track 1 Major projects, the approval notice will also be mailed to neighbors within 100 feet of the property.
4. Building Permit/Notice of Authorized Work – Following the end of the appeal period, and assuming no appeals are filed, the applicant may apply for either a Building Permit or Notice of Authorized Work. The approval packet will inform the applicant if a Building Permit or Notice of Authorized Work is required.

Residential Track 2 Design Study

Track 2 Design Study Applications are for new residential construction, large additions and substantial alterations that require Planning Commission approval. The purpose of the Track 2 Design Study is to promote orderly development, to ensure high quality neighborhood design that is harmonious with its surroundings, to implement the General Plan, and to preserve and promote the visual character of the City. The major steps involved with a Track 2 Design Study Application are as follows:

1. Submit a Preliminary Site Assessment Application – This is required for all Track 2 Projects. After the assessment is completed by staff, the applicant will move on to submitting their project application.
2. Submit a Design Study Application – This is the formal project application. Planning staff will review it for completeness and provide early feedback.
3. Participate in a Forest and Beach Commission Hearing (if tree removal is proposed): A request to remove or prune a significant tree must be approved by the Forest and Beach Commission (FBC) prior to determining completeness of the application. The removal or pruning of any tree will require a separate tree removal application be submitted (Permit Type: Tree with Construction).
4. Install Staking and Flagging (story poles) – “Story poles” provide a visual representation of the proposed project for the public and the Planning Commission. Story poles must be installed and

heights certified by a California licensed surveyor or civil engineer at least 10 days prior to the scheduled Concept Hearing. To avoid having to relocate or reposition the story poles, it is recommended story poles be installed after the application has been deemed complete.

5. Participate in a Historic Resource Board Hearing (properties located on the City's Inventory of Historic Resources Database) – Projects on historic sites are subject to additional review from a city-retained historical consultant and review by the Historic Resources Board (HRB) prior to consideration by the Planning Commission. The historic status of a property will be determined during the Preliminary Site Assessment.
6. Participate in a Concept Hearing – The Concept Review phase by the Planning Commission (PC) will address site planning, access, building massing and neighborhood design issues, such as privacy and view impacts. Projects are evaluated using both the development standards in the Zoning Code and the *Residential Design Guidelines – Introduction and Design Concept Review*.
7. Obtain a Volume Study – Each site is permitted a certain amount of exterior volume. Volume is defined as the total space occupied by all structures located above average grade. The Planning Division will send the architectural design plans to a City-retained architect/engineer to calculate the volume. A deposit will be collected at the time of application submittal and the unused balance will be returned to the applicant.
8. Participate in a Final Details Hearing – In this review by the Planning Commission (PC), the project is reviewed for compliance with the City's *Residential Design Guidelines – Final Details Review*. Issues such as landscaping, architectural character, and exterior materials are evaluated.
9. Final Approval and Appeal Period – The Planning Commission's approval is subject to a 10-working day appeal period. Story poles must remain until the appeal period has expired. At the conclusion of the appeal period, and assuming no appeals are filed, the applicant may proceed with submitting an application for a Building Permit. If an appeal is filed, the appeal will be considered by the City Council at the next available council meeting.

Commercial Design Review Process

In addition, the City has established two tracks for design review of projects proposing new construction, alterations, rebuilds, additions, demolitions, and other exterior design changes in the central commercial (CC), service commercial (SC) and residential and limited commercial (RC) districts and the multifamily residential (R-4) district. Commercial development is subject to the City's *Commercial Design Guidelines* (2000) and *Carmel Plaza Storefront Design Guidelines* (2001) as applicable.

Commercial Track One Design Review

The Director may approve Track One applications for design changes in all commercial zoning districts and the R-4 district based on a determination that such projects comply with the Zoning Code and all applicable commercial design guidelines.

Commercial Track Two Design Review

The Planning Commission shall review and approve Track Two applications. This is a discretionary process for reviewing substantial design changes in commercial zoning districts and the R-4 district.

Historic Resources

Upon submittal of a design study, building permit or other application for alteration of a property, the City shall determine if the subject property contains historic resources and is therefore eligible for the Carmel Inventory of Historic Resources (last updated in 2022). If it is determined that the property contains historic resources, the applicant shall be required to obtain a determination of consistency with the Secretary of the Interior's Standards for the Treatment of Historic Properties as part of the project review process.

Minor Alterations

Determinations of consistency for minor alterations shall be reviewed by City staff for compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Minor alterations that are found not to comply with the Secretary's Standards shall be considered and processed as major alterations requiring an evaluation by a qualified professional and final action by the Historic Resources Board.

Major Alterations

Determinations of consistency for major alterations shall require an evaluation by a qualified professional and shall be reviewed and approved by the Historic Resources Board.

The City's current approach to conserving historic resources does not present a constraint to constructing new residential units.

Building and Fire Code

Building and safety codes are adopted to preserve public health and safety, and ensure the construction of safe and decent housing. These codes and standards also have the potential to increase the cost of housing construction or maintenance. The City's Building Code is currently based on the latest, 2022 version of the California Building Code, along with all required updates (City Ordinance No. 2022-004). The City has not made any amendments to the Code that might diminish the ability to accommodate persons with disabilities or other special-needs groups.

The 2022 California Fire Code as adopted by the City and effective January 1, 2023 (found in Chapter 15.55 of the CMC), prescribes the issuance of Fire Code Operational Permits for operations, processes, and/or activities that present higher levels of risk to life and property. Operational permits allow the City to better track specific hazards and to assure that safeguards for hazardous operations, processes, and activities are maintained in accordance with local, State and Federal Regulations.

Carmel Municipal Code Title 8.32.100, Section 102.1(5) requires new structures, or existing structures to which additions, alterations or repairs are made that involve the addition, removal or replacement of fifty percent (50%) or greater of the linear length of the walls of the existing building (exterior plus interior) within a five-year period, are required to be outfitted with an automatic fire sprinkler system. Fire sprinklers shall be addressed as part of the building permit review. It is recognized that the costs of an automatic fire sprinkler system can vary considerably, based on various factors, including water service capabilities, whether a new meter is required, and the type of fire suppression system required for the application in question. However, it is generally recognized by City staff that installing fire sprinklers can be expensive fire sprinklers and presents challenges from a water flow standpoint. Parts of Carmel have low water pressure affecting the ability to install sprinklers, which in-turn significantly increases construction costs if additional on-site infrastructure is needed (water holding tanks, pumps, etc.) to serve the sprinkler system.

Additionally, vehicular access within the community is affected by steep, hilly terrain and many secondary ridge lines. Many streets are narrow and winding, restricting the speed at which a fire apparatus may safely respond and also increasing the time lapse between fire detection and apparatus arrival, during which a household will face the fire or other emergency on their own.

The State Fire Marshal's Office, and the City of Carmel-by-the-Sea, have adopted regulations for protection of structures built in areas susceptible to wildland fires under California Building Code Chapter 7A (2019 edition). Exterior wildfire exposure protection within the City of Carmel-by-the-Sea is prescribed in Municipal Code Title 15, Buildings and Construction. Protective features include such active measures as combustible vegetation management and sprinkler systems; and passive protection features such as fire resistive roofing and building opening protection. The extent of protection is determined by the location of the property. The currently adopted (October 2008) California Department of Forestry and Fire Protection (CAL FIRE) *Very High Fire Hazard Severity Zones in Local Responsibility Areas* (LRA) map for Carmel-by-the-Sea, identifies a large area encompassing northern and eastern portions of the City as a "Very High Fire Hazard Severity Zone." It should be noted that all LRA maps across the state of California are undergoing updates and according to CAL FIRE are anticipated to be released sometime in 2024. Within the areas identified in the "Very High Fire Hazard Severity Zone," additional construction features are mandated. These typically include ignition resistant materials, spark protection for ventilation openings, and exterior window and door protection. Detailed requirements are contained in Chapter 7A of the California Building Code and in Carmel Municipal Code Titles 8 and 15.

The City finds that the adopted Building Code and Zoning Code enforcement activities are not constraints to the development, maintenance or preservation of housing.

Special Housing Topics

This section discusses several special housing topics that have been the subject of recent attention in the California Legislature.

Accessory Dwelling Units (ADUs)

An accessory dwelling unit (or ADU) is defined as an attached or detached residential dwelling which provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, which is located on the same parcel as a single-family dwelling (CMC 17.68.030). Based on their relatively small size, and because they do not require paying for land or major new infrastructure, ADUs and Junior ADUs (JADU) are considered affordable by design. ADUs can provide affordable housing options for family members, seniors, students, in-home health care providers, and other small household types. ADUs can also be useful to generate additional rental income for the homeowner, making homeownership more financially feasible. Additionally, the City has a high rate of second home (vacation) ownership. Encouraging ADUs and JADUs may be appealing to second home owners because ADUs will provide a higher level of security to the property if there is a full-time resident, add an income stream to a property that lies vacant for a high proportion of the year and will provide much needed affordable smaller housing units.

The City's ADU ordinance was last updated in 2017 (Ord. 2017-10 § 1 (Exh. A), 2017). Carmel-by-the-Sea is following the requirement of the state law which can add to confusion and lack of clarity to property owners interested in construction ADUs and is in the process of updating the ADU Ordinance to incorporate state laws that have expanded since 2017.

In recent years, the California Legislature has passed a series of bills aimed at encouraging single-family homeowners to add ADUs to their property by requiring local jurisdictions to adopt regulations to facilitate their production and streamline their approval. The State passed legislation in 2017, 2019, 2020, and 2021 to further assist and support the development of ADUs, including “by right” approval for units less than 850 square feet for a one-bedroom and 1,000 square feet for a two-bedroom unit. ADUs are also permitted in commercial structures per State law.

The City permits one guesthouse on sites of 6,000 square feet or greater upon approval of a use permit. Guesthouses shall contain no food preparation facilities of any kind, but are permitted to have a bathroom with a toilet, sink and bathing facility. A guesthouse on any building site may be converted to an accessory dwelling unit, generally requiring the permitting of kitchen sink and facilities. Converting existing guesthouses to fully functional ADUs, or JADUs represent a cost-effective method requiring a building permit to increase the City's housing stock. These opportunities could be strong candidates for prioritization of the City's limited water distribution.

The City has number of hotel and motel units that would greatly benefit from having an affordable on-site manager's unit. These units would alleviate the current lack of housing that many employees in Carmel face. As an incentive, the City can offer an additional bonus hotel room to offset loss of revenues for the business owners.

The City is also exploring the development of standardized pre-approved ADU plans. Standardized plans can eliminate the costs of designing a custom ADU, and assures property owners the unit type and size is already approved by the City. Pre-approved plans can also make construction more affordable if the designs are using materials that are easily sourced and standard sizes.

The City of Carmel-by-the-Sea has included a new program in this 6th Cycle Housing Element to revise its Zoning Code to be consistent with ADU and JADU state law, incentivize manager's units in existing hotels and motels and develop standardized ADU plans.

Manufactured Housing / Mobile Homes

There are no mobile home parks located in Carmel-by-the-Sea. The City permits mobile homes on a permanent foundation as a single-family residential use, subject only to the design review requirements as any other single-family residential use in the same zone pursuant to State law California Government Code 65852.3. Such housing is subject to the same development standards and design review criteria as wood-frame housing. A new program to amend the Municipal Code to clarify this type of housing as a permitted use in the R-1 zoning district is included in the Housing Element.

Multi-Family Rental Housing

Multi-family and duplex housing units constituted approximately 13 percent of Carmel's housing stock. Multi-family housing up to 22 du/ac is a permitted use in the R-4, CC, SC, and RC Districts. Multi-family housing greater than 22 du/ac is a conditionally allowed use in all those same districts. Senior Housing is allowed in all districts.

The Conditional Use Permit (CUP) for residential developments greater than 22 du/ac is a development constraint to higher density development. Site design review is required for multi-family projects and the CUP process adds very limited value to the review process for projects of this size and scale. In order to lessen this regulatory constraint, the City will amend the Code to remove the CUP for multi-family developments up to 33 du/ac.

Objective Design and Development Standards

The City currently lacks any adopted objective design guidelines. Detailed subjective design guidelines for R-1 and high-level subjective design guidelines for commercial zones are in place. While the City's single-family design guidelines are being updated this year, the City is not incorporating objective standards for multi-family affordable projects.

The lack of Objective Design Standards could pose a constraint to residential development. Guidelines that are subjective, or zoning districts that lack clear development standards increase uncertainty and risk for housing developers. Objective Design Standards would provide a measure of clarity that proposed developments will be measured against and provides the community with assurance that developments will conform with measurable objective standards.

Community Care Facilities

To maintain compliance with the Lanterman Developmental Disabilities Services Act (Lanterman Act), the City currently permits small residential or community care facilities serving six or fewer individuals in all residential zoning districts by-right and facilities serving seven or more individuals in all residential zoning districts with approval of a Conditional Use Permit (CUP). Larger community care facilities (greater than six (6) persons) may be required to meet certain conditions, including restrictions on hours of operation, security, loading requirements, and management. These conditions are comparable to all similar uses within the designated zoning district and would not impose constraints to the development of care facilities.

Transitional and Supportive Housing

Transitional housing is generally defined as a facility that provides shelter for homeless individuals, and generally involves integration with other social services and counseling programs to assist in the transition of self-sufficiency through the acquisition of permanent income and housing. Transitional housing is temporary housing (generally six months to two years) for a homeless individual or family who is transitioning to permanent housing. This housing can take several forms, including group housing or multi-family units, and often includes a supportive services component to allow individuals to gain necessary life skills in support of independent living. There are no known transitional housing facilities in the City.

Supportive housing is generally defined as permanent, affordable housing with on-site services that help residents transition into stable, more productive lives. Services may include childcare, after-school tutoring, career counseling, etc.

The City's Zoning Ordinance permits transitional and supportive housing by right in all residential zoning districts, regardless of the number of persons the facility serves compliant with SB 2 passed in 2007. The 6th cycle Housing Element includes a program to update the Municipal Code to further clarify transitional and supportive housing in the R-1 and R-4 zoning district as permitted uses.

Emergency Shelters

Emergency shelters are generally defined as a facility which provides immediate short-term housing for homeless individuals.

Emergency shelters for the homeless is defined as a residential facility, lodging house, or dwelling, where no rent is paid, that provides temporary accommodation to homeless persons and/or

families. Pursuant to State law (Senate Bill 2), jurisdictions with an unmet need for emergency shelters are required to identify a zone(s) where emergency shelters will be allowed as a permitted use without a conditional use permit or other discretionary permit. The identified zone must have sufficient capacity to accommodate the shelter need, and at a minimum provide capacity for at least one year-round shelter. Permit processing, development and management standards for emergency shelters must be objective and facilitate the development of, or conversion to, emergency shelters.

As described in [Appendix A – Housing Needs & Fair Housing Report](#), the 2022 *Monterey Homeless Count and Survey Comprehensive Report* prepared by Applied Survey Research estimated there was only one transient resident in the City as of 2022. There are no emergency shelters located in the City. However, the Zoning Code allows siting of emergency shelters as community social service facilities, which are defined as “Any noncommercial housing facility, such as homeless shelters or emergency shelters, which may also provide meals, showers, and/or laundry facilities. Specialized programs and services related to the needs of the residents may also be provided. This classification excludes transitional housing facilities that provide long-term living accommodations.” Community social service facilities are permitted by-right in the CC, SC, and RC districts as well as with a CUP in the R-1 and R-4 districts. In addition, shelters for families and single women with children are permitted at all churches in the community as a part of their social outreach functions. Religious facilities are conditionally permitted in the R-1 district (only on existing quasi-public use sites established prior to December 1, 1980, or added as an accessory use to such existing uses) and allowed with a conditional use permit (CUP) in the RC district.

Low Barrier Navigation Centers

Assembly Bill (AB) 101, adopted in 2019, requires approval “by right” of low barrier navigation centers that meet the requirements of State law. A “Low Barrier Navigation Center” is a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. If the City receives applications for these uses, it will process them as required by State law. A program has been included in the element to develop by-right procedures for processing low-barrier navigation centers.

Senior Citizen Housing

As previously noted, several zoning districts within the City already permit and accommodate for senior citizen housing. The A-2 zoning district (Cultural and Community Center, i.e., the Sunset Center) and the A-3 zoning district (Senior Citizen Housing) permits by-right housing for senior citizens. A program is included to address the lack of development standards in the A-2 zone in order to provide greater clarity and certainty to guide and future development design.

Constraints for People with Disabilities

Both the federal Fair Housing Act and the California Fair Employment and Housing Act impose an affirmative duty on local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. For example, it may be a reasonable accommodation to allow covered ramps in the setbacks of properties that have already been developed to accommodate residents with mobility impairments. The City adopted a reasonable accommodation policy (City Council Policy C11-01) in July 2011. This policy provides a reasonable accommodation in the land use and zoning context to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. The policy provides individuals with disabilities or developers of housing for people with disabilities flexibility in the application of land use, zoning and building regulations, policies, practices, and procedures.

Community Care Facilities

The City currently permit community care facilities in several zoning districts. Community care facilities refers to facilities providing non-medical care and supervision under license from the California Department of Social Services. This classification excludes hospitals, residential care facilities, family day care homes, day care centers, and transitional housing. Community care facilities are permitted in the CC, SC, and RC districts as well as by conditional use permit in the R-4 district.

Residential Care Facilities

The City also permit residential care facilities within certain zoning districts. Residential care facilities include facilities that are licensed by the State of California to provide living accommodations and 24-hour, primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance. Living accommodations are shared living quarters with or without separate kitchens or bathrooms for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or nonprofit institutions.

Group Homes

The Zoning Code defines group residential as “Shared living quarters without separate kitchens or bathrooms for each room or unit, including boardinghouses, dormitories, and private residential clubs, but excluding guesthouses.” As described above, state-licensed group homes are permitted under the regulations for Community Care Facilities and Residential Care Facilities. Unlicensed group homes are not currently identified as a permitted use in any zoning district.

The City has not identified any zoning or other land-use regulations that could discriminate against persons with disabilities or impede the availability of such housing for these individuals. Examples of the ways in which the City facilitates housing for persons with disabilities through its regulatory and permitting procedures are:

- As discussed above, the City Zoning Code allows residential care facilities for six or fewer persons subject to the same standards and procedures as apply to other residential dwellings of the same type in the same zone.
- The City has also adopted reduced parking requirements (0.33-space per unit or bed) for Senior Housing, Cooperative Housing, Group Care Facilities, Nursing Homes and Other Residential Care Facilities. Retrofitting of dwellings to meet the needs of persons with disabilities is also an eligible activity under the City's Housing Rehabilitation Program. Construction and rehabilitation activities are also subject to the Federal Americans with Disabilities Act requirements and the City is active in promoting ADA compliance.
- The City defines family as “an individual or two or more persons living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking, and eating facilities,” which is consistent with State law.

Single-Room Occupancy (SRO)

Single room occupancy (SRO) hotels are one-room units intended for occupancy by a single individual. It is distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other. The City's Zoning Code does not explicitly define single room occupancy housing, although CMC 17.08.050(F) allows guesthouses, studios, and multi-family units as small as 400 square feet. The Code also requires that all multi-family projects of three or more units include a mix of unit sizes, and at least 25 percent of all units are required to be 400 to 650 square feet in size.

Short-Term Rentals

In order to preserve Carmel-by-the-Sea's residential character, no home or subordinate unit may be rented for less than 30 consecutive days in a residential zoning district. This current restriction is intended to ensure that residential units are available for full-time residential use. The City has a high number of motels and hotels to service the tourism industry and transient guests.

Community Planning and Building Fees

The City charges fees and assessments to cover the costs of processing permits. Processing fees are commensurate with the fees for the rest of the County of Monterey. Compared to the high costs of undeveloped, unimproved land and high site development costs in the City, processing and connection fees are negligible and, therefore, do not present a constraint to development. However, the partial waiving of such fees would help reduce the cost of any proposed affordable housing. The City's current fee schedule is shown below in [Table B-4, Summary of Community Planning & Building Fees \(2022-2023\)](#).

Table B-4 Summary of Community Planning & Building Fees (2022-2023)

| Application/Permit Type | Fee |
|---|---|
| Design Study and Review | |
| Track 1 Design Review/Study - Minor | \$448 per application |
| Track 1 Design Review/Study - Major | \$813 per application |
| Track 1 Design Rev/Study-Streamline | \$203 per application |
| Track 1 Design Rev/Study - Referral to Planning Commission | \$1,120 per application in addition to the base Track 1 fee |
| Track 1 Design Rev/Study-Referral to Historic Resources Board | \$1,120 per application in addition to the base Track 1 fee |
| Track 2 Design Review - Minor | \$2,360 per application |
| Track 2 Design Review - Major | \$5,392 per application |
| Track 2 Design Rev - Major New Commercial Building | \$2,438 per application plus a deposit determined by staff with charges at the fully allocated hourly rates for Project Planner |
| Preliminary Site Assessment | \$1,183 per application |
| Volumetric Analysis | \$135 per application plus \$1,500 deposit with charges at the fully allocated hourly rates plus any outside costs. |
| Use Permit and Other Services | |
| Use Permit | \$2,730 per application |
| Use Permit Amendment | \$1,818 per application |
| Temporary Use Permit | \$365 per application |
| Restricted Comm Use Transfer Request | \$521 per application |
| Water Credit Transfer Request | \$3,663 per application |
| Variance | \$2,235 per application |
| Pre-Application Review - Staff | \$1,683 per application with 50% of this fee credited towards future planning fees for this project. |
| Preliminary Review - Planning Commission | \$3,485 per application with 50% of this fee credited towards future planning fees for this project. |
| Coastal Dev. Permit - Development | \$135 per application - Added to other Planning fees |
| Coastal Dev. Permit - Event | \$1,417 per application |
| Tobacco Retail License | Current fee as adopted by the Monterey County Board of Supervisors |
| Amendments, Annexations, and Agreements | |
| Specific Plan/Specific Plan Amendment General Plan Amendment Sphere Of Influence Amendment Zoning Code Amendment | \$5,210 deposit with charges at the fully allocated hourly rates plus outside costs |
| Annexation Development Agreement | \$10,420 deposit with charges at the fully allocated hourly rates plus outside costs |
| Environmental Review, Maps, and Lot Lines | |
| Environmental Review (IS/ND/EIR) | Contract cost plus 10% |
| Environmental Notice of Exemption | \$156 per application plus County fees |

| Application/Permit Type | Fee |
|---|--|
| Mitigation Monitoring | \$3,126 deposit with charges at the fully allocated hourly rates plus outside costs. |
| Tentative/Final Map | \$4,168 deposit with charges at the fully allocated hourly rates plus any outside costs. |
| Amended Final Map | \$1,042 deposit with charges at the fully allocated hourly rates plus any outside costs. |
| Certificate Of Compliance | \$610 per application plus actual contract cost |
| Lot Line Adjustment/Subdivision - Planning Commission | \$542 per application plus actual contract cost |
| Lot Merger - Staff Review | \$938 per application plus actual contract cost |
| Historic Evaluation | |
| Prelim (Phase 1) Historical Evaluation - Staff | \$474 per application |
| Phase 1 Historic Evaluation - Qualified Professional | \$271 per application plus actual cost for Historian review with \$1,500 deposit |
| Phase 2 Historic Evaluation-Historic Resources Board Review | \$1,579 per application plus actual cost for Historian review with \$1,500 deposit |
| Appeal To Historic Resources Board | \$2,120 per application plus actual cost for Historian review with \$1,500 deposit |
| Mills Act Contract Processing | \$3,584 per application |
| Determinations, Extensions, and Appeals | |
| Planning Commission Code Determination | \$1,214 per application |
| Zoning Compliance Determination | \$573 per application |
| Time Extension - Staff | \$313 per application |
| Time Extension - Planning Commission | \$907 per application |
| Time Extension - City Council | \$1,099 per application |
| Public Hearing Continuance - Planning Commission | \$886 per continuance |
| Public Hearing Continuance - Council | \$938 per continuance |
| Appeal To Planning Commission | \$2,084 per appeal - Appeal in the Coastal Zone |
| Appeal To City Council | \$2,084 per appeal - Appeal in the Coastal Zone |
| Building Services | |
| Building Relocation | \$1,938 per application |
| Large Family Day Care (Residential) | \$761 per application |
| General Plan Update | 3.5% of all Building & Safety permits |
| Planning Technical Assistance | Charge the fully allocated hourly rate for all personnel involved after 15 minutes. |
| Building Plan Check | Based on Building and Safety Construction Valuation |
| Building Inspection | Based on Building and Safety Construction Valuation |
| Building Re-Inspection | \$146 per re-inspection |

| Application/Permit Type | Fee |
|--|--|
| Permit Application Extension | \$94 per extension (maximum of 4) |
| Permit Extension | \$146 per extension (maximum of 2) |
| Building Permit Pre-Applic. Confer. | \$318 per application |
| Building Single Trade Permit | \$167 per permit |
| On-Site Driveway Permit | \$271 per permit |
| Solar Plan Check/Inspection Permit | Plan Check - \$318 Inspection - \$135 |
| Re-Roof Permit | \$255 per permit |
| Building Board Appeal | \$1,052 per appeal |
| Duplicate Inspection Card | \$63 per card |
| Building Technical Assistance | Charge the fully allocated hourly rate for all personnel involved after 15 minutes. |
| Stop Work Investigation | \$568 per investigation plus double the permit fee |
| Temporary Certificate Of Occupancy | \$224 per application |
| Alternate Materials/Methods Review | \$214 per application plus actual cost of City Staff for all time over one hour. |
| Building Phased Work Request | \$302 per application |
| Landscape Plan Check/Inspection | \$281 per plan/inspection |
| Building Technology Surcharge | \$8 per permit |
| Encroachment Permit | |
| Temporary Encroachment Permit | \$219 per permit |
| Permanent Encroachment Permit | Street Excavation - \$766 per permit and \$4.25/lineal foot Other - \$432 per permit and \$4.25/lineal foot or \$432 per permit and \$2.13/lineal foot (aerial installation) Plus cost of damage to public right-of-way or street as determined by the Public Works Director. |
| Traffic control plan review/inspection | \$370 per review plus \$210 per each additional review |
| Use of credit card/ debit card | 2.5% of charged amount |

SOURCE: City of Carmel-by-the-Sea Fee Schedule Effective July 3, 2022 – June 30, 2023

In comparison with other jurisdictions in the County of Monterey, the fees in Carmel-by-the-Sea for new residential projects – both single-family and multi-family units – are generally in line. [Table B-5](#), provides a comparison between the cities of Carmel-by-the-Sea and Pacific Grove, which are geographically, socioeconomically and demographically similar in size and types of residential development.

**Table B-5 Comparison of the City of Carmel-by-the-Sea and the City of Pacific Grove
Average Design Review Fees**

| Application Type(s) | Carmel-by-the-Sea | Pacific Grove |
|---|---|---|
| Staff Level Design/Counter Review | \$448 ¹ /\$813 ² | \$230 ³ /932 ⁴ |
| Design Review/Architectural Permit – Single Family & Multi-Family | \$2,360 ⁵ /5,392 ⁶ | \$3,318 ⁷ /\$4,060 ⁸ |
| Planning Commission/Historic Resources Board Referral or Appeal | \$1,120 in addition to the base Track 1 fee | 25 percent of base permit fee or \$1,136 (whichever is greater) |

SOURCE: City of Carmel-by-the-Sea Fee Schedule Effective July 3, 2022 – June 30, 2023; City of Pacific Grove Master Fee Schedule Fiscal Year 2022-23

NOTE:

1. Track 1 Design Review/Study - Minor
2. Track 1 Design Review/Study – Major
3. Counter Review & Determination – no new square footage
4. Counter Review & Determination - new square footage
5. Track 2 Design Review – Minor
6. Track 2 Design Review - Minor
7. Architectural Permit – Single Family
8. Architectural Permit – Multifamily four units or less
6. Architectural Permit – Single Family

The City is not a full-service municipality; several agencies and special districts levy fees on new development for the provision of basic urban services. These agencies and special districts include the following:

- Carmel Unified School District;
- California American Water (Cal-Am);
- Carmel Area Wastewater District;
- Monterey Peninsula Water Management District; and
- Carmel Fire Department.

Special district fees add to development costs in the City. Carmel is under the jurisdiction of the Monterey Peninsula Water Management District (water district) and receives its water from the California-American Water Company (Cal-Am). The water district has permit authority over the production and distribution of all water supplies within the Monterey Peninsula region, and allocates water supplies to cities and County areas within its jurisdiction. According to the water district, the City, as of March 2023, has a total available water allocation of 2.661-acre feet, which represents only three (3) percent of the water district's total available allocation across the district, which includes all of the Monterey Peninsula south to Carmel Valley and portions of the Santa Lucia Range. The current MPWMD permit fees are governed by the Fees and Charges Table (effective August 16, 2021) and start at \$1,800 plus \$90 per hour for more than 20 hours.

The Carmel Unified School District requires the payment of an impact fee of \$0.49 per square foot for new residential construction. The school district does not offer any discounts for the payment of impact fees.

The Carmel Area Wastewater District charges a new residential connection fee of \$8,242.66 and charges an annual rate of \$1,005.94 for residential uses.

Fees charged by these outside agencies vary according to project types and size and increase development costs. The City does not control fees for outside agencies; but outside agency fees are a constraint and add to the overall cost of development.

Processing and Permit Procedures

The processing time needed to obtain development permits and required approvals varies depending on the scope of the project. The size of projects in Carmel-by-the-Sea is typically limited to the remodeling or construction of a single-family home, a minor commercial modification, or the construction of a second unit. The City strives to keep its permit procedures streamlined and processing times short. The Planning Division is the lead agency in processing residential development applications and coordinates the processing of those applications with other City departments such as the Building and Public Works Departments and other outside agencies as deemed appropriate, such as the fire and water districts.

Carmel-by-the-Sea has traditionally encouraged high architectural standards for new development. City zoning regulations require design review approval for any proposed additions to or the construction of new single-family homes, duplexes or multi-family developments. However, accessory dwelling units are exempt from the Design Review Ordinance and must only meet the location and development standards outlined in the Accessory Dwelling Unit Ordinance (Chapter 17.08.050 of the municipal code).

Applications for building and related permits are generally processed in as an efficient manner as practical in Carmel-by-the-Sea. Although the Historic Resources Board, the City Council and the Planning Commission only meet once a month, determination on a project is usually reached in one meeting or two (if the City Council is required to hear the matter). However, for Track 2 Design Study applications, the City does require applicants to take part in a Forest and Beach Commission if tree removal is proposed, as well as a separate Concept Hearing and Final Details hearing with the Planning Commission prior to formal approval consideration. There is no separate Design Review Board in City/Jurisdiction, with the Planning Commission conducting design review. The typical processing time for discretionary review is therefore four to six months, depending on the level of design study required (Track 1 or Track 2), whether tree removal or replacement is proposed, whether the property is deemed historic or eligible for historic listing, whether the property falls within the “Beach and Riparian Overlay” (Coastal Commission Appeal Jurisdiction), and whether

the project requires a volume study or any other technical study be conducted. While this review procedure assists in achieving project acceptability and allows for neighborhood participation through multiple public hearings, the overall scale and level of complexity of review does provide a barrier to applicants without the financial resources and time to see a residential project through to completion.

However, the City does have a practice of moving projects with affordable housing ahead of other projects in the development processing queue when setting development review agendas. Due to Permit Streamlining law, this incentive is less powerful than it once was. However, it may reduce review time by as much as a month. Even this minor benefit attracts developer attention during pre-application meetings. Projects that include affordable housing are also expedited through the plan check process.

Carmel-by-the-Sea's development process can be summarized in the following nine steps. All of these steps may not be necessary depending on the nature of a project:

1. **Application Submittal** - The planning application submittal process begins when a developer or property owner (Project Applicant) submits a development application, required fees, and application materials. Often times the developer will have met informally with the Planning Department to review the project and receive preliminary feedback on the proposal in advance of the formal project submittal.
2. **Plan Review** - After the application is received, it is routed through the relevant City Departments, including Building, Fire, and Public Works. A planner is assigned to serve as the developer's liaison, helping to expedite the permit process and coordinating the department reviews. During a 30-day review period for completeness, individual departments assess the appropriate Design Study track (Track 1 or Track 2), completeness of the application, work with the Project Applicant to correct any project deficiencies, and prepare preliminary Conditions of Approval.
3. **Application Assessment** - The application is assessed for its compliance with the standards of the Zoning Code (Title 17 of the municipal code) as well as the City's Residential and Commercial Design Guidelines.
4. **Environmental Review** - A review of the environmental issues associated with the proposed project (as required by the California Environmental Quality Act) will also be completed during the Plan Review stage of the process.
5. **Forest and Beach Commission/Historic Resources Board** – If a project proposes to remove or replace any significant trees, it will require review by the Forest and Beach Commission. If the property is a listed historic resource or has potential eligibility for listing as a historic resource, the project is required to be reviewed by the Historic Resources Board.

6. **Planning Commission/City Council Approval** - If a project is determined to require discretionary action, it will be scheduled for review by the Planning Commission. A Public Notice will be provided and all property owners within 300 feet of the project site will be notified by mail. In some instances (for example, a property rezoning), the project will require City Council approval. After projects receive approval by the Planning Commission there is a ten-day appeal period during which the project may be appealed to the City Council. The City Council decision is final. There are different levels of planning review/approval depending on the scope of work proposed.
7. **Plan Check** - After the project receives any required approvals, the full plans may be submitted to the Building Department for a plan check for building permits. The plans will be routed to the City's Public Works and Planning Departments. The project planner will review the plans for conformance with the Zoning Code, any required Conditions of Approval, and with plans approved by the Planning Commission or City Council. The Building Department will verify that all building, fire, mechanical, plumbing and electrical code requirements are fulfilled in compliance with the California Code and other State requirements.
8. **Building Permit** - After the project plans receive approval from the relevant departments, the Building Department issues a building permit. Construction can begin after this point. Regular inspections are required throughout the construction process. The final inspection requires clearance from all relevant City departments and the Carmel Fire Department.
9. **Occupancy Permit** - Once the final inspection is complete, the developer needs to secure a certificate of occupancy. New buildings or structures cannot be used or occupied until the Building Official has issued a certificate of occupancy.

Table B-6 shows the typical processing time for a residential development application.

Both single-family homes, duplexes and multi-family projects go through the same zoning compliance and design review process. The review and approval of multi-family projects typically takes longer due to the complexity of a more intense development and the myriad issues that need to be considered including adequate site servicing, design review, potential tentative map review, and the more active involvement of other departments and agencies outside of Planning. Although there is a high level of public input on some planning applications, Carmel-by-the-Sea's zoning standards and design review ordinance are fairly detailed. There is a level of certainty on behalf of the project applicants that if the project meets the standards and goals of the ordinances, the project will receive City support.

Table B-6 Review/Approval Requirements and Processing Times

| Zoning District | Design Study | Use Permit | CDP ¹ | Typical Processing Time ² |
|--|--------------|------------|------------------|--------------------------------------|
| R-1 Single-Family Residential District | | | | |
| Single family residence | Yes | No | Yes | 6-9 months |
| ADU (Subordinate Unit) | Yes | No | Yes | 4-6 months |
| Guest house | Yes | Yes | Yes | 4-6 months |
| Building sites exceeding 30 percent slope | Yes | Yes | Yes | 6-9 months |
| R-4 Multi-Family Residential District | | | | |
| Single family residences | Yes | | Yes | 6-9 months |
| Multi-family residences 0-22 units/acre | Yes | | Yes | 8-10 months |
| Multi-family residences 23-44 units/acre | Yes | Yes | Yes | 8-10 months |
| Commercial Districts | | | | |
| Multi-family residences 0-22 units/acre | Yes | | Yes | 8-10 months |
| Multi-family residences 23-44 units/acre | Yes | Yes | Yes | 8-10 months |
| Public and Quasi-Public Districts (A-2 and A-3) | | | | |
| Senior Citizen Housing | Yes | Yes | Yes | 8-10 months |

SOURCE: City of Carmel-by-the-Sea Community Planning and Building Department 2023

NOTE:

1. CDP – Coastal Development Permit – required for all projects that increase the height and/or floor area on an existing structure by 10 percent or more.

2. Includes time for building plan check

SB 35 Streamlining

Government Code section 65913.4 allows qualifying development projects with a specified proportion of affordable housing units to move more quickly through the local government review process and restricts the ability of local governments to reject these proposals. The bill creates a streamlined approval process for qualifying infill developments in localities that have failed to meet their RHNA, requiring a ministerial approval process, removing the requirement for CEQA analysis, and removing the requirement for discretionary entitlements. Since the adoption of this section of the Government Code, the City has not yet received an application under these provisions.

As previously noted, the portion of the City located within the California Coastal Zone is not subject to SB 35 (see Government Code Section 65913.4(6)).

SB 9 California Housing Opportunity and More Efficiency (HOME) Act

SB 9, also known as the California Housing Opportunity and More Efficiency (HOME) Act, is a state bill that requires cities to allow one additional residential unit onto parcels zoned for single-

dwelling units. Since the adoption of this section of the Government Code, the City has adopted an urgency ordinance in January 2022 and will update its SB 9 Ordinance for formal adoption by early 2023 to facilitate subdivision under SB 9. The City has not received any inquiries of interest for SB 9 lot splits and is not currently processing any SB 9 application.

Infrastructure Constraints

Water Supply

The primary infrastructure constraint to the development of housing in Carmel is the lack of potable water. The lack of a reliable available water supply continues to limit growth in Carmel and throughout the Monterey Peninsula region.

Carmel is under the jurisdiction of the Monterey Peninsula Water Management District (MPWMD) and receives its water from the California-American Water Company (Cal-Am). The MPWMD has permit authority over the production and distribution of all water supplies within the Monterey Peninsula region, and allocates water supplies to cities and County areas within its jurisdiction. Water service by Cal-Am is constrained by State Water Resources Control Board (SWRCB) Order WR 95-10, which determined that approximately 70 percent of Cal-Am supply is based on unlawful diversion from the Carmel River. Order 95-10 requires that any new water supply be used to reduce diversions from the Carmel River prior to allowing new users. Furthermore, SWRCB issued a Cease-and-Desist order to Cal-Am in 2008 to further restrict water use which limits the placement of new water meters to service new development.

The City has approximately 2.661 acre-feet of available water¹. This is the only water available until the District supplies increase and new allocations are made to each city in the District. Based on current supplies, sufficient water may not be available to fully accommodate additional development commensurate with the City's total RHNA (349 units). The City will continue to work with local and regional agencies to explore options for additional water supplies during the 6th cycle Housing Element planning period.

The City includes a program to work with local and regional agencies to pursue new water supplies and includes prioritizing water allocation for affordable housing through the development of a water distribution policy.

Wastewater

The Carmel Area Wastewater District (CAWD) collects and conveys wastewater from a business or residence to the wastewater treatment plant using underground pipes and lift stations. The CAWD collection system is comprised of approximately 81 miles of gravity sewers ranging in size from 6 inches to 27 inches in diameter together with nearly four (4) miles of force mains, seven (7) pump stations, and over 1,500 manholes.

¹ March 2023 MPWMD Monthly Allocation Report

The major trunk sewers include the Carmel Valley Interim Trunk Sewer which serves Rancho Rio Vista, portions of Carmel Views, the Carmel Rancho Shopping Center, Hacienda Carmel, Del Mesa Carmel, Quail Meadows and outlying areas at the mouth of the Carmel Valley; the Hatton Canyon Sewer (which joins the Carmel Valley Trunk sewer at the intersection of State Route 1 and Rio Road) serves the High Meadows, Carmel Knolls and portions of the Carmel Hills subdivisions; two trunk sewers serve the city of Carmel and the Hatton Fields areas.

Pump stations are located at (1) the westerly boundary of Hacienda Carmel, (2) the westerly terminus of 8th Avenue (at Scenic Drive), (3) the intersection of Monte Verde Street and Sixteenth Avenue, (4) west side of Scenic Road approximately 200 feet north of Ocean View Avenue, (5) the end of Calle La Cruz (Carmel Meadows) (6) at the westerly boundary of the Carmel Meadows subdivision approximately 750 feet southwesterly of the Calle La Cruz pump station and (7) on the West side of Highlands Drive approximately 100 yards from Highway 1. All pump stations have been upgraded to allow remote monitoring and have capabilities for standby power and emergency bypass.

The Districts' permitted capacity is 3.0 million gallons per day (MGD) and their current average daily dry weather flow is approximately 1.2 to 1.3 MGD.

The City is required to plan for an additional 349 residential housing units in this planning cycle. Based on capacity and communication with the District, the CAWD has adequate treatment capacity to serve these units².

On and Off-Site Improvement Standards

Since the City is built-out, all infrastructure, including curbs, gutters, sidewalks, streets and utilities are in place. Development of residential units involves hooking up to the existing utilities, which already exist in the right-of-way. All electrical distribution lines, telephone, cable television, and similar service wires or cables, which provide services to new development, are to be installed underground. Typical infrastructure costs in the CC, SC, RC, and R-4 districts are limited to sidewalk, curb, and gutter improvements, undergrounding of utility wires, stormwater drainage improvements, and landscaping. The City's Municipal Code does not contain requirements for subdivision off-site improvements. However, the Code includes a chapter on requirements related to streets, sidewalks, and public places.

Sidewalks

Construction of sidewalks is not required in residential areas of the City. If sidewalk construction is proposed, a permit is required. The proposal must show that the construction of the sidewalk or walkway will preserve public safety, health or welfare, resolve a serious drainage problem, or that it would otherwise benefit the general public. The construction of the sidewalk or walkway must

² May 17, 2023 email correspondence with CAWD

follow the natural contours of the land, and no less than 50 percent of the sidewalk area in front of any building site must be retained in planting. There are no specific requirements regarding the width of the sidewalks.

Driveways

Construction of a driveway requires a permit from the Department of Community Planning and Building in conjunction with the Director of Public Works and the Director of Forest, Parks and Beach.

Landscaping

Sidewalk street trees are encouraged by the City, with the City Forester determining number of trees, species, and exact location. Sidewalk street trees should be located near the head of, and adjacent to, parallel parking spaces with the trunk of the tree located 4.5 feet back from the head of the parking space. For trees at the curb line there should be at least four feet between the trunk and the facing building or planters in front of the building. All tree planters are encouraged to be as large as possible so that additional landscaping can be incorporated into the planters.

The City also encourages including “mini-parks”, which is a park that protrudes into the street from the curb line or is in the street. The design of mini-parks must be consistent with the standards in the Forest and Beach Management Plan. All new mini-park installations require a review by the Staff Traffic Committee and approval by the Planning Commission.

Streets

The streets in Carmel are narrow in width, 26 to 34 feet, with no gutters or sidewalks. This lack of formal development of streets throughout Carmel (with the exception of some of the downtown thoroughfares) has been a conscious effort on the part of residents to maintain a “village in a forest” atmosphere. The City has not established standardized street widths requirements. As Carmel is a built-out city and new development will occur as infill or redevelopment on parcels within the established street grid, construction of new streets is not anticipated. Therefore, street standards will have no impact on the cost and supply of housing.

Parking Requirements

The City’s parking requirements are generally in line with typical parking requirements. In the R-1 District, one (1) on-site parking space per dwelling must be provided on sites of 8,000 square feet or less in area and two (2) on-site parking spaces per dwelling on sites larger than 8,000 square feet in area. One (1) parking space must also be provided for each guesthouse. (CMC 17.10.030(F)(1)). R-1 zone sites with Class II accessory dwelling units are required provide a minimum of one (1) parking space on-site at the time of approval. Upon enlargement or improvement of a Class II unit, one (1) parking space each for the primary dwelling on the site and for the accessory dwelling unit are required. Improvements to accessory dwelling units are allowed even if one or both parking spaces

encroaches into a setback. Sites with Class III or IV accessory dwelling units are required to provide one parking space behind all setbacks for the accessory dwelling unit and are required to comply with all parking requirements established in Chapter 17.38 CMC, Off-Street Parking Requirements, for other development on the site. These parking standards are low enough to avoid posing a constraint to development. To the degree that these standards conflict with new state law regarding accessory dwelling units, they will be corrected as the City brings its ADU regulations into line with the most recent changes in state law (see the discussion above under the heading “Special Housing Topics”).

Table B-7, summarizes off-street parking requirements as shown in Table A of 17.38.020, for all uses, projects, developments and redevelopments. New projects or developments shall only be allowed when meeting all parking requirements of this chapter and the requirements of any conditional use permit, subdivision approval or specific plan applicable to the property. Proposed uses within existing buildings may replace existing uses as long as any existing parking deficiencies on the property are not increased by the replacement. Proposed additions of floor area, new shops or dwelling units, or other similar changes in land use resulting in a net increase in parking requirements, as set forth in this chapter, shall provide all required parking generated by the new activities on the site.

Table B-7 Minimum Off-Street Parking Requirements

| Land Use | Basis for Requirement | Land Use District Parking Factors | | | |
|---|--|-----------------------------------|-----|-----|-----|
| | | CC | SC | RC | R4 |
| Permanent Residential Use | Spaces per Unit | 1 | 1 | 1.5 | 1.5 |
| Affordable Housing for Moderate-, Low- or Very Low-Income | Spaces per Dwelling Unit | ½ | ½ | ½ | ½ |
| Senior Housing, Cooperative Housing or Group Care Facilities | Spaces per Dwelling Unit | 1/3 | 1/3 | 1/3 | 1/3 |
| | Guest Spaces per Each Four Full Units | 1 | 1 | 1 | 1 |
| Nursing Home or Other Resident Care Facility | Spaces per Patient or Resident | N/A | 1/3 | 1/3 | 1/3 |
| Commercial Retail or Service Uses Not Otherwise Specified in This Table | Spaces per 600 Square Feet of Commercial Floor Area or per Business/Shop Space, whichever is Greater | 1 | 1 | 1 | 1 |
| SIC 701: Hotels and Motels | Spaces per Rental Unit, Including Manager's Unit | 1 | 1 | 1 | 1 |

SOURCE: CMC 17.38.020(C) Table A: Minimum Parking Requirements

The City has adopted a reduced parking requirement for developments that include affordable housing. Parking costs contribute significantly to the cost of development in Carmel-by-the-Sea and this flexibility often makes affordable housing more feasible.

Summary of Governmental Constraints

The governmental constraints to the development of affordable housing in Carmel-by-the-Sea are summarized below.

The City's development regulations are consistent with California housing law, and the Zoning Code does not pose an unnecessary constraint to the development of affordable housing. However, because housing production has been limited in Carmel-by-the-Sea, the Housing Element Update includes programs to further incentivize development activity. Depending on site-specific conditions - such as the presence of significant trees or historic resources and degree of incompleteness of submitted plans, some applicants may find the City's design review process to be lengthy. The City's review fees, while comparable with those of surrounding jurisdictions, can pose a barrier for applicants without sufficient financial resources.

The existing development constraints attributable to governmental (City) processes, and with possible solutions where feasible, are summarized below:

1. The City's design review (design study) process may be lengthy for projects involving significant trees, historic resources, and/or underdeveloped plans. Following are governmental bodies responsible for decision-making through the course of development review:
 - Forest and Beach Commission (if significant tree removal is proposed);
 - Historic Resources Board for historic properties and also for non-historic properties in the Conservation District (one hearing to ensure development is compatible with neighborhood context);
 - Planning Commission: One hearing, minimum, for commercial and multi-family residential projects. Preliminary hearing/review for commercial/multi-family is optional but encouraged. Two hearings, minimum (one Concept hearing, one Final hearing) for single-family projects;
 - City Council review on appeal; and
 - Coastal Commission review on appeal (Coastal Zone Appeal jurisdiction only).
2. The City's design review process may be financially prohibitive for lower income households and likely most affordable housing projects. Carmel does not charge impact fees. Therefore, waiving impact fees are not a viable solution to incentivize affordable units.

3. There is community concern that increasing the existing two-story height limit (24-feet in R-1 and 24-30 feet in commercial zones depending on adjacent land uses) would negatively impact the unique character of Carmel.
 - Solution: Encourage mezzanines as a third story at the building interior (if it can be accomplished without appearing as a three-story building); and
 - Solution: Consider a third story setback as an incentive for fully affordable housing projects.
4. The City does not have an inclusionary housing ordinance, but a density bonus is available via a conditional use permit which may allow up to 44 du/acre as long as the project includes 100% affordable units.
 - Solution: Consider replacing the use permit requirement at 34+ du/acre currently used as the mechanism to require the construction of affordable housing and instead consider an inclusionary ordinance that encourages special needs housing.
5. The City's existing residential and commercial design guidelines include both objective and subjective standards.
 - Solution: Consider developing a set of strictly objective design standards to be used for affordable housing projects.
6. Many properties are listed on City's Inventory of Historic Resources, which may limit the scope of possible alterations or additions and use flexibility.
 - Solution: Educate the community about how to appropriately design projects that meet the Secretary of the Interior's Standards, as required by local/state/federal law.

Location in the Coastal Zone

Carmel-by-the-Sea is located in the California Coastal Zone and is therefore subject to a host of regulations that are not present in communities outside the Coastal Zone. The presence of additional land use regulation via the Local Coastal Program, in general, means that housing development in Carmel-by-the-Sea faces a high bar to succeed. The additional hurdles presented by Coastal Zone regulations represent an additional layer of complexity to the City's already time-consuming review process.

Conversion of Motels for Multi-Family Housing (Opportunity)

The City will explore the development of a program to allow the transfer of development rights of hotels and motels located in the R-1 zoning district to the commercial zoning district. This might allow older motels to convert to multi-family housing and thereby provide a new source of affordable housing in the community.

Accessory Dwelling Units

The City of Carmel-by-the-Sea last updated its ADU ordinance in 2017, and therefore the City's regulations addressing ADUs are out of date. The City has included a new program in this 6th Cycle Housing Element to revise its Zoning Code to be consistent with ADU and JADU state law, incentivize manager's units in existing hotels and motels and develop standardized ADU plans.

Manufactured Homes and Mobile Homes

A new program to amend the Municipal Code to clarify that manufactured homes and mobile homes are allowed as a permitted use in the R-1 zoning district is included in the Housing Element.

Multi-Family Housing

Currently, the City allows multi-family housing without a conditional use permit (CUP) at densities up to 22 dwelling units per acre. In order to provide additional incentive to build multi-family housing, the City will amend the Code to remove the CUP for multi-family developments up to 33 du/ac.

Transitional and Supportive Housing

The 6th Cycle Housing Element includes a program to update the Municipal Code to further clarify that transitional and supportive housing in the R-1 and R-4 zoning district are permitted uses.

Low Barrier Navigation Centers

A program has been included in the element to develop by-right procedures for processing low-barrier navigation centers.

Development Standards for Senior Housing

A program is included to address the lack of development standards in the A-2 zone in order to provide greater clarity and certainty to guide and future development design.

Lack of Water Resources

The primary infrastructure constraint to the development of housing in Carmel is the lack of potable water. The lack of a reliable available water supply continues to limit growth in Carmel and throughout the Monterey Peninsula region.

B.3 Non-Governmental Constraints

State law (Government Code Section 65583(a)(6)) requires an analysis of potential and actual governmental and non-governmental constraints to the maintenance, improvement, and development of housing for all income levels. The Housing Element must identify ways, if any, to reduce or overcome these constraints in order to meet the City's housing needs.

Land Availability and Cost

Three primary factors contribute to high land costs on the Monterey Peninsula, and in Carmel-by-the-Sea in particular: 1) the area is considered a desirable place to live, 2) available land is in short supply and 3) land costs vary both between and within jurisdictions based on factors such as the desirability of the location and the permitted density. According the real estate website, Zillow, the typical land value for a single-family home is between \$800,000 and \$1.2 million in the city of Monterey, but between \$1.5 million and \$5 million in a jurisdiction like Carmel-by-the-Sea.

Construction Costs

Construction costs associated with housing development are generally comprised of both soft and hard costs. Soft costs for housing development include the cost of architectural, engineering, accounting, legal and other professional services, as well as the cost of obtaining permits and paying government-imposed fees. Carrying costs and the cost of construction financing can also be considered soft costs. Hard costs include the costs of labor and materials and can also include impact fees and costs accumulated through permitting delays.

Hard costs are very high in Carmel-by-the-Sea, and both the high cost of labor and the high cost of materials could be considered constraints on housing development. Hard construction costs can vary significantly across the City based on the varied and unique geographic conditions throughout the county. Hard costs can be higher than average in Carmel-by-the-Sea.

Hard and soft costs contribute significantly to the overall cost of developing new housing. High hard costs are difficult for an individual jurisdiction to mitigate.

Availability of Financing

As a stable and affluent community, private housing mortgage financing is readily available in Carmel-by-the-Sea. There are no mortgage-deficient areas in the City and no identifiable underserved groups in need of financing assistance. At the time this Housing Element was drafted, interest rates for homebuyers were increasing from a low of 2.75 percent in 2020 to almost 7 percent in 2023 for a fixed rate, 30-year mortgage. The current economic climate is uncertain and still affected by the increasing inflation, the possibility of recession, geopolitical tensions, businesses rebounding and responding to changes brought on by the COVID-19 pandemic, and ongoing supply chain disruptions.

Requests to Develop at Densities Below Those Permitted

New State Housing Element law now requires the non-governmental constraints analysis to evaluate developer requests to build at densities below the density identified in the Housing Element sites inventory. Carmel-by-the-Sea does not receive requests to develop below densities and this is not a constraint to development.

Small Lots and Large Units

Property within Carmel-by-the-Sea is typically smaller than a half-acre, which can be a constraint for housing production. Lot consolidation incentivization may be a solution. Large multi-family units have become commonplace with recent housing proposals. Large units reduce the number of multi-family units overall, which decreases the housing variety available, and increases the number of luxury expensive housing options. A minimum density requirement is being considered with the Housing Priority Overlay Zone for sites included with the Sites Inventory.

Seasonal Vacancies

Carmel-by-the-Sea has a 50% vacancy rate of which 80% is attributed to seasonal vacancies, given the community's strong tourism industry. Tourists seeking seasonal homes skews the demand for housing, making it challenging for Carmel-by-the-Sea employees to find available housing and driving up rents and home prices. Rising housing prices decrease the stock of housing affordable to Carmel-by-the-Sea residents, further spurring the statewide housing shortage. Programs to address this issue are included in the 6th cycle Housing Element including encouraging Accessory Dwelling Units and the establishment of an Affordable Housing Trust Fund which could be funded by a vacancy tax.

Length of Time between Application Approval and Building Permit Issuance

New Housing Element law now also requires an examination of the length of time between receiving approval for a housing development and submittal of an application for building permits. The time between application approval and building permit issuance is influenced by a number of factors, none of which are directly impacted by the City. Factors that may impact the timing of building permit issuance include: required technical or engineering studies; completion of construction drawings and detailed site and landscape design; securing construction and permanent financing; and retention of a building contractor and subcontractors. Generally, building permits are submitted in a timely manner after planning entitlements; however larger projects have experienced longer timeframes given supply chain issues and labor shortages, neither of which the City controls.

Environmental Justice Element Requirement

An Environmental Justice Element or equivalent is not required for Carmel-by-the-Sea because no disadvantaged communities exist within the city's boundaries (as defined in Gov. Code, § 65302, (h)(4)(A)). "Disadvantaged communities" means an area identified by the California Environmental Protection Agency pursuant to Section 39711 of the Health and Safety Code or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

Environmental Constraints

Environmental constraints affecting housing include geologic and seismic conditions and fire hazards, which are a threat to the built environment. However, the primary environmental constraint to the development of housing in Carmel-by-the-Sea is the limited water supply as discussed above. These constraints are discussed in detail below.

Fire Hazards

Carmel-by-the-Sea is often referred to as a “Village in the Forest,” due to its extensive urban forest. The high density of structures within the Carmel residential areas and business district among numerous trees increase the fire hazard. In addition, the Pescadero Canyon, Del Monte Forest, and Mission Trails Park located adjacent to the City, introduces the possibility of a wildland fire. The currently adopted (October 2008) California Department of Forestry and Fire Protection (CAL FIRE) *Very High Fire Hazard Severity Zones in Local Responsibility Areas* (LRA) map for Carmel-by-the-Sea, identifies a large area encompassing northern and eastern portions of the City as a Very High Fire Hazard Severity Zone. In such zones, roofs and exterior walls of new buildings must be made of noncombustible materials. It should be noted that all LRA maps across the state of California are undergoing updates and according to CAL FIRE are anticipated to be released sometime in 2024.

Obtaining insurance for structures is increasingly difficult given the Very High Fire Hazard Severity Zone which poses a constraint to residential development.

The City of Carmel-by-the-Sea is part of a regional coordination effort with other Monterey County cities, including Pacific Grove and Monterey. These neighboring agencies provide aid to each other on an as-needed basis. Fire protection for the City is provided by the City of Monterey Fire Department based out of the Carmel Fire Station located on 6th Avenue.

Emergency and Evacuation Planning

Emergency response is provided through coordinated efforts by the cities of Monterey, Pacific Grove, and Carmel. Emergency planning and evacuation pose many challenges for the City due to the precarious topography and narrow City roads. The General Plan Safety Element (both the currently adopted version and the updated Safety Element being prepared in conjunction with the 6th Cycle Housing Element) provides an in-depth analysis of emergency and evacuation planning and protocols, as well as scenario mapping and evacuation route mapping. City staff generally note that particularly in Carmel, where small lots make meeting egress requirements difficult at higher densities, incentivizing lot mergers in the commercial district will help address concerns and challenges associated with emergency and evacuation planning across the City.

Seismic

The entire California Coast and Coast Range area is prone to earthquakes. Based on history, the probability of a moderate or high magnitude earthquake occurring in the greater Monterey region in

the next few decades is quite likely. Faults that could present hazards to Carmel-by-the-Sea during an earthquake event include the following active or potentially active faults: San Andreas, San Gregorio-Palo Colorado, Chupines, Navy, and Cypress Point. The San Andreas and San Gregorio faults are two dominant faults within the Monterey County region that are considered active with evidence of historic or recent movement.

While the seismic hazards cannot be eliminated, there are a number of regulations that reduce the impact of these hazards. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy, by preventing the construction of buildings used for human occupancy on the surface trace of active faults. The California Building Code includes provisions associated with engineering design and building requirements that address seismic hazards. In addition, the City of Carmel-by-the-Sea General Plan includes policies addressing hazards from seismic activity.

Tsunami

The City would be minimally affected by a moderate to extreme tsunami event. This can be accredited to coastal topography along Carmel's western boundary. The steep cliff, or a step-down in elevation between the Scenic Road and the beach, acts as a protective boundary during a tsunami event. However, low lying portions of Carmel-by-the-Sea are susceptible to inundation from tsunami, known as waves produced from a seismic event. Only the southern-most portion of the City and the low-lying Carmel Lagoon neighborhood (within unincorporated Monterey County) could be impacted if a 21-foot-high tsunami wave were to enter the Carmel River lagoon. Impacts from tsunami could include damage to improvements from wave inundation and from wave carried debris.

Tsunami is a potential safety hazard as well as a hazard to property. The actual areas that will be impacted from a tsunami will vary depending on factors such as the size of the tsunami wave, tide level at the time of the tsunami, the wave source location and the wave direction. In general, areas adjacent to the shoreline that are below an elevation of approximately 15 to 20 feet above mean sea level appear to have a higher level of risk.

Flooding

Carmel is located on a sloping terrain that offers good storm water runoff into both the Pacific Ocean and the Carmel River. Only a small portion of the City's southern tip is designated as a FEMA 100- year Flood Zone. Mission Fields, a residential area, is within the 100-year floodplain, as are the Carmel Center/Carmel Rancho shopping centers (though each of these areas are outside of the City limits). Carmel Beach is subject to flooding during high tide and beach sand is lost yearly during winter storms. The beach is a clearly separated from adjacent roads and houses by a moderately steep hill. Due to that topographical feature, the coastal flooding rarely extends past the beach. There are several areas of the City, which have been identified in the City's general plan as

being prone to localized flooding. The main area subject to localized flooding is located within the Mission Trail Nature Preserve. The Mission Trail site is owned by the City and used as a park. This use mitigates some of the damage that would normally result from the retention of water on the site.

The City's general plan, via the current Safety Element includes policies and programs which address flooding (see policies P8-27 through P8-31). The Safety Element Update will also include and update where necessary the City's policies and programs related to flooding. The City's municipal code (Chapter 15.56 Community Floodplain) further addresses flood risks and hazards found in the City as well as identifying methods for reducing flood losses. In order to accomplish its purposes, this chapter of the municipal code includes regulations to: 1) restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities; 2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; 3) control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters; 4) control filling, grading, dredging, and other development which may increase flood damage; and 5) prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas. (Ord. 2018-03 § 1 (Exh. A § 4), 2018).

Coastal Erosion and Landslides

Erosion on sloped inland areas and at the shoreline (beach) has been a problem for much of Monterey County, including Carmel. The hazards due to erosion are difficult to separate from those due to flooding and landsliding. In some cases, erosion is a result of flood and landslide conditions; in others, rapid water runoff and landsliding can occur in areas subject to prolonged erosion. The preventive costs of erosion are generally included within flood control measures and the overall costs of hillside development. Adoption of the present state of the art procedures for erosion prevention in hillside areas will, in most cases, eliminate losses.

Losses due to coastal erosion can be reduced most economically by avoiding construction in areas subject to severe erosion. Erosion of the beach bluffs is addressed in the City's Shoreline Management and Emergency Operations plans.

Summary of Non-Governmental Constraints

In summary, while Carmel-by-the-Sea is subject to the environmental constraints described above, the City's General Plan sets forth a series of actions to minimize these constraints. Carmel-by-the-Sea incorporates this information into its land use planning and development review processes. In an effort to continue to reduce constraints to housing development, the Housing Element Update includes specific policies and programs in Chapter 2 to reduce or eliminate non-governmental constraints to the extent feasible and practical.

Housing Sites Inventory Analysis



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Appendix C

Housing Sites Inventory Analysis

C.1 Introduction

The Association of Monterey Bay Area Governments' forecasts that the two-county Monterey Bay Area will add 32,867 new households between 2020 and 2045¹. For the eight-year time frame covered by this Housing Element Update, HCD has identified the region's housing need as 33,274 units. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to market rate housing. This calculation, known as the Regional Housing Needs Allocation (RHNA), is based on population projections produced by the California Department of Finance as well as adjustments that incorporate the region's existing housing need. The adjustments result from recent legislation requiring HCD to apply additional adjustment factors to the baseline growth projection from the California Department of Finance, in order for the regions to get closer to healthy housing markets. To this end, adjustments focus on the region's vacancy rate, level of overcrowding and the share of cost burdened households, and seek to bring the region more in line with comparable ones. These new laws governing the methodology for how HCD calculates the RHNA resulted in a significantly higher number of housing units for which the Monterey Bay Area must plan compared to previous cycles.

C.2 Regional Housing Needs Allocation

AMBAG adopted its *Final 6th Cycle Regional Housing Needs Allocation Plan 2023-2031* in October 2022. For Carmel-by-the-Sea, the proposed RHNA to be planned for this cycle is 349 units. Details are provided below.

RHNA Summary

Carmel-by-the-Sea's share of the regional housing need for the eight-year period from 2023 to 2031 is 349 units, which is a 1,125 percent increase over the 31 units required by the 2014 to 2023 RHNA. The housing need is divided into the four income categories of housing affordability. [Table C-1](#) shows Carmel-by-the-Sea's RHNA for the planning period 2023 – 2031.

¹ Final 2022 Regional Growth Forecast, AMBAG, November 18, 2020

Table C-1 Carmel-by-the-Sea's Regional Housing Needs Allocation – 2023–2031

| Income Group | Carmel-by-the-Sea Units | Percent | Monterey County Units | Percent | Monterey Bay Area Units | Percent |
|--------------------------------------|-------------------------|---------------|-----------------------|---------------|-------------------------|---------------|
| Extremely Low Income (<30% of AMI) | 57 | 16.3% | 2,206 | 10.9% | 3,934 | 11.8% |
| Very Low Income (30% - 50% of AMI) | 56 | 16.0% | 2,206 | 10.9% | 3,934 | 11.8% |
| Low Income (50%-80% of AMI) | 74 | 21.2% | 2,883 | 14.2% | 5,146 | 15.5% |
| Moderate Income (80%-120% of AMI) | 44 | 12.6% | 4,028 | 19.8% | 6,167 | 18.5% |
| Above Moderate Income (>120% of AMI) | 118 | 33.9% | 8,972 | 44.2% | 14,093 | 42.4% |
| Total | 349 | 100.0% | 20,295 | 100.0% | 33,274 | 100.0% |

SOURCE: AMBAG 2021

NOTE: The Association of Monterey Bay Area Governments (AMBAG) Executive Board adopted the 2023-2031 Regional Housing Needs Allocation Plan (RHNA) on October 12, 2022 (Resolution No. 2022-24). The plan was approved by the California Housing and Community Development on November 8, 2022.

Progress to Date

The RHNA planning period for the 2023-2031 Housing Element (6th Cycle) is June 30, 2023 through December 15, 2031. The statutory adoption date for the 6th Cycle Housing Element is December 31, 2023—a full six months after the beginning of the planning period. To account for this discrepancy, the City of Carmel-by-the-Sea must account for the number of housing units permitted prior to adoption of the 6th Cycle Housing Element and apply these to the 2023-2031 RHNA. Accordingly, the units permitted in this period count toward the 2023-2031 planning period RHNA and are subtracted from the 6th Cycle RHNA. [Table C-2](#) shows the City of Carmel-by-the-Sea's adjusted RHNA, which accounts for progress made prior to the adoption of the updated Housing Element document.

Table C-2 Carmel-by-the-Sea's Adjusted RHNA

| | Very Low-Income Units | Low-Income Units | Moderate-Income Units | Above Moderate-Income Units | Total Units |
|---|-----------------------|------------------|-----------------------|-----------------------------|-------------|
| 2023–2031 RHNA | 113 | 74 | 44 | 118 | 349 |
| Units permitted between June 30, 2023 and December 31, 2023 | TBD | TBD | TBD | TBD | TBD |
| Remaining RHNA | | | | | |

SOURCE: City of Carmel-by-the-Sea

C.3 Site Inventory

The purpose of the sites inventory is to identify and analyze specific sites that are available and suitable for residential development from 2023-2031 in order to accommodate Carmel-by-the-Sea's assigned 349 housing units. The City doesn't build the housing but creates the programs and policies to plan for where it should go and how many units could be on potential sites.

Overview of Selected Sites

This section provides information on the current list of potential sites under consideration for determining how the City will accommodate the State's required minimum of 349 housing units.

[Figure C-1](#) shows an overview of the potential sites inventory map that has been developed for Carmel-by-the-Sea's 6th Cycle Housing Element Update.

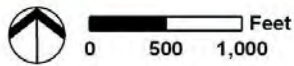
Key Housing Opportunities

This section provides details on vacant and underutilized sites that are available for housing development in the city. The City has identified 35 sites capable of accommodating 283 housing units. In addition, the City has developed a program of new incentives for 46 hotel owners in the community to house lower-income employees in existing hotel rooms. Finally, the City has an active accessory dwelling unit program that is capable of providing additional lower-income housing.

Altogether, these housing resources have the potential to accommodate approximately 115 percent of Carmel's RHNA. Each of these opportunities is discussed in more detail below.

The City's estimate of number of housing units that can realistically be developed on key housing opportunity sites is considered conservative. What has been omitted from this list are 43 vacant sites capable of accommodating 43 market-rate housing units, all of which were previously identified in Carmel's 5th Cycle Housing Element.

Figure C-1 Potential Sites Inventory Map



Source: Esri, Maxar, Earthstar Geographics, and EMC Planning Group



Figure C-1
Housing Sites Inventory
Carmel-by-the-Sea
6th Cycle Housing Element

The capacity estimate for these primary underutilized sites is supported, in part, by a recent housing feasibility study undertaken by the City in preparation for the City's 6th Cycle Housing Element update.² This study provided an in-depth analysis of the redevelopment potential for the first 16 primary underutilized sites (the January 2023 feasibility study is attached in its entirety as [Appendix F](#)).

A one-page description of each primary underutilized site, including a photograph of the site, is presented in the following section. The information provided for sites 1 through 16 has been excerpted directly from the 2023 feasibility study.

Primary Underutilized Sites

The City has identified 21 underutilized sites capable of accommodating 248 lower-income and market-rate housing units. Eight of the total 21 primary underutilized sites were identified in the 5th Cycle Housing Element, all of which were identified at the time as having the highest probability of developing. Achieving this level of construction on the sites identified as primary underutilized sites would be dependent on a number of factors, not the least of which would be Carmel's discretionary development review process. The City has recognized this factor and has included a new program in this 6th Cycle Housing Element update to permit redevelopment of all of underutilized sites identified herein without the need for a conditional use permit (i.e., "by right"). While significant hurdles remain—construction costs, design review, etc.—this new program removes the single greatest obstacle to achieving the City's housing objectives for these underutilized sites.

² ECO Northwest, January 27, 2023. "Housing Element Analysis for the City of Carmel by-the-Sea."

Site #1: Sunset Center Lots Site

Number of Housing Units: 33

Description: The north lot at Sunset Center is a large (1.02 acre) parking lot with no improvements other than paving. It is a City-owned site. The City has expressed interest in redeveloping the site for housing so long as parking needs for Sunset Center could be accommodated in the development program. A design competition could be a program to incentivize local architects to partner with non-profit affordable housing developers.

The south lot could also be a viable housing development site. Figure C-2 shows a photograph of the North Sunset Center Lots Site.

“I live near the sunset Center. I would love to see that made into a usable space, and will completely support your efforts to do that. So, go for it. Have courage and get this work done.”

May 24, 2023 Ad Hoc
Committee Community
Meeting Attendee

Figure C-2 Sunset Center Lots Site (Site #1)



Site #2: Ulrika Plaza Site

Number of Housing Units: 12

Description: The 0.37-acre Ulrika Plaza site, previously entitled as a mixed-use building. The initial developer lost the project for financial reasons and it was acquired by another developer. This developer has been working to get a development program for 12 market-rate apartment units approved on the site for several years. The site is a case study of a development not building to maximum density.

Figure C-3 Ulrika Plaza Site (Site #2)



Site #3: City Public Works (Vista Lobos) Site

Number of Housing Units: 42

Description: This is a City-owned site totaling 1.28 acres at the north end of the study area. The site is a large parking lot with low value improvement used for public parking. The City has expressed interest in using the site for housing if feasible. Potential height restrictions due to a protected viewshed to Point Lobos (see CMC 17.12.050) could limit achievable density and feasibility, though opportunities exist to cut into the slope at street grade.

Figure C-4 City Public Works (Vista Lobos) Site (Site #3)



Site #4: Carmel Realty Office Site

Number of Housing Units: 4

Description: This site is a 0.18-acre corner-lot parcel that is currently owned and used for office space by Carmel Realty. It has low lot coverage and scores well with a land-to-improvement ratio. It is a single-story structure that is surrounded on all sides by structures that are at least two stories tall. The site was previously used in the RHNA 5 inventory.

Figure C-5 Carmel Realty Office Site (Site #4)



Site #5: Pine Inn Parking Lot Site

Number of Housing Units: 5

Description: This 0.18-acre site is the parking lot for the Pine Inn. The site is not attached or adjacent to the inn, it is a separate parcel across the street. As driving patterns and parking needs change, this site could be a future candidate for redevelopment.

Figure C-6 Pine Inn Parking Lot Site (Site #5)



Site #6: Bruno's Market Site

Number of Housing Units: 17

Description: This site is two adjacent parcels totaling over 0.53 acres under the same ownership. The site includes a parking lot that leads to low lot coverage. It also scores in the top tier for land-to-improvement ratio. It could be a potential redevelopment candidate.

Figure C-7 Bruno's Market Site (Site #6)



Site #7: Three Garages Site

Number of Housing Units: 7

Description: This site would be an assemblage of three equal sized parcels totaling 0.33 acres. Two of the parcels are under the same ownership, and one was previously used in the RHNA 5 inventory. Existing uses include a site with parking and three attached garages, and a commercial building used for real estate sales. Combined the site scores in the top tier for land-to-improvement ratio and in the mid-tier for value per square foot.

Figure C-8 Three Garages Site (Site #7)



Site #8: First Church of Christ Parking Lot Site

Number of Housing Units: 9

Description: This site is a parking lot used by the First Church of Christ. It is three separate tax lots totaling 0.28 acres. Assessor's records have missing values for ownership on the two southern parcels but given its existing use we assume that all three parcels are owned by the Church. In 2020, the State of California passed AB 1851, commonly referred to as the "yes in God's backyard" bill. This bill makes it easier for religious institutions to convert excess parking to affordable housing by prohibiting a local agency from requiring the replacement of religious-use parking spaces that a developer of a religious institution affiliated housing development project proposes to eliminate as part of that housing development project. Redevelopment of the structures on the site would require a zone change.

Figure C-9 First Church of Christ Parking Lot Site (Site #8)



Site #9: Red Cross Site

Number of Housing Units: 5

Description: This site includes two adjacent parcels owned and used by the American Red Cross. Collectively the site is 0.18 acres. Because the site is owned by a nonprofit organization it does not have Assessor's values to calculate redevelopment metrics. However, site inspection confirms a low intensity use. Because the owner is a mission-driven organization, it's possible they may be a willing partner if they can find an alternative for their current operations.

Figure C-10 Red Cross Site (Site #9)



Site #10: Café Carmel Site

Number of Housing Units: 3

Description: All single-story downtown buildings can be explored as opportunities for densification. Site orientation, existing and surrounding uses, and access are contributing factors to feasibility. The Café Carmel site pictured is one example of a single-story commercial property with two-story building on either side. The Café Carmel site specifically scores in the top tier for land-to-improvement ratio and has a land value around \$100 per-square-foot. The site was previously used in the RHNA 5 inventory.

Figure C-11 Café Carmel Site (Site #10)



Site #11: Wells Fargo Site

Number of Housing Units: 8

Description: This site is two adjacent parcels comprised of the existing Wells Fargo building and associated parking lot. Combined the site is 0.38 acres. The site was identified as a candidate site in the RHNA 5 Housing Element inventory. It scores in the top tier for land-to-improvement ratio. It is owned by an institutional entity (Wells Fargo). However, conversations with City staff indicate that it could be a candidate for inclusion as a historic property which would complicate redevelopment.

Figure C-12 Wells Fargo Site (Site #11)



Site #12: Esperanza 7th and Dolores Site

Number of Housing Units: 15

Description: This site is three adjacent parcels owned by Esperanza Carmel. The site totals roughly 0.30 acres. Esperanza has a development proposal on the site for eight (8) market-rate apartment units.

Figure C-13 Esperanza 7th and Dolores Site (Site #12)



Site #13: 7th and Mission Site

Number of Housing Units: 5

Description: This 0.18-acre site currently accommodates a clothing boutique in a single-story commercial building. Half of the site is comprised of a parking lot, which leads to low lot coverage and a land-to-improvement ratio above 1.5. However, it's value per-square-foot is high at nearly \$500 per-square-foot, making acquisition of the property less likely.

Figure C-14 7th and Mission Site (Site #13)



Site #14: Carmel Foundation Site

Number of Housing Units: 20

Description: The Carmel Foundation is the only provider of deed-restricted affordable housing in Carmel. Their administrative offices include four parcels totaling 0.62 acres. This site does not score high on land-to-improvement ratio but scores in the top tier of value per-square-foot. This site is being considered as a candidate because the Carmel Foundation is a mission-driven organization and interviews with leadership indicate that if they can accommodate their administrative functions off-site, they would consider redeveloping their property for affordable housing. Redeveloping this site would require rezoning.

Figure C-15 Carmel Foundation Site (Site #14)



Site #15: Carmel Presbyterian Site

Number of Housing Units: 36

Description: This site is five adjacent parcels totaling almost 1.1 acres. Over a third of the site is a parking lot. See previous comments about AB 1851. The site is outside of the commercial core and would require a zone change to facilitate redevelopment beyond housing construction within the existing parking lot area.

Figure C-16 Carmel Presbyterian Site (Site #15)



Site #16: NW Corner Juniper & 5th Site

Number of Housing Units: 3

Description: This is a corner lot site totaling 0.18 acres. The existing use is a parking lot and single-story commercial building. The site was included in the RHNA 5 inventory. It scores in the mid-tier for both redevelopment metrics.

Figure C-17 5th and Juniper Site (Site #16)



Site #17: American Legion Site

Number of Housing Units: 5

Description: This site is approximately 0.18 acres that is immediately adjacent to the Red Cross Site (Site #9). This site was not included in the RHNA 5 inventory. The existing use is the American Legion building. City staff have identified this site because it is underutilized and owned by a quasi-public organization. It's possible that this site could be combined with the Red Cross site to yield a larger affordable housing project.

Figure C-18 American Legion Site (Site #17)



Site #18: NW Corner Mission & 7th Site

Number of Housing Units: 8

Description: This site is approximately 0.37 acres. The existing use is single-story commercial building. The site was included in the RHNA 5 inventory. NW Corner of Mission & 7th (APN 010-141-003). The property owner has expressed interest to add second-story residential uses to the site. At 33 units per acres, 12 units could be constructed.

Figure C-19 NW Corner Mission & 7th Site (Site #18)



Site #19: 7th 2 SW of Mission Site**Number of Housing Units: 2**

Description: This small site is approximately 0.07 acres. The existing use is a small commercial building. The site was included in the RHNA 5 inventory. Property is currently underdeveloped and contains a building originally constructed in 1937. The property owner has had discussions with the City about adding at least two apartments on the second-story. The City has had recent experience facilitating this kind of housing development addition to an existing building.

Figure C-20 7th 2 SW of Mission Site (Site #19)

Site #20: NE Corner Monte Verde & 7th Site**Number of Housing Units: 1**

Description: This small site is approximately 0.07 acres. The site was included in the RHNA 5 inventory. The property is currently significantly underdeveloped. The building was originally constructed in 1950 (approximately 60 years old) and has a floor area ratio of approximately 47 percent, compared to the maximum allowed of 80 percent. The building is currently used as an office space, but as there is little demand for commercial space in Carmel it is likely that the site will be redeveloped with stand-alone housing as opposed to mixed-use.

Figure C-21 NE Corner Monte Verde & 7th Site (Site #20)



Sites Recycled from 5th Cycle

To ensure the City has a buffer of housing sites for lower income housing, the City has included 14 additional sites, each of which was previously included in Carmel's 5th Cycle Housing Element. These sites are capable of accommodating an additional 35 units, all of which have been assigned to the above-moderate-income category. As with the other underutilized sites, the likelihood of successfully developing these other sites is improved the City's proposed new program that would permit redevelopment of all underutilized sites without the need for a conditional use permit (i.e., "by right"). No additional discussion of these sites is provided.

Employee Housing at Local Hotels

As mentioned above, the City of Carmel-by-the-Sea has included a new program in this 6th Cycle Housing Element update to incentivize the dedication of a minimum of one hotel room to house lower-income employees. As there are 46 hotels in the City, this program has the potential to add at least 46 moderate- and lower-income units to the City's housing stock.

Accessory Dwelling Units (ADUs and Junior ADUs)

Based on HCD's Annual Progress Report Dashboard, 18 ADUs were constructed in Carmel in the four-year period between 2018 and 2021. This averages 4.5 ADUs per year, which when extrapolated to the eight-year planning period for the 6th Cycle Housing Element update, equates to a total of 36 units. Because the State of California has recently adopted a host of new rules easing the construction of ADUs, the City has doubled its estimate of potential ADUs to a total of 72 units. Following the rule of thumb recommended by HCD, these 72 units have been distributed to very low-, low-, moderate-, and above moderate-income households as follows: 30 percent, 30 percent, 30 percent, 10 percent, respectively.

Table of Housing Resources

This section provides the formal inventory table of sites that the City of Carmel-by-the-Sea will rely on in the 6th Housing Element planning cycle. Per state law and Housing Program 3.3 (see Chapter 3 of this 6th Cycle Housing Element), the City is required to maintain "no net loss" of the housing capacity represented by this list of parcels and the sites they comprise. To facilitate this, the inventory presented below has been designed with excess capacity. This allows some degree of flexibility in decision making for individual development projects as they come forward for approval by City Council.

In short, with some limited flexibility, the City is committed to permitting housing on each of the parcels listed in the table below, and in doing so, ensuring that the number of units listed for each parcel in the table--“planned capacity”—is achieved. Should the City approve development that is inconsistent with the parcel’s planned capacity, it is then required as part of that approval to:

- Find, based on quantitative evidence, that the remaining inventory of housing sites is still sufficient to meet the City’s 6th Cycle RHNA; or
- Identify one or more available sites with the realistic development capacity to replace the housing that would have otherwise been developed had consistency with planned capacity been achieved.

[Table C-3, Housing Sites Inventory](#), provides details and capacity estimates for each of the parcels that comprise the 35 housing sites identified in the sections above.

Table C-3 Housing Sites Inventory

| Site # | Location | APN | Zoning | General Plan | Acreage | Applied Density (DU/AC) | Total Realistic Capacity | Very Low | Low | Moderate | Above Moderate |
|-----------------------------|---|--------------|--------|--------------|---------|-------------------------|--------------------------|----------|-----|----------|----------------|
| Primary Underutilized Sites | | | | | | | | | | | |
| 1 | Sunset Center Lots Site (#1) | 010143001000 | A-2 | | 1.02 | 33 | 33 | | 17 | 16 | |
| 2 | Ulrika Plaza Site (#2) | 010138003000 | SC | | 0.37 | 33 | 12 | | | | 12 |
| | | 010138021000 | | | | | | | | | |
| 3 | City Public Works Site (Vista Lobos) (#3) | 010104001000 | R-4 | | 1.28 | 33 | 42 | 35 | | | 7 |
| | | 010104004000 | | | | | | | | | |
| 4 | Carmel Realty Office Site (#4) | 010145008000 | RC | RC | 0.19 | 33 | 4 | | | | 4 |
| 5 | Pine Inn Parking Lot (#5) | 010212010000 | R-1 | | 0.18 | 33 | 5 | | 5 | | |
| 6 | Bruno's Market Site (#6) | 010095013000 | RC | | 0.53 | 33 | 17 | 12 | 5 | | |
| | | 010095012000 | | | | | | | | | |
| 7 | Three Garages Site (#7) | 010098004000 | SC | CC | 0.33 | 33 | 7 | | | | 7 |
| | | 010098005000 | | | | | | | | | |
| | | 010098006000 | | | | | | | | | |
| 8 | First Church of Christ Parking Lot (#8) | 010212027000 | R-1 | SFR | 0.28 | 33 | 9 | | 9 | | |
| | | 010212004000 | | | | | | | | | |
| | | 010212026000 | | | | | | | | | |
| 9 | Red Cross Site (#9) | 010144015000 | R-1 | SFR | 0.18 | 33 | 5 | | | | 5 |
| | | 010144016000 | | | | | | | | | |
| 10 | Café Carmel Site (#10) | 010133004000 | CC | CC | 0.15 | 33 | 3 | | | | 3 |
| 11 | Wells Fargo Site (#11) | 010141006000 | CC | CC | 0.36 | 33 | 8 | | | | 8 |
| | | 010141011000 | | | | | | | | | |
| 12 | Esperanza 7th and Dolores Site (#12) | 010145012000 | SC | | 0.46 | 33 | 15 | | | | 15 |
| | | 010145020000 | | | | | | | | | |
| 13 | 7th and Mission Site (#13) | 010142001000 | SC | | 0.18 | 33 | 5 | | | | 5 |

| Site # | Location | APN | Zoning | General Plan | Acreage | Applied Density (DU/AC) | Total Realistic Capacity | Very Low | Low | Moderate | Above Moderate |
|-------------------------------|--------------------------------------|--------------|--------|--------------|---------|-------------------------|--------------------------|----------|-----|----------|----------------|
| 14 | Carmel Foundation Site (#14) | 010149012000 | A-3 | | 0.62 | 33 | 20 | 10 | 10 | | |
| | | 010149010000 | | | | | | | | | |
| | | 010149011000 | | | | | | | | | |
| | | 010149001000 | | | | | | | | | |
| 15 | Carmel Presbyterian Site (#15) | 010084030000 | R-1 | | 1.10 | 33 | 36 | 36 | | | |
| | | 010084023000 | | | | | | | | | |
| | | 010084024000 | | | | | | | | | |
| | | 010084022000 | | | | | | | | | |
| | | 010084003000 | | | | | | | | | |
| 16 | NW Corner Junipero & 5th (#16) | 010097007000 | SC | CC | 0.18 | 33 | 3 | | | | 3 |
| 17 | American Legion Site | 010144014000 | R-1 | SFR | 0.18 | 33 | 5 | | | | 5 |
| 18 | NW Corner Mission & 7th | 010141003000 | CC | CC | 0.37 | 33 | 8 | | | | 8 |
| 19 | 7th 2 SW of Mission | 010142013000 | SC | CC | 0.07 | 33 | 2 | | | | 2 |
| 20 | NE Corner Monte Verde & 7th | 010191004000 | RC | RC | 0.07 | 33 | 1 | | | | 1 |
| 21 | Carmel Resort Inn | 010021014000 | R-1 | SFR | 0.74 | 33 | 8 | | | | 8 |
| | | 010021013000 | | | | | | | | | |
| | | 010021012000 | | | | | | | | | |
| | | 010021011000 | | | | | | | | | |
| | | 010021030000 | | | | | | | | | |
| | | 010021031000 | | | | | | | | | |
| | | 010021032000 | | | | | | | | | |
| | | 010021033000 | | | | | | | | | |
| | Subtotal Primary Underutilized Sites | | | | 8.84 | | 248 | 93 | 46 | 16 | 93 |
| Sites Recycled from 5th Cycle | | | | | | | | | | | |
| 22 | San Carlos 2 NE of 6th | 010132009000 | CC | CC | 0.09 | 33 | 1 | -- | -- | -- | 1 |
| 23 | Ocean 4 NW of San Carlos | 010134005000 | CC | CC | 0.08 | 33 | 1 | -- | -- | -- | 1 |
| 24 | NW Corner Dolores & 6th | 010138006000 | CC | CC | 0.13 | 33 | 2 | -- | -- | -- | 2 |

| Site # | Location | APN | Zoning | General Plan | Acreage | Applied Density (DU/AC) | Total Realistic Capacity | Very Low | Low | Moderate | Above Moderate |
|---------------------------------|--------------------------------|--------------|--------|--------------|---------|-------------------------|--------------------------|------------|-----------|-----------|----------------|
| 25 | NW Corner Ocean & Dolores | 010139001000 | CC | CC | 0.09 | 33 | 1 | -- | -- | -- | 1 |
| 26 | SE Corner Ocean & San Carlos | 010141007000 | CC | CC | 0.28 | 33 | 6 | -- | -- | -- | 6 |
| 27 | Ocean 2 SE of Mission | 010141009000 | CC | CC | 0.07 | 33 | 1 | -- | -- | -- | 1 |
| 28 | NW Corner Mission & 8th | 010142006000 | RC | RC | 0.19 | 33 | 4 | -- | -- | -- | 4 |
| 29 | SE Corner of San Carlos & 7th | 010142012000 | SC | CC | 0.12 | 33 | 2 | -- | -- | -- | 2 |
| 30 | San Carlos 2 SW of Ocean | 010146001000 | CC | CC | 0.15 | 33 | 3 | -- | -- | -- | 3 |
| 31 | San Carlos 2 SW of Ocean | 010146002000 | CC | CC | 0.18 | 33 | 3 | -- | -- | -- | 3 |
| 32 | San Carlos 2 NW of 7th Ave | 010146003000 | CC | CC | 0.18 | 33 | 3 | -- | -- | -- | 3 |
| 33 | San Carlos 2 NW of 7th Ave | 010146004000 | CC | CC | 0.09 | 33 | 1 | -- | -- | -- | 1 |
| 34 | Lincoln SE of Ocean | 010147010000 | CC | CC | 0.09 | 33 | 1 | -- | -- | -- | 1 |
| 35 | SW Corner Ocean & Dolores | 010147018000 | CC | CC | 0.31 | 33 | 6 | -- | -- | -- | 6 |
| | Subtotal Recycled Sites | | | | | | 35 | 0 | 0 | 0 | 35 |
| TOTAL | | | | | | | 283 | 93 | 46 | 23 | 121 |
| Potential Converted Hotel Units | | | | | | | 46 | 0 | 16 | 30 | 0 |
| ADUs | | | | | | | 72 | 22 | 22 | 22 | 6 |
| GRAND TOTAL | | | | | | | 401 | 115 | 84 | 75 | 127 |
| RHNA | | | | | | | 349 | 113 | 74 | 44 | 118 |
| Difference | | | | | | | 52 | 2 | 6 | 24 | 17 |
| Difference (Percent) | | | | | | | 115% | 101% | 113% | 170% | 108% |

SOURCE: City of Carmel-by-the-Sea; EMC Planning Group Inc.

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D.4 Conclusion

The vacant and underutilized sites, converted hotel rooms, and accessory dwelling units identified in this report are sufficient to accommodate approximately 115 percent of the City of Carmel-by-the-Sea's Regional Housing Needs Allocation for the 6th Cycle planning period. This 15 percent “cushion” is highly recommended because of the state's no-net-loss policy, which precludes jurisdictions from approving development that results in an overall housing site deficit. The “cushion” essentially provides a degree of flexibility for policy makers as they make development decisions. Many of the sites identified in this report have existing uses that would need to be demolished before new housing could be constructed.

Nonetheless, for communities like Carmel-by-the-Sea that are largely built out and surrounded on all sides by other communities, redevelopment and densification is the only practical solution to providing its share of housing for the Monterey Bay Area RHNA. By its nature, such redevelopment is more costly and more time consuming than building new units on vacant land. To offset these constraints, City Officials have proposed a “Housing Priority Overlay Zone” to facilitate redevelopment and/or intensification of uses on sites included in the City's housing sites inventory. This overlay zone allows for housing development by right (objective design and development standards apply), minimum density, and otherwise overrides the development standards of the base district to ensure that the number and types of units identified in the housing sites inventory can be achieved.

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Review of Previous Housing Element



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Appendix D

Review of Previous Housing Element

D.1 Introduction

In order to effectively plan for the future, it is important to reflect back on the goals of the previous Housing Element and to identify those areas where progress was made and those areas where continued effort is needed. State Housing Element guidelines require communities to evaluate their previous Housing Element according to the following criteria:

- Effectiveness of the Element;
- Progress in Implementation; and
- Appropriateness in Goals, Objectives and Policies.

D.2 Effectiveness of the Element

The City's 2015 Housing Element identified the following goals:

- Goal G3-1 Preserve the existing housing stock;
- Goal G3-2 Preserve existing residential units and encourage the development of new multi-family housing in the Commercial and R-4 Districts;
- Goal G3-3 Provide adequate sites for the development of a wide range of housing types for all citizens;
- Goal G3-4 Protect the stability of residential neighborhoods by promoting year-round occupancy and neighborhood enhancement; and
- Goal G3-5 Preserve and increase the supply of housing for lower- and moderate-income households, senior citizens and other special needs groups. Prohibit discrimination in the sale or rental of housing.

In order to achieve these goals, the 2015 Housing Element listed a series of policies and actions. The policies covered a range of actions, including (but not limited to): development of mixed-use projects with high-density housing; preserving existing second floor housing over first-floor commercial uses; converting R-1 hotels to housing; enforcing the City's prohibition on short-term rentals; reviewing requirements for condition use permits on multi-family developments with

densities greater than 22 du/ac; using city-owned surplus sites for affordable housing; and granting water priority to affordable housing projects. The 2015 policies and programs complied with State Housing Law guidelines in effect at the time.

D.3 Progress in Implementation

To assess the City’s progress in implementing the 2015 Housing Element, the following key areas were reviewed:

- Adopted Programs;
- Production of Housing;
- Preservation of “At Risk” Units; and
- Rehabilitation of Existing Units.

Each of these areas is discussed in detail below.

Overview of Adopted Programs

[Table D-1, Overview of Adopted Programs](#), identifies all of the actions the City committed to in the 2015 Housing Element. The table also includes a description of the progress that was made during the 2015–2023 planning period.

Table D-1 Overview of Adopted Programs

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|---|---|--|---------------------------------|
| Goal G3-1: Preserve the existing housing stock | | | |
| Program 3-1.1.a | Housing Rehabilitation Information. Distribute information on the Inspection Services and Housing Rehabilitation programs available through Monterey County, and alternative ways of financing home repairs | <p>During the planning period, the City provided information on rehabilitation programs, inspection services, and home repair financing at City Hall and on the City's website. During the Planning period, the City's website was redesigned with new features that make navigation easier.</p> <p>Dissemination of information at City Hall and on the City's website is a passive activity that can effectively educate and inform the public. To capture a broader audience and take a more active role in disseminating information, the City will take advantage of established venues such as the Farmer's Market, Library programming, and local service organizations to promote available resources.</p> | Continue |
| Program 3-1.1.b | Residential Inspection Services. Inspect residences in the community for structural deficiencies and repair needs at the request of the property owner | The City continues to provide residential inspection services to residents as part of Code Enforcement complaints and during the building permit process. | Continue |
| Program 3-1.1.c | Housing Maintenance Information. Disseminate informational materials identifying techniques used to upgrade property consistent with health and safety standards. The informational materials will continue to be disseminated at public buildings, through the City's website, and in conjunction with Program 3-1.1.a. | <p>During the planning period, the City provided housing maintenance information at City Hall and on the City website to facilitate the preservation of the existing housing stock. During the Planning period, the City's website was redesigned with new features that make navigation easier.</p> <p>Dissemination of information at City Hall and on the City's website is a passive activity that can effectively educate and inform the public. To capture a broader audience and take a more active role in disseminating information, the City will take advantage of established venues such as the Farmer's Market, Library programming, and local service organizations to promote available resources.</p> | Modify and Combine with 3-1.1.a |

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|--|--|---|--|
| Goal G3-2: Preserve existing residential units and encourage the development of new multi-family housing in the Commercial and R-4 Districts. | | | |
| Program 3-2.1.a | Incentives for Mixed-Use Development. Provide floor area bonuses of up to 15 percent for projects that include housing for moderate-, low- and very-low-income households. Distribute informational materials outlining the floor area and other applicable incentives. | The City continues to encourage affordable housing in mixed-use development. No development participated in this program. | Modify to improve the incentive. |
| Program 3-2.1.b | Preserve and Increase Second Floor Residential Uses. Prohibit the conversion of existing second-floor residential floor space to commercial use. Require newly constructed floor space at the second floor to be used as residential units. | The City continues to preserve existing second floor residential uses and encourages the conversion of second floor commercial space to residential use. This was a successful program that resulted in protection of existing units and construction of new units. | Continue |
| Program 3-2.1.c | Incentives for Mixed Use Affordable Housing. Explore options to further incentivize upper-story housing opportunities, such as the potential of allowing a third story when devoted to affordable housing subject to appropriate design standards, including the City's 30-foot height limit. | The City continues to look for ways to increase affordable housing opportunities. No development participated in this program. Staff will make a concerted outreach effort to better publicize this program. | Continue. |
| Program 3-2.1.d | Multi-Family Residential Development Review. Monitor multi-family residential development applications to assess whether the CUP requirement (CUP for MFDs at densities 22 du/ac +) is posing an unreasonable development constraint. If it is determined that the CUP requirement is negatively affecting the cost and supply of housing, the City will initiate Zoning Code and LCP amendments to revise permit requirements for residential projects with densities greater than 22 du/ac to ensure permits are granted based on objective criteria. | <p>The City monitored the review process for multi-family residential development and found that the Use Permit requirement for multi-family projects at densities between 23 and 33 dwelling units per acre was not a deterrent to development. The primary constraint to increased density remains a lack of water resources. However, the City remains open to eliminating the Use Permit requirement for all densities greater than 22 dwelling units per acre.</p> <p>While the monitoring of multi-family residential development applications did not reveal an unreasonable development constraint, the elimination of the Use Permit requirement would result in cost savings for applicants who would no longer have to pay the Use Permit application fee. Additionally, the application processing time would be reduced by eliminating one of the permit entitlements.</p> | Modify to remove the CUP requirement for densities up to 33 du/ac and look at the CUP requirements in general that can be removed. |

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|--|---|--|--|
| Goal G3-3: Provide adequate sites for the development of a wide range of housing types for all citizens. | | | |
| Program 3-3.1.a | Adequate Sites. The City will encourage and facilitate the development of new dwelling units consistent with the RHNA need by continuing to work with housing providers such as the Carmel Foundation. The City will also encourage development of new affordable units through incentives and concessions outlined in Programs 3-5.4.a, 3-5.4.b, 3-5.5.a, 3-5.5.b, and 3-5.5.c of this Housing Element. | <p>The City encouraged the construction of new dwelling units to meet the City's RHNA requirements and promoted incentives and concessions to facilitate new construction. A lack of water resources continues to be the largest constraint to developing high-density housing.</p> <p>The Carmel Foundation manages 50 affordable senior housing units in Carmel. While the City has a long-standing relationship with the Foundation, they do not accept government funding, and the operating costs of the housing units result in an annual deficit. Identification of additional funding sources and housing providers should be considered while maintaining a strong relationship with the Foundation.</p> <p>City staff regularly promotes the incentives available for developing new affordable units when meeting with prospective developers and processing new development applications. The primary constraint to increased density remains a lack of water resources.</p> | Modify. The City will craft a policy requiring minimum densities. |
| Program 3-3.1.b | Surplus Sites. investigate the feasibility of utilizing surplus sites for housing development and partnering with housing providers to develop housing for lower-income households and/or senior housing on appropriate surplus sites. | The City continues to evaluate the feasibility of constructing new housing on surplus land, specifically the Sunset Center parking lot. No development partners emerged during this housing element cycle; however, discussions remain ongoing. | Modify to identify underutilized publicly owned sites including Flanders Mansion, Sunset Center parking lots, Post Office parking lot and Vista Lobos. |

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|-----------------|---|--|--|
| Program 3-3.1.c | <p>Development on Small Sites. The City will continue incentives and provisions that facilitate development on small sites including reduced parking requirements for affordable housing projects (0.5 parking spaces per unit), density bonuses that allow for development up to 88 du/ac, flexible or in some cases no required setbacks in the R-4 zone, and lot mergers. The City will review its Lot Merger Program to determine if any refinements should be made, including a requirement that mergers be approved by the Planning Commission rather than the Director. The City may also consider incentives for commercial lot mergers when lower-income units are provided, and eliminating any provisions of this program that have the unintended effect of restricting housing opportunities.</p> | <p>During the planning period, the City maintained reduced parking requirements for affordable housing projects and the density bonus provisions allowing high-density housing development of up to 88 dwelling units per acre. A lack of water resources continues to be the largest constraint to developing high-density housing.</p> <p>The City continued to promote incentives associated with lot mergers in the single-family district, including additional floor area for the primary dwelling and accessory dwelling units, additional site coverage, and an additional accessory structure. Lot merger applications continue to be approved by the Community Planning & Building Director.</p> <p>No development participated in the density bonus or setback incentive in the commercial or multi-family districts.</p> <p>The City did not pursue a lot merger incentive program for the commercial districts. Density bonus regulations continue to provide the greatest incentive.</p> <p>Most lot merger applications were for single building sites comprised of multiple legal lots of record. Merging these sites did result in the granting of incentives. New State ADU laws exceed the ADU incentive the City currently offers and should be reevaluated.</p> | <p>Modify to continue lot merger approval by Director, simplify parking requirement reductions, reevaluate the density bonus and setback incentives.</p> |
| Program 3-3.2 | <p>Address Infrastructure Constraints. Work cooperatively with the Monterey Peninsula Water Management District (MPWMD) and other regional agencies to address infrastructure limitations (e.g. sewer, water, roads) that affect the ability to serve new housing development. Grant water allocation priority to those projects that assist the City in meeting its</p> | <p>During the planning period, the City continued to work with regional agencies such as the Monterey Peninsula Water Management District (MPWMD) and the Carmel Area Wastewater District (CAWD) to ensure adequate infrastructure is in place to accommodate new housing and maintenance of existing residential units. Additionally, the City focused on stormwater drainage improvements to reduce flooding. The</p> | <p>Modify to further incentivize water allocation for lower income units.</p> |

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|---|--|--|--|
| | share of the regional housing need for lower- and moderate-income households. | <p>City's Public Works Department continues to improve City infrastructure related to road maintenance and storm drains. The City continued prioritizing water allocation for lower-income units; however, no development applications were received for lower-income housing.</p> <p>Lack of water resources continues to be a significant constraint to housing development. The City will establish a formal policy to prioritize water allocations to affordable housing projects.</p> | |
| Goal G3-4: Protect the stability of residential neighborhoods by promoting year-round occupancy and neighborhood enhancement | | | |
| Program 3-4.1.a | Permanent Housing. Continue to implement the ordinance adopted in 1988 prohibiting short-term, transient rentals and timeshares of residential dwellings in the R-1 District. | <p>The City continued to enforce the prohibition of short-term rentals in the single-family residential district. The City continues to use Host Compliance as part of the ongoing enforcement. On average, 27 violation letters were mailed annually during the planning period.</p> <p>A significant percentage of single-family homes continue to remain vacant for part of the year due to second home ownership.</p> <p>During the planning period, the City enforced the provisions of the Timeshare Ordinance and made minor updates to the Ordinance to increase clarity. One enforcement action was taken against a timeshare company during the planning period.</p> | Modify to explore methods to raise funds from vacant units to an affordable housing fund, property tax reduction or ADU incentive program. |
| Program 3-4.1.b | Conversion of R-1 Motels. Continue to allow conversion of R-1 motel units into permanent residences with the transfer of vacated rooms to the commercial district. | During the planning period, the City allowed the conversion of R-1 motels to permanent residences. Specifically, the Happy Landing Inn was converted to a permanent residence during the planning period. Additionally, a change in ownership of the Carmel Resort Inn resulted in a development application to downsize the footprint of the hotel property and construct 8 new single-family dwellings. Two of the 8 homes have been approved by the Planning Commission. | Modify to better incentivize the program to encourage MFD. |

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|--|---|--|--|
| Program 3-4.2.a | Neighborhood Compatibility. Continue to enforce height, coverage and floor area standards to ensure that new construction and remodels do not present excess visual mass or bulk to public view or to adjoining properties. Continue to enforce design standards which ensure that buildings relate to a human scale and that they avoid use of oversize design elements that make them appear dominating or monumental. Continue to require that projects not meeting adopted design guidelines be reviewed by the Planning Commission. | The City continues to review new construction for compatibility with the existing neighborhood. In 2021, the City received 26 new Track 2 Design Study planning applications for single-family units which required Planning Commission hearings. | Delete |
| Program 3-4.2.b | Support Community Organizations. Continue to support neighborhood organizations that promote neighborhood involvement, safety and improvement. When appropriate, develop partnerships with these organizations to promote neighborhood enhancement programs, conduct outreach, and solicit community input. | The City continues to support and partner with neighborhood organizations such as the Carmel Residents Association and the Carmel Foundation and the more recently formed Carmel Cares. | Modify to further support outreach and education. |
| Program 3-4.3.a | Neighborhood Preservation Educational Programs. Continue to use education programs to improve public understanding of the City's rich cultural and design heritage as a means of encouraging compatible housing design within existing neighborhoods, and provide zoning flexibility and incentives to facilitate rehabilitation of historic resources. | The City continues to implement the Historic Preservation Ordinance and the review of properties for historical significance upon submittal of a planning application. In 2021, the City reviewed 75 residential properties for historical significance and property improvements. The City uses the Historic Building Code to facilitate residential rehabilitation. | Continue. |
| Goal G3-5: Preserve and increase the supply of housing for lower- and moderate-income households, senior citizens and other special needs groups. Prohibit discrimination in the sale or rental of housing. | | | |
| Program 3-5.1 | Reasonable Accommodation Procedures. Continue to implement Policy C11-01, which describes procedures to provide reasonable accommodation for persons with disabilities in compliance with the provisions of SB 520. Information on reasonable accommodation procedures shall be provided at City Hall and on the City's website. | The City continues to promote the reasonable accommodation process to residents on a project specific basis. A number of inquiries were received throughout the planning period; however, few applications were received. All applications were approved. The City is currently evaluating the application fee to ensure it does not discourage the use of the policy. | Modify to reduce permit fee. |
| Program 3-5.2 | Shared Housing Information. Distribute informational materials from the Monterey County Housing Authority to the Carmel Foundation and display information at City Hall and other public buildings and posted on the City's website. | The City continues to provide information related to shared housing information at City Hall and on the City's website. | Modify to clarify intent and enhance education and outreach. |

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|-----------------|--|---|---|
| Program 3-5.3a | Condominium Conversions. Continue to implement condominium conversion policy, which restricts the conversion of apartments to condominiums to preserve the lower-cost rental housing options, typical of apartments, within the City. Apartments cannot be converted to condominiums unless a new apartment is being created to offset the conversion. | The City continues to implement the Condominium Conversion Ordinance to actively preserve and protect existing apartments. No formal applications for condominium conversions were submitted during the planning period and the Ordinance appears to be effective in halting conversions. | Continue |
| Program 3-5.3.b | Section 8 Rental Assistance. Continue to facilitate use of the Section 8 program in the community by distributing information for the program at City Hall and the Library. | The City continues to provide information regarding Section 8 rental assistance at City Hall, on the City's website, and through the library. | Continue |
| Program 3-5.3.c | Subordinate Units. The City's Municipal Code allows construction of new subordinate units as a permitted use on lots of 8,000 square feet or greater to provide additional rental housing in the R-1 District to lower-income households. To further encourage the creation of subordinate units, the City will investigate potential amendments such as permitting subordinate units on smaller lots. In addition, the City will implement incentives which may include waiver/reduction of certain fees, priority processing, and reduced parking and setback requirements. The City will provide informational materials on incentives and technical assistance to property owners. The informational materials will be available at City Hall and on the City's website. | The City has a long history of permitting Subordinate Units (now called Accessory Dwelling Units). The City reviewed the subordinate unit regulations during the planning period and adopted updated regulations to facilitate new dwelling units. The amended regulations were approved by the California Coastal Commission and incorporated into the City's Local Coastal Plan. The City is currently working on additional amendments to the regulations in accordance with State law. During the planning period 2021, the City received 18 new applications for Accessory Dwelling Units (ADUs) and continues to issue building permits ADUs. This program was effective and will be modified to further encourage ADUs and Junior ADUs. | Modify to reflect State Laws governing ADUs and combine regulations for Subordinate Units and Guest Houses to clarify regulations. Allow the use of ADUs at existing hotels as a means of employee housing. |
| Program 3-5.3.d | Monitor Affordable Housing Stock. Continue to monitor affordable housing projects and work with the owners to preserve affordability through identification of funding sources and/or opportunities for partnerships with other housing providers. Annually monitor the affordable housing stock in the coastal zone to ensure the affordable housing with the coastal zone is being protected and provided as required by Government Code Section 65590. The City will track data on the new construction, demolition, conversion and replacements housing units for low- and moderate-income households within the coastal zone including the following: <ul style="list-style-type: none"> The number of new housing units approved for construction within the coastal zone; | The City continued to monitor the existing affordable housing stock in partnership with the Carmel Foundation. Other than the defunct Del Dono I and II projects, no new affordable housing units were approved in the Coastal Zone during the planning period. Additionally, no existing affordable units were demolished or converted. | Modify to update the City database to better track affordable housing and facilitate monitoring. |

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|-----------------|---|--|--------------------------------|
| | <ul style="list-style-type: none"> The number of housing units for persons and families of low- and moderate-income required to be provided in new housing developments either within or within three miles of the coastal zone; The number of existing residential dwelling units occupied by low- and moderate-income households required either within or three miles of the coastal zone that have been authorized to be demolished or converted; and The number of residential dwelling units for low- and moderate-income persons and families that have been required for replacement (of those units being demolished or converted) within or three miles of the coastal zone | | |
| Program 3-5.4.a | Density Bonus. Review and revise applicable density bonus ordinances to comply with State law. | The City adopted a new density bonus ordinance in conformance with State requirements. No development took advantage of the density bonus ordinance during the planning period possibly because the regulations are confusing and difficult to apply. | Modify to clarify regulations. |
| Program 3-5.4.b | Housing for Extremely-Low Income Households. Encourage the development of housing units for households earning 30 percent or less of the Median Family Income (MFI) for Monterey County. Specific emphasis shall be placed on the provision of family housing and non-traditional housing types such as single-room-occupancy units and transitional housing. Encourage development of housing for extremely-low-income households through a variety of activities such as targeted outreach to for-profit and non-profit housing developers on at least an annual basis, providing in-kind technical assistance, fee deferrals, expedited/priority processing, identifying grant and funding opportunities, applying for or supporting applications for funding on an ongoing basis, reviewing and prioritizing local funding for developments that include housing for ELI households and/or offering additional incentives to supplement the density bonus provisions in State law. | <p>The City continued to work with developers and promote the construction of affordable housing. Projects that included affordable housing units received expedited review. These included Del Dono I and Del Dono II. However, no applications for lower-income households were submitted during the planning period.</p> <p>During the planning period, the construction of Accessory Dwelling Units (ADUs) provided housing opportunities for extremely-low income households.</p> <p>Group Residential facilities are permitted with the approval of a Use Permit in the R-4 district. Group Residential is defined as <i>Shared living quarters without separate kitchens or bathrooms for each room or unit, including boardinghouses, dormitories, and private residential clubs, but excluding guesthouses.</i></p> | Continue |

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|-----------------|--|--|---|
| Program 3-5.5.a | Reduced Entitlement and Development Fees. Continue to reduce the amount of fees required for projects that provide affordable housing to the extent feasible. | The City continued to waive parking requirements for apartments in the Central Commercial (CC) District. The City also provides reduced parking in-lieu fees for constructing new residential units in other commercial zones. Fee studies are conducted every 3 years. Fees are based on staff processing time. Other than the parking in-lieu fee (which has not been collected in years), the city does not impose impact fees. | Continue. |
| Program 3-5.5.b | Reduced Parking Requirements. Continue to offer reduced parking requirements for affordable housing developments. In addition, investigate the feasibility and effectiveness of further reducing existing in-lieu fees and amending the existing shared parking program to include housing units in affordable housing projects. | The City continued to offer reduced parking standards for affordable housing and senior housing units. The City also waived on-site parking requirements and payment of parking in-lieu fees for new apartments in the Central Commercial (CC) zoning district. Additionally, the City passed an Ordinance fixing the parking in-lieu fee at the 2003 rate until further notice. The regulations can be confusing and the City will work to better clarify the program. | Modify. |
| Program 3-5.5.c | Expedited Processing Procedures. Continue to offer expedited review procedures for residential projects that include affordable housing units. | The City continues to expedite the review of projects that include an affordable housing component. Specifically, the City expedited the review of two housing projects, Del Dono I and Del Dono II, which included 16 residential units with 2 deed-restricted moderate-income units. Unfortunately, a lack of construction funding halted the project's construction, and the properties are now under new ownership. A revised housing proposal that includes 12 apartments is under review and does not currently include any affordable housing and therefore does not qualify for expedited processing. The expedited regulations can be confusing and the City will work to better clarify the program. | Modify to clarify and refine expedited processing procedures. |
| Program 3-5.6.a | Energy Conservation and Green Building. Continue to review applications for new construction and substantial alterations taking into consideration solar orientation and access to sunlight. Additionally, continue to require compliance with current state building standards for energy efficiency in all new homes. | The City continues to promote energy conservation through the building plan check review process. The City will continue to implement the energy conservation requirements set forth in the Building Code and look for opportunities to promote energy conservation at City Hall and on the City website. | Modify to enhance outreach efforts. |

| Program Number | Programs/Actions [The text provided in this column is a synopsis only; for complete program language please refer to the 2015 Housing Element] | Achievements/Effectiveness | Continue/ Modify/ Delete |
|-----------------|--|---|---|
| Program 3-5.6.b | Water Conservation. Enforce the Water Management Program and provide information to the community on water conservation retrofits and best practices. In addition, provide information on and promote water conservation education and retrofit rebates provided by the Monterey Peninsula Water Management District. | The City continues to promote water conservation in coordination with the Monterey Peninsula Water Management District. The City will continue these efforts and look for opportunities to further promote water conservation measures. | Modify to enhance outreach efforts. |
| Program 3-5.7 | Fair Housing Services. The California Department of Fair Employment and Housing and the Conflict Resolution and Mediation Center of Monterey County provide fair housing services and information. These agencies advise persons in need of information on housing and employment, mediate landlord/tenant disputes and research complaints about discriminatory housing practices. The City shall coordinate with these agencies to provide printed information about fair housing services at City Hall, on the City's website, and in other public buildings. The City shall also refer inquiries related to fair housing to these agencies. | The City provides fair housing information to provide to the public at City Hall and on the City website and will continue to maintain and update the information. The City will continue to maintain, update and look for opportunities to expand the information available to the public. | Modify to enhance outreach efforts. |
| Program 3-5.8 | Zoning for Transitional and Supportive Housing. In compliance with SB 2, the City will continue to allow transitional/supportive housing as a residential use, subject only to those requirements of other residential dwellings of the same type in the same zone. | The City did not receive any inquiries regarding transitional or supportive housing during this planning period. | Continue and update the Municipal Code. |

SOURCE: City of Carmel-by-the-Sea

Production of Housing

The 2015 Housing Element identified a Regional Housing Needs Allocation of 31 housing units in City of Carmel-by-the-Sea between January 1, 2015 and June 30, 2023. The RHNA was divided into the following income categories:

- 7 units affordable to extremely low- and very low-income households;
- 5 units affordable to low-income households;
- 6 units affordable to moderate-income households; and
- 13 units affordable to above moderate-income households.

Table D-2 provides a summary of housing units produced in the city from 2015-2023. During the 2015–2023 planning period, 18 new units were added to the City’s housing stock, achieving approximately 58 percent of the City’s RHNA. This indicates that residential growth was slower than anticipated, which may be in part due to the COVID pandemic, the cost of land, and the overall lack of support for new housing development in the community. All units produced were affordable to households with above-moderate incomes.

Table D-2 Housing Units Produced, 2015-2023

| Affordability | New Construction Need | Housing Units Produced | Percent Achieved |
|----------------|-----------------------|------------------------|------------------|
| Very Low | 7 | 0 | 0.0% |
| Low | 5 | 0 | 0.0% |
| Moderate | 6 | 0 | 0.0% |
| Above Moderate | 13 | 18 | 100.0% |
| Total | 31 | 18 | 58% |

SOURCE: HCD Annual Progress Report Dashboard (as of May 19, 2023).

NOTE: This table should be updated prior to finalization to account for units through January 1, 2024.

Preservation of “At Risk” Units

The California Housing Partnership Preservation Database is the state’s most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing.¹ According to the database, there are no federal or state assisted units in Carmel-by-the-Sea. Currently, there are no affordable housing units at risk of conversion to market rate.

¹ This database does not include all deed-restricted affordable units in the state, so there may be at-risk assisted units in a jurisdiction that are not captured.

Rehabilitation of Existing Units

The 2015 Housing Element identified an objective of rehabilitating a total of 16 affordable units and 784 above-moderate-income units in the 2015–2023 planning period. The City issued over 250 building permits on average each year that permitted reroofs, water heater upgrades and replacement, electrical upgrades, window repairs and replacements, remodels.

D.4 Summary

Like many communities, the City of City of Carmel-by-the-Sea experienced strong development of single-family homes, Accessory Dwelling Units and conversion of second-floor commercial space to residential units during the 2015–2023 planning period. Of the 31 units it identified in the City's RHNA the City permitted 18 units, approximately 58 percent of the total, all of them for above moderate-income households; however, some of these units are ADUs which represent housing opportunities for lower-income housing.

The goals, objectives, and policies identified in the 2015 Housing Element were appropriate for the 2015-2023 timeframe because they complied with the program requirements mandated by State law at the time. The 6th Cycle Housing Element will be revised to address new state mandates and to put City of Carmel-by-the-Sea on track to fully meets its housing obligations.

List of Contacted Organizations



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Appendix E

List of Contacted Organizations

E.1 Introduction

This appendix provides the names of organizations, tribal units, and other stakeholders that were contacted during the preparation of Carmel-by-the-Sea's 6th Cycle Housing Element. In addition to these contacts, the City created a dedicated website called: "HOME Carmel-by-the-Sea" which can be found at <https://homecarmelbythesea.com>. This website provides a portal to all of the housing element related public engagement activities that were available to members of the public during the update process. This includes information on housing element basics, site surveys, stakeholder surveys, and materials from community workshops.

E.2 List of Contacted Organizations

This section provides contact information for organizations and agencies in the Monterey Bay Area that were contacted during housing element preparation.

Association of Monterey Bay Area Governments
24580 Silver Cloud Court
Monterey, CA 93940
T: (831) 883-3750
[Association of Monterey Bay Area Governments \(ambag.org\)](https://ambag.org)

Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940
T: (831) 658-5601
[Monterey Peninsula Water Management District \(mpwmd.net\)](https://mpwmd.net)

Carmel Area Wastewater District
3945 Rio Rd.
Carmel, CA 93922
T: (831) 624-1248
[Carmel Area WasteWater District \(cawd.org\)](https://cawd.org)

Carmel Chamber of Commerce
Ocean Ave. between Junipero and Mission
Inside Carmel Plaza 3rd Floor
Carmel, CA 93921
(831) 624-3877
[Carmel Chamber of Commerce](https://carmelchamber.org)

Carmel Foundation
 8th and Lincoln St.
 Carmel, CA 93923
 T: (831) 624-1588
www.carmelfoundation.org

Landwatch Monterey County
 306 Capitol Street #101
 Salinas, CA 93901
 T: (831) 759-2824
[Monterey County - LandWatch](#)

- Esperanza Carmel, Christopher Mitchell;
- Carmel Realty, Bill Mitchell;
- Pine Inn, Richard Gunner & Dave Tipton;
- 3 Garages, Judie Profeta;
- First Church of Christ, Kent Wadsworth;
- Café Carmel, Greg Kraft;
- Wells Fargo, Brian Buhowsky;
- CBG, Montag Ivestor;
- Carmel Foundation, Holly Zoller;
- Carmel Presbyterian, Bob Spencer;
- Yafa Property, Sandy Freschi;
- Levett Properties, Denny Levett & Jeanne Cox Levett;
- Doud Arcade, John Plastini;
- Linggi Building / Flaherty's, Alan Buchwald;
- Eric Miller Architects;
- Silcon Constructors;
- Carmel Plaza;
- Carmel Residents Association;
- Carmel Preservation Association;
- Carmel Heritage Society;
- Monterey Bay AIA;

- Builders Exchange; and
- Beesley Realty.

E.3 City Contact List

This section provides contact information for City officials that were contacted during housing element preparation.

- Brandon Swanson, Director of Community Planning & Building;
- Marnie Waffle, ACIP, Principal Planner;
- Katherine Wallace, Associate Planner;
- Chip Rehrig, City Manager;
- Robert Harary, Public Works Director;
- Gaudenz Panzholder, Fire Chief; and
- Ashlee Wright, Library and Community Activities Director.

E.4 Tribal Consultation

This section provides contact information for all tribal consultation during housing element preparation.

Irene Zwierlein, Chairperson
Amah Mutsun Tribal Band of Mission San Juan Bautista
3030 Soda Bay Road
Lakeport, CA, 95453

Valentin Lopez, Chairperson
Amah Mutsun Tribal Band
P.O. Box 5272
Galt, CA 95632

Tony Cerda, Chairperson
Costanoan Rumsen Carmel Tribe
244 E. 1st Street
Pomona, CA, 91766

Rudolph Rosales (Ulux Huchumas)
Indigenous Peoples Consultant
Esselen Nation
P.O. Box 647
Monterey, CA 93942

Susan Morley, Cultural Resources
Esselen Tribe of Monterey County
3059 Bostick Avenue
Marina, CA 93933

Tom Little Bear Nason, Chairman
Esselen Tribe of Monterey County
P. O. Box 95
Carmel Valley, CA, 93924

Ann Marie Sayers, Chairperson
Indian Canyon Mutsun Band of Costanoan
P.O. Box 28
Hollister, CA, 95024

Kanyon Sayers-Roods, MLD Contact
Indian Canyon Mutsun Band of Costanoan
1615 Pearson Court
San Jose, CA, 95122

Isaac Bojorquez, Chairman
Kakoon Ta Ruk Band of Ohlone-Costanoan Indians of the Big Sur Rancheria
PO Box 8355
Woodland, CA, 95776

Christanne Arias, Vice Chairperson
Ohlone/Costanoan-Esselen Nation
519 Viejo Gabriel
Soledad, CA, 93960

Louise Miranda-Ramirez, Chairperson
Ohlone/Costanoan-Esselen Nation
P.O. Box 1301
Monterey, CA, 93942

Dee Dee Ybarra, Chairperson
Rumsen Am:a Tur:ataj Ohlone
14671 Farmington Street
Hesperia, CA, 92345

Kenneth Woodrow, Chairperson
 Wuksache Indian Tribe/Eshom Valley Band
 1179 Rock Haven Ct.
 Salinas, CA, 93906

E.5 Service Organizations

Housing Authority of the County of Monterey
 123 Rico Street
 Salinas, CA 93907
 (831) 775-5000

Monterey County Department of Social Services
 1000 South Main Street
 Salinas, CA 93901
 (831) 755-4448

Catholic Charities Dioceses of Monterey
 922 Hilby Avenue, Suite C.
 Seaside, CA 93955
 Monterey Peninsula (831) 393-3110
 Salinas Valley (831) 422-0602

United Way Monterey County
 232 Monterey Street
 Suite 200
 Salinas, CA 93901
 (831) 372-8026

CHISPA, Inc.
 295 Main St. #100
 Salinas, CA 93901
 (831) 757-6251

Mid-Peninsula Housing Coalition
 303 Vintage Park Drive
 Suite 250
 Foster City, CA 94404
 (650) 356-2900
info@midpen-housing.org

Habitat for Humanity Monterey Bay
 108 Magnolia Street
 Santa Cruz, CA 95062
 (831) 469-4663
www.habitatmontereybay.com

ECHO Fair Housing Services
 580 Pacific Street
 Monterey, CA 93940
 (831) 566-0824
<https://www.echofairhousing.org/fair-housing-services.html>

Central Coast Center for Independent Living
 318 Cayuga Street
 Suite 208
 Salinas, CA 93901
 (831) 757-2968
<https://www.cccil.org/>

Center for Community Advocacy
 22 West Gabilan Street
 Salinas, CA 93901
 (831) 753-2324
<https://cca-viva.org/>

The Salvation Army Good Samaritan Center
 1491 Contra Costa
 Seaside, California 93955
 (831) 899-4911
<https://montereypeninsula.salvationarmy.org/>

Hope Services
 1144 Fremont Blvd.,
 Suite D
 Seaside, CA 93955
 (831) 393-1575
<https://www.hopeservices.org/>

Coalition of Homeless Service Providers
 1942 Fremont Boulevard
 Seaside, CA 93955
 (831) 883-3080
<https://chsp.org/>

Monterey County Stand Down for Homeless Veterans
<https://www.montereystanddown.org/>

Diocese of Monterey
 425 Church Street
 Monterey, CA 93940
 (831) 373-4345
<https://dioceseofmonterey.org/>

E.6 Additional Outreach

- Website Housing Opportunities Made Easier (H.O.M.E.) for Carmel-by-the-Sea in operation April 2023. The website is presented in English with surveys in English and in Spanish. Information continues to be posted on this website;
- Housing Element Website Information Published: April 2023, May 2023, June 2023;
- E-Notification informing the public to, “Visit our Dedicated Housing Element Website” was sent in April 2023;
- Housing Element Introduction and Overview Ad Hoc Housing Committee meeting on November 17, 2022;
- March 28, 2023 a Housing Ad Hoc Committee Meeting of the Housing Element was conducted. The meeting provided an overview of the housing feasibility study and constraints that limit housing production;
- April 6, 2023 Housing Ad Hoc Committee Meeting addressed 5th cycle accomplishments and goals programs and policies;
- May 24, 2023 Housing Ad Hoc Committee Meeting discussed the importance of equity, housing needs assessment information, potential 6th cycle programs and provided some strategies for sites and ways to provide feedback throughout this process;
- July 11, 2023 City Council meeting to provide strategic direction on public comment received;
- Advertisement in the local newspaper about the housing element to spark interest in the community to become involved;
- City staff have spoken with property owners interested in the housing element process and about their interests in potentially redeveloping private property;
- June 15, 2023 a Joint City Council and Planning Commission Housing Element Workshop was held to discuss the draft Housing Element and the 30-day public comment period and to provide an opportunity for the public to give verbal feedback/comments on the draft Housing Element;
- July 11, 2023, a Special meeting of the City Council to provide strategic direction related to public comment received; and
- The City has implemented other methods of involvement for community members, including: the “Housing” email Listserv, announcements listed in the “Friday Letter” and “Carmel Pine Cone”, and a survey from community members.

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ECONorthwest Feasibility Study

F

APPENDIX

DATE: January 27, 2023
TO: Brandon Swanson, City of Carmel-by-the-Sea
FROM: Chris Blakney, ECONorthwest
SUBJECT: Housing Element Analysis for the City of Carmel-by-the-Sea

Introduction

In the State of California, local jurisdictions maintain a General Plan that serves as a blueprint for its long-term vision. Among the required “elements” of a general plan is the Housing Element. The Housing Element is the only element that state law requires be updated on a periodic cycle. The California Department of Housing and Community Development (HCD) is responsible for overseeing Housing Element updates. Every eight years, HCD allocates a share of projected statewide housing need to regions across the state. This is called the Regional Housing Need Allocation (RHNA). The state is currently in the sixth of these cycles. The sixth cycle will cover the June 30, 2023 to December 15, 2031 planning period for the City of Carmel-by-the-Sea [Carmel].

The City is a part of the Association of Monterey Bay Area Governments (AMBAG). AMBAG is responsible for developing a methodology for allocating its regional share of housing need to its individual jurisdictions. The Final Sixth Cycle (2023-2031) Regional Housing Needs Allocation plan, completed in October 2022, determined that Carmel’s share of regional housing need is 349 units; 187 of these units must be suitable to accommodate lower income households. It is important to note that RHNA targets reflect zoned capacity, not a construction quota.

Figure 1: Regional Housing Needs Allocation, Fifth and Sixth Cycle

Source: California Department of Housing and Community Development¹

| Cycle | Income Level | | | | Total |
|---|----------------|---------------------|----------------------|-------------|-------|
| | Very Low | Low | Moderate | Above Mod. | |
| RHNA5 (2015-2023) | 11 | 5 | 6 | 13 | 31 |
| RHNA6 (2023-2031) | 113 | 74 | 44 | 118 | 349 |
| Sixth Cycle Income and Rent Ranges (County of Monterey) | | | | | |
| Income Levels | \$0 - \$45,050 | \$45,050 - \$72,080 | \$72,080 - \$108,120 | \$108,120 + | |
| Rent Level/mo | \$0 - \$1,126 | \$1,126 - \$1,802 | \$1,802 - \$2,703 | \$2,703 + | |

While the City satisfied its Fifth Cycle RHNA planning target and received a certification for the 2015-2023 planning period, the market did not produce all 31 planned units. This underscores a considerable hurdle for the City in the Sixth Cycle which represents a 1,000% increase in its housing target for the cycle. This capacity is particularly challenging because Carmel does not have a deep supply of vacant land and presently lacks water resources to accommodate significant growth. This is further complicated by a parcelization pattern that includes many

¹ <https://www.hcd.ca.gov/docs/grants-and-funding/inc2k22.pdf>

small taxlots and market conditions that support high values for existing structures, making redevelopment improbable.

Executive Summary

As City officials begin to prepare for the Housing Element Update, they want to better understand some of the challenges to development and opportunities for adding housing capacity. This analysis summarizes our work exploring market conditions, observations in the City's zoning code, and sites/locations that are most likely to have development potential. While this report does not constitute a site alternatives analysis suitable for the City's Housing Element Update, it may provide insights into the development challenges, opportunities, and candidate sites for meeting the City's RHNA obligation in the Sixth Cycle.

Although renovation and replacement construction is common in Carmel, the City has had very limited net-new residential development during the Fifth Cycle (2015-2023) RHNA planning period². This has been in part a function of barriers in the current zoning code, access to water rights, market conditions, and the existing development pattern in the City's commercial core. In this work, we have found that existing development standards, such as a two-story height limit, effectively prohibit achieving maximum allowed residential densities. Another challenge is a parcelization pattern of smaller lots with existing moderate scale commercial development with well-performing tenants. Despite these challenges, our analysis identified 17 sites in or adjacent to the commercial core that could be viable candidates for redevelopment or densification. To be sure, for development to occur on these sites—specifically development serving lower income households—the City will need to take action to remove barriers and identify resources to support financial feasibility. Actions recommended for consideration include financial subsidies, disposition of City-owned land, targeted rezoning of specific sites adjacent to the existing commercial zones, and amendments to development standards to remove development constraints.

Local Context

Carmel-by-the-Sea is a small coastal community located on the Monterey Peninsula. Incorporated in 1916, the City is among the most affluent communities in California. The City has a strong residential character and a centralized business district. Carmel's architecture in its business district has a distinct character, having been built out during the 1920s and 1930s. Over 45 properties in the commercial district are considered historical resources.

Carmel is also a popular coastal tourism and second home destination. There are over three dozen hotels in Carmel and roughly 40 percent of all housing units are for seasonal, recreational, or occasional use—a rate ten times the national average.³ This dynamic has created a housing market that severely lacks affordability. Forty-seven percent of all households that

² According to Carmel's most recent Annual Progress Report to HCD.

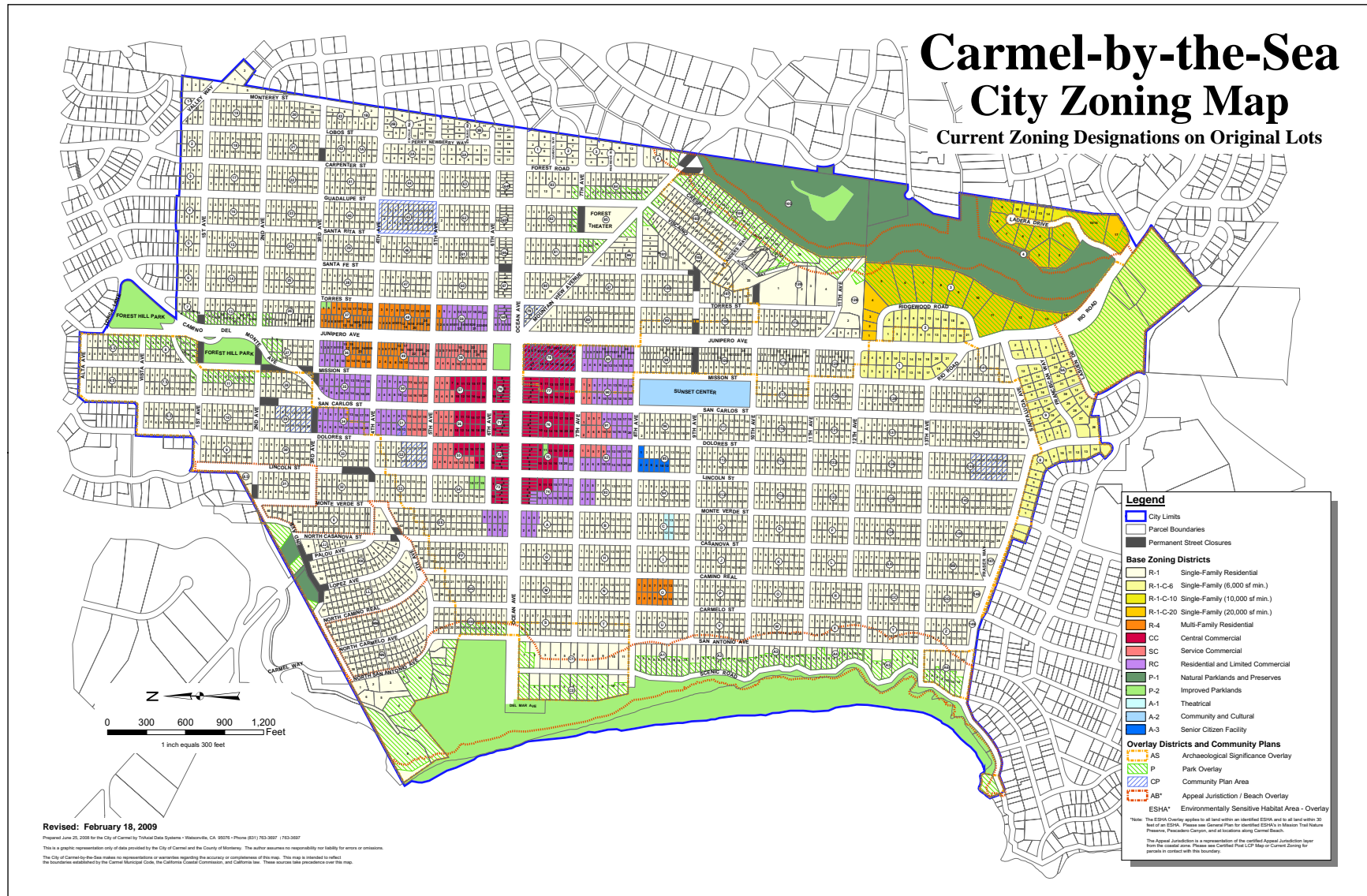
³ U.S. Census Bureau. American Community Survey 5-Year Estimates (2016-2020); Table B2004. (See <https://data.census.gov/>)

rent (vs. own) their homes in Carmel are cost burdened, spending greater than 20 percent of their income on housing. Among these, a full 25 percent of renter households are severely cost burdened, spending 50 percent or more of their income on housing. 2,102 individuals work in Carmel, of whom only 2.6 percent live in Carmel.⁴

⁴ U.S. Census Bureau Longitudinal Employer-Household Dynamics Data (See <https://lehd.ces.census.gov/>)

Figure 2: Carmel-by-the-Sea Zoning Map on Original Plat

Source: City of Carmel-by-the-Sea (see <https://planningsites.org/CarmelPlanning/>)



Site Visit

In June 2022, City staff hosted a walking tour of the village. The purpose of this exercise was to observe the characteristics of the built environment and evaluate the potential of City-owned sites to accommodate development of housing. Key themes from this visit include:

Height. The City's current code has a two-story height limit. However, there are many older structures throughout the commercial core that are taller than two stories and are adjacent to single- or two-story buildings.

Interior Courtyards. One of the unique characteristics of Carmel's built environment is the network of interior courtyards and intra-block passageways that connect businesses. Residents and visitors are encouraged to explore these interior areas behind business frontages and facades.

City-Owned Sites. The City owns several sites across the village. In addition to larger and potentially underutilized sites in the downtown core, it owns a series of sites that are unimproved street rights-of-way.

Sunset Center North and South Lots. If on-site parking could be accommodated, the north lot of the Sunset Center could be a redevelopment candidate. The South Lot may also be explored for development potential.

Topography. Some areas within and on the periphery of the commercial district have steep slopes. These areas could be opportunities for development with tuck-under parking.



Low density retail in commercial district



Example of interior courtyard



Ulrika Plaza at 5th and Dolores



Example of City-owned ROW site



Sunset Center North Lot



Example of underutilized parking

Market Overview

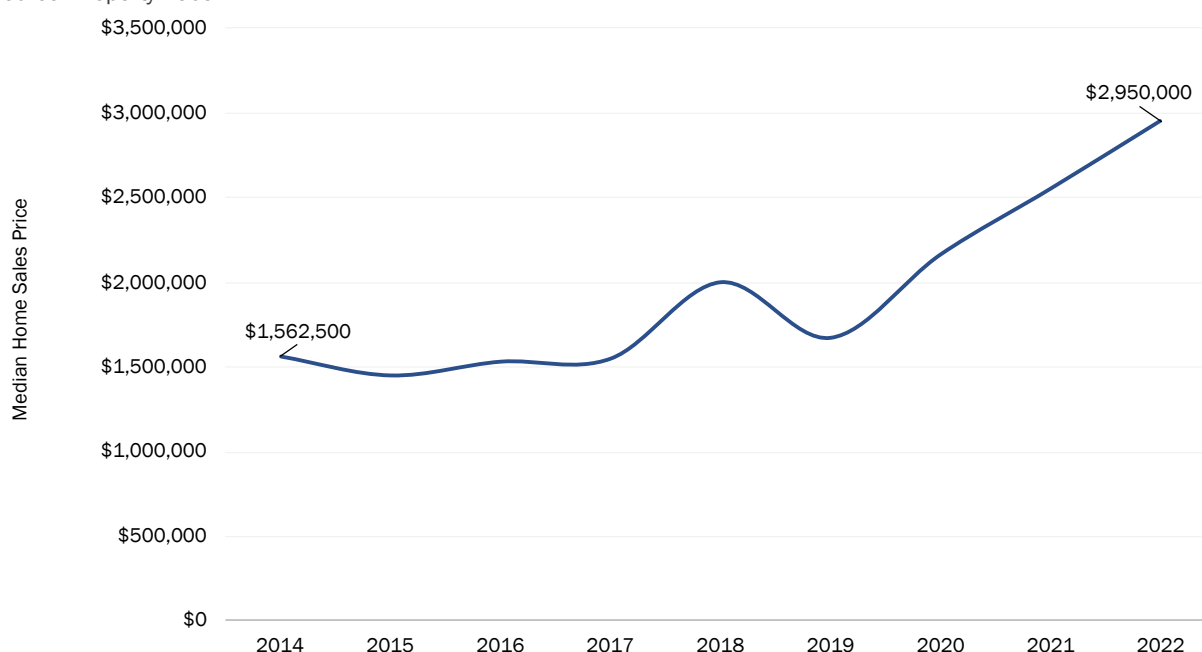
The ability of the market to deliver housing production in the future is largely a function of existing market conditions. An observation of socioeconomic conditions also informs housing need in the community.

For-Sale Market

Following several years of relative stability, the price of homeownership in Carmel has accelerated rapidly in recent years. Since 2019, the median home price in Carmel has jumped from \$1.6 million to \$2.95 million, an increase of 84 percent.⁵ Price increases are being driven by demand-side forces.

Figure 3: Median Home Price

Source: Property Radar⁶



Over this same period, there has been an acceleration of both sales volume and the share of homes that are purchased all cash or with mostly cash. For example, in 2020 and 2021 sales volumes were 50 percent higher than the previous five-year average. Moreover, the percentage of home sales with 75 percent to 100 percent cash down increased from 53 percent to 61 percent through the first half of 2022. This is indicative of a market that is attracting outside capital from other high-value markets. In the context of observed migration patterns in Northern California because of the COVID-19 pandemic, we suspect that much of the movement in the market is being driven by migration of high-net-worth households out of the Bay Area. This is observed

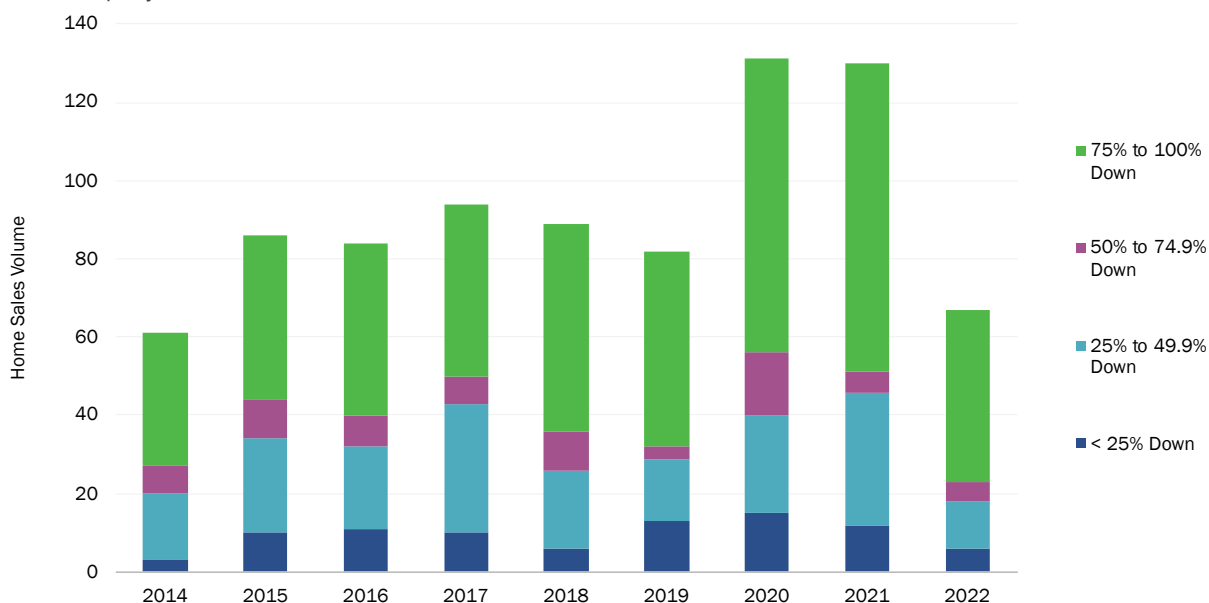
⁵ Property Radar. (See <https://www.propertyradar.com/>) Data reported through most recent period available

⁶ Property Radar. (See <https://www.propertyradar.com/>) Data reported through most recent period available

in migration data from the U.S. Postal Service that shows that since March 2020 Carmel has seen a migration-driven increase of 552 households.⁷

Figure 4: Sales Volume and Percent of Purchase Price in Cash

Source: Property Radar⁸



Second-Home Market

Tourism and the impacts of second homes and long-term rentals are also having an observed impact on affordability in Carmel.⁹ Data from the U.S. Census Bureau shows that nearly 40 percent of all housing units are used for seasonal, recreational, or occasional use. This rate is ten times the national average.

Figure 5: Share of Housing Units that are Second Homes

Source: U.S. Census American Community Survey (2016-2020 estimates); Table B25004¹⁰

| | Nation | Carmel |
|---|-------------|--------|
| Total housing units | 138,432,751 | 3,731 |
| For seasonal, recreational, or occasional use | 5,303,302 | 1,479 |
| Share of housing units that are second homes | 3.8% | 39.6% |

⁷ USPS Change-of-Address Migration Data

<https://www.arcgis.com/apps/dashboards/951428e32723456c879d0966af4baa8a>

⁸ Property Radar. (See <https://www.propertyradar.com/>)

⁹ Short-term rentals are not permissible as per CMC 17.08.060 and CMC 17.14.040. (See <https://www.codepublishing.com/CA/CarmelbytheSea/html/Carmel17/Carmel1708.html>)

¹⁰ U.S. Census American Community Survey (2016-2020 estimates); Table B25004. (See <https://data.census.gov/>)

Renter Market

Reliable real-time market data on the local rental market is challenging to obtain because the majority of the rental market is organized through individual transactions, small property management firms, and in some cases informal agreements. Figure 6 below demonstrates that tenure split (owner vs. renter-occupied) in Carmel is roughly equal. However, a full 78 percent of the rental market is being met by single-family housing units (rather than apartment buildings), typically rented out by individuals as opposed to large property management firms.

Figure 6: Tenure (Rent vs. Own) by Units in Structure in Structure

Source: U.S. Census American Community Survey (ACS) (2016-2020 estimates)¹¹

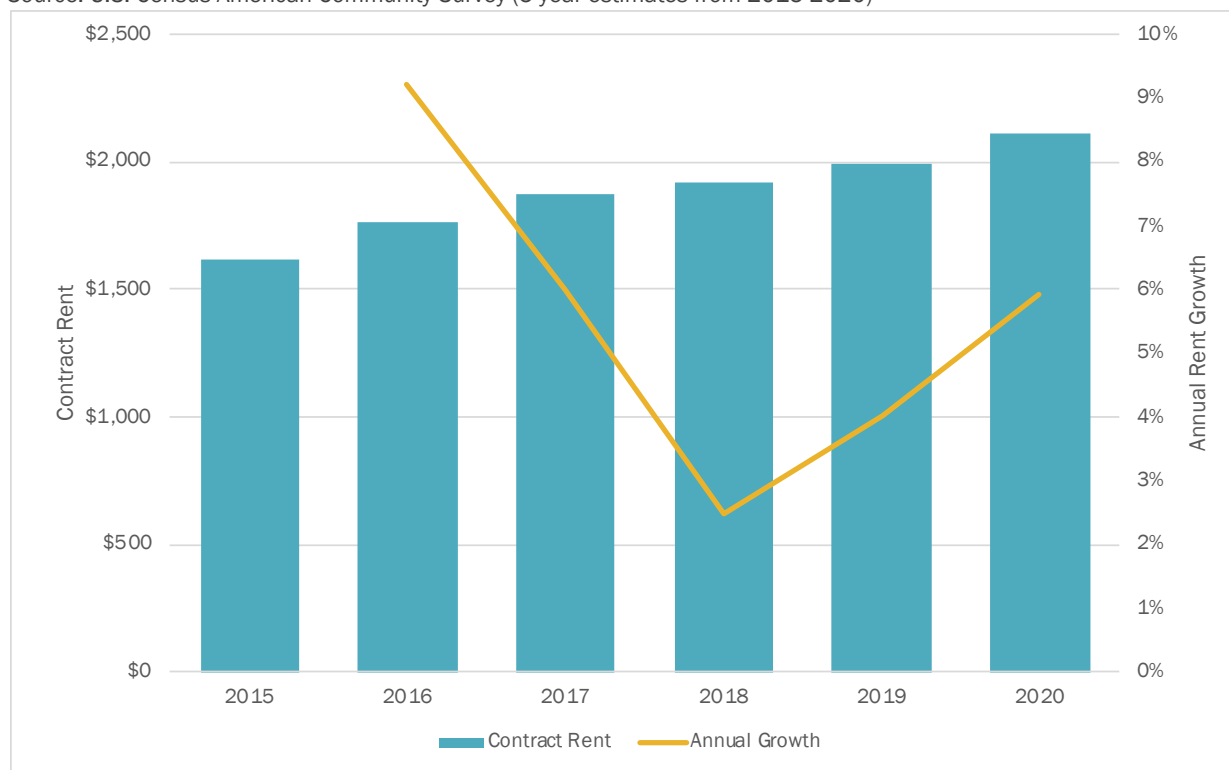
Note: Tenure refers to whether a unit is occupied by someone who owns the unit (owner-occupied) or rents the unit (renter-occupied).

| Unit Type | Owner-Occupied | Renter-Occupied | Total |
|--------------------------------|----------------|-----------------|--------------|
| Single-family Detached | 993 | 694 | 1,687 |
| Single-family Attached | 0 | 19 | 19 |
| Duplex | 0 | 0 | 0 |
| Triplex/Quadplex | 0 | 22 | 22 |
| Small Multifamily (5-19 units) | 0 | 162 | 162 |
| Large Multifamily (20+ units) | 0 | 0 | 0 |
| Mobile Homes ¹² | 0 | 19 | 19 |
| Total | 993 | 916 | 1,909 |
| <i>Tenure Split</i> | 52.0% | 48.0% | |

In Figure 7 below, we report annual contract rent reported for the market by the U.S. Census Bureau's American Community Survey. We consider "average" rent levels reported in the survey to be considerably lower than where rental properties transact at in the market based on observations of current rent levels. However, this data is showing the expected trend of accelerated rent growth over the last two observation years.

¹¹ U.S. Census American Community Survey (2016-2020 estimates). (See <https://data.census.gov/>)

¹² The U.S. Census uses survey data across a five-year period to produce estimates across a broad range of demographic and socioeconomic variables in the American Community Survey (ACS). Because the ACS uses survey data to develop estimates, results can be unintuitive and have larger margins of error in smaller geographies. See <https://www.census.gov/programs-surveys/acs/methodology.html> for a review of the Census Bureau's methodology for the ACS.

Figure 7: Annual Contract RentSource: U.S. Census American Community Survey (5-year estimates from 2015-2020)¹³

Cost Burden

State and federal standards specify that households spending more than 30% of gross annual income on housing experience a housing cost burden. Housing cost burdens occur when housing costs increase faster than household income. When a household spends more than 30% of its income on housing costs, it has less disposable income for other necessities, including health care, food, education, and clothing. In the event of unexpected circumstances such as the loss of employment or serious health problems, lower-income households with a burdensome housing cost are more likely to become homeless or be forced to double-up with other households. Homeowners with a housing cost burden have the option of selling their homes and becoming renters. Renters, on the other hand, are vulnerable and subject to constant changes in the housing market.

In Carmel, 47 percent of all households that rent their homes are cost burdened, spending greater than 30 percent of their income on housing. Among these, a full 25 percent of renter households are severely cost burdened, spending 50 percent or more of their income on housing.

Figure 8: Percent of Income Spent on Rent, City of Carmel-by-the-Sea (2020)Source: American Community Survey 2016-2020 Five-Year Estimate (Table B25070)¹⁴

| Income on Rent | Households | Share |
|----------------|------------|-------|
|----------------|------------|-------|

¹³ U.S. Census American Community Survey (5-year estimates from 2015-2020). (See <https://data.census.gov/>)

¹⁴ American Community Survey 2016-2020 Five-Year Estimate (Table B25070). (See <https://data.census.gov/>)

| | | |
|------------------------|-----|--------|
| Less than 10.0 percent | 153 | 16.7% |
| 10.0 to 14.9 percent | 49 | 5.3% |
| 15.0 to 19.9 percent | 182 | 19.9% |
| 20.0 to 24.9 percent | 63 | 6.9% |
| 25.0 to 29.9 percent | 39 | 4.3% |
| 30.0 to 34.9 percent | 61 | 6.7% |
| 35.0 to 39.9 percent | 70 | 7.6% |
| 40.0 to 49.9 percent | 70 | 7.6% |
| 50.0 percent or more | 229 | 25.0% |
| Total: | 916 | 100.0% |

Commute Patterns

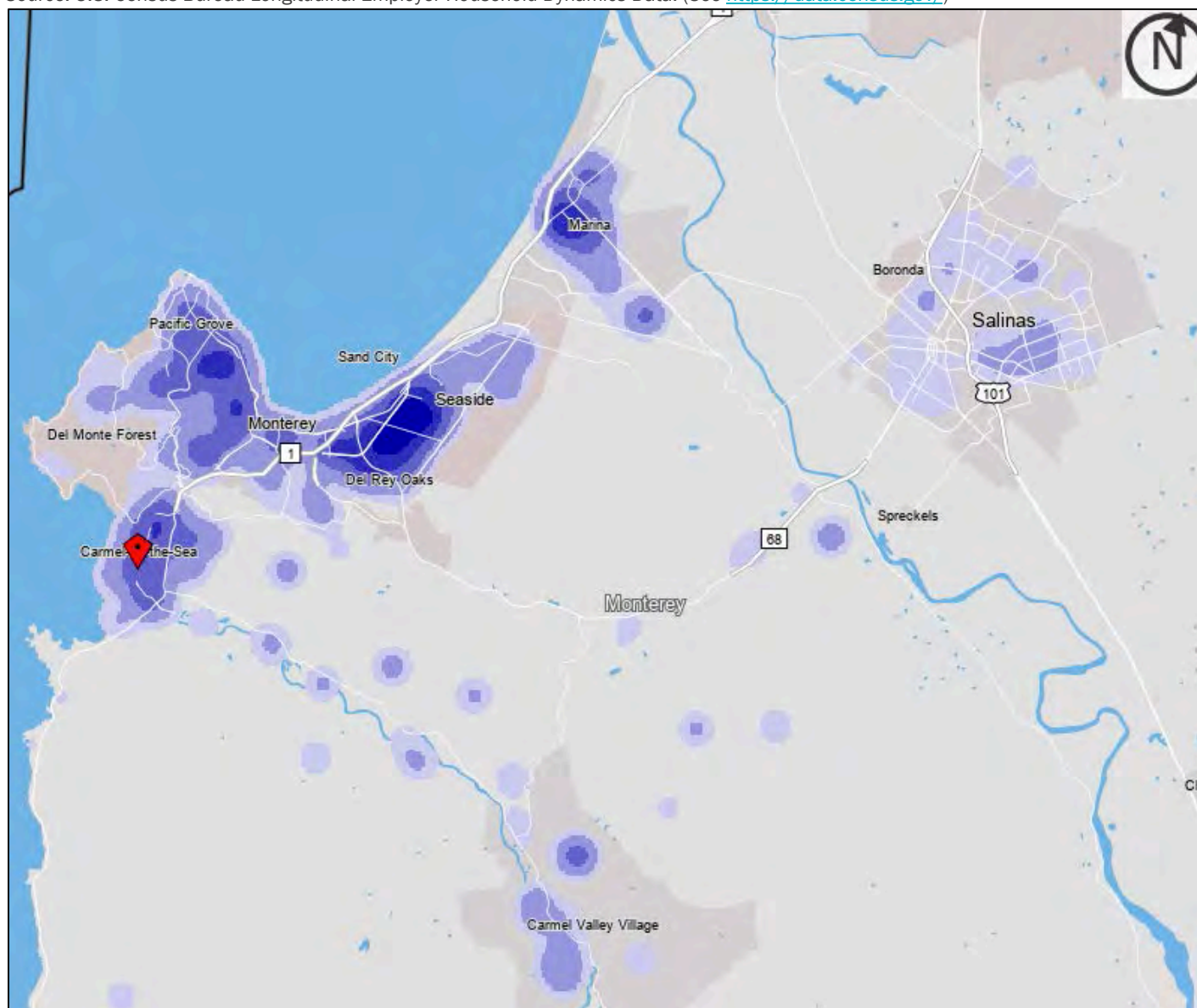
It is hypothesized that Carmel's concentration of jobs in the leisure and hospitality sector creates challenges for local workers who do not have sufficient incomes to afford housing in the community. This imbalance of jobs to housing impacts quality of life including how far workers must travel for work, increasing transportation costs, and reducing individual productivity. In general, a good balance of jobs to housing would occur where the jobs available in a community match the labor force skills, and where housing is available at prices, sizes, and locations suited to workers who wish to live in the area.

In Carmel, roughly half of all workers live within 10 miles of the city. Primary areas where workers live include Seaside, Monterey, Salinas, and Pacific Grove. A full 26 percent of workers commute from greater than 25 miles away. Only 2.6 percent of workers live and work in Carmel.¹⁵

¹⁵ U.S. Census Bureau Longitudinal Employer-Household Dynamics Data (See <https://lehd.ces.census.gov/>)

Figure 9: Commute Patterns, Where Employees in Carmel Live (2019)

Source: U.S. Census Bureau Longitudinal Employer-Household Dynamics Data. (See <https://data.census.gov/>)



Code Review

As part of our scope, we conducted a code review to identify potential issues and barriers that could limit housing production in the Multifamily Residential (R-4) district and the commercial zones; Residential and Limited Commercial (RC) Central Commercial (CC), and Service Commercial (SC).

General Notes

- The pattern of existing development is small lot (3,800-6,000), detached single-family. Most new development will be infill.
- Multifamily is defined as any development with two or more units on the same lot.

Building Height in All Zones

Building height throughout the city is limited to two stories, with maximum heights established for each zone. CMC 17.14.150.B-C establishes maximum building heights for the R-4¹⁶, RC, SC, and CC zones. Structures in R-4 and RC zones are limited to 26 feet and structures in the CC and SC zones are limited to 30 feet. Building sites which face, abut or adjoin any property in the R-1 district are limited to a height of 24 feet. Building height may also be determined by compatibility with nearby structures facing the same street or intersection and within the same pedestrian field of view (i.e., generally, within 100 feet to either side of, or across the street from the proposed structure).

Given the existing small lot sizes observed throughout the city and off-street parking requirements (discussed in more detail below for the R-4 zone), a two-story maximum height will likely prohibit many multifamily projects from achieving base density allowances in the R-4 zone. Building height limitations, maximum building coverage, and floor area ratio (F.A.R) limitations (discussed in more detail below) will even more severely limit multifamily projects from achieving base density allowances in commercial zones, even if parking requirements are lower than in residential zones.

R-4 Development Standards

Density

CMC 17.12.020.B establishes a maximum base density of 33 du/ac, and CMC 17.12.020.C offers a density bonus of 44 du/ac in exchange for affordable units. While these density thresholds are relatively high, they are difficult to achieve given the City's inventory of small lots between roughly 3,800-6000 square feet, with lot widths around 50-60 feet and two-story building height maximum. Off-street parking requirements will further limit the ability to achieve base density.

Given the site constraints and a need for many developments to achieve base density for financial reasons, it is unlikely developers will be able to take advantage of the density bonus

¹⁶ Underground parking does not count as a story in the R-4 zone.

since their ability to achieve the *base* density is already constrained. If the density bonus was offered in another story, rather than du/ac, it could help reduce barriers and allow more housing production on smaller sites.

Parking

CMC 17.38.020 requires 1.5 parking spaces per residential dwelling unit and offers reduced parking standards for affordable units (0.5 spaces per unit) in the R-4 zone. CMC 17.12.020.F.1 prohibits parking requirements in the R-4 zone to be met on-street or through a fee-in-lieu.

Providing parking onsite while achieving the allowed density will be a challenge for many development sites given that many of the existing lots in the city are only 50-60 feet wide. While underground parking is allowed and does not count against the maximum building height, underground parking is far more expensive to construct. Reducing parking standards for certain areas (i.e. areas with access to transit or walkable to commercial districts) or for unit types (i.e. studios and one-bedrooms) may help developments achieve base densities.

Unit Distribution

CMC 17.12.020 requires that on sites larger than 4,000 sf, 50 percent of all units must be provided as rental apartments.

CMC 17.08.050.F. requires at least 25 percent of all units in a multifamily project containing more than two units be between 400-650 square feet. While this provision on its own is not necessarily a barrier to housing development, parking standards for these small units are the same as a single-family home. Reducing the parking standard for smaller multifamily units will help developments to achieve density more easily.

Commercial Zone Development Standards

Building Coverage

CMC 17.14.130.A. limits building coverage to 80 percent in the CC and SC zones.¹⁷ The existing pattern of development in these two zones appears to exceed 80 percent building coverage on many parcels. Additionally, the code prohibits the removal of existing courtyard or intra-block walkways, which will further limit the amount of allowable building coverage on some sites.

Since the land costs in Carmel-by-the-Sea are exceptionally high, these maximum building coverage requirements will likely act as a development barrier. This becomes even more of a challenge in the context of redevelopment where the existing structure exceeds 80 percent building coverage. New developments may be required to build a smaller building than previously existed.

¹⁷ Exceptions are granted up to 95 percent.

Floor Area Ratio

CMC 17.14.140.A-B establish F.A.R limits for the commercial zones. One-story buildings in the CC and SC zones are allowed to achieve an F.A.R equal to 95 percent of the site area. However, this contradicts the allowed building coverage discussed above (80 percent), excluding the exceptions. Two-story buildings can obtain an F.A.R equal to 135 percent of the site area, which further limits the allowed square footage outside of the building coverage maximums, as either the first or second story would need to be smaller than the other to meet this F.A.R. For example:

- A 5,000 square foot lot is allowed a maximum of 4,000 square feet in building coverage, which could translate to about an 8,000 square foot building if the two stories were of equal size. However, two-story buildings are limited to 135 percent of the total site area.
 - 135 percent of the total site area is 6,750 square feet. The F.A.R requirements reduces the potential square footage by approximately 1,250. This lost square footage could translate into roughly two additional apartment units.
 - However, if using a density bonus the limit would be 150% of the total site area, reducing the amount of lost square footage for project utilizing a density bonus.

The restriction is even more severe in the RC zone adjacent to the Single Family Residential (R-1) zone, where F.A.R requirements limit two-story buildings to 80 percent of the total site area. For example:

- A 5,000 square foot lot could result in a maximum building coverage of 3,500 (70 percent), so two stories of the same size could render a 7,000 square foot building.
 - With F.A.R. limited to 80 percent of the total site area for two-story structures, this limits the building to 4,000 square feet. This represents a loss of about 3,000 square feet.
 - Like the example above, the loss of square footage is reduced if a project can capitalize on a bonus.

F.A.R. bonuses are available for projects that include affordable housing, courtyards, and/or intra-block walkways.

Review Processes and Additional Studies

The City should be mindful of how additional procedures and studies can add time and cost to projects that are facing unprecedented cost escalations in the current economic environment. For example, CMC 17.08.050.F.1 requires all multifamily projects to prepare an acoustical analysis and the implementation of acoustical design treatments to meet noise standards contained in Title 25 of the California Government Code. While this is not a barrier to development on its own, it does require a small amount of time and cost to the development process. Cumulatively, review processes can add up to be a significant barrier to development and the City should endeavor to streamline review and approvals wherever possible.

The City also requires conditional use permits for certain residential developments in all zones (i.e. developments over 22 du/ac). The City’s standard practice is to process approvals concurrently where possible; but removing this additional process could reduce extra steps and cost in the development process for both City staff and applicants, while eliminating the additional cost of preparing a conditional use application.

High-Level Sites Analysis

In its forthcoming update to the Housing Element of the General Plan, the City will be required to identify physical sites that have the zoned capacity to accommodate its share of regional housing need (349 units). The State agency (Housing and Community Development “HCD”) responsible for oversight and certification of the Housing Element has specific requirements for this analysis. It is beyond the scope of this project to conduct a full HCD compliant alternative sites analysis. And the sites included in this review is unlikely to be an exhaustive list of candidates. It likely also includes candidates that future study may find less viable. However, as a precursor to the Housing Element Update, we provide a high-level overview of potential candidate sites. In our methodology we combine anecdotal context through conversations with local developers and property owners alongside a range of variables that are theoretically indicative of redevelopment potential. These include:

- Historic resources
- Sites with adjacent ownerships
- Sites identified in RHNA5
- Land-to-improvement ratio
- Total value per-square-foot
- Sites with high value uses
- Discussions with developers
- Site visit and spot checking

Defining a Study Area

Housing redevelopment generally requires scale to be financially feasible because the value of the new use must be measurably higher than the existing use. Scale is a function of site size and allowed density. Under the existing zoning code, only the R-4 and commercial zones allow multifamily development. For this reason, the focus of this work is on the commercial core, defined in Figure 11.

Conservation District

The purpose of the Conservation District (codified in 2004) is to “recognize that Ocean Avenue and the commercial properties that surround this corridor contain some of the most memorable and important commercial buildings in Carmel”.¹⁸ The district includes special procedures that influence the development and design context for properties in the district. While we did not consider all properties in the district to be infeasible, the additional development and design standards add an additional layer of complexity to redevelopment potential.

¹⁸ Carmel Municipal Code § 17.20.260. (See <https://www.codepublishing.com/CA/CarmelbytheSea/html/Carmel17/Carmel1720.html>)

Figure 10: Zoning Map; Carmel-by-the-Sea

Source: City of Carmel-by-the-Sea

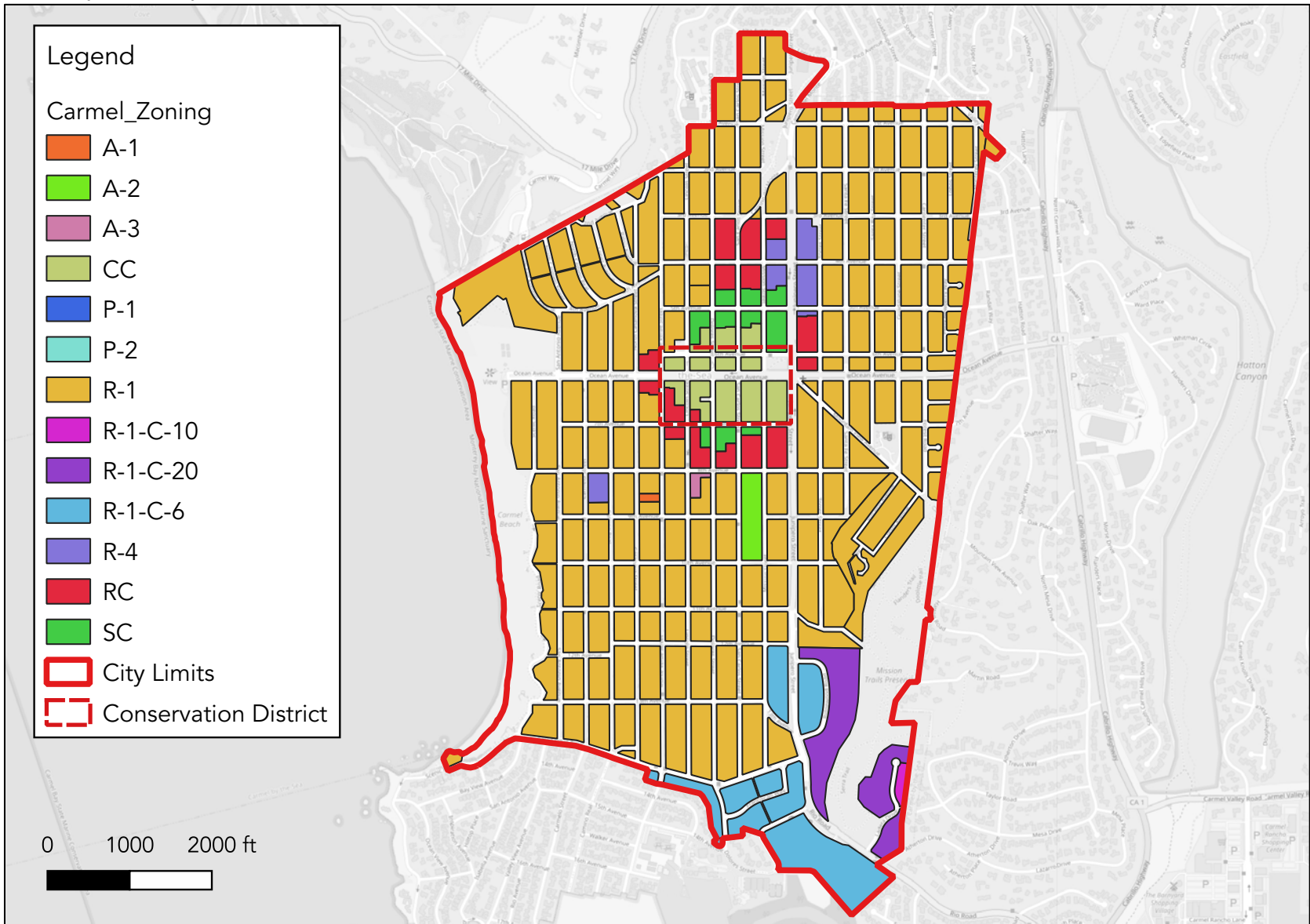
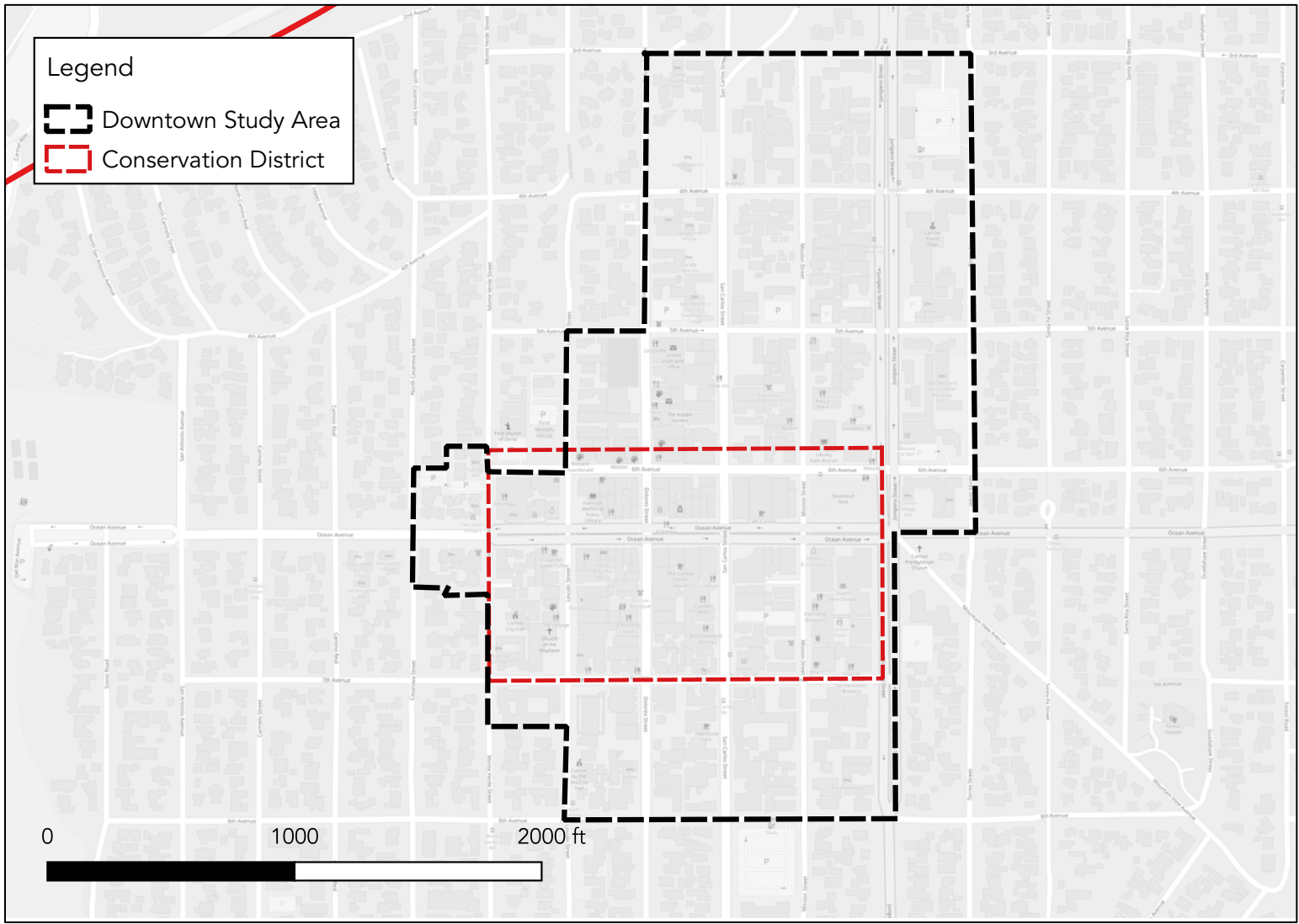


Figure 11: Commercial Core Study Area Definition

Source: ECONorthwest



Historic Resource Properties

The project study area includes 45 properties that are identified as historic. All but seven of these are in the Conservation District (see Figure 12). While we did not omit historic resource sites from being considered redevelopment candidates outright, redevelopment or renovation of historic resource sites will have an additional layer of complexity, as projects will need to meet the Secretary of the Interior's Standards for Rehabilitation.¹⁹

Properties Omitted Due to Existing Use

In this step we removed properties from consideration that have clear uses that would be a barrier to redevelopment, regardless of the redevelopment economics of the physical sites (see Figure 13). This included a removal of civic and institutional uses such as City Hall, libraries, parks, and open space. It also removed all attached ownership sites (such as condominiums) because assembling ownerships of these properties is nearly impossible. Lastly, we removed sites with businesses where the likely income generating potential of the use was high relative to the real estate asset (such as hotel properties). Due to Carmel's tourism draw, even a 2-star hotel commands room rates well above average for the class. Conversations with City staff and local developers further suggested that it would be highly unlikely that any hotel property in the commercial core would fully redevelop or reposition to permanent housing. However, there is opportunity to add workforce housing capacity through programs that convert a single hotel room to an on-site managers unit.

Fifth Cycle (RHNA5) Housing Element Sites

Carmel's Fifth Cycle Housing Element was adopted in 2015. This document includes an inventory of sites that were identified at the time as the most likely to accommodate future housing need (see Figure 14). The analytical process to identify these sites is established and findings certified by the State Department of Housing and Community Development (HCD).

Adjacent Ownerships

Sites that can obtain scale through size and density generally have a higher likelihood of redevelopment. Larger sites offer greater flexibility and fewer barriers. Often, two or more sites adjacent to each other that are both underutilized can be combined to make more feasible development site. However, assemblage of multiple ownerships can be a barrier. In this step we used ownership data in Assessor's records to identify properties that are adjacent to each other but have the same owner (see Figure 15). If they meet other redevelopment criteria, these sites are more likely to redevelop.

¹⁹ Secretary of the Interior's Standards for Rehabilitation. (See <https://www.nps.gov/subjects/taxincentives/secretarys-standards-rehabilitation.htm>)

Figure 12: Historic Resource Properties

Source: City of Carmel-by-the-Sea.

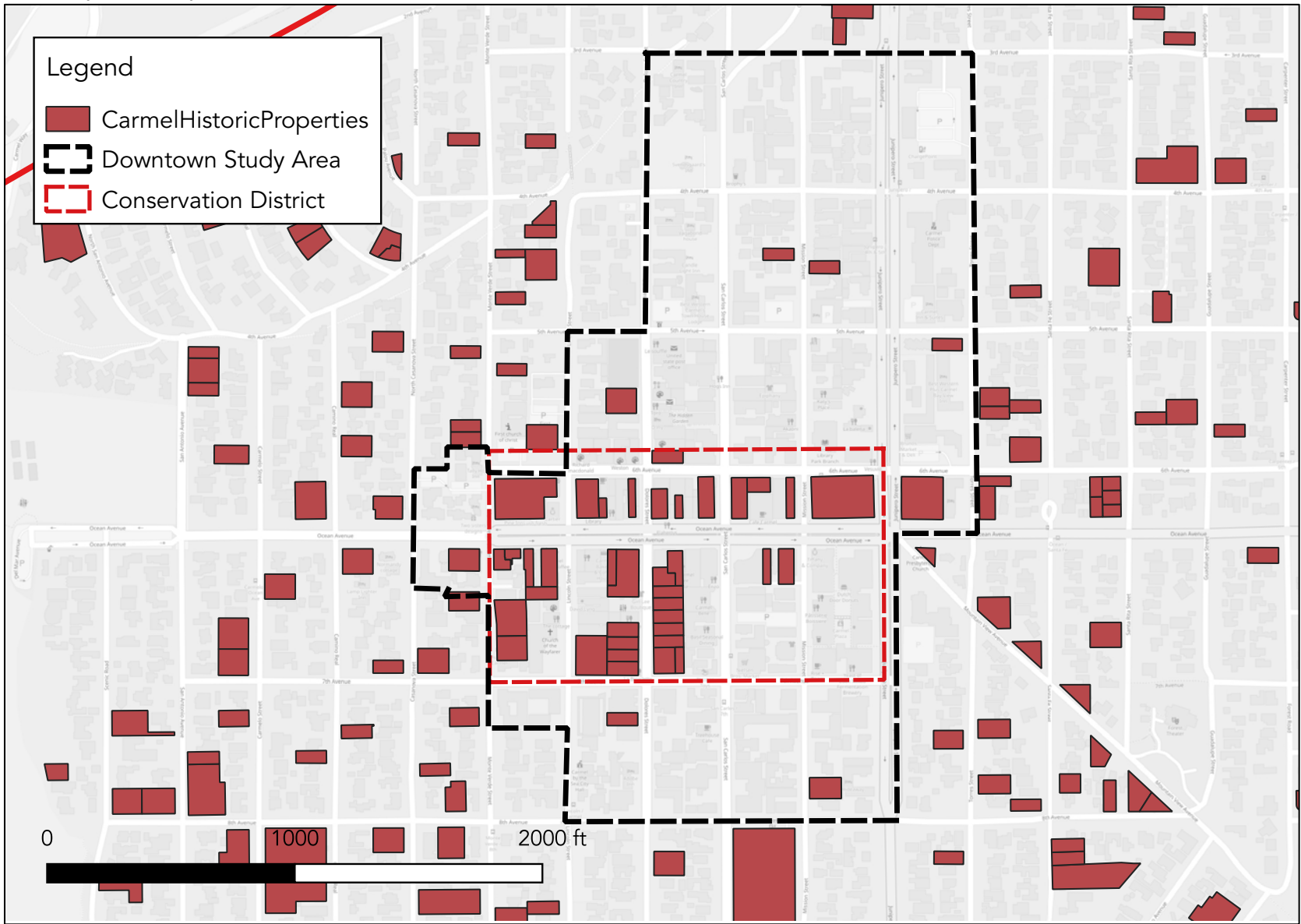


Figure 13: Omitted Properties do to Existing Use

Source: ECONorthwest



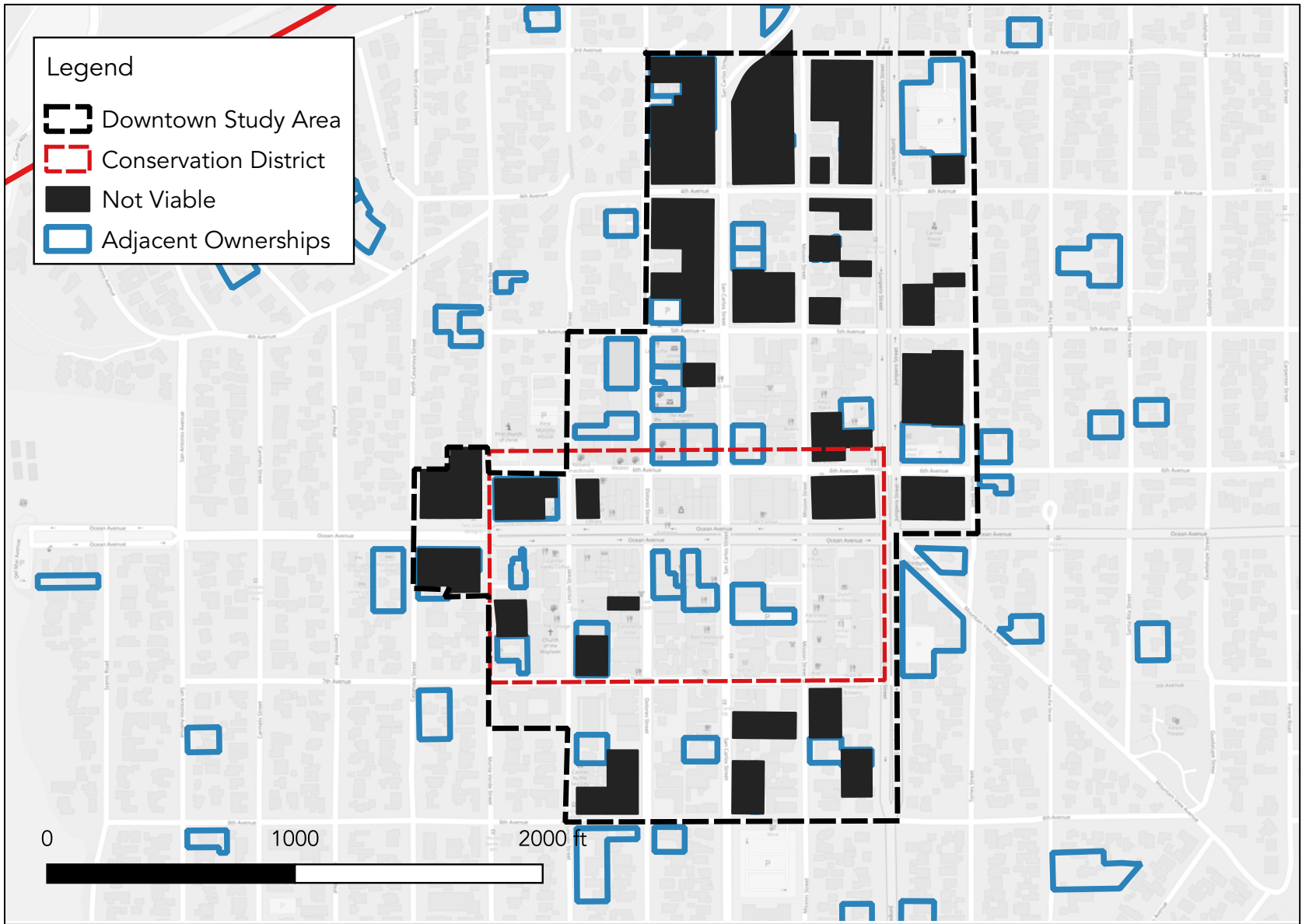
Figure 14: RHNA5 Sites in the Commercial Core

Source: Carmel-by-the-Sea Fifth Cycle Housing Element, Digitized by ECONorthwest



Figure 15: Sites with Adjacent Ownerships

Source: ECONorthwest



Land-to-Improvement Ratio

Land-to-Improvement ratio is a metric that compares the value of an improvement on a property to the value of the land using data from the Monterey County Assessor's Office. Theoretically, the more valuable land is compared to improvements on a site, the more likely the site is to redevelop (see Figure 16).

Data Limitations

The land-to-improvement metric and the value per-square-foot metric (below) use assessed value as reported by the Assessor. Assessor's data can deviate broadly from real market value in California due to Proposition 13 which limits the annual increase in assessed value to 2 percent until a property transacts. While the ratio of improvement and land value should be more stable, properties that have not transacted for a long time could provide misleading results. For this reason, we consider these metrics alongside all other variables and in conjunction with site/spot checks.

Total Value Per-Square-Foot

In development economics the term "residual land value" is defined as the maximum value that a developer can pay for a site for a given development program. It is influenced by a range of factors including construction costs, development form, market conditions, and the developer's threshold for rate of return, among other factors. It was beyond the scope of this work to do feasibility testing that would calculate actual residual land values. However, we know that the more expensive it is to acquire sites, the less likely development is to be feasible. Therefore, identifying sites in the study area with the lowest combined value (land plus improvements) relative to the size of the site can be an indicator of redevelopment potential (see Figure 17).

Candidate Site List

We combined the analysis above with an in-person site visit, visual assessment using aerial and streetscape photography, and conversations with local representative to develop an inventory of candidate sites that could have redevelopment potential. In addition to properties within the study area, we also evaluated sites adjacent to the commercial core that could be candidates for future rezoning to allow more housing density. Each site is briefly discussed below Figure 18.²⁰

²⁰ Sites are not listed in any particular order of prioritization

Figure 16: Land-to-Improvement Ratio

Source: ECONorthwest using Monterey County Assessor's Data



Figure 17: Total Value Per-Square-Foot

Source: ECONorthwest using Monterey County Assessor's Data

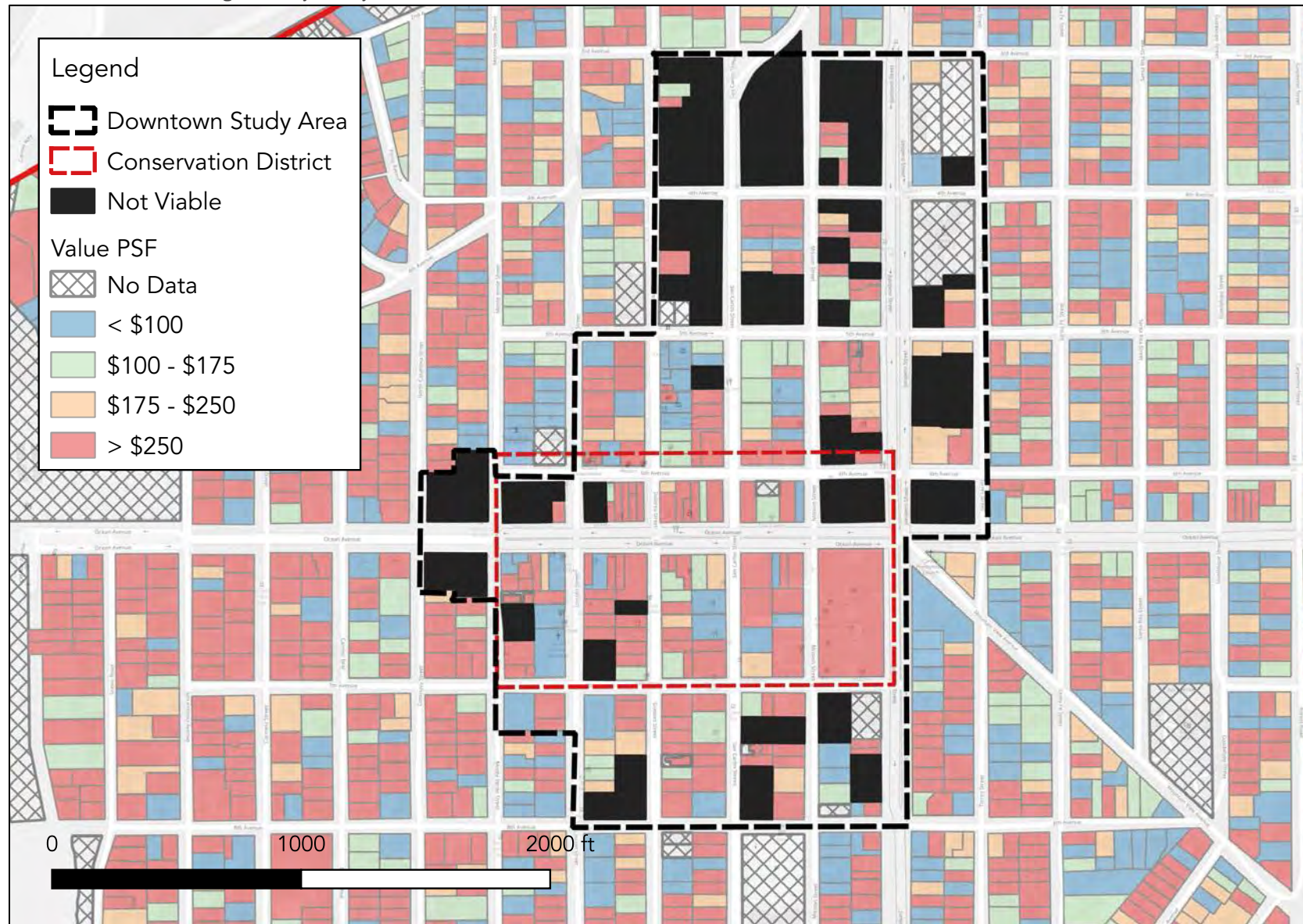


Figure 18: Candidate Site List

Source: ECONorthwest

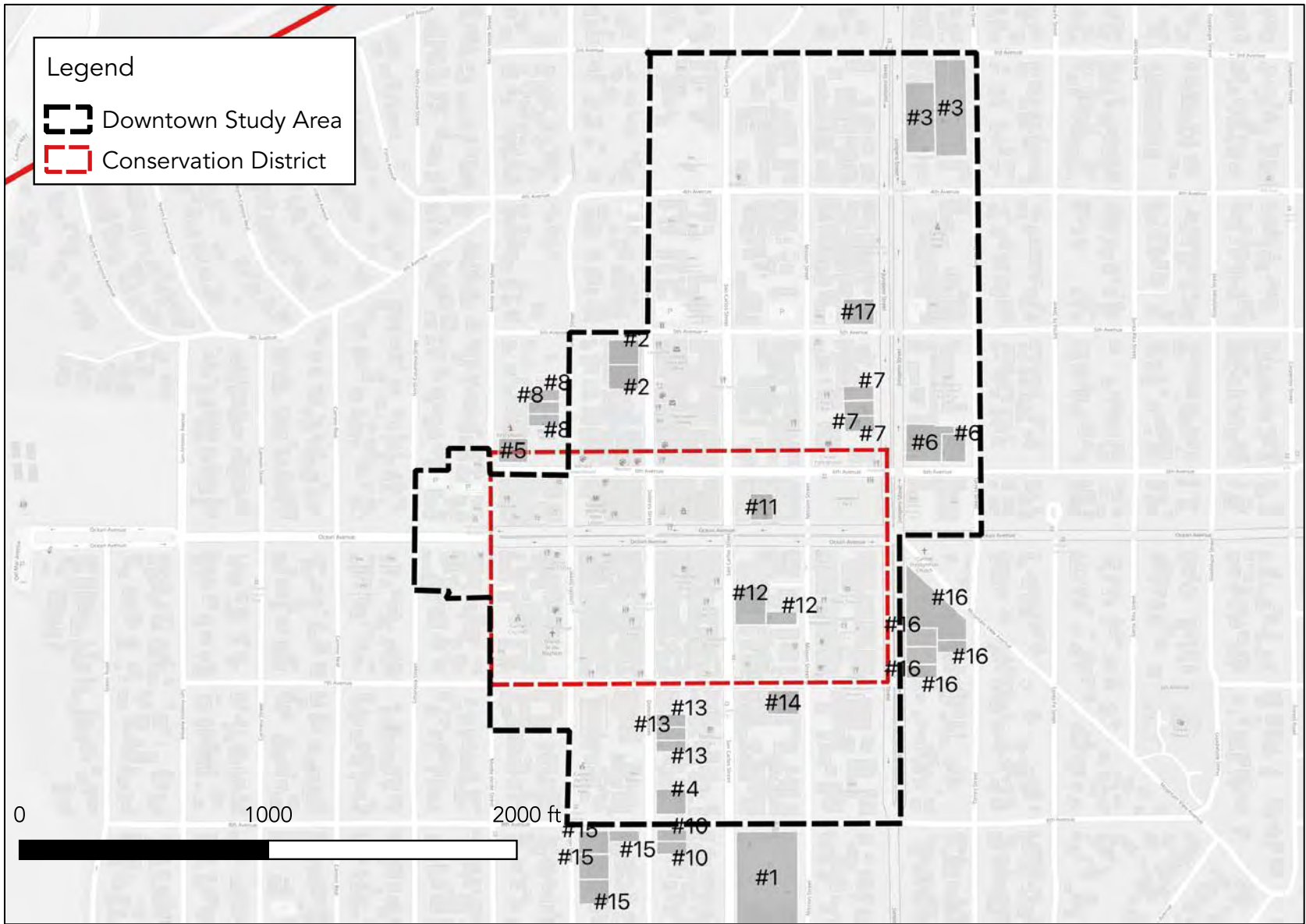


Figure 19: Data Table of Candidate Sites

Source: City of Carmel-by-the Sea Planning Department

| Site ID | APN | Zoning | Lot Size | Acres | Max units @ 22 DUA ²¹ | Max Units @ 44 DUA ²² | Max Units @ 88 DUA ²³ |
|---------|--------------------------|--------|---------------|-------------------|----------------------------------|----------------------------------|----------------------------------|
| #1 | 10143001000 | A-2 | 90,084 | 1.02 | 22 | 45 | 90 |
| #2 | 10138003000 | SC | 7,913 | 0.37 | 8 | 17 | 33 |
| | 10138021000 | SC | 7,949 | | | | |
| #3 | 10104001000 | R-4 | 32,136 | 1.28 | 28 | 57 | 113 |
| | 10104004000 | R-4 | 21,576 | | | | |
| #4 | 10145008000 | RC | 7,878 | 0.18 | 3 | 8 | 16 |
| #5 | 10212010000 | R-1 | 7,637 | 0.18 | 3 | 8 | 16 |
| #6 | 10095013000 | RC | 15,313 | 0.53 | 11 | 24 | 47 |
| | 10095012000 | RC | 8,027 | | | | |
| #7 | 10098005000 | SC | 4,871 | 0.33 | 7 | 15 | 30 |
| | 10098004000 | SC | 4,676 | | | | |
| | 10098006000 | SC | 4,901 | | | | |
| #8 | 10212027000 | R-1 | 4,014 | 0.28 | 6 | 13 | 25 |
| | 10212004000 | R-1 | 4,004 | | | | |
| | 10212026000 | R-1 | 3,994 | | | | |
| #10 | 10144015000 | R-1 | 4,155 | 0.18 | 3 | 8 | 16 |
| | 10144016000 | R-1 | 3,738 | | | | |
| #11 | 10133004000 (Example) | CC | 6,398 | 0.14 | 3 | 7 | 13 |
| #12 | 10141006000 | CC | 12,520 | 0.38 | 8 | 17 | 34 |
| | 10141011000 | CC | 4,377 | | | | |
| #13 | 10145012000 | SC | 3,632 | 0.30 | 6 | 14 | 27 |
| | 10145024000 | SC | 4,030 | | | | |
| | 10145023000 | SC | 4,118 | | | | |
| #14 | 10142001000 | SC | 8,009 | 0.18 | 3 | 8 | 16 |
| #15 | 10149012000 | A-3 | 7,435 | 0.62 | 13 | 28 | 55 |
| | 10149010000 | A-3 | 7,964 | | | | |
| | 10149011000 | A-3 | 7,985 | | | | |
| | 10149001000 | A-3 | 3,615 | | | | |
| #16 | 10084030000 | R-1 | 26,874 | 1.10 | 24 | 49 | 97 |
| | 10084023000 | R-1 | 5,822 | | | | |
| | 10084024000 | R-1 | 6,016 | | | | |
| | 10084022000 | R-1 | 4,496 | | | | |
| | 10084003000 | R-1 | 3,856 | | | | |
| #17 | 10097007000 | | 8,534 | .020 | 4 | 9 | 18 |
| | | | TOTAL: | 7.27 acres | 152 units | 327 units | 646 units |

²¹ Permitted by-right. No affordable requirements²² 20% of units must be for low-income households OR 10% must be for very low-income households OR 50% must be for seniors. All units must be deed restricted for a minimum of 30 years.²³ All units must be deed restricted affordable for a minimum of 30 years.

Site 1: Sunset Center Lots Site

The north lot at Sunset Center is a large (1.02 acre) parking lot with no improvements other than paving. It is a City-owned site. The City has expressed interest in redeveloping the site for housing so long as parking needs for Sunset Center could be accommodated in the development program. A zone change from Theatrical District (A-2) to Multifamily Residential (R-4) would be required to facilitate development of the site. The south lot could also be viable, but larger scale development may not be as compatible with existing residential development scale this far removed from the commercial core.



Site 2: Ulrika Plaza Site

The 0.37-acre Ulrika Plaza site previously entitled as a mixed-use building. The initial developer lost the project for financial reasons, and it was acquired by another developer. This developer has been working to get a development program for 12 market-rate apartment units approved on the site for several years. The site is a case study of a development not building to maximum density.



Site 3: City Public Works (Vista Lobos) Site

This is a City-owned site totaling 1.28 acres at the north end of the study area. The site is a large parking lot with low value improvement used for public parking. The City has expressed interest in using the site for housing if feasible. Potential height restrictions due to a protected viewshed to Point Lobos (see CMC 17.12.050) could limit achievable density and feasibility.



Site 4: Carmel Realty Office Site

This site is a 0.18-acre corner-lot parcel that is currently owned and used for office space by Carmel Realty. It has low lot coverage and scores well with a land-to-improvement ratio. It is a single-story structure that is surrounded on all sides by structures that are at least two stories tall. The site was previously used in the RHNA5 inventory.



Site 5: Pine Inn Parking Lot

This 0.18-acre site is the parking lot for the Pine Inn. The site is not attached or adjacent to the inn, it is a separate parcel across the street. As driving patterns and parking needs change, this site could be a future candidate for redevelopment.



Site 6: Bruno's Market Site

This site is two adjacent parcels totaling over 0.53 acres under the same ownership. The site includes a parking lot that leads to low lot coverage. It also scores in the top tier for land-to-improvement ratio. It could be a potential redevelopment candidate.



Site 7: Three Garages Site

This site would be an assemblage of three equal sized parcels totaling 0.33 acres. Two of the parcels are under the same ownership, and one was previously used in the RHNA5 inventory. Existing uses include a site with parking and three attached garages, and a commercial building used for real estate sales. Combined the site scores in the top tier for land-to-improvement ratio and in the mid-tier for value per-square-foot.



Site 8: First Church of Christ Parking Lot

This site is a parking lot used by the First Church of Christ. It is three separate taxlots totaling 0.28 acres. Assessor's records have missing values for ownership on the two southern parcels but given its existing use we assume that all three parcels are owned by the Church. In 2020, the State of California passed AB1851²⁴, commonly referred to as the "yes in God's backyard" bill. This bill makes it easier for religious institutions to convert excess parking to affordable housing by prohibiting a local agency from requiring the replacement of religious-use parking spaces that a developer of a religious institution affiliated housing development project proposes to eliminate as part of that housing development project. Redevelopment of the site would require a zone change.



Site 9: Misc. City-Owned Sites (Not Mapped)

The City owns a series of miscellaneous small vacant sites in the R-1 zone. These sites are legacy right-of-way that were not developed for streets. Some of these sites may have development potential. However, our site visit identified that barriers were common, including mature trees, topography, and use for primary access for existing homes.



²⁴ California Assembly Bill. 2020. "Religious institution affiliated housing development projects: parking requirements." 2019-2020 Regular Session. AB 1851. (See <https://openstates.org/ca/bills/20192020/AB1851/>)

Site 10: Red Cross Site

This site is two adjacent parcels owned and used by the American Red Cross. Collectively the site is 0.18 acres. Because the site is owned by a non-profit organization it does not have Assessor's values to calculate redevelopment metrics. However, site inspection confirms a low intensity use. Because the owner is a mission-driven organization, it's possible they may be a willing partner if they can find an alternative for their current operations.



Site 11: Café Carmel Site (Representing ALL single-story downtown buildings)

All single-story downtown buildings can be explored as opportunities for densification. Site orientation, existing and surrounding uses, and access are contributing factors to feasibility. The Café Carmel site pictured is one example of a single-story commercial property with two-story building on either side. The Café Carmel site specifically scores in the top tier for land-to-improvement ratio and has a land value around \$100 per-square-foot. The site was previously used in the RHNA5 inventory.



Site 12: Wells Fargo Site

This site is two adjacent parcels comprised of the existing Wells Fargo building and associated parking lot. Combined the site is 0.38 acres. The site was identified as a candidate site in the RHNA5 Housing Element inventory. It scores in the top tier for land-to-improvement ratio. It is owned by an institutional entity (Wells Fargo). However, conversations with City staff indicate that it could be a candidate for inclusion as a historic property which would complicate redevelopment.



Site 13: Esperanza 7th and Dolores Site

This site is three adjacent parcels owned by Esperanza Carmel. The site totals roughly 0.30 acres. Esperanza has a development proposal on the site for eight market rate apartment units.



Site 14: 7th and Mission Site

This 0.18-acre site currently accommodates a clothing boutique in a single-story commercial building. Half of the site is comprised of a parking lot, which leads to low lot coverage and a land-to-improvement ratio above 1.5. However, it's value per-square-foot is high at nearly \$500 per-square-foot, making acquisition of the property less likely.



Site 15: Carmel Foundation Site

The Carmel Foundation is the only provider of deed-restricted affordable housing in Carmel. Their administrative offices include four parcels totaling 0.62 acres. This site does not score high on land-to-improvement ratio but scores in the top tier of value per-square-foot. This site is being considered as a candidate because the Carmel Foundation is a mission-driven organization and interviews with leadership indicated that if they can accommodate their administrative functions off-site, they would consider redeveloping their property for affordable housing. Redeveloping this site would require rezoning.



Site 16: Carmel Presbyterian Site

This site is five adjacent parcels totaling almost 1.1 acres. Over a third of the site is a parking lot. See previous comments about AB1851. The site is outside of the commercial core and would require a zone change to facilitate redevelopment.



Site 17: 5th and Junipero Site

This is a corner lot site totaling just under 0.20 acres. The existing use is a parking lot and single-story commercial building. The site was included in the RHNA5 inventory. It scores in the mid-tier for both redevelopment metrics.



Housing Capacity Opportunities

Based on our review of market conditions, the character of existing development, and potential needs in the community, we see opportunities to add housing capacity in the following ways:

Promote Accessory Dwelling Units

Accessory dwelling units are commonly built as additional structures on lots with an existing home or are created through garage conversions. Lots that are conducive to accommodating ADUs have common characteristics including larger lot sizes, detached garages, and low lot coverage ratios. In Carmel over 87 percent of parcels are zoned for single-family residential uses (R-1), totaling nearly 2,900 lots. Carmel has also had growing interest in ADU development, receiving 13 applications for ADUs in 2021, up from 8 in 2020.



Infill Capacity

There are several sites, including City-owned properties, where infill could be possible. Development of these sites would require careful consideration of existing adjacent uses. Depending on the scale of the site, this redevelopment could be small-scale plex (duplex, triplex, quadplex) infill or relatively large-scale development. The City should consider amendments to development standards and design guidelines to facilitate achieving the maximum allowed densities. This would result in a greater likelihood of development feasibility for low-to-mid-rise multifamily development forms ranging from three to four stories.



Encourage adding residential units above commercial uses

Carmel's business district has many properties that are single-story low-intensity commercial uses. Some of these properties may be candidates to add an additional story of housing above the existing commercial. There is existing and recent development precedent that this densification is feasible, even for historic properties. The best candidates would be properties where the scale of adjacent properties is two-stories or greater.



Full Redevelopment

There may be opportunities in the commercial district where the value of housing may be higher than the existing commercial use. These sites would be candidates for razing the existing structure and building maximum feasible density. To be feasible the scale of development would have to maximize the development potential of the site through larger massing and maximum height.



Recommended Actions and Potential Incentives

Based on the preceding analysis, we offer the following recommendations for further consideration as the City progresses to an update of its Housing Element.

Explore changes to development standards. Our review of Carmel's zoning code found that overly restrictive development standards, such as the two-story height limit are not likely to facilitate maximum allowed densities. The City should explore options to remove these barriers consistent with the findings above.

Adopt objective design standards. Local developers indicate that the review and approval process in Carmel is overly restrictive. Senate Bill 35 and the Housing Accountability Act also require the use of objective standards. The City's code currently includes subjective standards. The City should analyze its current code language and develop recommendations for objective criteria and opportunities for a streamlined review process.

Create an accessory dwelling unit program. An accessory dwelling unit program could range broadly from creating promotional materials and informational outreach to an aggressive program that could project subsidies, development of pre-approved plans, assisting with allocating water credits (for deed-restricted units only), and technical assistance with planning and building staff navigating the planning and permitting process for property owners.

Create a preservation and monitoring program. The City should take action to understand its inventory of existing deed-restricted units and understand the risk of them converting to market rate.

Consider expanding the R-C and/or R-4 zone. Our analysis identified areas south and west of the commercial core that have opportunity sites and/or concentrations of parcels that could be candidates for redevelopment based on common metrics. The City should explore rezoning opportunities in these areas.

Inventory and incentivize properties with opportunities for densification. The City should consider at a minimum creating an inventory of single-story commercial properties with opportunities for densification and conducting property owner outreach. Other alternatives would be to establish flexible development standards like parking waivers and height limit adjustments, or to assist with water credits.

Explore solutions to water credit barriers to development. The water supply conditions on the Monterey Peninsula are a significant barrier to development. To add units to an existing structure or develop/redevelop a property, a developer must obtain water credits to accommodate the net change in fixtures. However, there are a finite number of credits available and no secondary market for transfer. To accommodate future development, the City should play an active role in regional efforts to improve access to water resources and water credits and facilitate prioritizing water credits for affordable housing.



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
PUBLIC HEARINGS

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Chip Rerig, City Administrator |
| APPROVED BY: | Chip Rerig, City Administrator |
| | Resolution 2023-075 Declaring the Results of the Majority Protest Proceedings and Renewing the Carmel Restaurant Improvement District (CRID), and Second Reading/Adoption of Ordinance 2023-005 to Renew the CRID |
| SUBJECT: | Recommendation: Hold a final hearing, declare results of majority protest proceeding, adopt Resolution 2023-075, conduct the second reading of Ordinance 2023-005 by title only, and adopt Ordinance 2023-005 to renew the CRID. |

RECOMMENDATION:

Hold a final hearing, declare results of majority protest proceeding, adopt Resolution 2023-075, conduct the second reading of Ordinance 2023-005 by title only, and adopt Ordinance 2023-005 to renew the CRID.

BACKGROUND/SUMMARY:

BACKGROUND

The CRID is a benefit assessment district proposed to continue to help fund marketing and sales promotion efforts for certain Carmel restaurant businesses. This approach has been used successfully in other destination areas throughout the state to increase sales at assessed restaurant businesses. The renewed CRID includes all full service restaurant businesses, existing and in the future, located within the City boundaries of Carmel-by-the-Sea.

The CRID was initially formed on January 1, 2019 for a five (5) year term. Restaurant business owners decided to pursue renewal of the CRID in order to continue a revenue source devoted to providing sales and marketing services to increase restaurant food and drink sales at assessed restaurant businesses. If renewed, the CRID would generate approximately \$240,000 on an annual basis for promotion of Carmel restaurant businesses. The initial "year" of operations will be a partial year consisting of six (6) months, with an anticipated assessment budget of \$96,000.

RESTAURANT IMPROVEMENT DISTRICTS

Restaurant Improvement Districts (RIDs) utilize the efficiencies of private sector operation in the market-based promotion of restaurants. These special assessment districts allow restaurant business owners to organize their efforts to increase restaurant sales. Restaurant business owners within the RID fund the RID, and those funds are used to provide services that the businesses desire and that benefit the restaurant businesses within the RID.

RID benefits:

- Funds cannot be diverted for other government programs
- They are customized to fit the needs of each destination
- They allow for a wide range of services; including: marketing of the destination and assessed businesses, promotion activities and sales lead generation
- They are designed, created and governed by those who will pay the assessment
- They provide a stable funding source for restaurant promotion

In California, Restaurant Improvement Districts are renewed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a special benefit assessment district to raise funds within a specific geographic area. The key difference between RIDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the RID.

MANAGEMENT DISTRICT PLAN

The Management District Plan (**Attachment 1**) includes the proposed boundary of the CRID, a service plan and budget and a proposed means of governance. The CRID will include all full service restaurant businesses, existing and in the future, within the City boundaries of Carmel-by-the-Sea.

The proposed CRID will have a nine (9) year and six (6) months year life, beginning January 1, 2024 or as soon as possible thereafter, and ending on June 30, 2033. The assessment will be implemented beginning January 1, 2024. Once per year beginning on the anniversary of CRID renewal, there shall be a thirty (30) day period in which business owners paying fifty percent (50%) or more of the assessment may protest and begin proceedings to terminate the CRID.

The City will be responsible for collecting the assessment on a quarterly basis from each assessed restaurant business located in the CRID boundaries. The City shall forward the assessments to Visit Carmel, which will have the responsibility of managing CRID programs as provided in this Management District Plan. The City shall retain a fee equal to two percent (2%) of the amount of assessment collected to cover its costs of collection and administration.

CRID RENEWAL PROCESS

| | |
|-------------|--|
| May 2, 2023 | RESOLUTION OF INTENTION MEETING (Completed) Upon the submission of a written petition, signed by the restaurant business owners in the renewed CRID who will pay more than fifty percent (50%) of the assessments proposed to be levied, the City Council may initiate proceedings to renew the CRID by the adoption of a resolution expressing its intention to renew the CRID. |
|-------------|--|

| | |
|---------------|--|
| | <p><i>Petition Status:</i> Petitions in favor of CRID renewal were submitted which represent over 50% of the total CRID assessment. This majority petition allows the Council to initiate proceedings for CRID renewal at the May 2, 2023 meeting.</p> |
| May 22, 2023 | <p>NOTICE (Completed)</p> <p>The Property and Business Improvement District Law of 1994 requires the City mail written notice to the owners of all businesses proposed to be within the CRID. Mailing the notice begins a mandatory forty-five (45) day period in which owners may protest CRID renewal.</p> |
| June 6, 2023 | <p>INTRODUCTION/FIRST READING OF ORDINANCE (Completed)</p> <p>Allow public testimony on the renewal of the CRID and levy of assessments. No City Council action required.</p> <p>At the public meeting, the City Council shall introduce and conduct the first reading of the ordinance renewing the CRID and levying the assessment.</p> |
| July 11, 2023 | <p>FINAL PUBLIC HEARING AND SECOND READING/ADOPTION OF THE ORDINANCE</p> <p>If written protests are received from the owners of restaurant businesses in the proposed renewed CRID which will pay more than fifty percent (50%) of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than fifty percent (50%), no further proceedings to levy the proposed assessment against such businesses shall be taken for a period of one (1) year from the date of the finding of a majority protest by the City Council.</p> <p>If the City Council, following the public hearing, decides to renew the proposed CRID, the City Council shall adopt a resolution of formation (Attachment 2).</p> <p>Following a successful public hearing and first reading of the ordinance, the City Council shall convene to hold a second reading of the ordinance renewing the CRID and levying the assessment. Upon successful passage of the ordinance, the CRID shall be renewed, and the ordinance (Attachment 3) shall go into effect thirty (30) days after successful passage of the ordinance.</p> |

ALTERNATIVES

The Council could choose not to adopt the Resolution Declaring Results of Majority Protest Proceedings and Renewing the CRID and the Ordinance to Renew the CRID. Staff does not recommend this option.

FISCAL IMPACT:

None immediately. The City will retain a fee of two percent (2%) of the amount collected to cover its costs of administration. Because the district programs are intended to increase commerce in the City, there may be an increase in sales tax collections.

PRIOR CITY COUNCIL ACTION:

On May 2, 2023, Council adopted Resolution 2023-050, the Resolution of Intention to renew the CRID and initiate proceedings.

On June 6, 2023, during a public hearing, Council introduced Ordinance 2023-005.

ATTACHMENTS:

Attachment 1) CRID Management Plan

Attachment 2) Resolution 2023-075

Attachment 3) Draft Ordinance 2023-005

2024-2033



CARMEL RESTAURANT IMPROVEMENT DISTRICT MANAGEMENT DISTRICT PLAN

*Prepared pursuant to the Property and Business Improvement District Law of
1994, Streets and Highways Code section 36600 et seq.*

July 11, 2023

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Prepared by
Civitas



I. OVERVIEW

Developed by Visit Carmel (VC) and Carmel restaurant businesses, the Carmel Restaurant Improvement District (CRID) is an assessment district proposed to continue to provide specific benefits to payors, by funding marketing and sales promotion efforts for assessed businesses. This approach has been used successfully in other destination areas throughout the country to provide the benefit of increased restaurant food and drink sales and market assessed businesses in the CRID. The CRID was initially formed on January 1, 2019 for a five (5) year term. VC and Carmel restaurant businesses now wish to renew the CRID for a nine (9) year and six (6) months term.

Location: The CRID includes all full service restaurant businesses, existing and in the future, located within the City boundaries of the City of Carmel-by-the-Sea, as shown on the map in Section III.

Services: The CRID is designed to provide specific benefits directly to payors by increasing restaurant food and drink sales and revenue therefrom. Sales and marketing services will be provided to increase restaurant food and drink sales and market assessed businesses in the CRID.

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Budget: The total CRID annual assessment budget for each full fiscal year (July 1 – June 30) of operations is anticipated to be approximately \$240,000. The initial “year” of operations will be a partial year consisting of six (6) months, with an anticipated assessment budget of \$96,000. A similar assessment budget is expected to apply to subsequent years, but this budget is expected to fluctuate as restaurant food and drink sales do, as businesses open and close, and if the assessment rate increases or decreases, as detailed in Section IV.

Cost: The annual assessment rate is one quarter of one percent (0.25%) of gross food and drink sales revenue. During the CRID’s term, the assessment rate may be increased by the CRID Management Committee to a maximum rate of one percent (1%) of gross food and drink sales revenue for assessed businesses. The maximum increase or decrease in any year shall be one quarter of one percent (0.25%). If the assessment rate is increased, it may subsequently be decreased but shall not be decreased below a minimum of one quarter of one percent (0.25%) of gross food and drink sales revenue.

Collection: The City will be responsible for collecting the assessment on a quarterly basis (including any delinquencies, penalties and interest) from each assessed business located in the boundaries of the CRID. The City shall take all reasonable efforts to collect the assessments from each assessed business.

Duration: The CRID will have a nine (9) year and six (6) month life, beginning January 1, 2024 or as soon as possible thereafter, and ending on June 30, 2033. After nine (9) years and six (6) months, the CRID may be renewed pursuant to the 94 Law if business owners support continuing the CRID programs. Once per year, beginning on the anniversary of CRID renewal, there is a thirty (30) day period in which owners paying fifty percent (50%) or more of the assessment may protest and initiate a City Council hearing on CRID termination.

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Management: Visit Carmel shall continue to serve as the CRID's Owners' Association. Visit Carmel Board has formed a CRID Management Committee, which is comprised of a minimum of three (3) business owners, or their representatives, paying the CRID assessment which will be responsible for implementing this Plan. The CRID Management Committee shall be responsible for managing funds and implementing programs in accordance with this Plan, and must provide annual reports to the City Council.

DRAFT

II. BACKGROUND

Business Improvement Districts (BIDs) utilize the efficiencies of private sector operation in the market-based promotion of business districts. BIDs allow business owners to organize their efforts to increase sales and promotional efforts. Business owners within the district fund a BID, and those funds are used to provide services that the businesses desire and benefit the businesses within the district.

Business Improvement District services may include, but are not limited to:

- Marketing of the District
- Business Promotion Activities
- Infrastructure Improvements

In California, BIDs are formed pursuant to the Property and Business Improvement District Law of 1994 (PBID Law). This law allows for the creation of special benefit assessment districts to raise funds within a specific geographic area. The key difference between BIDs and other special benefit assessment districts is that funds raised are managed by the private non-profit corporation governing the district.

There are many benefits to Business Improvement Districts:

- Funds cannot be diverted for other government programs;
- Services are customized to fit the needs of each district;
- They allow for a wide range of services, including those listed above;
- Business Improvement Districts are designed, created and governed by those who will pay the assessment; and
- They provide a stable funding source for business promotion.

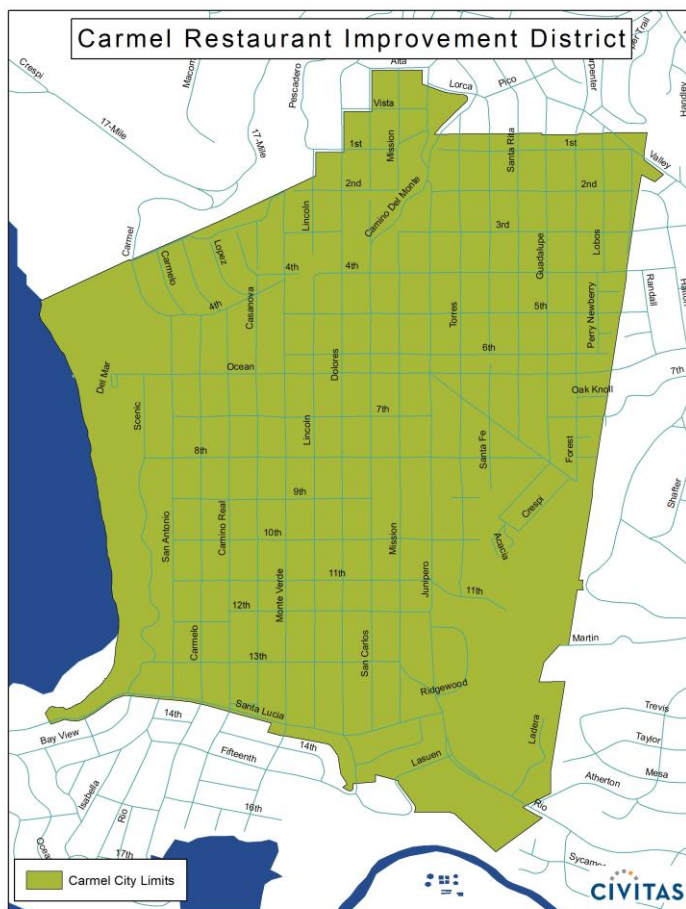
The PBID Law is provided in Appendix 1 of this document.

III. BOUNDARY

The CRID will include all full service restaurant businesses, existing and in the future, within the City boundaries of the City of Carmel-by-the-Sea, as shown in the map below.

As used herein, full service restaurant business means: a restaurant business providing a full line of prepared food and drinks using non-disposable plates, glasses, and utensils for immediate consumption on the site. Full line restaurant businesses provide table service to patrons who pay after eating. Full service restaurant businesses may provide takeout service. As used herein, restaurant business does not include coffee shops, bakeries, candy shops, or any business that sells food and/or drinks incidentally to its main business purpose.

A complete listing of assessed businesses within the CRID can be found in Appendix 2.

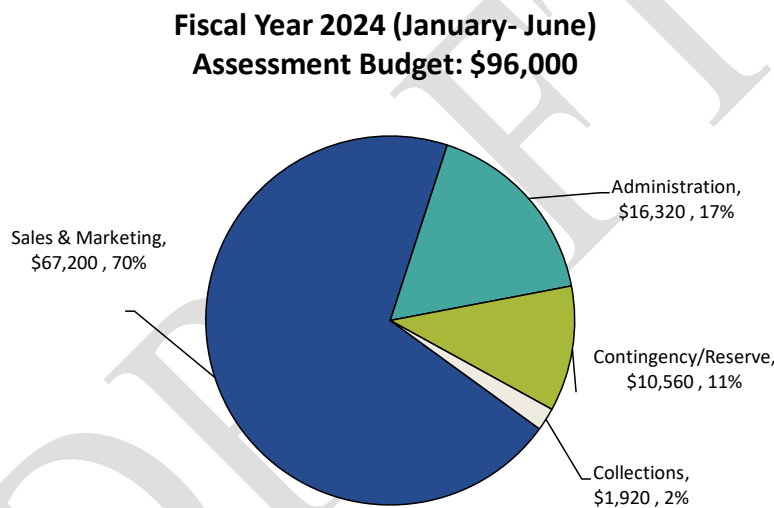


IV. ASSESSMENT BUDGET AND SERVICES

A. Annual Service Plan

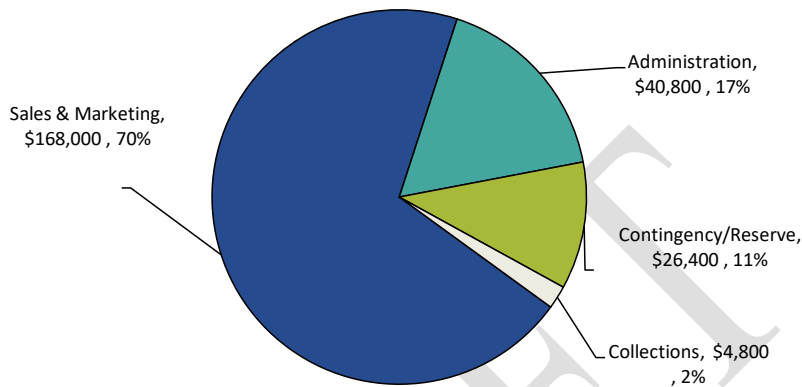
Assessment funds will be spent to provide specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or granting the privileges. The privileges and services provided with the CRID funds are activities and improvements designed to increase restaurant food and drink sales and revenue therefrom.

A service plan assessment budget has been developed to deliver services that benefit the assessed businesses. A detailed annual assessment budget will be developed and approved by the Owners' Association. The table below illustrates the annual assessment budget for fiscal year January 1, 2024-June 30, 2024, which covers the initial six (6) month period of the CRID.



Although actual revenues will fluctuate due to market conditions, the proportional allocations of the budget shall remain the same. The table below illustrates the annual assessment budget for fiscal year two (July 1, 2024- June 30, 2025). However, the VC board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the CRID, any and all assessment funds may be used for the costs of defending the CRID.

Fiscal Year 2024/2025 (July- June)
Assessment Budget: \$240,000



Each budget category includes all costs related to providing that service. For example, the sales and marketing budget includes the cost of staff time dedicated to overseeing and implementing the sales and marketing program. Staff time dedicated purely to administrative tasks is allocated to the administrative portion of the budget. The costs of an individual staff member may be allocated to multiple budget categories. The staffing levels necessary to provide the services below will be determined by the VC on an as-needed basis.

Sales and Marketing

A sales and marketing program will promote assessed restaurant businesses. The sales and marketing program will have a central theme of promoting Carmel as a desirable place for culinary experiences. The program will have the goal of increasing customers and sales at assessed businesses and may include the following activities:

- Internet marketing efforts, including the use of digital ad programs and social media, to increase awareness and optimize internet presence to drive customers and sales to assessed businesses;
- Print and digital ads in magazines and newspapers, television/video ads, and radio/podcast ads targeted at potential visitors to drive customers and sales to assessed businesses;
- Public relations campaigns to increase awareness and brand image using earned media coverage;
- Direct to consumer e-mail and mail campaigns;
- Attendance at media events and/or trade shows to promote assessed businesses;
- Preparation and production of collateral promotional materials such as brochures, flyers and maps featuring assessed businesses;
- Attendance at professional industry conferences and affiliation events to promote assessed businesses;

- Creation of or participation in promotional culinary or dining events;
- Lead generation activities designed to attract customers to assessed businesses;
- Development and maintenance of a website designed to promote assessed businesses; and
- Creative asset and content creation including photo and video production.

Administration

The administration portion of the budget shall be utilized for administrative staffing costs, office costs, advocacy and other general administrative costs such as insurance, legal, and accounting fees.

Contingency/Reserve

The budget includes a contingency line item to account for uncollected assessments, if any. If there are contingency funds collected, they may be held in a reserve fund or utilized for other program, administration or renewal costs at the discretion of the CRID Management Committee. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund shall be set by the CRID Management Committee. The reserve fund may be used for the costs of renewing the CRID.

Collections

The City shall retain a fee equal to two percent (2%) of the amount of assessment collected to cover its costs of collection and administration.

B. Annual Budget

The total CRID annual assessment budget for each full fiscal year (July 1 – June 30) of operations is anticipated to be approximately \$240,000. The initial “year” of operations will be a partial year consisting of six (6) months, with an anticipated assessment budget of \$96,000. A similar assessment budget is expected to apply to subsequent years, but this budget is expected to fluctuate as restaurant food and drink sales do, as businesses open and close, and if the assessment rate is increased or decreased pursuant to Section IV.

The annual assessment rate is one quarter of one percent (0.25%) of gross food and drink sales revenue. During the CRID’s term, the assessment rate may be increased by the CRID Management Committee to a maximum rate of one percent (1%) of gross food and drink sales revenue for assessed businesses. The maximum increase or decrease in any year shall be one quarter of one percent (0.25%). The table below demonstrates the estimated maximum budget if the assessment rate is increased at the earliest opportunity each year, as it is a required disclosure, it is not the anticipated course of action. Alternate courses of action may be taken in regard to implementing the assessment rate increase other than what is demonstrated in the chart below, within the parameters of this Management District Plan.

Estimated Annual Budget if Maximum Assessment Rates are Adopted

| Year | Sales & Marketing | Admin | Contingency/ Reserve | Collection | Total |
|---------------|-------------------|----------|----------------------|------------|-----------|
| Jan -Jun 2024 | \$67,200 | \$16,320 | \$10,560 | \$1,920 | \$96,000 |
| 2024/2025 | \$168,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| 2025/2026 | \$252,000 | \$61,200 | \$39,600 | \$7,200 | \$360,000 |
| 2026/2027 | \$336,000 | \$81,600 | \$52,800 | \$9,600 | \$480,000 |
| 2027/2028 | \$336,000 | \$81,600 | \$52,800 | \$9,600 | \$480,000 |
| 2028/2029 | \$336,000 | \$81,600 | \$52,800 | \$9,600 | \$480,000 |
| 2029/2030 | \$336,000 | \$81,600 | \$52,800 | \$9,600 | \$480,000 |

CRID Management District Plan
July 11, 2023

| | | | | | |
|-----------|--------------------|------------------|------------------|-----------------|--------------------|
| 2030/2031 | \$336,000 | \$81,600 | \$52,800 | \$9,600 | \$480,000 |
| 2031/2032 | \$336,000 | \$81,600 | \$52,800 | \$9,600 | \$480,000 |
| 2032/2033 | \$336,000 | \$81,600 | \$52,800 | \$9,600 | \$480,000 |
| Total | \$2,839,200 | \$689,520 | \$446,160 | \$81,120 | \$4,056,000 |

The table below demonstrates the annual improvement and service plan budget with the assumption that the rates will not be increased during the CRID's term.

Estimated Annual Budget if Maximum Assessment Rates Are Not Adopted

| Year | Sales & Marketing | Admin | Contingency/ Reserve | Collection | Total |
|----------------|--------------------|------------------|----------------------|-----------------|--------------------|
| Jan - Jun 2024 | \$72,000 | \$16,320 | \$10,560 | \$1,920 | \$96,000 |
| 2024/2025 | \$180,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| 2025/2026 | \$180,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| 2026/2027 | \$180,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| 2027/2028 | \$180,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| 2028/2029 | \$180,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| 2029/2030 | \$180,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| 2030/2031 | \$180,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| 2031/2032 | \$180,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| 2032/2033 | \$180,000 | \$40,800 | \$26,400 | \$4,800 | \$240,000 |
| Total | \$1,692,000 | \$383,520 | \$248,160 | \$45,120 | \$2,256,000 |

C. California Constitutional Compliance

The CRID assessment is not a property-based assessment subject to the requirements of Proposition 218. Courts have found Proposition 218 limited the term 'assessments' to levies on real property.¹ Rather, the CRID assessment is a business-based assessment, and is subject to Proposition 26. Pursuant to Proposition 26 all levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the CRID, a "specific benefit" and a "specific government service." Both require that the costs of benefits or services do not exceed the reasonable costs to the City of conferring the benefits or providing the services.

1. Specific Benefit

Proposition 26 requires that assessment funds be expended on, "a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege."² The services in this Plan are designed to provide targeted benefits directly to assessed businesses, and are intended only to provide benefits and services directly to those businesses paying the assessment. These services are tailored not to serve the general public, businesses in general, or parcels of land, but rather to serve the specific businesses within the CRID. The activities described in this Plan are specifically targeted to increase gross food and drink sales revenue for assessed businesses within the boundaries of the CRID, and are narrowly tailored. CRID funds will be used exclusively to provide the specific benefit of increased demand for food and drink sales directly to the assessees. Assessment funds shall not be used to feature non-assessed businesses in CRID programs, or to directly generate sales for non-assessed businesses. The activities paid for from assessment

¹ *Jarvis v. the City of San Diego* 72 Cal App. 4th 230

² Cal. Const. art XIII C § 1(e)(1)

revenues are business services constituting and providing specific benefits to the assessed businesses. Nothing in this Plan limits the ability of the Owners' Association to enter into private contracts with non-assessed businesses for the provision of services to those businesses.

The assessment imposed by this CRID is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in gross food and drink sales revenue. The specific benefit of an increase in gross food and drink sales revenue for assessed businesses will be provided only to businesses paying the district assessment, with marketing and sales programs promoting businesses paying the CRID assessment. The marketing and sales programs will be designed to increase gross food and drink sales revenue at each assessed business. Because they are necessary to provide the marketing and sales programs that specifically benefit the assessed businesses, the administration and contingency and collections services also provide the specific benefit of increased gross food and drink sales revenue to the assessed businesses.

Although the CRID, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, "A specific benefit is not excluded from classification as a 'specific benefit' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor."³

2. Specific Government Service

The assessment may also be utilized to provide, "a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product."⁴ The legislature has recognized that marketing and promotions services like those to be provided by the CRID are government services within the meaning of Proposition 26⁵. Further, the legislature has determined that "a specific government service is not excluded from classification as a 'specific government service' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor."⁶

3. Reasonable Cost

CRID activities and improvements will be implemented carefully to ensure they do not exceed the reasonable cost to the City of such activities and improvements. The full amount assessed will be used to provide the activities and improvements described herein. Funds will be managed by the CRID Management Committee, and reports submitted on an annual basis to the City. Only assessed restaurant businesses will directly benefit from other CRID-funded services. Non-assessed restaurant businesses will not directly receive these, nor any other, CRID-funded services and benefits.

The CRID-funded programs are all targeted directly at and feature only assessed businesses. It is, however, possible that there will be a spill over benefit to non-assessed businesses. If non-assessed restaurant businesses receive incremental gross food and drink revenue, that portion of the promotion or program generating that gross food and drink revenue shall be paid with non-CRID funds. CRID funds shall only be spent to benefit the assessed businesses, and shall not be spent on that portion of any program which directly generates incidental gross food and drink sales for non-assessed businesses.

³ Government Code § 53758(a)

⁴ Cal. Const. art XIII C § 1(e)(2)

⁵ Government Code § 53758(b)

⁶ Government Code § 53758(b)

D. Assessment

The annual assessment rate is one quarter of one percent (0.25%) of gross food and drink sales revenue. During the CRID's term, the assessment rate may be increased by the CRID Management Committee to a maximum rate of one percent (1%) of gross food and drink sales revenue for assessed businesses. The maximum increase or decrease in any year shall be one quarter of one percent (0.25%). If the assessment rate is increased, it may subsequently be decreased but shall not be decreased below a minimum of one quarter of one percent (0.25%) of gross food and drink sales revenue.

The assessment was calculated based on the total cost of the activities to be provided for the benefit of the businesses within the CRID with costs allocated based on the proportional benefit conferred to each business. Activities funded by the CRID are specifically targeted to increase food and drink sales revenue at assessed businesses. All food and drink sales do not represent the same benefit to the payors. For example, higher priced food and drink is of greater benefit than lower priced food and drink because the assessee derives greater revenue. To account for this benefit differential and to make sure the benefits are proportional, an assessment formula based on a percentage of revenue has been selected. The proposed formula accurately reflects greater benefit to assessed businesses with higher priced food and drink.

The term "gross food and drink sales revenue" as used herein means: the consideration charged whether or not received, for prepared food and drink items to be consumed on or off the businesses' premises valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, and property and services of any kind or nature, without any deduction therefrom whatsoever.

Gross food and drink sales revenue shall not include, for purposes of the assessment: facility rental fees, off-site catered or ticketed events, nor revenue generated from retail products, such as branded promotional items (coffee mugs, t-shirts, hats, etc.), and similar items.

The assessment is levied upon and is a direct obligation of the assessed business. However, the restaurant business may, at its discretion, pass the assessment on to customers. The amount of assessment, if passed on to each customer, shall be disclosed in advance and separately stated from the amount of consideration charged and any other applicable taxes, and each customer shall receive a receipt for payment from the business. The assessment is imposed solely upon and is the sole obligation of the assessed restaurant business even if it is passed on to customers. The California Department of Tax and Fee Administration (CDTFA) issued a written opinion that state sales tax applies to the revenue generated from Business Improvement District (BID) assessments on items where state sales tax is levied. In light of CDTFA's opinion, businesses that pay both state sales tax and CRID assessments on sales are advised to collect sales tax on the assessment revenue.

Bonds shall not be issued.

E. Penalties and Interest

The City shall be responsible for collection of delinquent assessments. The City of Carmel-by-the-Sea shall retain any penalties or interest collected with unpaid assessments as its fee for collecting the delinquent assessments. Assessed businesses which are delinquent in paying the assessment shall be responsible for paying:

1. *Original Delinquency*: Any assessed business which fails to remit payment of assessments within fourteen (14) days of the due date shall pay a penalty of ten percent (10%) of the amount of the assessment in addition to the amount of the assessment.

2. *Continued Delinquency:* If an assessed business fails to remit any delinquent remittance within sixty (60) days, the City may file a complaint against the assessed business. If the City determines that an assessed business is delinquent, the assessed business can be sent directly to collections without further review and the assessed business will be responsible for all late fees, interest, and collection fees.
3. *Fraud:* If it is determined that the nonpayment of any remittance due is due to fraud, a penalty of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the penalties stated above.
4. *Interest:* In addition to penalties imposed, any assessed business which fails to remit any assessment shall pay simple interest at the rate of six percent (6%) per year or fraction thereof on the amount of the assessment, exclusive of penalties, from the date on which the assessment first became delinquent until paid.
5. *Penalties Merged With Assessment:* Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the assessment required to be paid.

F. Time and Manner for Collecting Assessments

Visit Carmel shall be responsible for educating new and existing businesses in the CRID of its renewal. The City shall notify Visit Carmel when a business closes, opens or changes ownership within the CRID. The CRID assessment will be implemented beginning January 1, 2024 and will continue for nine (9) years and six (6) months through June 30, 2033. The City will be responsible for collecting the gross food and drink sales revenue assessment on a quarterly basis (including any delinquencies, penalties and interest) from each assessed business. The City shall take all reasonable efforts to collect the assessments from each assessed business. The City shall forward the assessments collected to Visit Carmel within thirty (30) days from collection.

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V. GOVERNANCE

A. Owners' Association

The City Council, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the CRID as defined in Streets and Highways Code §36612. The City Council has determined that the Visit Carmel will continue to serve as the Owners' Association for the CRID. The CRID Management Committee, comprised of a minimum of three (3) business owners, or their representatives, paying the CRID assessment, will continue to be responsible for implementing this Plan. Visit Carmel shall continue to be responsible for managing funds and implementing programs in accordance with this Plan and by direction of the CRID Management Committee, and must provide annual reports to the City Council.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the Board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act.

C. Annual Report

The VC shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

APPENDIX 1 – LAW

*** THIS DOCUMENT IS CURRENT THROUGH THE 2023 SUPPLEMENT ***
(ALL 2022 LEGISLATION)

STREETS AND HIGHWAYS CODE DIVISION 18. PARKING PART 7. PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

CHAPTER 1. General Provisions

ARTICLE 1. Declarations

36600. Citation of part

This part shall be known and may be cited as the “Property and Business Improvement District Law of 1994.”

36601. Legislative findings and declarations; Legislative guidance

The Legislature finds and declares all of the following:

- (a) Businesses located and operating within business districts in some of this state’s communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
- (b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
- (c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.
- (d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.
- (e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:
 - (1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.
 - (2) Job creation.
 - (3) Business attraction.
 - (4) Business retention.
 - (5) Economic growth.
 - (6) New investments.
- (f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.
- (g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.
- (h) The act amending this section is intended to provide the Legislature’s guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.
 - (1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.
 - (2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed.

Therefore, for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5. Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

ARTICLE 2. Definitions

36606. “Activities”

“Activities” means, but is not limited to, all of the following that benefit businesses or real property in the district:

- (a) Promotion of public events.
- (b) Furnishing of music in any public place.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. “Assessment”

“Assessment” means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. “Business”

“Business” means all types of businesses and includes financial institutions and professions.

36608. “City”

“City” means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. “City council”

“City council” means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. “Clerk”

“Clerk” means the clerk of the legislative body.

36609.5. “General benefit”

“General benefit” means, for purposes of a property-based district, any benefit that is not a “special benefit” as defined in Section 36615.5.

36610. “Improvement”

“Improvement” means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the district.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

36611. “Management district plan”; “Plan”

“Management district plan” or “plan” means a proposal as defined in Section 36622.

36612. “Owners’ association”

“Owners’ association” means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners’ association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners’ association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners’ association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), for all records relating to activities of the district.

36614. “Property”

“Property” means real property situated within a district.

36614.5. “Property and business improvement district”; “District”

“Property and business improvement district,” or “district,” means a property and business improvement district established pursuant to this part.

36614.6. “Property-based assessment”

“Property-based assessment” means any assessment made pursuant to this part upon real property.

36614.7. “Property-based district”

“Property-based district” means any district in which a city levies a property-based assessment.

36615. “Property owner”; “Business owner”; “Owner”

“Property owner” means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. “Business owner” means any person recognized by the city as the owner of the business. “Owner” means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. “Special benefit”

(a) “Special benefit” means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

(b) “Special benefit” also includes, for purposes of a property-based district, a particular and distinct benefit provided directly to each assessed parcel within the district. Merely because parcels throughout an assessment district share the same special benefits does not make the benefits general.

36616. “Tenant”

“Tenant” means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

ARTICLE 3. Prior Law**36617. Alternate method of financing certain improvements and activities; Effect on other provisions**

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

CHAPTER 2. Establishment**36620. Establishment of property and business improvement district**

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

- (a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
- (b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
 - (1) A map showing the boundaries of the district.
 - (2) Information specifying where the complete management district plan can be obtained.
 - (3) Information specifying that the complete management district plan shall be furnished upon request.
- (c) The resolution of intention described in subdivision (a) shall contain all of the following:
 - (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
 - (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:

- (a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.
- (b) The name of the proposed district.
- (c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
- (d) The improvements, maintenance, and activities proposed for each year of operation of the district and the estimated cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a

statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against their property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k)

(1) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.

(3) In a property-based district, properties throughout the district may share the same special benefits. In a district with boundaries that define which parcels are to receive improvements, maintenance, or activities over and above those services provided by the city, the improvements, maintenance, or activities themselves may constitute a special benefit. The city may impose assessments that are less than the proportional special benefit conferred, but shall not impose assessments that exceed the reasonable costs of the proportional special benefit conferred. Because one or more parcels pay less than the special benefit conferred does not necessarily mean that other parcels are assessed more than the reasonable cost of their special benefit.

(l) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.

(m) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the

public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

- (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.
- (2) The number, date of adoption, and title of the resolution of intention.
- (3) The time and place where the public hearing was held concerning the establishment of the district.
- (4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.
- (5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.
- (6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

CHAPTER 3. Assessments

36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in an action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36625. An appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:

- (1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
- (2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

CHAPTER 3.5. Financing

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

CHAPTER 4. Governance

36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

- (1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.
- (2) The improvements, maintenance, and activities to be provided for that fiscal year.
- (3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.
- (4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.
- (5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- (6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements, maintenance, and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

CHAPTER 5. Renewal

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

- (a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.
- (b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.
- (c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment**36670. Circumstances permitting disestablishment of district; Procedure**

- (a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:
 - (1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.
 - (2) During the operation of the district, there shall be a 30-day period each year in which assesses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.
- (b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

- (a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.
- (b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

Akaoni
 Alvarado Street Brewery
 Anton & Michel Restaurant
 Aubergine
 AW Shucks
 Basil
 Barmel
 Brophy's Tavern
 Bud's at La Playa
 Cantinetta Luca
 Carmel Belle
 Carmel Burger Bar
 Carmel's Hidden Gem
 Café Luna
 Carmel's Bistro Giovanni
 Casanova Restaurant
 Catch
 Chez Noir
 Cottage Restaurant
 Cultura Comida Y Bebida
 Dametra Cafe
 Edwin's Carmel
 Enzo Ristorante Italiano
 Flaherty's Seafood Grill & Oyster Bar
 Flying Fish Grill
 Foray
 Forge in the Forest
 Grasings Coastal Cuisine
 Grill on Ocean Ave
 Hogs Breath Inn
 Il Fornaio
 Il Tegamino
 Katy's Place
 L Escargot
 La Balena
 La Bicycleette
 Le Souffle
 Little Napoli & Bar Napoli
 Little Swiss Cafe
 Links Club
 Mission Bistro
 Mulligan Public House
 Nicolás Cocina de Herencia

**List as of March 2023*

Deleted: Little Swiss Cafe

Deleted: Links Club

Deleted: Mission Bistro

Deleted: Mulligan Public House

Deleted: Nicolás Cocina de Herencia

Pangaea Grill
 Patisserie Boissiere
 Portabella
 Promesa
 Rise + Roam
 Seventh and Dolores
 Stationaery
 Sushi Heaven
 Terrys Lounge
 The Pocket
 Tommys Wok
 Toro Sushi
 Tree House Cafe
 Tuck Box
 Vesuvio & Star Bar
 Village Corner
 Yafa

Deleted: April 10

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-075

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
DECLARING RESULTS OF MAJORITY PROTEST PROCEEDINGS AND RENEWING THE
CARMEL RESTAURANT DISTRICT (CRID)**

WHEREAS, the City of Carmel-by-the-Sea (City) created the CRID in 2018 by Resolution No. 2018 – 107 for a five (5) year term which ends on December 31, 2023; and

WHEREAS, the Property and Business Improvement District Law of 1994 (Streets and Highways Code §36600 et. seq.) authorizes the City to renew business improvement districts upon petition by a weighted majority of the business owners located within the boundaries of the district; and

WHEREAS, restaurant business owners who will pay more than fifty percent (50%) of the proposed assessment, as weighted according to the amount of the assessment to be paid by the petitioner, within the boundaries of the CRID have petitioned the City Council to renew the CRID; and

WHEREAS, included with the petitions was a Management District Plan (Plan) summary that describes the proposed assessment to be levied on certain restaurant businesses within the CRID to pay for sales and marketing programs, and other improvements and activities set forth in the Plan; and

WHEREAS, the assessed restaurant businesses within the CRID will receive a specific benefit from the activities and improvements set forth in the Plan; and

WHEREAS, on May 2, 2023 at 4:30 PM at Council Chambers located at City Hall, east side of Monte Verde Street between Ocean and Seventh Avenues, Carmel-by-the-Sea. CA 93923, the City Council adopted a Resolution of Intention, Resolution No. 2023-050; and

WHEREAS, the public meeting and public hearing to consider the renewal of the CRID have been properly noticed in accordance with Streets and Highways Code §36623; and

WHEREAS, on June 6, 2023 at 4:30 PM at Council Chambers located at City Hall, east side of Monte Verde Street between Ocean and Seventh Avenues, Carmel-by-the-Sea. CA 93923, the City Council held a public meeting regarding the renewal of the CRID, held the first reading of the Ordinance to renew the CRID and continue the levy of assessments, and the City Council heard and received objections and protests, if any, to the renewal of the CRID and the levy of the proposed assessment; and

WHEREAS, on July 11, 2023 at 4:30 PM at Council Chambers located at City Hall, east side of Monte Verde Street between Ocean and Seventh Avenues, Carmel-by-the-Sea. CA 93923, the City Council held a public hearing regarding the renewal of the CRID, and the City Council heard and received all objections and protests, if any, to the renewal of the CRID and the levy of the proposed assessment; and

WHEREAS, on July 11, 2023, following the receipt of all objections and protests and the adoption of this Resolution of Formation, a second reading of the Ordinance to renew the CRID and levy the assessments will be heard. At the conclusion of the second reading of the Ordinance, the City Council may adopt the Ordinance to renew the CRID and levy the assessments; and

WHEREAS, the City Clerk has determined that there was no majority protest. A majority protest is defined as written protests received from owners of businesses in the renewed CRID which would pay fifty percent (50%) or more of the assessments proposed to be levied. Protests are weighted based on the assessment proposed to be levied on each restaurant business; and

WHEREAS, adoption of this Resolution does not diminish the legal effect of the adoption of the Ordinance to be adopted at the final hearing; and

WHEREAS, the City bears the burden of proving by a preponderance of the evidence that an assessment imposed for a specific benefit or specific government service is not a tax, that the amount is no more than necessary to cover the costs to the City in providing the specific benefit or specific government service, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the specific benefits or specific government services received by the payor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:

1. The recitals set forth herein are adopted by the City Council as findings and they are true and correct.

2. The CRID is hereby renewed for a nine (9) year and six (6) month life year term, beginning January 1, 2024 or as soon as possible thereafter, and ending on June 30, 2033.

3. The Plan dated July 11, 2023 is hereby adopted and approved.

4. The activities to be provided to benefit assessed restaurant businesses in the CRID will be funded by the levy of the assessment. The revenue from the assessment levy shall not be used: to provide activities that directly benefit businesses outside the CRID; to provide activities or improvements outside the CRID; or for any purpose other than the purposes specified in this Resolution, the Resolution of Intention, the Ordinance, and the Plan. Notwithstanding the foregoing, improvements and activities that must be provided outside the CRID boundaries to create a specific benefit to the assessed restaurant businesses may be provided, but shall be limited to marketing or signage pointing to the CRID.

5. The City Council finds as follows:

a) The activities funded by the assessment will provide a specific benefit to assessed restaurant businesses within the CRID that is not provided to those not paying the assessment.

b) The assessment is a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.

c) The assessment is a charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.

d) Assessments imposed pursuant to the CRID are levied solely upon the assessed restaurant business, and the assessed restaurant business owner is solely responsible for payment of the assessment when due. If the owner chooses to collect any portion of the assessment from a transient, that portion shall be specifically called out and identified for the transient in any and all communications from the restaurant business owner as specified in the Plan.

6. The assessments levied for the CRID shall be applied towards sales and marketing programs to increase restaurant food and drink sales and market assessed restaurant businesses in the CRID.

7. Assessments levied on restaurant businesses pursuant to this resolution shall be levied on the basis of benefit. Because the services provided are intended to increase gross food and drink sales revenue, an assessment based on gross food and drink sales revenue is the best measure of benefit.

8. The assessments for the entire CRID will total approximately \$240,000 in the first full fiscal year. The initial "year" of operations will be a partial year consisting of six (6) months, with an anticipated assessment budget of \$96,000.

9. Bonds shall not be issued to fund the CRID.

10. The CRID shall include all full service restaurant businesses, existing and in the future, located within the City boundaries of the City of Carmel-by-the-Sea. A boundary map is attached hereto and incorporated herein by reference.

11. The assessments shall be used for the purposes set forth above and any funds remaining at the end of any year may be used in subsequent years in which the CRID assessment is levied as long as they are used consistent with the requirements set forth herein.

12. The assessments to fund the activities and improvements for the CRID will be collected by the City on a quarterly basis, and in accordance with Streets and Highways Code §36631.

13. The City Council, through adoption of this Resolution and the Plan, has the right pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the CRID as defined in Streets and Highways Code §36612. The City Council has determined that Visit Carmel shall continue to be the CRID Owners' Association.

14. Visit Carmel, pursuant to Streets and Highways Code §36650, shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvement and activities described in the report. The first report shall be due after the first year of operation of the CRID.

15. The CRID renewed pursuant to this resolution will be subject to any amendments to the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §36600 et. seq.).

16. The City Clerk, or his or her designee, is directed to take all necessary actions to complete the renewal of the CRID and to levy the assessments.

17. This Resolution shall take effect immediately upon its adoption by the City Council.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
this 11th day of July 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

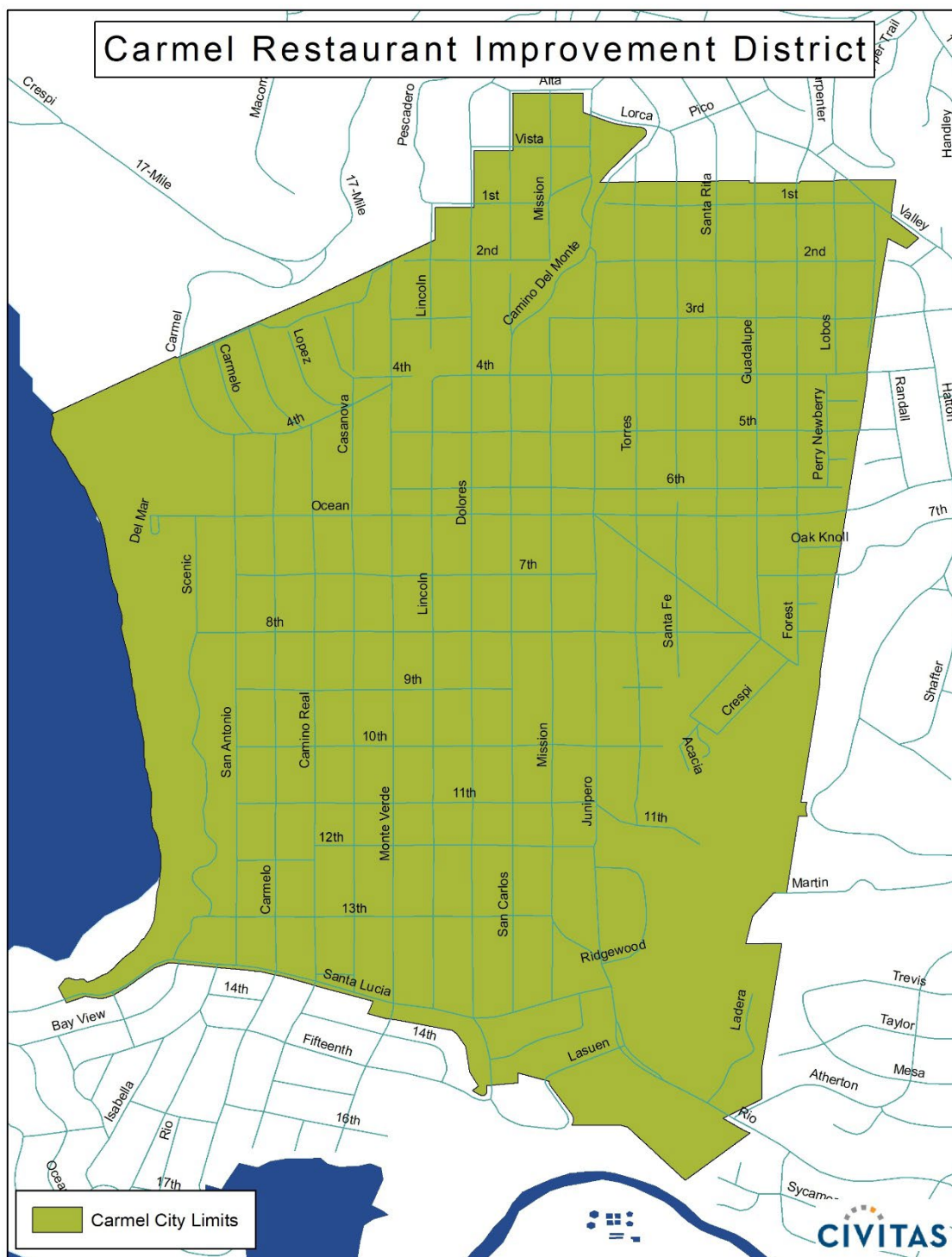
APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk

Boundary Map



**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

ORDINANCE NO. 2023-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA RENEWING THE CARMEL RESTAURANT IMPROVEMENT DISTRICT (CRID) FOR A TERM OF NINE (9) YEARS AND SIX (6) MONTHS, BEGINNING JANUARY 1, 2024 OR AS SOON AS POSSIBLE THEREAFTER, AND ENDING ON JUNE 30, 2033

WHEREAS, the City of Carmel-by-the-Sea created the Carmel Restaurant Improvement District (CRID) for a five (5) year term by Resolution No. 2018-107; and

WHEREAS, the initial five (5) year term of the CRID ends on December 31, 2023; and

WHEREAS, full service restaurant businesses who will pay more than fifty percent (50%) of the proposed assessment have petitioned the Council to renew the CRID; and

WHEREAS, included with the petitions was a Management District Plan (Plan) summary that describes the proposed assessment to be levied on full service restaurant businesses to pay for sales and marketing services, and other improvements and activities set forth in the Plan; and

WHEREAS, the assessed full service restaurant businesses within the CRID will receive a specific benefit from the activities and improvements set forth in the Plan; and

WHEREAS, on May 2, 2023, at 4:30 PM at the Council Chambers located at City Hall, east side of Monte Verde Street between Ocean and Seventh Avenues, the Council adopted a Resolution of Intention, Resolution No. 2023-050; and

WHEREAS, the public meeting and public hearing to consider the renewal of the CRID have been properly noticed in accordance with Streets and Highways Code §36623; and

WHEREAS, on June 6, 2023 at 4:30 PM at the at the Council Chambers located at City Hall, east side of Monte Verde Street between Ocean and Seventh Avenues, the Council will hold a public meeting regarding the renewal of the CRID, and subsequently held the first reading of this Ordinance to renew the CRID and continue the levy of assessments, and the Council will hear and receive objections and protests, if any, to the renewal of the CRID and the levy of the proposed assessment; and

WHEREAS, it is scheduled that on July 11, 2023 at 4:30 PM at the Council Chambers located at City Hall, east side of Monte Verde Street between Ocean and Seventh Avenues, the Council will hold a public hearing to renew the CRID and continue the levy of assessments, and the Council will hear and receive all objections and protests, if any, to the renewal of the CRID and the levy of the proposed assessment; and

WHEREAS, it is scheduled that on July 11, 2023, following the receipt of all objections and protests and the adoption of the Resolution of Formation, Resolution No. 2023-050 a second reading of this Ordinance to renew the CRID and to continue the levy of assessments will be heard. At the conclusion of the second reading of the Ordinance, the Council may adopt the Ordinance, renewing the CRID and levying the assessment; and

WHEREAS, it is scheduled that the City Clerk will confirm by July 11, 2023, that there was no majority protest. A majority protest is defined as written protests received from owners of full service restaurant businesses in the renewed CRID which would pay fifty percent (50%) or more of the assessments proposed to be levied. Protests are weighted based on the assessment proposed

to be levied on each assessed full service restaurant business; and

WHEREAS, pursuant to the Taxpayer Protection and Government Accountability Act (TPGAA), an initiative certified eligible for qualification for the November 5, 2024, general election ballot, the proposed assessment is an exempt charge as the CRID is a restaurant improvement district formed under the provisions of the Property and Business Improvement District Law of 1994, as set forth in the Streets and Highways Code §36600, et seq.; and

WHEREAS, the amount of the proposed assessment for the entire CRID in each full fiscal year (July 1 – June 30) will total approximately \$240,000. The initial “year” of operations will be a partial year consisting of six (6) months, with an anticipated assessment budget of \$96,000. Pursuant to the TPGAA, the City has found the proposed assessment amount is reasonable given the scope of services to be provided and shall not exceed the actual cost of providing the CRID services to the payors; and

WHEREAS, adoption of this Ordinance does not diminish the legal effect of the adoption of the Resolution of Formation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council of the City of Carmel-by-the-Sea does hereby find that the above referenced recitals are true and correct and material to the adoption of this Ordinance; and

Section 2. Codification. This Ordinance shall not be codified in the Carmel-by-the-Sea Municipal Code.

Section 3. Enacted. **All provisions of the Carmel Restaurant Improvement District (“CRID”) are made effective through this Ordinance as follows:**

3.1 Renewed. The City hereby renews the CRID for a nine (9) year and six (6) months life, beginning January 1, 2024 or as soon as possible thereafter, and ending on June 30, 2033, under the provisions of the Property and Business Improvement District Law of 1994, as set forth in the Streets and Highways Code of the state, Section 36600 et seq.

3.2 Management District Plan. The Management District Plan (Plan) dated July 11, 2023 is hereby adopted and approved.

3.3 Activities and Improvements. The activities to be provided to benefit full service restaurant businesses in the CRID will be funded by the levy of the assessment. The revenue from the assessment levy shall not be used: to provide activities that directly benefit businesses outside the CRID; to provide activities or improvements outside the CRID; or for any purpose other than the purposes specified in this Ordinance, the Resolution of Intention, the Resolution of Formation, and the Plan. Notwithstanding the foregoing, improvements and activities that must be provided outside the CRID boundaries to create a specific benefit to the assessed full service restaurant businesses may be provided, but shall be limited to marketing or signage pointing to the CRID.

The Council finds as follows:

- A. The activities funded by the assessment will provide a specific benefit to assessed full service restaurant businesses within the CRID that is not provided to those not paying the assessment.
- B. The assessment is a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed

the reasonable costs to the local government of conferring the benefit or granting the privilege.

- C. The assessment is a charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.
- D. Assessments imposed pursuant to the CRID are levied solely upon the assessed full service restaurant business, and the full service restaurant business owner is solely responsible for payment of the assessment when due. The amount of assessment, if passed on to each customer, shall be disclosed in advance and separately stated from the amount of consideration charged and any other applicable taxes, and each customer shall receive a receipt for payment from the business.
- E. The assessments levied for the CRID shall be applied toward sales and marketing services, and other improvements and activities as set forth in the Plan.
- F. Assessments levied on full service restaurant businesses pursuant to this Ordinance shall be levied on the basis of benefit. Because the services provided are intended to increase restaurant food and drink sales, an assessment based on gross food and drink sales revenue is the best measure of benefit.

3.4 Budget. The assessments for the entire CRID in each full fiscal year (July 1 – June 30) of operations will total approximately \$240,000. The initial “year” of operations will be a partial year consisting of six (6) months, with an anticipated assessment budget of \$96,000.

3.5 Bonds. Bonds shall not be issued to fund the CRID.

3.6 Boundaries. The renewed CRID includes all full service restaurant businesses, existing and in the future, located within the City boundaries of the City of Carmel-by-the-Sea as described in the Plan.

3.7 Assessments.

- A. The annual assessment rate is one quarter of one percent (0.25%) of gross food and drink sales revenue. During the CRID’s term, the assessment rate may be increased by the CRID Management Committee to a maximum rate of one percent (1%) of gross food and drink sales revenue for assessed full service restaurant businesses. The maximum increase or decrease in any year shall be one quarter of one percent (0.25%). If the assessment rate is increased, it may subsequently be decreased but shall not be decreased below a minimum of one quarter of one percent (0.25%) of gross food and drink sales revenue.
- B. The assessments shall be used for the purposes set forth herein and any funds remaining at the end of any year may be used in subsequent years in which the CRID assessment is levied as long as they are used consistent with the requirements set forth herein.

3.8 Collections. The City will be responsible for collecting the assessment on a quarterly basis (including any delinquencies, penalties and interest) from each assessed full service restaurant business located in the boundaries of the CRID. The City shall take all reasonable efforts to collect the assessments from each assessed full service restaurant business.

3.9 Owners’ Association. The Council through adoption of this Ordinance and the Plan, has the right pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners’ Association of the CRID as defined in Streets and Highways Code §36612. The City Council has determined that Visit Carmel will continue to serve as the Owners’ Association for the CRID. The CRID Management Committee, comprised of a minimum of three (3) business owners, or their representatives, paying the CRID assessment, will continue to be responsible for implementing the Plan. Passage of this Ordinance authorizes the

Council to contract with Visit Carmel to administer the CRID.

3.10 Annual Report. Visit Carmel, pursuant to Streets and Highways Code §36650, shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvement and activities described in the report. The first report shall be due after the first year of operation of the CRID.

3.11 Amendments to Enabling Legislation. The CRID renewed pursuant to this Ordinance shall be subject to any amendments to the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §36600 et. seq.).

Section 4. Severability. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this Ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

Section 5. Publication. The City Clerk shall publish or post this ordinance in the manner required by law.

Section 6. Effective Date. This Ordinance of the City of Carmel-by-the-Sea shall be effective thirty (30) days after its passage.

INTRODUCED at a Regular meeting of the City Council of the City of Carmel-by-the-Sea on the 6th day of June, 2023.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVE:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
PUBLIC HEARINGS

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Jane Hogan, Accountant |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2023-076 adopting the Fiscal Year 2023- 2024 Fee Schedule for Administrative Services, Community Planning and Building, Public Safety and Public Works Services |

RECOMMENDATION:

Adopt Resolution 2023-076 adopting the Fiscal Year 2023- 2024 Fee Schedule for Administrative Services, Community Planning and Building, Public Safety and Public Works Services.

BACKGROUND/SUMMARY:

In March 2023, the City hired Revenue and Cost Specialists, LLC (“RCS”) to prepare a cost of services study (“Study”). The study calculated the cost to the City associated with providing certain types of services to specific customers, or users, of the services. Examples of charges for services include design plan review and tree removal permits. These services have an identifiable user that receives a direct benefit from the service, and thus, the City may legally recover its cost of providing the service from the user through a fee or charge for service.

The study proposed a recommended fee for various services based upon full cost recovery. Staff incorporated recommendations provided by Council into the proposed fee schedule first adopted in May 2020 and have adjusted the fees annually for inflation in accordance with City policy. In March 2023, the City retained RCS to prepare an update to the original study in order to examine the relationship between the current fees being charged and the cost of providing the service, again, in accordance with City policy that stipulates fees should be reviewed at least every three years. The update occurred in April and involved the consultant revising the City’s costs of providing services based upon staff salaries and benefits and other allowable overhead expenses and interviewing City staff regarding the processes involved in completing various activities for the Community Planning and Building and Public Works Departments. Public Safety, Administration and Community Activities FY 2023-2024 fees are adjusted +4.9% in line with the City’s fiscal policy C94-01 and based upon the San Francisco-Oakland-Hayward area Consumer Price Index (CPI) for the time period from December 2021 to December 2022.

Summary

The purpose of this agenda item is to provide an update regarding fees and for Council to adopt the proposed master fee schedule for the upcoming fiscal year. Upon adoption of the resolution, the fees will become effective on September 9, 2023. Since the prior fee schedules have been adjusted annually for inflation, overall the Proposed Fiscal Year 2023-2024 ("FY 23-24") fees are fairly consistent with the current fee schedule, with a few exceptions as summarized in more detail by the functional area, below.

Detailed information regarding the fees are available within the City of Carmel-by-the-Sea Fee Study Update Report (**Attachment 3**). The Study includes a description of the service, the staff position(s) involved in performing the service, the average processing time, cost of the service and the current and proposed fees. A summary matrix of the current and proposed fees is also included as reference as **Attachment 2** for comparison.

The proposed fees associated with the charges for services are intended to recover 100% of the City's cost of providing the service from the user, or beneficiary, of the service. However, Council may determine that certain services have a community-wide benefit and choose to reduce fees associated with certain services. If fees are reduced to less than 100% of cost recovery, then the difference between the cost of the service and the fee charged to the user needs to be made up, or subsidized, by other General Fund revenues. This in turn means that there would be less General Fund revenue available for other community-wide services. Staff recommends that Council strive to achieve full cost recovery for all services.

Functional Area - Community Planning and Building

The majority of the City's charges for services pertain to services provided by the Community Planning and Building Department. These services include such activities as design review, use permits, historical evaluations, and building plan review and inspections. For FY 23-24, there is a mix of proposed increases and decreases to planning-related fees. For FY 23-24, the Department is also proposing a new fee for Reasonable Accommodation-Staff, Mills Act Maintenance Plan Review, Mills Act 5-Year Inspection, and Mills Act 10-Year Maintenance Plan Review. The Department is also proposing removal of the temporary sign permit fee (S-048).

Carmel's costs for planning and building services are based upon the cost of City staff and other allowable expenses as well as the processes involved in completing activities, such as design review. The Neighboring Jurisdictions Comparatives Table 1: Planning Fees Comparison (**Attachment 4**), provides a snapshot of development fees for the City and neighboring jurisdictions pertaining to our more common permits. The comparison is based upon assumptions as to which applications would be required in other agencies as the nomenclature for planning services varies among jurisdictions and do not always match. In addition, the processes undertaken by agencies may also be quite different. With these caveats, the comparison table does provide an illustration of Carmel's current and proposed fees in relation to the range of fees charged by other jurisdictions.

Functional Area- Public Works

The FY 23-24 proposed fees for Tree Removal, Tree Pruning and Tree Appeals are significantly greater than the current fees charged. For FY 23-24, the Department is also proposing a new fee for Tree Evaluations.

Historically, Council has subsidized tree permitting within the City and prior proposed tree permitting fees have not been approved with the adopted Fee Schedule. The Neighboring Jurisdictions Comparatives Table 2: Tree Pruning and Removal Fees Comparison (**Attachment 4**) details the comparison of charges for tree activities by neighboring cities. Please note the actual process undertaken for reviewing a tree permit may be substantially different in other jurisdictions, which would contribute to the amount of the fee.

FISCAL IMPACT:

Some development fees, such as land use approval and processing fees, building permit and inspections and zoning and use permits are not effective until 60 days after Council adoption. Therefore, the proposed fees become effective on September 9, 2023. The Fiscal Year 2023-2024 Adopted Budget includes \$2.8 million in revenue generated from charges for services. Cost recovery for services allows for a more equitable financing of these services as the specific user pays for the service rather than other General Fund revenues such as property tax, sales and use tax and transient occupancy tax subsidizing the cost of the service for the individual user.

PRIOR CITY COUNCIL ACTION:

Council adopted the Fiscal Year 2022- 2023 Fee Schedule on May 3, 2022.

ATTACHMENTS:

- Attachment 1) Resolution 2023-076 Adopting FY 23- 24 Fee Schedule
- Attachment 2) Current and Proposed Fees Comparison
- Attachment 3) Carmel-by-the-Sea Fee Study Update Report
- Attachment 4) Neighboring Jurisdictions Comparatives

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-076

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
ADOPTING THE FISCAL YEAR 2023-2024 FEE SCHEDULE FOR ADMINISTRATIVE
SERVICES, COMMUNITY PLANNING AND BUILDING, PUBLIC SAFETY AND PUBLIC
WORKS SERVICES**

WHEREAS, in accordance with City Financial Policies, Policy 94-01, the City shall review the relationship between fees/charges and the cost of providing services at least every three years; and

WHEREAS, the City of Carmel-by-the-Sea retained Revenue and Cost Specialists, LLC, to prepare the "Fee Study Update Report" in March 2023 to identify the City's reasonable costs borne for providing services; the beneficiaries of those services, and the revenues generated by those paying fees for receiving services; and

WHEREAS, the City wishes to comply with both the letter and the spirit of Article XIII B of the California Constitution and limit the growth of taxes; and,

WHEREAS, pursuant to Government Code Section 66016, the specific fees and charges to be levied for services must be adopted by the City Council by ordinance or resolution, after holding a public hearing; and,

WHEREAS, a notice of a public hearing has been published in the Carmel Pine Cone on June 30, 2023 and a public hearing to review the existing service charges was held on July 11, 2023; and

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF
CARMEL-BY-THE-SEA DOES HEREBY:**

Section 1. Fee Schedule Adoption. The following schedule of fees and charges are hereby directed to be computed by and applied by the various City departments, and to be collected by the City Finance Department for the herein listed special services when provided by the City or its designated contractors.

Section 2. Separate Fee for Each Process. All fees set forth by this resolution are for each identified process; additional fees shall be required for each additional process or service that is requested or required. Where fees are indicated on a "per unit" of measurement basis, the fee is for each identified unit or portion thereof within the indicated ranges of such units.

Section 3. Listing of Fees. The following fees shall be charged and collected for the following enumerated services, as shown in Exhibits A and B.

Section 4. Interpretations. This Resolution may be interpreted by the City department heads in consultation with the City Administrator and, should there be a conflict between two fees, the lower in dollar amount of the two shall be applied.

A. It is the intention of the City Council to review the fees and charges as determined and set out herein based on the City's next Annual Budget and all the City's costs reasonably borne as established at that time and, as and if warranted, to revise such fees and charges based thereon.

Section 5. Constitutionality. If any portion of this Resolution is declared invalid or unconstitutional then it is the intention of the City Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.

Section 6. Repealer. All resolutions and other actions of the City Council in conflict with the contents of this Resolution are hereby repealed.

Section 7. Effective Date. This Resolution shall go into full force and effect on September 9, 2023.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 11th day of July, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero
City Clerk

| PROPOSED FEE SCHEDULE EFFECTIVE SEPTEMBER 9, 2023 - JUNE 30, 2024 | | Current Fee | Proposed Fee | % Change | \$ Change |
|---|--|---|--------------|----------|-----------|
| COMMUNITY PLANNING & BUILDING | | | | | |
| Design Study and Review | | | | | |
| TRACK 1 DESIGN REVIEW/STUDY - MINOR | \$690 per application | 448.00 | 690.00 | 54% | \$242 |
| TRACK 1 DESIGN REVIEW/STUDY - MAJOR | \$990 per application | 813.00 | 990.00 | 22% | \$177 |
| TRACK 1 DESIGN REVIEW/STUDY-STREAMLINE | \$355 per application | 203.00 | 355.00 | 75% | \$152 |
| TRACK 1 DESIGN REVIEW/STUDY - REFERRAL TO PLANNING COMMISSION | \$1,785 per application in addition to the base Track 1 fee | 1,120.00 | 1,785.00 | 59% | \$665 |
| TRACK 1 DESIGN REVIEW/STUDY-REFERRAL TO HISTORIC RESOURCES BOARD | \$1,785 per application in addition to the base Track 1 fee | 1,120.00 | 1,785.00 | 59% | \$665 |
| TRACK 2 DESIGN REVIEW - MINOR | \$3,910 per application | 2,360.00 | 3,910.00 | 66% | \$1,550 |
| TRACK 2 DESIGN REVIEW - MAJOR | \$5,935 per application | 5,392.00 | 5,935.00 | 10% | \$543 |
| TRACK 2 DESIGN REVIEW - MAJOR NEW COMMERCIAL BUILDING | \$2,830 per application plus a deposit determined by staff with charges at the fully allocated hourly rates for Project Planner | 2,438.00 | 2,830.00 | 16% | \$392 |
| PRELIMINARY SITE ASSESSMENT | \$1,495 per application | 1,183.00 | 1,495.00 | 26% | \$312 |
| REASONABLE ACCOMODATION | \$195 per application, plus fee for associated Design Study/Design Review as applicable | | 195.00 | NA | \$195 |
| VOLUMETRIC ANALYSIS | \$135 per application plus \$1,500 deposit with charges at the fully allocated hourly rates plus any outside costs. | 135.00 | 135.00 | 0% | \$0 |
| Use Permit and Other Services | | | | | |
| USE PERMIT | \$3,060 per application | 2,730.00 | 3,060.00 | 12% | \$330 |
| USE PERMIT AMENDMENT | \$2,765 per application | 1,818.00 | 2,765.00 | 52% | \$947 |
| TEMPORARY USE PERMIT | \$165 per application | 365.00 | 165.00 | -55% | (\$200) |
| RESTRICTED COMMERCIAL USE TRANSFER REQUEST | \$565 per application | 521.00 | 565.00 | 8% | \$44 |
| WATER CREDIT TRANSFER REQUEST | \$3,100 per application | 3,663.00 | 3,100.00 | -15% | (\$563) |
| VARIANCE | \$1,790 per application | 2,235.00 | 1,790.00 | -20% | (\$445) |
| PRELIMINARY APPLICATION REVIEW - STAFF | \$1,365 per application with 50% of this fee credited towards future planning fees for this project. | 1,683.00 | 1,365.00 | -19% | (\$318) |
| PRELIMINARY APPLICATION REVIEW - PUBLIC HEARING (PLANNING COMMISSION, CITY COUNCIL, ETC.) | \$3,750 per application with 50% of this fee credited towards future planning fees for this project. | 3,485.00 | 3,750.00 | 8% | \$265 |
| COASTAL DEVELOPMENT PERMIT - DEVELOPMENT | \$175 per application - Added to other Planning fees | 135.00 | 175.00 | 30% | \$40 |
| COASTAL DEVELOPMENT PERMIT - EVENT | \$740 per application | 1,417.00 | 740.00 | -48% | (\$677) |
| LANDSCAPE PLAN CHECK/INSPECTION | \$690 per plan/inspection | 281.00 | 690.00 | 146% | \$409 |
| PLANNING TECHNICAL ASSISTANCE | Charge the fully allocated hourly rate for all personnel involved after 15 minutes. | Fully Allocated Hrlly Rate after 15 min | | | |
| TOBACCO RETAIL LICENSE | Current fee as adopted by the Monterey County Board of Supervisors | Fee as set by Monterey County | | | |
| EXTRAORDINARY DEVELOPMENT | Deposit amount TBD based on scope of project, with charges at the fully allocated hourly rates plus any outside costs | | | | |
| Amendments, Annexations and Agreements | | | | | |
| SPECIFIC PLAN/SPECIFIC PLAN AMENDMENT | | | | | |
| GENERAL PLAN AMENDMENT | \$5,000 deposit with charges at the fully allocated hourly rates plus outside costs | 5,210.00 | 5,000.00 | -4% | (\$210) |
| SPHERE OF INFLUENCE AMENDMENT | | | | | |
| ZONING CODE AMENDMENT | | | | | |
| ANNEXATION | \$10,000 deposit with charges at the fully allocated hourly rates plus outside costs | 10,420.00 | 10,000.00 | -4% | (\$420) |
| DEVELOPMENT AGREEMENT | | | | | |
| Environmental Review Maps and Lot Lines | | | | | |
| ENVIRONMENTAL REVIEW (IS/ND/EIR) | Contract cost plus 10% | Contract cost +10% | | | |
| FILING ENVIRONMENTAL NOTICE OF EXEMPTION | \$495 per application plus associated Monterey County fees | 156.00 | 495.00 | 217% | \$339 |
| MITIGATION MONITORING | \$3,000 deposit with charges at the fully allocated hourly rates plus outside costs. | 3,126.00 | 3,000.00 | -4% | (\$126) |
| TENTATIVE/FINAL MAP | \$4,000 deposit with charges at the fully allocated hourly rates plus any outside costs. | 4,168.00 | 4,000.00 | -4% | (\$168) |
| AMENDED FINAL MAP | \$1,000 deposit with charges at the fully allocated hourly rates plus any outside costs. | 1,042.00 | 1,000.00 | -4% | (\$42) |
| CERTIFICATE OF COMPLIANCE | \$750 per application plus actual contract cost | 610.00 | 750.00 | 23% | \$140 |
| LOT LINE ADJUSTMENT/SUBDIV - PLANNING COMMISSION | \$1,055 per application plus actual contract cost | 542.00 | 1,055.00 | 95% | \$513 |
| LOT MERGER | \$855 per application plus actual contract cost | 938.00 | 855.00 | -9% | (\$83) |
| Historic Evaluation | | | | | |
| PRELIMINARY PHASE 1 - INITIAL ASSESSMENT OF HISTORIC SIGNIFICANCE | \$310 per application | 474.00 | 310.00 | -35% | (\$164) |
| PHASE 1 - HISTORIC EVALUATION | \$405 per application plus actual cost for Historian review with \$1,500 deposit | 271.00 | 405.00 | 49% | \$134 |
| PHASE 2 - HISTORIC EVALUATION (INCLUDES HISTORIC RESOURCES BOARD HEARING) | \$2,040 per application plus actual cost for Historian review with \$1,500 deposit | 1,579.00 | 2,040.00 | 29% | \$461 |
| APPEAL TO HISTORIC RESOURCES BOARD | \$1,500 per application plus actual cost for Historian review with \$1,500 deposit | 2,120.00 | 1,500.00 | -29% | (\$620) |
| MILLS ACT CONTRACT APPLICATION | \$3,430 per application plus actual cost to record contract with County of Monterey | 3,584.00 | 3,430.00 | -4% | (\$154) |
| MILLS ACT MAINTENANCE PLAN REVIEW | \$1,000 deposit with charges at the fully allocated hourly rates plus any outside costs for qualfied professional to review plan. | NA | 1,000.00 | NA | \$1,000 |

| PROPOSED FEE SCHEDULE EFFECTIVE SEPTEMBER 9, 2023 - JUNE 30, 2024 | | Current Fee | Proposed Fee | % Change | \$ Change |
|---|---|---|--------------|----------|-----------|
| MILLS ACT 5-YEAR INSPECTION | \$500 deposit with charges at the fully allocated hourly rates plus any outside costs for qualified professional | NA | 500.00 | NA | \$500 |
| MILLS ACT 10-YEAR MAINTENANCE PLAN REVIEW | \$1,000 deposit with charges at the fully allocated hourly rates plus any outside costs for qualified professional to review plan. | NA | 1,000.00 | NA | \$1,000 |
| Determinations, Extensions and Appeals | | | | | |
| PLANNING COMMISSION CODE DETERMINATION | \$1,740 per application | 1,214.00 | 1,740.00 | 43% | \$526 |
| ZONING COMPLIANCE DETERMINATION | Charge the fully allocated hourly rates for all personnel involved with a one hour minimum | 573.00 | | | (\$573) |
| PERMIT TIME EXTENSION - STAFF | \$400 per application | 313.00 | 400.00 | 28% | \$87 |
| PERMIT TIME EXTENSION - PLANNING COMMISSION | \$1,080 per application | 907.00 | 1,080.00 | 19% | \$173 |
| PERMIT TIME EXTENSION - CITY COUNCIL | \$1,045 per application | 1,099.00 | 1,045.00 | -5% | (\$54) |
| PUBLIC HEARING CONTINUANCE - PLANNING COMMISSION | \$830 per continuance | 886.00 | 830.00 | -6% | (\$56) |
| PUBLIC HEARING CONTINUANCE - COUNCIL | \$835 per continuance | 938.00 | 835.00 | -11% | (\$103) |
| APPEAL TO PLANNING COMMISSION | \$1,945 per appeal - No charge for appeals of Coastal Development Permits (CDPs) within the Coastal Commission Appeal Jurisdiction (CMC 17.20.140) | 2,084.00 | 1,945.00 | -7% | (\$139) |
| APPEAL TO CITY COUNCIL | \$2,085 per appeal - No charge for appeals of Coastal Development Permits (CDPs) within the Coastal Commission Appeal Jurisdiction (CMC 17.20.140) | 2,084.00 | 2,085.00 | 0% | \$1 |
| Sign and Banners | | | | | |
| SIGN APPLICATION | \$450 per application | 281.00 | 450.00 | 60% | \$169 |
| SIGN REFERRAL TO PLANNING COMMISSION | \$1,505 per application | 865.00 | 1,505.00 | 74% | \$640 |
| RELOCATE EXISTING SIGN | \$240 per application | 182.00 | 240.00 | 32% | \$58 |
| TEMPORARY SIGN PERMIT | No permit fee required | 104.00 | 0.00 | -100% | (\$104) |
| BANNER APPLICATION | \$0 per application, applicant bears the fully burdened cost of installation through City approved third-party vendors | | | | |
| Building Services | | | | | |
| BUILDING RELOCATION | Deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs | 1,938.00 | | | (\$1,938) |
| LARGE FAMILY DAY CARE (RESIDENTIAL) | \$2,320 per application | 761.00 | 2,320.00 | 205% | \$1,559 |
| GENERAL PLAN UPDATE | 3.5% of all Building & Safety permits | 3.5% of all Building & Safety permits | | | |
| BUILDING PLAN CHECK | Based on Building and Safety Construction Valuation | Building & Safety Construction Values | | | |
| BUILDING INSPECTION | Based on Building and Safety Construction Valuation | Building & Safety Construction Values | | | |
| BUILDING RE-INSPECTION | \$145 per re-inspection | 146.00 | 145.00 | -1% | (\$1) |
| BUILDING PERMIT APPLICATION EXTENSION | \$95 per extension (maximum of 4) | 94.00 | 95.00 | 1% | \$1 |
| BUILDING PERMIT EXTENSION | \$150 per extension (maximum of 2) | 146.00 | 150.00 | 3% | \$4 |
| BUILDING PERMIT PRE-APPLICATION CONFERENCE | \$340 per application | 318.00 | 340.00 | 7% | \$22 |
| BUILDING SINGLE TRADE PERMIT | \$165 per permit | 167.00 | 165.00 | -1% | (\$2) |
| ON-SITE DRIVEWAY PERMIT | \$395 per permit | 271.00 | 395.00 | 46% | \$124 |
| SOLAR PLAN CHECK/INSPECTION PERMIT | Plan Check AND Inspection - \$450 plus \$15 per kW over 15kW (Per Assembly Bill 1414) | 318.00 | 450.00 | -1% | \$132 |
| | | 135.00 | | | |
| RE-ROOF PERMIT | \$260 per permit | 255.00 | 260.00 | 2% | \$5 |
| BUILDING BOARD APPEAL | \$1,135 per appeal | 1,052.00 | 1,135.00 | 8% | \$83 |
| DUPLICATE INSPECTION CARD | \$60 per card | 63.00 | 60.00 | -5% | (\$3) |
| BUILDING TECHNICAL ASSISTANCE | Charge the fully allocated hourly rate for all personnel involved after 15 minutes. | Fully Allocated Hrlly Rate after 15 min | | | |
| STOP WORK INVESTIGATION | \$620 per investigation plus double all Building Permit fees | 568.00 | 620.00 | 9% | \$52 |
| TEMPORARY CERTIFICATE OF OCCUPANCY | \$225 per application | 224.00 | 225.00 | 0% | \$1 |
| ALTERNATE MATERIALS/METHODS REVIEW | \$220 per application plus actual cost of City Staff for all time over one hour. | 214.00 | 220.00 | 3% | \$6 |
| BUILDING PHASED WORK REQUEST | \$315 per application | 302.00 | 315.00 | 4% | \$13 |
| BUILDING TECHNOLOGY SURCHARGE | \$8 per permit | 8.00 | 8.00 | 0% | \$0 |
| Bench Program | | | | | |
| NEW BENCH LOCATION | \$960 per application plus the actual cost of the bench and plaque (plus \$750 for future maintenance) plus \$2,005 if a public hearing is required. | 964.00 | 960.00 | 0% | (\$4) |
| ADOPTION OF EXISTING BENCH | \$380 per application plus the actual cost of the bench and plaque (plus \$750 for future maintenance) plus \$530 if a public hearing is required. | 313.00 | 380.00 | 21% | \$67 |
| REPLACEMENT OF BENCH PLAQUE | \$380 per application plus the actual cost of the plaque plus \$530 if a public hearing is required. | 406.00 | 490.00 | 21% | \$84 |
| Encroachment Permits | | | | | |
| TEMPORARY ENCROACHMENT PERMIT | \$345 per permit | 219.00 | 345.00 | 58% | \$126 |
| STREET EXCAVATION | \$800 per permit, plus \$8.75/lineal foot of work being performed | 766.00 | 800.00 | 4% | \$34 |
| PERMANENT ENCROACHMENT PERMIT | \$475 per permit and \$8.75/lineal foot | | | | |
| | Plus cost of any damage to public right-of-way or street as determined by the Public Works Director Plus cost of and Design Study/Design Review as needed Plus cost of referral to City Council if needed. | 432.00 | 475.00 | 10% | \$43 |

| PROPOSED FEE SCHEDULE EFFECTIVE SEPTEMBER 9, 2023 - JUNE 30, 2024 | | Current Fee | Proposed Fee | % Change | \$ Change |
|--|---|--|--------------|----------|-----------|
| TRAFFIC CONTROL PLAN REVIEW/INSPECTION | \$675 per review plus \$405 per each additional review | 370.00 | 675.00 | 82% | \$305 |
| SIDEWALK VENDING PERMIT | \$425 per new applications | 425.00 | 446.00 | 5% | \$21 |
| | \$210 per renewal | 210.00 | 220.00 | 5% | \$10 |
| USE OF ONLINE ELECTRONIC PAYMENT - CP&B DEPARTMENT | 3.5% OF CHARGED AMOUNT | 3.5% of charged amount | | | |
| USE OF CREDIT CARD/ DEBIT CARD - CP&B DEPARTMENT | 3.5% OF CHARGED AMOUNT | 3.5% of charged amount | | | |
| PUBLIC WORKS/FORESTRY | | | | | |
| TREE EVALUATION | \$390 per application | NA | 390.00 | NA | \$390 |
| TREE REMOVAL PERMIT | \$1,330 per permit | 255.00 | 1,330.00 | 422% | \$1,075 |
| TREE PRUNING PERMIT | \$795 per permit | 255.00 | 795.00 | 212% | \$540 |
| PRUNING OR REMOVAL OF CITY TREE USING PRIVATE FUNDS UNDER CITY FORESTER INSTRUCTIONS | No permit fee required | 0.00 | 0.00 | | \$0 |
| APPEAL TO FOREST & BEACH COMMISSION | \$2,695 per appeal plus actual outside costs | 1,485.00 | 2,695.00 | 81% | \$1,210 |
| APPEAL TO CITY COUNCIL | \$2,415 per appeal plus actual outside costs | 1,485.00 | 2,415.00 | 63% | \$930 |
| REMOVAL OF PRIVATE TREE FALL IN PUBLIC RIGHT-OF-WAY | Charge the fully allocated hourly rate for all personnel involved plus any outside costs | Fully Allocated Hrly Rate + outside Fees | | | |
| DAMAGE TO CITY PROPERTY | Charge the fully allocated hourly rate for all personnel involved plus any outside costs | Fully Allocated Hrly Rate + outside Fees | | | |
| USE OF ONLINE ELECTRONIC PAYMENT- PUBLIC WORKS DEPT | 3.5% OF CHARGED AMOUNT | 3.5% of charged amount | | | |
| USE OF CREDIT CARD/ DEBIT CARD- PUBLIC WORKS DEPT | 3.5% OF CHARGED AMOUNT | 3.5% of charged amount | | | |
| PUBLIC SAFETY | | | | | |
| Police Services | | | | | |
| LOUD PARTY PUBLIC DISTURBANCE RESPONSE | First Response - No Charge | 0.00 | 0.00 | 0% | \$0 |
| | Second Response the same day - \$218 per response | 208.00 | 218.00 | 5% | \$10 |
| | Third Response within a calendar year - \$547 per response | 521.00 | 547.00 | 5% | \$26 |
| POLICE FALSE ALARM RESPONSE | First Activation - \$109 | 104.00 | 109.00 | 5% | \$5 |
| | Second Activation - \$131 | 125.00 | 131.00 | 5% | \$6 |
| | Each Subsequent Activation in a calendar year - \$197 | 188.00 | 197.00 | 5% | \$9 |
| ALARM PERMIT | New - \$38 per permit | 36.00 | 38.00 | 6% | \$2 |
| | Renewal - \$27 per permit | 26.00 | 27.00 | 4% | \$1 |
| VEHICLE IMPOUND RELEASE | \$153 per vehicle | 146.00 | 153.00 | 5% | \$7 |
| MISDEMEANOR BOOKING | Non-Carmel bookings - \$164 per booking | 156.00 | 164.00 | 5% | \$8 |
| MISCELLANEOUS POLICE PERMIT | \$202 per application plus DOJ fees | 193.00 | 202.00 | 5% | \$9 |
| FINGERPRINTING ON REQUEST | \$38 plus outside agency fees | 36.00 | 38.00 | 6% | \$2 |
| CLEARANCE FORM TRAVEL LETTER | \$55 per letter | 52.00 | 55.00 | 6% | \$3 |
| VIN VERIFICATION | \$52 per vehicle | 52.00 | 55.00 | 6% | \$3 |
| CITATION SIGN-OFF | Non-Carmel citations - \$27 per citation | 26.00 | 27.00 | 4% | \$1 |
| SIGN ABATEMENT | \$27 per sign | 26.00 | 27.00 | 4% | \$1 |
| POLICE COURT WITNESS | Fees are set by the court | Fee as set by court | | | |
| POLICE REPORT COPY | 1st 10 pages - No Charge, Each additional page - \$0.20 | 0.20 | 0.20 | 0% | \$0 |
| POLICE PHOTOGRAPH COPY | photo - \$5 per photo, digital - \$5 per disk | 5.00 | 5.00 | 0% | \$0 |
| Animal Services | | | | | |
| ANIMAL IMPOUND | Within a calendar year: | 0.00 | 0.00 | 0% | \$0 |
| | First impound - \$109 | 104.00 | 109.00 | 5% | \$5 |
| | Second impound - \$131 | 125.00 | 131.00 | 5% | \$6 |
| | Third and subsequent impounds - \$153 | 146.00 | 153.00 | 5% | \$7 |
| ANIMAL TRANSPORT | Local Transport - \$27 per transport | 26.00 | 27.00 | 4% | \$1 |
| | To County Animal Shelter - \$99 per transport | 94.00 | 99.00 | 5% | \$5 |
| Parking | | | | | |
| RESIDENT/EMPLOYEE PARKING PERMIT | \$33 per permit | 31.00 | 33.00 | 6% | \$2 |
| | \$121 Misuse of Residential Permit | 115.00 | 121.00 | 5% | \$6 |
| CONTRACTOR PARKING PERMIT | \$17 non specific | 16.00 | 17.00 | 6% | \$1 |
| | \$27 space specific | 26.00 | 27.00 | 4% | \$1 |
| Fire Services | | | | | |
| FIRE PLAN CHECK/ REVIEW/INSPECTIONS | Current fee schedule as adopted by City of Monterey Council | Fee as set by Monterey City Council | | | |
| USE OF CREDIT CARD/ DEBIT CARD - PUBLIC SAFETY DEPTS | 2.5% OF CHARGED AMOUNT | 2.5% of charged amount | | | |
| ADMINISTRATIVE SERVICES | | | | | |
| NEW BUSINESS REGISTRATION PROCESS | Fixed Location - \$339 per application + \$4 State fee | 323.00 | 339.00 | 5% | \$16 |
| | In & About - \$22 per application | 21.00 | 22.00 | 5% | \$1 |
| | Home License - \$142 per application | 135.00 | 142.00 | 5% | \$7 |
| BUSINESS REGISTER RENEWAL PROCESS | \$17 per renewal | 16.00 | 17.00 | 6% | \$1 |

| PROPOSED FEE SCHEDULE EFFECTIVE SEPTEMBER 9, 2023 - JUNE 30, 2024 | | Current Fee | Proposed Fee | % Change | \$ Change |
|---|--|---|--------------|----------|-----------|
| DUPLICATE BUSINESS LICENSE | \$10 per license | 10.00 | 10.00 | 0% | \$0 |
| CHANGE BUSINESS NAME | \$22 per business | 21.00 | 22.00 | 5% | \$1 |
| Finance | | | | | |
| NSF CHECK PROCESSING | \$44 per NSF check | 42.00 | 44.00 | 5% | \$2 |
| City Clerk | | | | | |
| DOCUMENT REPRODUCTION/SCANNING | First 10 copies - No Charge | 0.00 | 0.00 | 0% | \$0 |
| | Additional copies - \$0.20 per copy | 0.20 | 0.20 | 0% | \$0 |
| | FPPC copies - \$0.10 per copy plus \$5 for retrieval of documents if more than five years old plus postage cost if mailed | 0.10 | 0.10 | 0% | \$0 |
| ELECTRONIC FILE COPY | \$5 per device | 5.00 | 5.00 | 0% | \$0 |
| DOCUMENT CERTIFICATION | \$10 per document | 10.00 | 10.00 | 0% | \$0 |
| RECORD COMPILATION | Record Compilation/Creation - charge the fully allocated hourly rate for all personnel involved plus any outside costs. | Fully Allocated Hrlly Rate + outside Fees | | | |
| LOCAL CANDIDATE FILING | \$25 per candidate- Fee is set by the State | 25.00 | 25.00 | 0% | \$0 |
| LOCAL INITIATIVE PROCESSING | \$200 per initiative- This fee is limited by the State Law - Elections Code Section 9202(b) - Fee is refundable to the filer, if within one year of filing the notice of intent, the elections official certifies the sufficiency of the petition. | 200.00 | 200.00 | 0% | \$0 |
| USE OF CREDIT CARD/ DEBIT CARD- ADMINISTRATION DEPT | 2.5% OF CHARGED AMOUNT | 2.5% of charged amount | | | |

**Fee Study Update
for the
City of Carmel-by-the-Sea**

MAY 2023



Revenue & Cost Specialists

**1519 East Chapman Ave, Suite C
Fullerton, CA 92831**

www.revenuecost.com

(714) 992-9020

APPENDIX A

SUMMARY
OF
CURRENT FEES
AND
PROPOSED FEES

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
FY 2023**

| | |
|---|---|
| REF #: S-001 | TITLE: TRACK 1 DESIGN REVIEW/STUDY - MINOR |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$448 per application | \$690 per application |
| REF #: S-002 | TITLE: TRACK 1 DESIGN REVIEW/STUDY - MAJOR |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$813 per application | \$990 per application |
| REF #: S-002A | TITLE: TRACK 1 DESIGN REV/STUDY-STREAMLINE |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$203 per application | \$355 per application |
| REF #: S-002B | TITLE: TREE EVALUATION |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| None | \$390 per application |
| REF #: S-003 | TITLE: PLANNING COMMISSION REFERRAL |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$1,120 per application in addition to the base application fee | \$1,785 per application in addition to the base application fee |
| REF #: S-003A | TITLE: HISTORIC RESOURCES BOARD REFERRAL |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$1,120 per application in addition to the base application fee | \$1,785 per application in addition to the base application fee |

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
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| | |
|--|--|
| REF #: S-004 | TITLE: TRACK 2 DESIGN REVIEW - MINOR |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$2,360 per application | \$3,910 per application |
| REF #: S-005 | TITLE: TRACK 2 DESIGN REVIEW - MAJOR |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$5,392 per application | \$5,935 per application |
| REF #: S-005A | TITLE: TRACK 2 DESIGN REV - MAJOR NEW COMM |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$2,438 per application plus a deposit determined by staff with charges at the fully allocated hourly rates for Project Planner. | \$2,830 per application plus a deposit determined by staff with charges at the fully allocated hourly rates for Project Planner. |
| REF #: S-006 | TITLE: PRELIMINARY SITE ASSESSMENT |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$1,183 per application | \$1,495 per application |
| REF #: S-007 | TITLE: REASONABLE ACCOMODATION - STAFF |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| None | \$195 per application |
| REF #: S-008 | TITLE: VOLUMETRIC ANALYSIS |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$135 per application plus \$1,500 deposit with charges at the fully allocated hourly rates plus any outside costs. | \$135 per application plus \$1,500 deposit with charges at the fully allocated hourly rates plus any outside costs. |

**CITY OF CARMEL-BY-THE-SEA
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| | |
|---------------------------|--|
| REF #: S-009 | TITLE: USE PERMIT |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$2,730 per application | \$3,060 per application |
| REF #: S-011 | TITLE: USE PERMIT AMENDMENT |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$1,818 per application | \$2,765 per application |
| REF #: S-012 | TITLE: TEMPORARY USE PERMIT |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$365 per application | \$165 per application |
| | Plus Planning Commission Referral fee if a Planning Commission review is needed. |
| REF #: S-013 | TITLE: RESTRICTED COMM USE TRANSFER REQ |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$521 per application | \$565 per application |
| REF #: S-014 | TITLE: WATER CREDIT TRANSFER REQUEST |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$3,663 per application | \$3,100 per application |
| REF #: S-015 | TITLE: VARIANCE |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$2,235 per application | \$1,790 per application |

**CITY OF CARMEL-BY-THE-SEA
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REF #: S-017**TITLE: PRE-APPLICATION REVIEW - STAFF****CURRENT FEE**

\$1,683 per application with 50% of this fee credited towards future planning fees for this project.

RECOMMENDED FEE

\$1,365 per application with 50% of this fee credited towards future planning fees for this project.

REF #: S-018**TITLE: PRELIMINARY REVIEW - PLAN COMM****CURRENT FEE**

\$3,485 per application with 50% of this fee credited towards future planning fees for this project.

RECOMMENDED FEE

\$3,750 per application with 50% of this fee credited towards future planning fees for this project.

REF #: S-019**TITLE: COASTAL DEV. PERMIT - DEVELOPMENT****CURRENT FEE**

\$135 per application - Added to other Planning fees

RECOMMENDED FEE

\$175 per application - Added to other Planning fees

REF #: S-019A**TITLE: COASTAL DEV. PERMIT - EVENT****CURRENT FEE**

\$1,417 per application

RECOMMENDED FEE

\$740 per application

REF #: S-020**TITLE: SPECIFIC PLAN****CURRENT FEE**

\$5,210 deposit with charges at the fully allocated hourly rates plus outside costs.

RECOMMENDED FEE

\$5,000 deposit with charges at the fully allocated hourly rates plus outside costs.

REF #: S-021**TITLE: SPECIFIC PLAN AMENDMENT****CURRENT FEE**

\$5,210 deposit with charges at the fully allocated hourly rates plus outside costs.

RECOMMENDED FEE

\$5,000 deposit with charges at the fully allocated hourly rates plus outside costs.

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
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REF #: S-022**TITLE: GENERAL PLAN AMENDMENT****CURRENT FEE**

\$5,210 deposit with charges at the fully allocated hourly rates plus outside costs.

RECOMMENDED FEE

\$5,000 deposit with charges at the fully allocated hourly rates plus outside costs.

REF #: S-023**TITLE: SPHERE OF INFLUENCE AMENDMENT****CURRENT FEE**

\$5,210 deposit with charges at the fully allocated hourly rates plus outside costs.

RECOMMENDED FEE

\$5,000 deposit with charges at the fully allocated hourly rates plus outside costs.

REF #: S-024**TITLE: ZONING CODE AMENDMENT****CURRENT FEE**

\$5,210 deposit with charges at the fully allocated hourly rates plus outside costs.

RECOMMENDED FEE

\$5,000 deposit with charges at the fully allocated hourly rates plus outside costs.

REF #: S-025**TITLE: ANNEXATION****CURRENT FEE**

\$10,420 deposit with charges at the fully allocated hourly rates plus outside costs.

RECOMMENDED FEE

\$10,000 deposit with charges at the fully allocated hourly rates plus outside costs.

REF #: S-026**TITLE: DEVELOPMENT AGREEMENT****CURRENT FEE**

\$10,420 deposit with charges at the fully allocated hourly rates plus outside costs.

RECOMMENDED FEE

\$10,000 deposit with charges at the fully allocated hourly rates plus outside costs.

REF #: S-027**TITLE: ENVIRONMENTAL REVIEW (IS/ND/EIR)****CURRENT FEE**

Contract cost plus 10%

RECOMMENDED FEE

Contract cost plus 10%

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
FY 2023**

REF #: S-028**TITLE: ENVIRONMENTAL NOTICE OF EXEMPTION****CURRENT FEE**

\$156 per application plus County fees

RECOMMENDED FEE

\$495 per application plus County fees

REF #: S-029**TITLE: MITIGATION MONITORING****CURRENT FEE**

\$3,126 deposit with charges at the fully allocated hourly rates plus outside costs.

RECOMMENDED FEE

\$3,000 deposit with charges at the fully allocated hourly rates plus outside costs.

REF #: S-030**TITLE: TENTATIVE/FINAL MAP****CURRENT FEE**

\$4,168 deposit with charges at the fully allocated hourly rates plus any outside costs.

RECOMMENDED FEE

\$4,000 deposit with charges at the fully allocated hourly rates plus any outside costs.

REF #: S-031**TITLE: AMENDED FINAL MAP****CURRENT FEE**

\$1,042 deposit with charges at the fully allocated hourly rates plus any outside costs.

RECOMMENDED FEE

\$1,000 deposit with charges at the fully allocated hourly rates plus any outside costs.

REF #: S-032**TITLE: CERTIFICATE OF COMPLIANCE****CURRENT FEE**

\$610 per application plus actual contract cost

RECOMMENDED FEE

\$750 per application plus actual contract cost

REF #: S-033**TITLE: LOT LINE ADJUSTMENT/SUBDIV - PC****CURRENT FEE**

\$542 per application plus actual contract cost

RECOMMENDED FEE

\$1,055 per application plus actual contract cost

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
FY 2023**

| | |
|--|--|
| REF #: S-034 | TITLE: LOT MERGER - STAFF REVIEW |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$938 per application plus actual contract cost | \$855 per application plus actual contract cost |
| REF #: S-035 | TITLE: PRELIM (PHASE 1) HIST EVAL - STAFF |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$474 per application | \$310 per application |
| REF #: S-035A | TITLE: PHASE 1 HISTORIC EVAL - QUAL PROF |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$271 per application plus actual cost for Historian review with \$1,500 deposit | \$405 per application plus actual cost for Historian review with \$1,500 deposit |
| REF #: S-036 | TITLE: PHASE 2 HIST EVAL-HRB REV OF DESIGN |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$1,579 per application plus actual cost for Historian review with \$1,500 deposit | \$2,040 per application plus actual cost for Historian review with \$1,500 deposit |
| REF #: S-037 | TITLE: APPEAL TO HISTORIC RESOURCES BOARD |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$2,120 per application plus actual cost for Historian review with \$1,500 deposit | \$1,500 per application plus actual cost for Historian review with \$1,500 deposit |
| REF #: S-038 | TITLE: MILLS ACT CONTRACT PROCESSING |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$3,584 per application | \$3,430 per application |

**CITY OF CARMEL-BY-THE-SEA
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REF #: S-039**TITLE: PC CODE DETERMINATION****CURRENT FEE**

\$1,214 per application

RECOMMENDED FEE

\$1,740 per application

REF #: S-040**TITLE: ZONING COMPLIANCE DETERMINATION****CURRENT FEE**

\$573 per application

RECOMMENDED FEE

Charge the fully allocated hourly rates for all personnel involved with a one hour minimum.

REF #: S-041**TITLE: TIME EXTENSION - STAFF****CURRENT FEE**

\$313 per application

RECOMMENDED FEE

\$400 per application

REF #: S-042**TITLE: TIME EXTENSION - PLAN COMM****CURRENT FEE**

\$907 per application

RECOMMENDED FEE

\$1,080 per application

REF #: S-042A**TITLE: TIME EXTENSION - CITY COUNCIL****CURRENT FEE**

\$1,099 per application

RECOMMENDED FEE

\$1,045 per application

REF #: S-043**TITLE: PUBLIC HEARING CONTINUANCE - PC****CURRENT FEE**

\$886 per continuance

RECOMMENDED FEE

\$830 per continuance

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
FY 2023**

| | |
|---|---|
| REF #: S-043A | TITLE: PUBL HEARING CONTINUANCE - COUNCIL |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$938 per continuance | \$835 per continuance |
| REF #: S-044 | TITLE: APPEAL TO PLANNING COMMISSION |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$2,084 per appeal | \$1,945 per appeal |
| Appeal in the Coastal Zone - No Charge by State law | Appeal in the Coastal Zone - No Charge by State law |
| REF #: S-044A | TITLE: APPEAL TO CITY COUNCIL |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$2,084 per appeal | \$2,085 per appeal |
| Appeal in the Coastal Zone - No Charge by State law | Appeal in the Coastal Zone - No Charge by State law |
| REF #: S-045 | TITLE: SIGN APPLICATION |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$281 per application | \$450 per application |
| REF #: S-046 | TITLE: SIGN REFERRAL TO PLANNING COMM |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$865 per application | \$1,505 per application |
| REF #: S-047 | TITLE: RELOCATE EXISTING SIGN |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$182 per application | \$240 per application |

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
FY 2023**

| | |
|---|---|
| REF #: S-048 | TITLE: TEMPORARY SIGN PERMIT |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$104 per application | This fee should be removed from the fee schedule. |
| REF #: S-050 | TITLE: BUILDING RELOCATION |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$1,938 per application | Deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs. |
| REF #: S-051 | TITLE: LARGE FAMILY DAY CARE (RESIDENTIAL) |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$761 per application | \$2,320 per application |
| REF #: S-052 | TITLE: GENERAL PLAN UPDATE |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| 3.5% of all Building & Safety permits | 3.5% of all Building & Safety permits |
| REF #: S-053 | TITLE: PLANNING TECHNICAL ASSISTANCE |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| Charge the fully allocated hourly rate for all personnel involved after 15 minutes. | Charge the fully allocated hourly rate for all personnel involved after 15 minutes. |
| REF #: S-054 | TITLE: BUILDING PLAN CHECK |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| New Construction - Various fees based on construction valuation | New Construction - No Change |
| Additional Plan Review - \$250 base plus \$150 per hour for review longer than one hour | Additional Plan Review - \$250 base plus \$150 per hour for review longer than one hour |
| Plan Revision after approval - \$250 base plus \$150 per hour for review longer than one hour | Plan Revision after approval - \$250 base plus \$150 per hour for review longer than one hour |

**CITY OF CARMEL-BY-THE-SEA
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REF #: S-054A**TITLE: BUILDING INSPECTION****CURRENT FEE**

New Construction - Various fees based on construction valuation
Trade Permits - Various fees
Stormwater Inspection - \$64.50 per inspection

Permit by Appointment - \$330

RECOMMENDED FEE

No Change, except:

Permit by Appointment - \$365

REF #: S-054B**TITLE: BUILDING RE-INSPECTION****CURRENT FEE**

\$146 per re-inspection

RECOMMENDED FEE

\$145 per re-inspection

REF #: S-054C**TITLE: PERMIT APPLICATION EXTENSION****CURRENT FEE**

\$94 per extension (maximum of 4)

RECOMMENDED FEE

\$95 per extension (maximum of 4)

REF #: S-054D**TITLE: PERMIT EXTENSION****CURRENT FEE**

\$146 per extension (maximum of 2)

RECOMMENDED FEE

\$150 per extension (maximum of 2)

REF #: S-054E**TITLE: BUILDING PERMIT PRE-APPLIC. CONFER.****CURRENT FEE**

\$318 per application

RECOMMENDED FEE

\$340 per application

REF #: S-055**TITLE: BUILDING SINGLE TRADE PERMIT****CURRENT FEE**

\$167 per permit

RECOMMENDED FEE

\$165 per permit

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
FY 2023**

| | |
|---|---|
| REF #: S-055A | TITLE: ON-SITE DRIVEWAY PERMIT |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$271 per permit | \$395 per permit |
| REF #: S-056 | TITLE: SOLAR PLAN CHECK/INSPECTION PERMIT |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| Plan Check - \$318 Inspection - \$135 | Plan Check - \$340 Inspection - \$135 |
| REF #: S-057 | TITLE: RE-ROOF PERMIT |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$255 per permit | \$260 per permit |
| REF #: S-058 | TITLE: BUILDING BOARD APPEAL |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$1,052 per application | \$1,135 per appeal |
| REF #: S-059 | TITLE: DUPLICATE INSPECTION CARD |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| \$63 per card | \$60 per card |
| REF #: S-059A | TITLE: BUILDING TECHNICAL ASSISTANCE |
| <u>CURRENT FEE</u> | <u>RECOMMENDED FEE</u> |
| Charge the fully allocated hourly rate for all personnel involved after 15 minutes. | Charge the fully allocated hourly rate for all personnel involved after 15 minutes. |

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
FY 2023**

| | | | |
|---|--|---|--|
| REF #: S-059B | | TITLE: STOP WORK INVESTIGATION | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$568 per investigation plus double the permit fee | | \$620 per investigation plus double the permit fee | |
| REF #: S-059C | | TITLE: TEMPORARY CERTIFICATE OF OCCUPANCY | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$224 per application | | \$225 per application | |
| REF #: S-059D | | TITLE: ALTERNATE MATERIALS/METHODS REVIEW | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$214 per application plus actual cost of City Staff for all time over one hour | | \$220 per application plus actual cost of City Staff for all time over one hour | |
| REF #: S-059E | | TITLE: BUILDING PHASED WORK REQUEST | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$302 per application | | \$315 per application | |
| REF #: S-060 | | TITLE: LANDSCAPE PLAN CHECK/INSPECTION | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$281 per plan/inspection | | \$690 per plan/inspection | |
| REF #: S-060A | | TITLE: BUILDING TECHNOLOGY SURCHARGE | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$8 per permit | | \$8 per permit | |

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
FY 2023**

| | | | |
|--|--|--|--|
| REF #: S-061 | | TITLE: NEW BENCH LOCATION | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$964 per application plus the actual cost of the bench and plaque (plus 20% for future maintenance) plus \$1,325 if a public hearing is required. | | \$960 per application plus the actual cost of the bench and plaque (plus 20% for future maintenance) plus \$2,005 if a public hearing is required. | |
| REF #: S-062 | | TITLE: ADOPTION OF EXISTING BENCH | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$313 per application plus the actual cost of the bench and plaque (plus 20% for future maintenance) plus \$580 if a public hearing is required. | | \$380 per application plus the actual cost of the bench and plaque (plus 20% for future maintenance) plus \$940 if a public hearing is required. | |
| REF #: S-063 | | TITLE: REPLACEMENT OF BENCH PLAQUE | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$406 per application plus the actual cost of the plaque plus \$380 if a public hearing is required. | | \$490 per application plus the actual cost of the plaque plus \$530 if a public hearing is required. | |
| REF #: S-069 | | TITLE: TEMPORARY ENCROACHMENT PERMIT | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$219 per permit | | \$345 per permit | |
| REF #: S-070 | | TITLE: PERMANENT ENCROACHMENT PERMIT | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| Street Excavation - \$766 per permit plus \$4.25 per lineal foot Other - \$432 per permit plus \$2.13 per lineal foot | | Street Excavation - \$800 per permit plus \$8.75 per lineal foot Other - \$475 per permit plus \$8.75 per lineal foot | |
| Plus cost of damage to public right-of-way or street as determined by the Public Works Director. | | Plus cost of damage to public right-of-way or street as determined by the Public Works Director. | |
| REF #: S-070A | | TITLE: TRAFFIC CONTROL PLAN REVIEW/INSPECT | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$370 per review plus \$210 per each additional review | | \$675 per review plus \$405 per each additional review | |

**CITY OF CARMEL-BY-THE-SEA
FEE COMPARISON REPORT
FY 2023**

| | | | |
|---|--|---|--|
| REF #: S-072 | | TITLE: TREE REMOVAL PERMIT | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$255 per permit | | \$1,330 per permit | |
| REF #: S-072A | | TITLE: TREE PRUNING REQUEST | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$255 per permit | | \$795 per permit | |
| REF #: S-072C | | TITLE: TREE APPEAL TO FOREST & BEACH COMM | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$1,485 per appeal plus actual outside costs | | \$2,695 per appeal plus actual outside costs | |
| REF #: S-072D | | TITLE: TREE APPEAL TO CITY COUNCIL | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| \$1,485 per appeal plus actual outside costs | | \$2,415 per appeal plus actual outside cost | |
| REF #: S-073 | | TITLE: PRIVATE TREE FALL IN PUBLIC R-O-W | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| Charge the fully allocated hourly rate for all personnel involved plus any outside costs | | Charge the fully allocated hourly rate for all personnel involved plus any outside costs | |
| REF #: S-074 | | TITLE: DAMAGE TO CITY PROPERTY | |
| <u>CURRENT FEE</u> | | <u>RECOMMENDED FEE</u> | |
| Charge the fully allocated hourly rate for all personnel involved plus any outside costs. | | Charge the fully allocated hourly rate for all personnel involved plus any outside costs. | |

APPENDIX B

REVENUE AND COST SUMMARY WORKSHEETS Matched With COST DETAIL WORKSHEETS

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|-------------------|
| SERVICE TRACK 1 DESIGN REVIEW/STUDY - MINOR | | REFERENCE NO. S-001 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of Track 1 Design Review/Study - Minor (Resid. & Commercial) by staff for compliance with City codes and guidelines including, but not limited to, landscaping, exterior lighting, skylights, awnings, display cases, fences/walls, trellis, and arbor. | | | |
| CURRENT FEE STRUCTURE \$448 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$448.00 | TOTAL REVENUE: | \$35,840 |
| UNIT COST: | \$691.33 | TOTAL COST: | \$55,306 |
| UNIT PROFIT (SUBSIDY): | \$(243.33) | TOTAL PROFIT (SUBSIDY): | \$(19,466) |
| TOTAL UNITS: | 80 | PCT. COST RECOVERY: | 64.80% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$690 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| | | | | | | |
|--|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE TRACK 1 DESIGN REVIEW/STUDY - MINOR | | | | REFERENCE NO. S-001 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 80 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 80 | \$3,554 |
| PLANNING | PROJECT PLANNER | | 4.25 | \$563.59 | 80 | \$45,087 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.08 | \$19.46 | 80 | \$1,557 |
| PW-ENVIRON. COMPLIA | ENVIRON. COMPLIANCE MANAG | | 0.17 | \$24.95 | 80 | \$1,996 |
| PW-FOREST & BEACH | CITY FORESTER | | 0.17 | \$38.90 | 80 | \$3,112 |
| | | TYPE SUBTOTAL | 5.17 | \$691.32 | | \$55,306 |
| TOTALS | | | 5.17 | \$691.33 | | \$55,306 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---|---|--|
| SERVICE TRACK 1 DESIGN REVIEW/STUDY - MAJOR | | REFERENCE NO. S-002 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of Track 1 Design Review/Study - Major (Residential & Commercial) by staff for compliance with City codes and guidelines including, but not limited to, minor commercial facade remodels, additions less than 10% of the existing floor area. | | | |
| CURRENT FEE STRUCTURE \$813 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$813.00 | TOTAL REVENUE: | \$27,642 |
| UNIT COST: | \$992.38 | TOTAL COST: | \$33,741 |
| UNIT PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;">\$(179.38)</div> | TOTAL PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;">\$(6,099)</div> |
| TOTAL UNITS: | 34 | PCT. COST RECOVERY: | 81.92% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$990 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|--|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE TRACK 1 DESIGN REVIEW/STUDY - MAJOR | | | | REFERENCE NO. S-002 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 34 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 34 | \$1,510 |
| PLANNING | PROJECT PLANNER | | 5.75 | \$762.51 | 34 | \$25,925 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.50 | \$121.60 | 34 | \$4,134 |
| PW-ENVIRON. COMPLIA | ENVIRON. COMPLIANCE MANAG | | 0.17 | \$24.95 | 34 | \$848 |
| PW-FOREST & BEACH | CITY FORESTER | | 0.17 | \$38.90 | 34 | \$1,323 |
| | | TYPE SUBTOTAL | 7.09 | \$992.38 | | \$33,741 |
| | | TOTALS | 7.09 | \$992.38 | | \$33,741 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|--|---------------------------------------|---|--|
| SERVICE TRACK 1 DESIGN REV/STUDY-STREAMLINE | | REFERENCE NO. S-002A | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of Track 1 Design Review/Study - Streamlined Review by staff for compliance with City codes and guidelines including, but not limited to, one of the following: front yard fencing, fire pits/BBQ's, hot tubs, exterior lighting, in-kind window replace | | | |
| CURRENT FEE STRUCTURE \$203 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$203.00 | | TOTAL REVENUE: \$203 | |
| UNIT COST: \$353.00 | | TOTAL COST: \$353 | |
| UNIT PROFIT (SUBSIDY): \$(150.00) | | TOTAL PROFIT (SUBSIDY): \$(150) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 57.51% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$355 per application | | | |

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CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|---|---------------------------------------|--|--|
| SERVICE TREE EVALUATION | | REFERENCE NO. S-002B | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Performance of a tree evaluation by the City Forester in conjunction with a Track 1 Design Review/Study project to determine significance. | | | |
| CURRENT FEE STRUCTURE None | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$0.00 | | TOTAL REVENUE: \$0 | |
| UNIT COST: \$388.00 | | TOTAL COST: \$388 | |
| UNIT PROFIT (SUBSIDY): \$(388.00) | | TOTAL PROFIT (SUBSIDY): \$(388) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 0.00% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$390 per application | | | |

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May 24, 2023

CITY OF CARMEL-BY-THE-SEA
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|---|---------------------------------------|---|------------------|
| SERVICE PLANNING COMMISSION REFERRAL | | REFERENCE NO. S-003 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Staff referral of the review of a proposed application to the Planning Commission for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$1,120 per application in addition to the base application fee | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,120.00 | TOTAL REVENUE: | \$11,200 |
| UNIT COST: | \$1,783.10 | TOTAL COST: | \$17,831 |
| UNIT PROFIT (SUBSIDY): | \$(663.10) | TOTAL PROFIT (SUBSIDY): | \$(6,631) |
| TOTAL UNITS: | 10 | PCT. COST RECOVERY: | 62.81% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,785 per application in addition to the base application fee | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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| SERVICE PLANNING COMMISSION REFERRAL | | | | REFERENCE NO. S-003 | | |
|--|---------------------------|---------------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 10 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | ADMIN COORDINATOR | | 3.00 | \$266.52 | 10 | \$2,665 |
| PLANNING | PROJECT PLANNER | | 8.08 | \$1,071.49 | 10 | \$10,715 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.83 | \$445.06 | 10 | \$4,451 |
| | | TYPE SUBTOTAL | 12.91 | \$1,783.07 | | \$17,831 |
| | | TOTALS | 12.91 | \$1,783.10 | | \$17,831 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|---|----------------|
| SERVICE HISTORIC RESOURCES BOARD REFERRAL | | REFERENCE NO. S-003A | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Staff referral of the review of minor modifications to a historic resource to the Historic Resources Board for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$1,120 per application in addition to the base application fee | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,120.00 | TOTAL REVENUE: | \$1,120 |
| UNIT COST: | \$1,783.00 | TOTAL COST: | \$1,783 |
| UNIT PROFIT (SUBSIDY): | \$(663.00) | TOTAL PROFIT (SUBSIDY): | \$(663) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 62.82% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,785 per application in addition to the base application fee | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|--|---------------------------|----------------------|------------------|---------------------------------------|-------------------|-------------------|
| SERVICE HISTORIC RESOURCES BOARD REFERRAL | | | | REFERENCE NO. S-003A | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 3.00 | \$266.52 | 1 | \$267 |
| PLANNING | PROJECT PLANNER | | 8.08 | \$1,071.49 | 1 | \$1,071 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.83 | \$445.06 | 1 | \$445 |
| | | TYPE SUBTOTAL | 12.91 | \$1,783.07 | | \$1,783 |
| | | TOTALS | 12.91 | \$1,783.00 | | \$1,783 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|--|---------------------------------------|--|--|
| SERVICE TRACK 2 DESIGN REVIEW - MINOR | | REFERENCE NO. S-004 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Business | |
| DESCRIPTION OF SERVICE Review by the Planning Commission including substantial residential remodel, full comm facade remodel, substantial change to site layout, installation of telecomm equipment, alteration of less than 10% of an existing courtyard/intra-block walkway. | | | |
| CURRENT FEE STRUCTURE \$2,360 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$2,360.00 | | TOTAL REVENUE: \$89,680 | |
| UNIT COST: \$3,911.24 | | TOTAL COST: \$148,627 | |
| UNIT PROFIT (SUBSIDY): \$(1,551.24) | | TOTAL PROFIT (SUBSIDY): \$(58,947) | |
| TOTAL UNITS: 38 | | PCT. COST RECOVERY: 60.34% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$3,910 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|---|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE TRACK 2 DESIGN REVIEW - MINOR | | | | REFERENCE NO. S-004 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 38 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 3.33 | \$295.84 | 38 | \$11,242 |
| PLANNING | PROJECT PLANNER | | 16.17 | \$2,144.30 | 38 | \$81,483 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.33 | \$566.66 | 38 | \$21,533 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 2.50 | \$685.70 | 38 | \$26,057 |
| PW-STREETS | PW SUPERINTENDENT | | 1.00 | \$218.73 | 38 | \$8,312 |
| | | TYPE SUBTOTAL | 25.33 | \$3,911.23 | | \$148,627 |
| TOTALS | | | 25.33 | \$3,911.24 | | \$148,627 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|--|---------------------------------------|---|------------|
| SERVICE TRACK 2 DESIGN REVIEW - MAJOR | | REFERENCE NO. S-005 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review by the Planning Commission for compliance with City codes and guidelines including, but not limited to, new residential dwelling and additions to residential or commercial buildings greater than 10% of the existing floor area. | | | |
| CURRENT FEE STRUCTURE \$5,392 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$5,392.00 | TOTAL REVENUE: | \$140,192 |
| UNIT COST: | \$5,936.92 | TOTAL COST: | \$154,360 |
| UNIT PROFIT (SUBSIDY): | \$(544.92) | TOTAL PROFIT (SUBSIDY): | \$(14,168) |
| TOTAL UNITS: | 26 | PCT. COST RECOVERY: | 90.82% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$5,935 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|---|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE TRACK 2 DESIGN REVIEW - MAJOR | | | | REFERENCE NO. S-005 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 26 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 4.58 | \$406.89 | 26 | \$10,579 |
| PLANNING | PROJECT PLANNER | | 26.17 | \$3,470.40 | 26 | \$90,230 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 4.75 | \$1,155.20 | 26 | \$30,035 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 2.50 | \$685.70 | 26 | \$17,828 |
| PW-STREETS | PW SUPERINTENDENT | | 1.00 | \$218.73 | 26 | \$5,687 |
| | | TYPE SUBTOTAL | 39.00 | \$5,936.92 | | \$154,360 |
| | | TOTALS | 39.00 | \$5,936.92 | | \$154,360 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|---|---------------------------------------|--|----------------|
| SERVICE TRACK 2 DESIGN REV - MAJOR NEW COMM | | REFERENCE NO. S-005A | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Business | |
| DESCRIPTION OF SERVICE Review of Track 2 Design Review - Major by the Planning Commission for compliance with City codes and guidelines for new commercial buildings. | | | |
| CURRENT FEE STRUCTURE \$2,438 per application plus a deposit determined by staff with charges at the fully allocated hourly rates for Project Planner. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$2,438.00 | TOTAL REVENUE: | \$2,438 |
| UNIT COST: | \$2,831.00 | TOTAL COST: | \$2,831 |
| UNIT PROFIT (SUBSIDY): | \$(393.00) | TOTAL PROFIT (SUBSIDY): | \$(393) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 86.12% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$2,830 per application plus a deposit determined by staff with charges at the fully allocated hourly rates for Project Planner. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|--|---------------------------|----------------------|------------------|---------------------------------------|-------------------|-------------------|
| SERVICE TRACK 2 DESIGN REV - MAJOR NEW COMM | | | | REFERENCE NO. S-005A | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 4.58 | \$406.89 | 1 | \$407 |
| PLANNING | PROJECT PLANNER | Actual Costs | 0.00 | \$0.00 | 1 | \$0 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 6.25 | \$1,520.00 | 1 | \$1,520 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 2.50 | \$685.70 | 1 | \$686 |
| PW-STREETS | PW SUPERINTENDENT | | 1.00 | \$218.73 | 1 | \$219 |
| | | TYPE SUBTOTAL | 14.33 | \$2,831.32 | | \$2,831 |
| TOTALS | | | 14.33 | \$2,831.00 | | \$2,831 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|---|---------------------------------------|---|--|
| SERVICE PRELIMINARY SITE ASSESSMENT | | REFERENCE NO. S-006 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Prior to a Track 2 application, a site and tree review to determine the feasibility of the project within City planning standards. | | | |
| CURRENT FEE STRUCTURE \$1,183 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$1,183.00 | | TOTAL REVENUE: \$75,712 | |
| UNIT COST: \$1,493.30 | | TOTAL COST: \$95,571 | |
| UNIT PROFIT (SUBSIDY): <u>\$(310.30)</u> | | TOTAL PROFIT (SUBSIDY): <u>\$(19,859)</u> | |
| TOTAL UNITS: 64 | | PCT. COST RECOVERY: 79.22% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,495 per application | | | |

CITY OF CARMEL-BY-THE-SEA
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|---|---------------------------|-------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE PRELIMINARY SITE ASSESSMENT | | | | REFERENCE NO. S-006 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 64 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 64 | \$2,843 |
| PLANNING | PROJECT PLANNER | | 4.08 | \$541.05 | 64 | \$34,627 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.08 | \$19.46 | 64 | \$1,245 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 0.50 | \$137.14 | 64 | \$8,777 |
| PW-ENVIRON. COMPLIA | ENVIRON. COMPLIANCE MANAG | | 2.00 | \$293.52 | 64 | \$18,785 |
| PW-FOREST & BEACH | CITY FORESTER | | 2.00 | \$457.70 | 64 | \$29,293 |
| TYPE SUBTOTAL | | | 9.16 | \$1,493.29 | | \$95,571 |
| TOTALS | | | 9.16 | \$1,493.30 | | \$95,571 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|---|---------------------------------------|--|--|
| SERVICE REASONABLE ACCOMODATION - STAFF | | REFERENCE NO. S-007 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for reasonable accommodations (residential) in land use, zoning and building regulations, policies, practices and procedures to provide individuals with disabilities equal access to housing. | | | |
| CURRENT FEE STRUCTURE None | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$0.00 | | TOTAL REVENUE: \$0 | |
| UNIT COST: \$196.50 | | TOTAL COST: \$786 | |
| UNIT PROFIT (SUBSIDY): \$(196.50) | | TOTAL PROFIT (SUBSIDY): \$(786) | |
| TOTAL UNITS: 4 | | PCT. COST RECOVERY: 0.00% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$195 per application | | | |

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|--|--|---|---|
| SERVICE VOLUMETRIC ANALYSIS | | REFERENCE NO. S-008 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE PROJECT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a residential projects total proposed volume for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$135 per application plus \$1,500 deposit with charges at the fully allocated hourly rates plus any outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$135.00 | TOTAL REVENUE: | \$6,075 |
| UNIT COST: | \$132.29 | TOTAL COST: | \$5,953 |
| UNIT PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$2.71 | TOTAL PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$122 |
| TOTAL UNITS: | 45 | PCT. COST RECOVERY: | 102.05% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$135 per application plus \$1,500 deposit with charges at the fully allocated hourly rates plus any outside costs. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|--|-------------------|----------------------|------------------|-------------------------------|-------------------|-------------------|
| SERVICE VOLUMETRIC ANALYSIS | | | | REFERENCE NO. S-008 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 45 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.25 | \$22.21 | 45 | \$999 |
| PLANNING | PROJECT PLANNER | Plus Actual Costs | 0.83 | \$110.07 | 45 | \$4,953 |
| | | TYPE SUBTOTAL | 1.08 | \$132.28 | | \$5,953 |
| TOTALS | | | 1.08 | \$132.29 | | \$5,953 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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| SERVICE USE PERMIT | | REFERENCE NO. S-009 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a Use Permit (Residential & Commercial) by the Planning Commission for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$2,730 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$2,730.00 | | TOTAL REVENUE: \$51,870 | |
| UNIT COST: \$3,061.42 | | TOTAL COST: \$58,167 | |
| UNIT PROFIT (SUBSIDY): \$(331.42) | | TOTAL PROFIT (SUBSIDY): \$(6,297) | |
| TOTAL UNITS: 19 | | PCT. COST RECOVERY: 89.17% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$3,060 per application | | | |

CITY OF CARMEL-BY-THE-SEA
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|---|---------------------------|-------------|------------------|--------------------------------|-------------------|-------------------|
| SERVICE USE PERMIT | | | | REFERENCE NO. S-009 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 19 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 3.33 | \$295.84 | 19 | \$5,621 |
| PLANNING | PROJECT PLANNER | | 15.50 | \$2,055.46 | 19 | \$39,054 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.92 | \$710.14 | 19 | \$13,493 |
| TYPE SUBTOTAL | | | 21.75 | \$3,061.44 | | \$58,167 |
| TOTALS | | | 21.75 | \$3,061.42 | | \$58,167 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|---|---------------------------------------|---|----------------|
| SERVICE USE PERMIT AMENDMENT | | REFERENCE NO. S-011 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of an amendment to an approved Use Permit by the Planning Commission for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$1,818 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,818.00 | TOTAL REVENUE: | \$1,818 |
| UNIT COST: | \$2,763.00 | TOTAL COST: | \$2,763 |
| UNIT PROFIT (SUBSIDY): | \$(945.00) | TOTAL PROFIT (SUBSIDY): | \$(945) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 65.80% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$2,765 per application | | | |

CITY OF CARMEL-BY-THE-SEA
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| SERVICE USE PERMIT AMENDMENT | | | | REFERENCE NO. S-011 | | |
|--|---------------------------|---------------|------------------|------------------------|-------------------|-------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 3.33 | \$295.84 | 1 | \$296 |
| PLANNING | PROJECT PLANNER | | 13.25 | \$1,757.08 | 1 | \$1,757 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.92 | \$710.14 | 1 | \$710 |
| | | TYPE SUBTOTAL | 19.50 | \$2,763.06 | | \$2,763 |
| | | TOTALS | 19.50 | \$2,763.00 | | \$2,763 |

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|--|---------------------------------------|--------------------------------------|----------------|
| SERVICE TEMPORARY USE PERMIT | | REFERENCE NO. S-012 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Business | |
| DESCRIPTION OF SERVICE Review of a Temporary Use Permit for temporary events to ensure compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$365 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$365.00 | TOTAL REVENUE: | \$365 |
| UNIT COST: | \$165.00 | TOTAL COST: | \$165 |
| UNIT PROFIT (SUBSIDY): | \$200.00 | TOTAL PROFIT (SUBSIDY): | \$200 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 221.21% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$165 per application Plus Planning Commission Referral fee if a Planning Commission review is needed. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| | | | | | | |
|---|---------------------------|-------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE TEMPORARY USE PERMIT | | | | REFERENCE NO. S-012 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.25 | \$22.21 | 1 | \$22 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.42 | \$102.14 | 1 | \$102 |
| CODE ENFORCEMENT | CODE COMPLIANCE COORD. | | 0.33 | \$40.57 | 1 | \$41 |
| TYPE SUBTOTAL | | | 1.00 | \$164.92 | | \$165 |
| TOTALS | | | 1.00 | \$165.00 | | \$165 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|--------------------------------------|---------------|
| SERVICE RESTRICTED COMM USE TRANSFER REQ | | REFERENCE NO. S-013 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Business | |
| DESCRIPTION OF SERVICE Review of a request to relocate an established restricted commercial use by staff for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$521 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$521.00 | TOTAL REVENUE: | \$521 |
| UNIT COST: | \$565.00 | TOTAL COST: | \$565 |
| UNIT PROFIT (SUBSIDY): | \$(44.00) | TOTAL PROFIT (SUBSIDY): | \$(44) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 92.21% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$565 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE RESTRICTED COMM USE TRANSFER REQ | | | | REFERENCE NO. S-013 | | |
|--|---------------------------|------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | ADMIN COORDINATOR | | 0.42 | \$37.31 | 1 | \$37 |
| PLANNING | PROJECT PLANNER | | 3.83 | \$507.90 | 1 | \$508 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.08 | \$19.46 | 1 | \$19 |
| TYPE SUBTOTAL | | | 4.33 | \$564.67 | | \$565 |
| TOTALS | | | 4.33 | \$565.00 | | \$565 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|--|--|
| SERVICE WATER CREDIT TRANSFER REQUEST | | REFERENCE NO. S-014 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident | |
| DESCRIPTION OF SERVICE Review of a request to transfer water credits by the City Council for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$3,663 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$3,663.00 | | TOTAL REVENUE: \$3,663 | |
| UNIT COST: \$3,102.00 | | TOTAL COST: \$3,102 | |
| UNIT PROFIT (SUBSIDY): \$561.00 | | TOTAL PROFIT (SUBSIDY): \$561 | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 118.09% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$3,100 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|---|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE WATER CREDIT TRANSFER REQUEST | | | | REFERENCE NO. S-014 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 2.92 | \$259.41 | 1 | \$259 |
| PLANNING | PROJECT PLANNER | | 16.08 | \$2,132.37 | 1 | \$2,132 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.92 | \$710.14 | 1 | \$710 |
| | | TYPE SUBTOTAL | 21.92 | \$3,101.92 | | \$3,102 |
| TOTALS | | | 21.92 | \$3,102.00 | | \$3,102 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|----------------|
| SERVICE VARIANCE | | REFERENCE NO. S-015 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for a Variance by the Planning Commission for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$2,235 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$2,235.00 | TOTAL REVENUE: | \$2,235 |
| UNIT COST: | \$1,791.00 | TOTAL COST: | \$1,791 |
| UNIT PROFIT (SUBSIDY): | \$444.00 | TOTAL PROFIT (SUBSIDY): | \$444 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 124.79% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,790 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE VARIANCE | | | | REFERENCE NO. S-015 | | |
|--|---------------------------|------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | ADMIN COORDINATOR | | 0.17 | \$15.10 | 1 | \$15 |
| PLANNING | PROJECT PLANNER | | 7.58 | \$1,005.18 | 1 | \$1,005 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 3.17 | \$770.94 | 1 | \$771 |
| TYPE SUBTOTAL | | | 10.92 | \$1,791.22 | | \$1,791 |
| TOTALS | | | 10.92 | \$1,791.00 | | \$1,791 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|--|---|---|
| SERVICE PRE-APPLICATION REVIEW - STAFF | | REFERENCE NO. S-017 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE REQUEST | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for a preliminary review of a proposed project by staff. | | | |
| CURRENT FEE STRUCTURE \$1,683 per application with 50% of this fee credited towards future planning fees for this project. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,683.00 | TOTAL REVENUE: | \$1,683 |
| UNIT COST: | \$1,364.00 | TOTAL COST: | \$1,364 |
| UNIT PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$319.00 | TOTAL PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$319 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 123.39% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,365 per application with 50% of this fee credited towards future planning fees for this project. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|---|---------------------------|-------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE PRE-APPLICATION REVIEW - STAFF | | | | REFERENCE NO. S-017 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.25 | \$22.21 | 1 | \$22 |
| PLANNING | PROJECT PLANNER | | 4.17 | \$552.98 | 1 | \$553 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.75 | \$182.40 | 1 | \$182 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 0.50 | \$137.14 | 1 | \$137 |
| PW-ENVIRON. COMPLIA | ENVIRON. COMPLIANCE MANAG | | 1.25 | \$183.45 | 1 | \$183 |
| PW-FOREST & BEACH | CITY FORESTER | | 1.25 | \$286.06 | 1 | \$286 |
| TYPE SUBTOTAL | | | 8.17 | \$1,364.24 | | \$1,364 |
| TOTALS | | | 8.17 | \$1,364.00 | | \$1,364 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|--|
| SERVICE PRELIMINARY REVIEW - PLAN COMM | | REFERENCE NO. S-018 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for a preliminary review of a proposed project by the Planning Commission. | | | |
| CURRENT FEE STRUCTURE \$3,485 per application with 50% of this fee credited towards future planning fees for this project. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$3,485.00 | | TOTAL REVENUE: \$3,485 | |
| UNIT COST: \$3,752.00 | | TOTAL COST: \$3,752 | |
| UNIT PROFIT (SUBSIDY): <u>\$(267.00)</u> | | TOTAL PROFIT (SUBSIDY): <u>\$(267)</u> | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 92.88% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$3,750 per application with 50% of this fee credited towards future planning fees for this project. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|---|---------------------------|-------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE PRELIMINARY REVIEW - PLAN COMM | | | | REFERENCE NO. S-018 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 3.33 | \$295.84 | 1 | \$296 |
| PLANNING | PROJECT PLANNER | | 10.67 | \$1,414.95 | 1 | \$1,415 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.33 | \$566.66 | 1 | \$567 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 0.50 | \$137.14 | 1 | \$137 |
| PW-STREETS | PW SUPERINTENDENT | | 2.25 | \$492.14 | 1 | \$492 |
| PW-ENVIRON. COMPLIA | ENVIRON. COMPLIANCE MANAG | | 2.25 | \$330.21 | 1 | \$330 |
| PW-FOREST & BEACH | CITY FORESTER | | 2.25 | \$514.91 | 1 | \$515 |
| TYPE SUBTOTAL | | | 23.58 | \$3,751.85 | | \$3,752 |
| TOTALS | | | 23.58 | \$3,752.00 | | \$3,752 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|---|------------------|
| SERVICE COASTAL DEV. PERMIT - DEVELOPMENT | | REFERENCE NO. S-019 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a Coastal Development Permit for any development in the coastal zone. No fee to be charged when processed concurrently with another discretionary permit application. | | | |
| CURRENT FEE STRUCTURE \$135 per application - Added to other Planning fees | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$135.00 | TOTAL REVENUE: | \$8,640 |
| UNIT COST: | \$177.03 | TOTAL COST: | \$11,330 |
| UNIT PROFIT (SUBSIDY): | \$(42.03) | TOTAL PROFIT (SUBSIDY): | \$(2,690) |
| TOTAL UNITS: | 64 | PCT. COST RECOVERY: | 76.26% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$175 per application - Added to other Planning fees | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE COASTAL DEV. PERMIT - DEVELOPMENT | | | | REFERENCE NO. S-019 | | |
|---|-------------------|----------------------|------------------|-------------------------------|-------------------|-------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 64 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 64 | \$2,843 |
| PLANNING | PROJECT PLANNER | | 1.00 | \$132.61 | 64 | \$8,487 |
| | | TYPE SUBTOTAL | 1.50 | \$177.03 | | \$11,330 |
| | | TOTALS | 1.50 | \$177.03 | | \$11,330 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|--|--|---|
| SERVICE COASTAL DEV. PERMIT - EVENT | | REFERENCE NO. S-019A | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Business/Comm. Group | |
| DESCRIPTION OF SERVICE Review of a Coastal Development Permit for any event in the coastal zone. No fee to be charged when processed concurrently with another discretionary permit application. | | | |
| CURRENT FEE STRUCTURE \$1,417 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,417.00 | TOTAL REVENUE: | \$7,085 |
| UNIT COST: | \$740.60 | TOTAL COST: | \$3,703 |
| UNIT PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$676.40 | TOTAL PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$3,382 |
| TOTAL UNITS: | 5 | PCT. COST RECOVERY: | 191.33% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$740 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|--|-------------------|----------------------|------------------|--------------------------------|-------------------|-------------------|
| SERVICE COASTAL DEV. PERMIT - EVENT | | | | REFERENCE NO. S-019A | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 5 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 5 | \$222 |
| PLANNING | PROJECT PLANNER | | 5.25 | \$696.20 | 5 | \$3,481 |
| | | TYPE SUBTOTAL | 5.75 | \$740.62 | | \$3,703 |
| | | TOTALS | 5.75 | \$740.60 | | \$3,703 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|--|--|
| SERVICE SPECIFIC PLAN | | REFERENCE NO. S-020 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer | |
| DESCRIPTION OF SERVICE Review of a developer-initiated specific plan for compliance with City codes and standards. | | | |
| CURRENT FEE STRUCTURE \$5,210 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$0.00 | | TOTAL REVENUE: \$0 | |
| UNIT COST: \$588.00 | | TOTAL COST: \$588 | |
| UNIT PROFIT (SUBSIDY): \$(588.00) | | TOTAL PROFIT (SUBSIDY): \$(588) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 0.00% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$5,000 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE SPECIFIC PLAN | | | | REFERENCE NO. S-020 | | |
|--|---------------------------|---------------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | ADMIN COORDINATOR | | 0.92 | \$81.73 | 1 | \$82 |
| PLANNING | PROJECT PLANNER | Actual Costs | 0.00 | \$0.00 | 1 | \$0 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.08 | \$505.86 | 1 | \$506 |
| | | TYPE SUBTOTAL | 3.00 | \$587.59 | | \$588 |
| | | TOTALS | 3.00 | \$588.00 | | \$588 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|--|--|
| SERVICE SPECIFIC PLAN AMENDMENT | | REFERENCE NO. S-021 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer | |
| DESCRIPTION OF SERVICE Review of a developer-initiated specific plan amendment for compliance with City codes and standards. | | | |
| CURRENT FEE STRUCTURE \$5,210 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$0.00 | | TOTAL REVENUE: \$0 | |
| UNIT COST: \$588.00 | | TOTAL COST: \$588 | |
| UNIT PROFIT (SUBSIDY): \$(588.00) | | TOTAL PROFIT (SUBSIDY): \$(588) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 0.00% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$5,000 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE SPECIFIC PLAN AMENDMENT | | | | REFERENCE NO. S-021 | | |
|--|---------------------------|---------------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | ADMIN COORDINATOR | | 0.92 | \$81.73 | 1 | \$82 |
| PLANNING | PROJECT PLANNER | Actual Costs | 0.00 | \$0.00 | 1 | \$0 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.08 | \$505.86 | 1 | \$506 |
| | | TYPE SUBTOTAL | 3.00 | \$587.59 | | \$588 |
| | | TOTALS | 3.00 | \$588.00 | | \$588 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---------------------------------------|----------------|
| SERVICE GENERAL PLAN AMENDMENT | | REFERENCE NO. S-022 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer | |
| DESCRIPTION OF SERVICE Review of a developer-initiated general plan amendment for compliance with City codes and standards. | | | |
| CURRENT FEE STRUCTURE \$5,210 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$0.00 | TOTAL REVENUE: | \$0 |
| UNIT COST: | \$588.00 | TOTAL COST: | \$588 |
| UNIT PROFIT (SUBSIDY): | \$(588.00) | TOTAL PROFIT (SUBSIDY): | \$(588) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 0.00% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$5,000 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |

Attachment 3

May 24, 2023

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|--|--|
| SERVICE SPHERE OF INFLUENCE AMENDMENT | | REFERENCE NO. S-023 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer | |
| DESCRIPTION OF SERVICE Review of a developer-initiated sphere of influence amendment for compliance with City codes and standards. | | | |
| CURRENT FEE STRUCTURE \$5,210 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$0.00 | | TOTAL REVENUE: \$0 | |
| UNIT COST: \$588.00 | | TOTAL COST: \$588 | |
| UNIT PROFIT (SUBSIDY): \$(588.00) | | TOTAL PROFIT (SUBSIDY): \$(588) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 0.00% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$5,000 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |

Attachment 3

May 24, 2023

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---------------------------------------|----------------|
| SERVICE ZONING CODE AMENDMENT | | REFERENCE NO. S-024 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer | |
| DESCRIPTION OF SERVICE Review of a developer-initiated zoning code amendment for compliance with City codes and standards. | | | |
| CURRENT FEE STRUCTURE \$5,210 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$0.00 | TOTAL REVENUE: | \$0 |
| UNIT COST: | \$588.00 | TOTAL COST: | \$588 |
| UNIT PROFIT (SUBSIDY): | \$(588.00) | TOTAL PROFIT (SUBSIDY): | \$(588) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 0.00% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$5,000 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE ZONING CODE AMENDMENT | | | | REFERENCE NO. S-024 | | |
|--|---------------------------|---------------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | ADMIN COORDINATOR | | 0.92 | \$81.73 | 1 | \$82 |
| PLANNING | PROJECT PLANNER | Actual Costs | 0.00 | \$0.00 | 1 | \$0 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.08 | \$505.86 | 1 | \$506 |
| | | TYPE SUBTOTAL | 3.00 | \$587.59 | | \$588 |
| TOTALS | | | 3.00 | \$588.00 | | \$588 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|--|----------------|
| SERVICE ANNEXATION | | REFERENCE NO. S-025 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Non-Resident | |
| DESCRIPTION OF SERVICE Review of a proposed annexation into the City. | | | |
| CURRENT FEE STRUCTURE \$10,420 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$0.00 | TOTAL REVENUE: | \$0 |
| UNIT COST: | \$588.00 | TOTAL COST: | \$588 |
| UNIT PROFIT (SUBSIDY): | \$(588.00) | TOTAL PROFIT (SUBSIDY): | \$(588) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 0.00% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$10,000 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |

Attachment 3

May 24, 2023

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|--|---------------------------------------|---|
| SERVICE DEVELOPMENT AGREEMENT | | REFERENCE NO. S-026 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE AGREEMENT | SERVICE RECIPIENT Developer | |
| DESCRIPTION OF SERVICE Review of a proposed development agreement. | | | |
| CURRENT FEE STRUCTURE \$10,420 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$0.00 | TOTAL REVENUE: | \$0 |
| UNIT COST: | \$588.00 | TOTAL COST: | \$588 |
| UNIT PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;"> \$(588.00) </div> | TOTAL PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;"> \$(588) </div> |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 0.00% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$10,000 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |

Attachment 3

May 24, 2023

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|--|--|
| SERVICE ENVIRONMENTAL REVIEW (IS/ND/EIR) | | REFERENCE NO. S-027 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of environmental documents prepared by a qualified consultant including initial studies, negative declarations, mitigated negative decs, and environmental impact reports for compliance with City codes and the California Environmental Quality Act. | | | |
| CURRENT FEE STRUCTURE Contract cost plus 10% | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$0.00 | | TOTAL REVENUE: \$0 | |
| UNIT COST: \$154.00 | | TOTAL COST: \$154 | |
| UNIT PROFIT (SUBSIDY): \$(154.00) | | TOTAL PROFIT (SUBSIDY): \$(154) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 0.00% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% Contract cost plus 10% | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

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| SERVICE ENVIRONMENTAL REVIEW (IS/ND/EIR) | | | | REFERENCE NO. S-027 | | |
|--|---------------------------|---------------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | ADMIN COORDINATOR | | 0.58 | \$51.53 | 1 | \$52 |
| PLANNING | PROJECT PLANNER | Actual Costs | 0.00 | \$0.00 | 1 | \$0 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.42 | \$102.14 | 1 | \$102 |
| | | TYPE SUBTOTAL | 1.00 | \$153.67 | | \$154 |
| | | TOTALS | 1.00 | \$154.00 | | \$154 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|---|--|
| SERVICE ENVIRONMENTAL NOTICE OF EXEMPTION | | REFERENCE NO. S-028 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Preparation and filing of a Notice of Exemption for projects deemed categorically exempt from the California Environmental Quality Act. | | | |
| CURRENT FEE STRUCTURE \$156 per application plus County fees | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$156.00 | | TOTAL REVENUE: \$156 | |
| UNIT COST: \$496.00 | | TOTAL COST: \$496 | |
| UNIT PROFIT (SUBSIDY): \$(340.00) | | TOTAL PROFIT (SUBSIDY): \$(340) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 31.45% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$495 per application plus County fees | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|--|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE ENVIRONMENTAL NOTICE OF EXEMPTION | | | | REFERENCE NO. S-028 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.42 | \$37.31 | 1 | \$37 |
| PLANNING | PROJECT PLANNER | Plus County Fee | 3.00 | \$397.83 | 1 | \$398 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.25 | \$60.80 | 1 | \$61 |
| | | TYPE SUBTOTAL | 3.67 | \$495.94 | | \$496 |
| TOTALS | | | 3.67 | \$496.00 | | \$496 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|--|-----------------------------------|--|--|
| SERVICE MITIGATION MONITORING | | REFERENCE NO. S-029 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE PROJECT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Implementation and monitoring of environmental impact mitigation in accordance with the California Environmental Quality Act. | | | |
| CURRENT FEE STRUCTURE \$3,126 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$0.00 | | TOTAL REVENUE: \$0 | |
| UNIT COST: \$688.00 | | TOTAL COST: \$688 | |
| UNIT PROFIT (SUBSIDY): \$(688.00) | | TOTAL PROFIT (SUBSIDY): \$(688) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 0.00% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$3,000 deposit with charges at the fully allocated hourly rates plus outside costs. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|---|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE MITIGATION MONITORING | | | | REFERENCE NO. S-029 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | PROJECT PLANNER | Actual Costs | 0.00 | \$0.00 | 1 | \$0 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.83 | \$688.26 | 1 | \$688 |
| | | TYPE SUBTOTAL | 2.83 | \$688.26 | | \$688 |
| TOTALS | | | 2.83 | \$688.00 | | \$688 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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| | | | |
|--|-------------------------------|---------------------------------------|----------------|
| SERVICE TENTATIVE/FINAL MAP | | REFERENCE NO. S-030 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE MAP | SERVICE RECIPIENT Developer | |
| DESCRIPTION OF SERVICE Review of a tentative and/or final map creating more than two lots by staff for compliance with City codes, guidelines and the Subdivision Map Act. | | | |
| CURRENT FEE STRUCTURE \$4,168 deposit with charges at the fully allocated hourly rates plus any outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,200.00 | TOTAL REVENUE: | \$1,200 |
| UNIT COST: | \$1,212.00 | TOTAL COST: | \$1,212 |
| UNIT PROFIT (SUBSIDY): | \$(12.00) | TOTAL PROFIT (SUBSIDY): | \$(12) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 99.01% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$4,000 deposit with charges at the fully allocated hourly rates plus any outside costs. | | | |

CITY OF CARMEL-BY-THE-SEA
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| SERVICE TENTATIVE/FINAL MAP | | | | REFERENCE NO. S-030 | | |
|--|---------------------------|------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | ADMIN COORDINATOR | | 0.58 | \$51.53 | 1 | \$52 |
| PLANNING | PROJECT PLANNER | | 5.08 | \$673.66 | 1 | \$674 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.00 | \$486.40 | 1 | \$486 |
| TYPE SUBTOTAL | | | 7.66 | \$1,211.59 | | \$1,212 |
| TOTALS | | | 7.66 | \$1,212.00 | | \$1,212 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|--|-------------------------------|---------------------------------------|---------------|
| SERVICE AMENDED FINAL MAP | | REFERENCE NO. S-031 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE MAP | SERVICE RECIPIENT Developer | |
| DESCRIPTION OF SERVICE Review of an amendment to an approved final map for compliance with City codes, guidelines and the Subdivision Map Act. | | | |
| CURRENT FEE STRUCTURE \$1,042 deposit with charges at the fully allocated hourly rates plus any outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$900.00 | TOTAL REVENUE: | \$900 |
| UNIT COST: | \$905.00 | TOTAL COST: | \$905 |
| UNIT PROFIT (SUBSIDY): | \$(5.00) | TOTAL PROFIT (SUBSIDY): | \$(5) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 99.45% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,000 deposit with charges at the fully allocated hourly rates plus any outside costs. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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| SERVICE AMENDED FINAL MAP | | | | REFERENCE NO. S-031 | | |
|--|---------------------------|----------------------|------------------|-------------------------------|-------------------|-------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.42 | \$37.31 | 1 | \$37 |
| PLANNING | PROJECT PLANNER | | 4.25 | \$563.59 | 1 | \$564 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.25 | \$304.00 | 1 | \$304 |
| | | TYPE SUBTOTAL | 5.92 | \$904.90 | | \$905 |
| | | TOTALS | 5.92 | \$905.00 | | \$905 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|---|---------------------------------------|---------------------------------------|----------------|
| SERVICE CERTIFICATE OF COMPLIANCE | | REFERENCE NO. S-032 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer | |
| DESCRIPTION OF SERVICE Request for a Certificate of Compliance prepared by staff in accordance with City codes, guidelines and the Subdivision Map Act. | | | |
| CURRENT FEE STRUCTURE \$610 per application plus actual contract cost | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$610.00 | TOTAL REVENUE: | \$610 |
| UNIT COST: | \$752.00 | TOTAL COST: | \$752 |
| UNIT PROFIT (SUBSIDY): | \$(142.00) | TOTAL PROFIT (SUBSIDY): | \$(142) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 81.12% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$750 per application plus actual contract cost | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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| SERVICE CERTIFICATE OF COMPLIANCE | | | | REFERENCE NO. S-032 | | |
|--|---------------------------|-------------|------------------|------------------------|-------------------|-------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 1 | \$44 |
| PLANNING | PROJECT PLANNER | | 4.42 | \$586.14 | 1 | \$586 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.50 | \$121.60 | 1 | \$122 |
| TYPE SUBTOTAL | | | 5.42 | \$752.16 | | \$752 |
| TOTALS | | | 5.42 | \$752.00 | | \$752 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|---|---------------------------------------|---|--|
| SERVICE LOT LINE ADJUSTMENT/SUBDIV - PC | | REFERENCE NO. S-033 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a lot line adjustment or subdivision creating two lots from one lot by the Planning Commission for compliance with City codes, guidelines and the Subdivision Map Act. | | | |
| CURRENT FEE STRUCTURE \$542 per application plus actual contract cost | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$542.00 | | TOTAL REVENUE: \$542 | |
| UNIT COST: \$1,056.00 | | TOTAL COST: \$1,056 | |
| UNIT PROFIT (SUBSIDY): \$(514.00) | | TOTAL PROFIT (SUBSIDY): \$(514) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 51.33% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,055 per application plus actual contract cost | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|--|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE LOT LINE ADJUSTMENT/SUBDIV - PC | | | | REFERENCE NO. S-033 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 1 | \$44 |
| PLANNING | PROJECT PLANNER | | 6.25 | \$828.81 | 1 | \$829 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.75 | \$182.40 | 1 | \$182 |
| | | TYPE SUBTOTAL | 7.50 | \$1,055.63 | | \$1,056 |
| | | TOTALS | 7.50 | \$1,056.00 | | \$1,056 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|--|---------------------------------------|---|--|
| SERVICE LOT MERGER - STAFF REVIEW | | REFERENCE NO. S-034 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a property owner request to consolidate lots and/or lot fragments or merge small lots into larger lots by staff for compliance with City codes, guidelines and the Subdivision Map Act. | | | |
| CURRENT FEE STRUCTURE \$938 per application plus actual contract cost | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$938.00 | | TOTAL REVENUE: \$3,752 | |
| UNIT COST: \$854.00 | | TOTAL COST: \$3,416 | |
| UNIT PROFIT (SUBSIDY): \$84.00 | | TOTAL PROFIT (SUBSIDY): \$336 | |
| TOTAL UNITS: 4 | | PCT. COST RECOVERY: 109.84% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$855 per application plus actual contract cost | | | |

CITY OF CARMEL-BY-THE-SEA
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|--|---------------------------|----------------------|------------------|-------------------------------|-------------------|-------------------|
| SERVICE LOT MERGER - STAFF REVIEW | | | | REFERENCE NO. S-034 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 4 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 4 | \$178 |
| PLANNING | PROJECT PLANNER | | 3.50 | \$464.14 | 4 | \$1,857 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.42 | \$345.34 | 4 | \$1,381 |
| | | TYPE SUBTOTAL | 5.42 | \$853.90 | | \$3,416 |
| TOTALS | | | 5.42 | \$854.00 | | \$3,416 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|--|--|---|---|
| SERVICE PRELIM (PHASE 1) HIST EVAL - STAFF | | REFERENCE NO. S-035 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a property for potential historical significance by staff for compliance with City codes and regulations. | | | |
| CURRENT FEE STRUCTURE \$474 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$474.00 | TOTAL REVENUE: | \$4,266 |
| UNIT COST: | \$308.00 | TOTAL COST: | \$2,772 |
| UNIT PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;"> \$166.00 </div> | TOTAL PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;"> \$1,494 </div> |
| TOTAL UNITS: | 9 | PCT. COST RECOVERY: | 153.90% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$310 per application | | | |

CITY OF CARMEL-BY-THE-SEA
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|---|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE PRELIM (PHASE 1) HIST EVAL - STAFF | | | | REFERENCE NO. S-035 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 9 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.17 | \$15.10 | 9 | \$136 |
| PLANNING | PROJECT PLANNER | | 1.75 | \$232.07 | 9 | \$2,089 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.25 | \$60.80 | 9 | \$547 |
| | | TYPE SUBTOTAL | 2.17 | \$307.97 | | \$2,772 |
| | | TOTALS | 2.17 | \$308.00 | | \$2,772 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|---|---|---|--|
| SERVICE PHASE 1 HISTORIC EVAL - QUAL PROF | | REFERENCE NO. S-035A | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a property for potential historical significance by a qualified professional for compliance with City codes and regulations. | | | |
| CURRENT FEE STRUCTURE \$271 per application plus actual cost for Historian review with \$1,500 deposit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$271.00 | TOTAL REVENUE: | \$271 |
| UNIT COST: | \$407.00 | TOTAL COST: | \$407 |
| UNIT PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;">\$(136.00)</div> | TOTAL PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;">\$(136)</div> |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 66.58% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$405 per application plus actual cost for Historian review with \$1,500 deposit | | | |

CITY OF CARMEL-BY-THE-SEA
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|--|---------------------------|----------------------|------------------|---------------------------------------|-------------------|-------------------|
| SERVICE PHASE 1 HISTORIC EVAL - QUAL PROF | | | | REFERENCE NO. S-035A | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.17 | \$15.10 | 1 | \$15 |
| PLANNING | PROJECT PLANNER | Plus Actual Costs | 2.50 | \$331.53 | 1 | \$332 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.25 | \$60.80 | 1 | \$61 |
| | | TYPE SUBTOTAL | 2.92 | \$407.43 | | \$407 |
| TOTALS | | | 2.92 | \$407.00 | | \$407 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|--|---------------------------------------|---|----------------|
| SERVICE PHASE 2 HIST EVAL-HRB REV OF DESIGN | | REFERENCE NO. S-036 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of modifications to a historic property for consistency with the State standards for historic properties by a qualified professional followed by review of modifications to a historic property for consistency with the State standards by the HRB. | | | |
| CURRENT FEE STRUCTURE \$1,579 per application plus actual cost for Historian review with \$1,500 deposit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,579.00 | TOTAL REVENUE: | \$1,579 |
| UNIT COST: | \$2,038.00 | TOTAL COST: | \$2,038 |
| UNIT PROFIT (SUBSIDY): | \$(459.00) | TOTAL PROFIT (SUBSIDY): | \$(459) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 77.48% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$2,040 per application plus actual cost for Historian review with \$1,500 deposit | | | |

CITY OF CARMEL-BY-THE-SEA
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|--|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE PHASE 2 HIST EVAL-HRB REV OF DESIGN | | | | REFERENCE NO. S-036 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 2.75 | \$244.31 | 1 | \$244 |
| PLANNING | PROJECT PLANNER | Plus Actual Costs | 9.25 | \$1,226.64 | 1 | \$1,227 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 2.33 | \$566.66 | 1 | \$567 |
| | | TYPE SUBTOTAL | 14.33 | \$2,037.61 | | \$2,038 |
| | | TOTALS | 14.33 | \$2,038.00 | | \$2,038 |

CITY OF CARMEL-BY-THE-SEA
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|--|---------------------------------------|---|----------------|
| SERVICE APPEAL TO HISTORIC RESOURCES BOARD | | REFERENCE NO. S-037 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of an appeal of a historic determination made by staff or a determination of consistency with the secretary of the interior's standards made by staff to the Historic Resources Board. | | | |
| CURRENT FEE STRUCTURE \$2,120 per application plus actual cost for Historian review with \$1,500 deposit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$2,120.00 | TOTAL REVENUE: | \$2,120 |
| UNIT COST: | \$1,500.00 | TOTAL COST: | \$1,500 |
| UNIT PROFIT (SUBSIDY): | \$620.00 | TOTAL PROFIT (SUBSIDY): | \$620 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 141.33% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,500 per application plus actual cost for Historian review with \$1,500 deposit | | | |

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CITY OF CARMEL-BY-THE-SEA
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|--|---------------------------------------|---|----------------|
| SERVICE MILLS ACT CONTRACT PROCESSING | | REFERENCE NO. S-038 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for a Mills Act Contract for a historic property in accordance with City codes and State law. | | | |
| CURRENT FEE STRUCTURE \$3,584 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$3,584.00 | TOTAL REVENUE: | \$3,584 |
| UNIT COST: | \$3,429.00 | TOTAL COST: | \$3,429 |
| UNIT PROFIT (SUBSIDY): | \$155.00 | TOTAL PROFIT (SUBSIDY): | \$155 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 104.52% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$3,430 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| | | | | | | |
|---|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE MILLS ACT CONTRACT PROCESSING | | | | REFERENCE NO. S-038 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 3.08 | \$273.63 | 1 | \$274 |
| PLANNING | PROJECT PLANNER | Plus Attorney | 16.00 | \$2,121.76 | 1 | \$2,122 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 4.25 | \$1,033.60 | 1 | \$1,034 |
| | | TYPE SUBTOTAL | 23.33 | \$3,428.99 | | \$3,429 |
| | | TOTALS | 23.33 | \$3,429.00 | | \$3,429 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|---|------------------|
| SERVICE PC CODE DETERMINATION | | REFERENCE NO. S-039 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for a code determination referred by the Director to the Planning Commission. | | | |
| CURRENT FEE STRUCTURE \$1,214 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,214.00 | TOTAL REVENUE: | \$4,856 |
| UNIT COST: | \$1,739.00 | TOTAL COST: | \$6,956 |
| UNIT PROFIT (SUBSIDY): | \$(525.00) | TOTAL PROFIT (SUBSIDY): | \$(2,100) |
| TOTAL UNITS: | 4 | PCT. COST RECOVERY: | 69.81% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,740 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|---|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE PC CODE DETERMINATION | | | | REFERENCE NO. S-039 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 4 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 3.25 | \$288.73 | 4 | \$1,155 |
| PLANNING | PROJECT PLANNER | | 7.58 | \$1,005.18 | 4 | \$4,021 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.83 | \$445.06 | 4 | \$1,780 |
| | | TYPE SUBTOTAL | 12.66 | \$1,738.97 | | \$6,956 |
| | | TOTALS | 12.66 | \$1,739.00 | | \$6,956 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|--|---------------------------------------|---|----------------|
| SERVICE ZONING COMPLIANCE DETERMINATION | | REFERENCE NO. S-040 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for zoning compliance status of a property by staff. | | | |
| CURRENT FEE STRUCTURE \$573 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$573.00 | TOTAL REVENUE: | \$573 |
| UNIT COST: | \$133.00 | TOTAL COST: | \$133 |
| UNIT PROFIT (SUBSIDY): | \$440.00 | TOTAL PROFIT (SUBSIDY): | \$440 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 430.83% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% Charge the fully allocated hourly rates for all personnel involved with a one hour minimum. | | | |

Attachment 3

May 24, 2023

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|---------------|
| SERVICE TIME EXTENSION - STAFF | | REFERENCE NO. S-041 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for a time extension for a planning project approved by staff. | | | |
| CURRENT FEE STRUCTURE \$313 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$313.00 | TOTAL REVENUE: | \$313 |
| UNIT COST: | \$401.00 | TOTAL COST: | \$401 |
| UNIT PROFIT (SUBSIDY): | \$(88.00) | TOTAL PROFIT (SUBSIDY): | \$(88) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 78.05% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$400 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|---|---------------------------|-------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE TIME EXTENSION - STAFF | | | | REFERENCE NO. S-041 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 1 | \$44 |
| PLANNING | PROJECT PLANNER | | 1.92 | \$254.61 | 1 | \$255 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.42 | \$102.14 | 1 | \$102 |
| TYPE SUBTOTAL | | | 2.84 | \$401.17 | | \$401 |
| TOTALS | | | 2.84 | \$401.00 | | \$401 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|----------------|
| SERVICE TIME EXTENSION - PLAN COMM | | REFERENCE NO. S-042 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for a time extension for a planning project approved by the Planning Commission. | | | |
| CURRENT FEE STRUCTURE \$907 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$907.00 | TOTAL REVENUE: | \$907 |
| UNIT COST: | \$1,082.00 | TOTAL COST: | \$1,082 |
| UNIT PROFIT (SUBSIDY): | \$(175.00) | TOTAL PROFIT (SUBSIDY): | \$(175) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 83.83% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,080 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|---|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE TIME EXTENSION - PLAN COMM | | | | REFERENCE NO. S-042 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 2.33 | \$207.00 | 1 | \$207 |
| PLANNING | PROJECT PLANNER | | 3.08 | \$408.44 | 1 | \$408 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.92 | \$466.94 | 1 | \$467 |
| | | TYPE SUBTOTAL | 7.33 | \$1,082.38 | | \$1,082 |
| TOTALS | | | 7.33 | \$1,082.00 | | \$1,082 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---|---|--|
| SERVICE TIME EXTENSION - CITY COUNCIL | | REFERENCE NO. S-042A | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for a time extension for a planning project approved by the City Council. | | | |
| CURRENT FEE STRUCTURE \$1,099 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,099.00 | TOTAL REVENUE: | \$1,099 |
| UNIT COST: | \$1,046.00 | TOTAL COST: | \$1,046 |
| UNIT PROFIT (SUBSIDY): | <hr style="width: 50%; margin: 0;"/> \$53.00 | TOTAL PROFIT (SUBSIDY): | <hr style="width: 50%; margin: 0;"/> \$53 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 105.07% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,045 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE TIME EXTENSION - CITY COUNCIL | | | | REFERENCE NO. S-042A | | |
|--|---------------------------|---------------|------------------|-------------------------|-------------------|-------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 1.92 | \$170.57 | 1 | \$171 |
| PLANNING | PROJECT PLANNER | | 3.08 | \$408.44 | 1 | \$408 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.92 | \$466.94 | 1 | \$467 |
| | | TYPE SUBTOTAL | 6.92 | \$1,045.95 | | \$1,046 |
| | | TOTALS | 6.92 | \$1,046.00 | | \$1,046 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|--|
| SERVICE PUBLIC HEARING CONTINUANCE - PC | | REFERENCE NO. S-043 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE CONTINUANCE | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Request by an applicant to continue a public hearing scheduled before the Planning Commission. | | | |
| CURRENT FEE STRUCTURE \$886 per continuance | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$886.00 | | TOTAL REVENUE: \$886 | |
| UNIT COST: \$829.00 | | TOTAL COST: \$829 | |
| UNIT PROFIT (SUBSIDY): \$57.00 | | TOTAL PROFIT (SUBSIDY): \$57 | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 106.88% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$830 per continuance | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|--|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE PUBLIC HEARING CONTINUANCE - PC | | | | REFERENCE NO. S-043 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 1.58 | \$140.37 | 1 | \$140 |
| PLANNING | PROJECT PLANNER | | 2.75 | \$364.68 | 1 | \$365 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.33 | \$323.46 | 1 | \$323 |
| | | TYPE SUBTOTAL | 5.66 | \$828.51 | | \$829 |
| | | TOTALS | 5.66 | \$829.00 | | \$829 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|--|---------------------------------------|---|----------------|
| SERVICE PUBL HEARING CONTINUANCE - COUNCIL | | REFERENCE NO. S-043A | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE CONTINUANCE | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Request by an applicant to continue a public hearing scheduled before the City Council. | | | |
| CURRENT FEE STRUCTURE \$938 per continuance | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$938.00 | TOTAL REVENUE: | \$938 |
| UNIT COST: | \$837.00 | TOTAL COST: | \$837 |
| UNIT PROFIT (SUBSIDY): | \$101.00 | TOTAL PROFIT (SUBSIDY): | \$101 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 112.07% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$835 per continuance | | | |

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May 24, 2023

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|---|----------------|
| SERVICE APPEAL TO PLANNING COMMISSION | | REFERENCE NO. S-044 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of an appeal of a staff decision to the Planning Commission. | | | |
| CURRENT FEE STRUCTURE \$2,084 per appeal Appeal in the Coastal Zone - No Charge by State law | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$2,084.00 | TOTAL REVENUE: | \$2,084 |
| UNIT COST: | \$1,945.00 | TOTAL COST: | \$1,945 |
| UNIT PROFIT (SUBSIDY): | \$139.00 | TOTAL PROFIT (SUBSIDY): | \$139 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 107.15% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,945 per appeal Appeal in the Coastal Zone - No Charge by State law | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|---|---------------------------|-------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE APPEAL TO PLANNING COMMISSION | | | | REFERENCE NO. S-044 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 3.33 | \$295.84 | 1 | \$296 |
| PLANNING | PROJECT PLANNER | | 9.08 | \$1,204.10 | 1 | \$1,204 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.83 | \$445.06 | 1 | \$445 |
| TYPE SUBTOTAL | | | 14.24 | \$1,945.00 | | \$1,945 |
| TOTALS | | | 14.24 | \$1,945.00 | | \$1,945 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|---|--|
| SERVICE APPEAL TO CITY COUNCIL | | REFERENCE NO. S-044A | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of an appeal of a Historic Resources Board decision or a Planning Commission decision to the City Council. | | | |
| CURRENT FEE STRUCTURE \$2,084 per appeal Appeal in the Coastal Zone - No Charge by State law | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$2,084.00 | | TOTAL REVENUE: \$2,084 | |
| UNIT COST: \$2,085.00 | | TOTAL COST: \$2,085 | |
| UNIT PROFIT (SUBSIDY): <u>\$(1.00)</u> | | TOTAL PROFIT (SUBSIDY): <u>\$(1)</u> | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 99.95% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$2,085 per appeal Appeal in the Coastal Zone - No Charge by State law | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE APPEAL TO CITY COUNCIL | | | | REFERENCE NO. S-044A | | |
|--|---------------------------|------|-----------|-------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | ADMIN COORDINATOR | | 1.92 | \$170.57 | 1 | \$171 |
| PLANNING | PROJECT PLANNER | | 11.08 | \$1,469.32 | 1 | \$1,469 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.83 | \$445.06 | 1 | \$445 |
| TYPE SUBTOTAL | | | 14.83 | \$2,084.95 | | \$2,085 |
| TOTALS | | | 14.83 | \$2,085.00 | | \$2,085 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|--|------------------|
| SERVICE SIGN APPLICATION | | REFERENCE NO. S-045 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Business | |
| DESCRIPTION OF SERVICE Review of a request for a new sign by staff for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$281 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$281.00 | TOTAL REVENUE: | \$12,083 |
| UNIT COST: | \$450.44 | TOTAL COST: | \$19,369 |
| UNIT PROFIT (SUBSIDY): | \$(169.44) | TOTAL PROFIT (SUBSIDY): | \$(7,286) |
| TOTAL UNITS: | 43 | PCT. COST RECOVERY: | 62.38% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$450 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|---|---------------------------|-------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE SIGN APPLICATION | | | | REFERENCE NO. S-045 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 43 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 43 | \$1,910 |
| PLANNING | PROJECT PLANNER | | 2.75 | \$364.68 | 43 | \$15,681 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.17 | \$41.34 | 43 | \$1,778 |
| TYPE SUBTOTAL | | | 3.42 | \$450.44 | | \$19,369 |
| TOTALS | | | 3.42 | \$450.44 | | \$19,369 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|--|------------------|
| SERVICE SIGN REFERRAL TO PLANNING COMM | | REFERENCE NO. S-046 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Business | |
| DESCRIPTION OF SERVICE Referral of a request for a new sign to the Planning Commission for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$865 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$865.00 | TOTAL REVENUE: | \$3,460 |
| UNIT COST: | \$1,504.00 | TOTAL COST: | \$6,016 |
| UNIT PROFIT (SUBSIDY): | \$(639.00) | TOTAL PROFIT (SUBSIDY): | \$(2,556) |
| TOTAL UNITS: | 4 | PCT. COST RECOVERY: | 57.51% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,505 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

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| SERVICE SIGN REFERRAL TO PLANNING COMM | | | | REFERENCE NO. S-046 | | |
|--|---------------------------|----------------------|------------------|-------------------------------|-------------------|-------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 4 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 3.00 | \$266.52 | 4 | \$1,066 |
| PLANNING | PROJECT PLANNER | | 6.58 | \$872.57 | 4 | \$3,490 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 1.50 | \$364.80 | 4 | \$1,459 |
| | | TYPE SUBTOTAL | 11.08 | \$1,503.89 | | \$6,016 |
| TOTALS | | | 11.08 | \$1,504.00 | | \$6,016 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|---|--------------------------------|--------------------------------------|----------------|
| SERVICE RELOCATE EXISTING SIGN | | REFERENCE NO. S-047 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE SIGN | SERVICE RECIPIENT Business | |
| DESCRIPTION OF SERVICE Review of a request to relocate an existing sign by staff for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$182 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$182.00 | TOTAL REVENUE: | \$1,092 |
| UNIT COST: | \$240.67 | TOTAL COST: | \$1,444 |
| UNIT PROFIT (SUBSIDY): | \$(58.67) | TOTAL PROFIT (SUBSIDY): | \$(352) |
| TOTAL UNITS: | 6 | PCT. COST RECOVERY: | 75.62% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$240 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

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| SERVICE RELOCATE EXISTING SIGN | | | | REFERENCE NO. S-047 | | |
|--|---------------------------|---------------|------------------|------------------------|-------------------|-------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 6 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.25 | \$22.21 | 6 | \$133 |
| PLANNING | PROJECT PLANNER | | 1.50 | \$198.92 | 6 | \$1,194 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.08 | \$19.46 | 6 | \$117 |
| | | TYPE SUBTOTAL | 1.83 | \$240.59 | | \$1,444 |
| | | TOTALS | 1.83 | \$240.67 | | \$1,444 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|---|---------------------------------------|--------------------------------------|--------------|
| SERVICE TEMPORARY SIGN PERMIT | | REFERENCE NO. S-048 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Business | |
| DESCRIPTION OF SERVICE Review of a request for a temporary sign or banner by staff for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$104 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$0.00 | TOTAL REVENUE: | \$0 |
| UNIT COST: | \$0.00 | TOTAL COST: | \$0 |
| UNIT PROFIT (SUBSIDY): | \$0.00 | TOTAL PROFIT (SUBSIDY): | \$0 |
| TOTAL UNITS: | 0 | PCT. COST RECOVERY: | 0.00% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% This fee should be removed from the fee schedule. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

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|---|-----------------|---------------|------------------|--|-------------------|-------------------|
| SERVICE TEMPORARY SIGN PERMIT | | | | REFERENCE NO. S-048 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS <div style="text-align: right;">0</div> | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| | | | 0.00 | \$0.00 | 0 | \$0 |
| | | TYPE SUBTOTAL | 0.00 | \$0.00 | | \$0 |
| TOTALS | | | 0.00 | \$0.00 | | \$0 |
| | | | | | | |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|---|--------------|
| SERVICE BUILDING RELOCATION | | REFERENCE NO. S-050 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request to relocate a building from one parcel to another parcel within the City limits. | | | |
| CURRENT FEE STRUCTURE \$1,938 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$0.00 | TOTAL REVENUE: | \$0 |
| UNIT COST: | \$0.00 | TOTAL COST: | \$0 |
| UNIT PROFIT (SUBSIDY): | \$0.00 | TOTAL PROFIT (SUBSIDY): | \$0 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 0.00% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% Depoist determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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| SERVICE BUILDING RELOCATION | | | | REFERENCE NO. S-050 | | |
|--|-----------------|---------------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PLANNING | PROJECT PLANNER | Actual Costs | 0.00 | \$0.00 | 1 | \$0 |
| | | TYPE SUBTOTAL | 0.00 | \$0.00 | | \$0 |
| | | TOTALS | 0.00 | \$0.00 | | \$0 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|--|--|
| SERVICE LARGE FAMILY DAY CARE (RESIDENTIAL) | | REFERENCE NO. S-051 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Business | |
| DESCRIPTION OF SERVICE Review of a request to establish a large family day care (7-12 persons) in a residential zone by staff for compliance with City codes and guidelines. | | | |
| CURRENT FEE STRUCTURE \$761 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$761.00 | | TOTAL REVENUE: \$761 | |
| UNIT COST: \$2,322.00 | | TOTAL COST: \$2,322 | |
| UNIT PROFIT (SUBSIDY): \$(1,561.00) | | TOTAL PROFIT (SUBSIDY): \$(1,561) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 32.77% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$2,320 per application | | | |

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CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|----------------------------------|---|-------------------|
| SERVICE GENERAL PLAN UPDATE | | REFERENCE NO. S-052 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Update of the City General Plan. | | | |
| CURRENT FEE STRUCTURE 3.5% of all Building & Safety permits | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$20,960.00 | TOTAL REVENUE: | \$20,960 |
| UNIT COST: | \$35,000.00 | TOTAL COST: | \$35,000 |
| UNIT PROFIT (SUBSIDY): | \$(14,040.00) | TOTAL PROFIT (SUBSIDY): | \$(14,040) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 59.89% |
| SUGGESTED FEE FOR COST RECOVERY OF: 50% 3.5% of all Building & Safety permits | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

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|--|-----------------|----------------------|------------------|------------------------|-------------------|-------------------|
| SERVICE GENERAL PLAN UPDATE | | | | REFERENCE NO. S-052 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | | \$350k Over 10 Years | 0.00 | \$35,000.00 | 1 | \$35,000 |
| | | TYPE SUBTOTAL | 0.00 | \$35,000.00 | | \$35,000 |
| | | TOTALS | 0.00 | \$35,000.00 | | \$35,000 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|--------------------------------|---|--------------|
| SERVICE PLANNING TECHNICAL ASSISTANCE | | REFERENCE NO. S-053 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE HOUR | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Providing technical assistance at the Planning counter at the request of the customer. This service does not include Public Records Act copy and research requests. | | | |
| CURRENT FEE STRUCTURE Charge the fully allocated hourly rate for all personnel involved after 15 minutes. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$0.00 | TOTAL REVENUE: | \$0 |
| UNIT COST: | \$0.00 | TOTAL COST: | \$0 |
| UNIT PROFIT (SUBSIDY): | \$0.00 | TOTAL PROFIT (SUBSIDY): | \$0 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 0.00% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% Charge the fully allocated hourly rate for all personnel involved after 15 minutes. | | | |

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CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|----------------------------------|---|--|
| SERVICE BUILDING PLAN CHECK | | REFERENCE NO. S-054 | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of building construction plans for compliance with City codes and standards. | | | |
| CURRENT FEE STRUCTURE New Construction - Various fees based on construction valuation Additional Plan Review - \$250 base plus \$150 per hour for review longer than one hour Plan Revision after approval - \$250 base plus \$150 per hour for review longer than one hour | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$442.70 | | TOTAL REVENUE: \$325,385 | |
| UNIT COST: \$767.53 | | TOTAL COST: \$564,135 | |
| UNIT PROFIT (SUBSIDY): \$(324.83) | | TOTAL PROFIT (SUBSIDY): \$(238,750) | |
| TOTAL UNITS: 735 | | PCT. COST RECOVERY: 57.68% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% New Construction - No Change Additional Plan Review - \$250 base plus \$150 per hour for review longer than one hour Plan Revision after approval - \$250 base plus \$150 per hour for review longer than one hour | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE | | | | REFERENCE NO. | | |
|--|---------------------------|----------------------|------------------|------------------|-------------------|-------------------|
| BUILDING PLAN CHECK | | | | S-054 | | |
| NOTE | | | | TOTAL UNITS | | |
| Unit Costs are an Average of Total Units | | | | 735 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | PROJECT PLANNER | | 1.50 | \$198.92 | 735 | \$146,206 |
| BUILDING | BUILDING OFFICIAL | Remainder Of Time | 1.34 | \$230.71 | 735 | \$169,572 |
| BUILDING | PERMIT TECH | Remainder Of Time | 1.12 | \$112.31 | 735 | \$82,548 |
| BUILDING | | Contract Services | 0.00 | \$139.86 | 735 | \$102,797 |
| PW-STREETS | PW SUPERINTENDENT | 1 Hr/Week | 0.07 | \$14.89 | 735 | \$10,944 |
| PW-ENVIRON. COMPLIA | ENVIRON. COMPLIANCE MANAG | 5% | 0.11 | \$16.43 | 735 | \$12,076 |
| PW-FOREST & BEACH | CITY FORESTER | 10% | 0.22 | \$51.25 | 735 | \$37,669 |
| | | TYPE SUBTOTAL | 4.37 | \$764.37 | | \$561,812 |
| BUILDING | BUILDING INSPECTOR | | 4.00 | \$580.72 | 4 | \$2,323 |
| | | TYPE SUBTOTAL | 4.00 | \$580.72 | | \$2,323 |
| TOTALS | | | 8.37 | \$767.53 | | \$564,135 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|----------------------------------|---|-----------|
| SERVICE BUILDING INSPECTION | | REFERENCE NO. S-054A | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Inspection of construction for compliance with City codes and standards. | | | |
| CURRENT FEE STRUCTURE New Construction - Various fees based on construction valuation Trade Permits - Various fees Stormwater Inspection - \$64.50 per inspection Permit by Appointment - \$330 | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$246.14 | TOTAL REVENUE: | \$443,044 |
| UNIT COST: | \$128.35 | TOTAL COST: | \$231,034 |
| UNIT PROFIT (SUBSIDY): | \$117.79 | TOTAL PROFIT (SUBSIDY): | \$212,010 |
| TOTAL UNITS: | 1,800 | PCT. COST RECOVERY: | 191.77% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% No Change, except: Permit by Appointment - \$365 | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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| SERVICE BUILDING INSPECTION | | | | REFERENCE NO. S-054A | | |
|--|--------------------|----------------------|-------------|-------------------------|------------|------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1,800 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| BUILDING | BUILDING INSPECTOR | Remainder Of Time | 0.66 | \$95.92 | 1,800 | \$172,656 |
| BUILDING | PERMIT TECH | | 0.25 | \$24.96 | 1,800 | \$44,928 |
| | | TYPE SUBTOTAL | 0.91 | \$120.88 | | \$217,584 |
| PLANNING | PROJECT PLANNER | | 1.50 | \$198.92 | 31 | \$6,167 |
| BUILDING | BUILDING OFFICIAL | | 1.00 | \$172.38 | 2 | \$345 |
| | | TYPE SUBTOTAL | 2.50 | \$371.30 | | \$6,511 |
| PLANNING | PROJECT PLANNER | Permit By Appt. | 0.50 | \$66.31 | 15 | \$995 |
| BUILDING | BUILDING OFFICIAL | Permit By Appt. | 1.00 | \$172.38 | 20 | \$3,448 |
| BUILDING | PERMIT TECH | Permit By Appt. | 1.25 | \$124.81 | 20 | \$2,496 |
| | | TYPE SUBTOTAL | 2.75 | \$363.50 | | \$6,938 |
| TOTALS | | | 6.16 | \$128.35 | | \$231,034 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|--|---|---|---------|
| SERVICE BUILDING RE-INSPECTION | | REFERENCE NO. S-054B | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE RE-INSPECTION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Re-inspection of construction that is needed due to the actions of the applicant. | | | |
| CURRENT FEE STRUCTURE \$146 per re-inspection | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$146.00 | TOTAL REVENUE: | \$7,300 |
| UNIT COST: | \$145.18 | TOTAL COST: | \$7,259 |
| UNIT PROFIT (SUBSIDY): | \$0.82 | TOTAL PROFIT (SUBSIDY): | \$41 |
| TOTAL UNITS: | 50 | PCT. COST RECOVERY: | 100.56% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$145 per re-inspection | | | |

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CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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| | | | |
|--|-------------------------------------|---|----------------|
| SERVICE PERMIT APPLICATION EXTENSION | | REFERENCE NO. S-054C | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE EXTENSION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Extension of an expiring Building Permit Application at the request of the applicant. | | | |
| CURRENT FEE STRUCTURE \$94 per extension (maximum of 4) | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$94.00 | TOTAL REVENUE: | \$470 |
| UNIT COST: | \$93.00 | TOTAL COST: | \$465 |
| UNIT PROFIT (SUBSIDY): | \$1.00 | TOTAL PROFIT (SUBSIDY): | \$5 |
| TOTAL UNITS: | 5 | PCT. COST RECOVERY: | 101.08% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$95 per extension (maximum of 4) | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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| SERVICE PERMIT APPLICATION EXTENSION | | | | REFERENCE NO. S-054C | | |
|--|-------------------|---------------|-----------|-------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 5 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| BUILDING | BUILDING OFFICIAL | | 0.25 | \$43.10 | 5 | \$216 |
| BUILDING | PERMIT TECH | | 0.50 | \$49.93 | 5 | \$250 |
| | | TYPE SUBTOTAL | 0.75 | \$93.03 | | \$465 |
| | | TOTALS | 0.75 | \$93.00 | | \$465 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|---|-------------------------------------|---|---------------|
| SERVICE PERMIT EXTENSION | | REFERENCE NO. S-054D | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE EXTENSION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Extension of an expiring or expired Building Permit at the request of the applicant. | | | |
| CURRENT FEE STRUCTURE \$146 per extension (maximum of 2) | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$146.00 | TOTAL REVENUE: | \$730 |
| UNIT COST: | \$151.20 | TOTAL COST: | \$756 |
| UNIT PROFIT (SUBSIDY): | \$(5.20) | TOTAL PROFIT (SUBSIDY): | \$(26) |
| TOTAL UNITS: | 5 | PCT. COST RECOVERY: | 96.56% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$150 per extension (maximum of 2) | | | |

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CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|--|---------------------------------------|---|---------------|
| SERVICE BUILDING PERMIT PRE-APPLIC. CONFER. | | REFERENCE NO. S-054E | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for a pre-application review of a proposed construction project by staff. | | | |
| CURRENT FEE STRUCTURE \$318 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$318.00 | TOTAL REVENUE: | \$318 |
| UNIT COST: | \$339.00 | TOTAL COST: | \$339 |
| UNIT PROFIT (SUBSIDY): | \$(21.00) | TOTAL PROFIT (SUBSIDY): | \$(21) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 93.81% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$340 per application | | | |

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CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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| | | | |
|--|----------------------------------|---|-----------------|
| SERVICE BUILDING SINGLE TRADE PERMIT | | REFERENCE NO. S-055 | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of over the counter single plumbing, mechanical, or electrical permits for compliance with City codes and standards, and inspection of the resulting construction. | | | |
| CURRENT FEE STRUCTURE \$167 per permit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$167.00 | TOTAL REVENUE: | \$23,380 |
| UNIT COST: | \$162.44 | TOTAL COST: | \$22,741 |
| UNIT PROFIT (SUBSIDY): | \$4.56 | TOTAL PROFIT (SUBSIDY): | \$639 |
| TOTAL UNITS: | 140 | PCT. COST RECOVERY: | 102.81% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$165 per permit | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|--|--------------------|----------------------|------------------|-------------------------------|-------------------|-------------------|
| SERVICE BUILDING SINGLE TRADE PERMIT | | | | REFERENCE NO. S-055 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 140 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| BUILDING | BUILDING INSPECTOR | | 0.75 | \$108.89 | 140 | \$15,245 |
| BUILDING | PERMIT TECH | | 0.50 | \$49.93 | 140 | \$6,990 |
| | | TYPE SUBTOTAL | 1.25 | \$158.82 | | \$22,235 |
| BUILDING | BUILDING INSPECTOR | | 0.50 | \$72.59 | 4 | \$290 |
| BUILDING | BUILDING OFFICIAL | | 0.25 | \$43.10 | 5 | \$216 |
| | | TYPE SUBTOTAL | 0.75 | \$115.69 | | \$506 |
| | | TOTALS | 2.00 | \$162.44 | | \$22,741 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

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|---|----------------------------------|---|----------------|
| SERVICE ON-SITE DRIVEWAY PERMIT | | REFERENCE NO. S-055A | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a new or replaced driveway for compliance with City codes and standards. | | | |
| CURRENT FEE STRUCTURE \$271 per permit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$271.00 | TOTAL REVENUE: | \$271 |
| UNIT COST: | \$393.00 | TOTAL COST: | \$393 |
| UNIT PROFIT (SUBSIDY): | \$(122.00) | TOTAL PROFIT (SUBSIDY): | \$(122) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 68.96% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$395 per permit | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|--|-------------------|----------------------|------------------|--------------------------------|-------------------|-------------------|
| SERVICE ON-SITE DRIVEWAY PERMIT | | | | REFERENCE NO. S-055A | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | PROJECT PLANNER | | 0.75 | \$99.46 | 1 | \$99 |
| BUILDING | PERMIT TECH | | 0.75 | \$74.89 | 1 | \$75 |
| PW-STREETS | PW SUPERINTENDENT | | 1.00 | \$218.73 | 1 | \$219 |
| | | TYPE SUBTOTAL | 2.50 | \$393.08 | | \$393 |
| TOTALS | | | 2.50 | \$393.00 | | \$393 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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|--|--|---|--|
| SERVICE SOLAR PLAN CHECK/INSPECTION PERMIT | | REFERENCE NO. S-056 | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of solar system construction plans for compliance with City codes and standards, and inspection of the resulting construction. | | | |
| CURRENT FEE STRUCTURE Plan Check - \$318 Inspection - \$135 | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$453.00 | TOTAL REVENUE: | \$15,855 |
| UNIT COST: | \$475.51 | TOTAL COST: | \$16,643 |
| UNIT PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;">\$(22.51)</div> | TOTAL PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;">\$(788)</div> |
| TOTAL UNITS: | 35 | PCT. COST RECOVERY: | 95.27% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% Plan Check - \$340 Inspection - \$135 | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|---|--------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE SOLAR PLAN CHECK/INSPECTION PERMIT | | | | REFERENCE NO. S-056 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 35 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | PROJECT PLANNER | | 0.25 | \$33.15 | 35 | \$1,160 |
| BUILDING | BUILDING INSPECTOR | Inspection | 0.75 | \$108.89 | 35 | \$3,811 |
| BUILDING | BUILDING OFFICIAL | Plan Check | 1.50 | \$258.57 | 35 | \$9,050 |
| BUILDING | PERMIT TECH | Inspection | 0.25 | \$24.96 | 35 | \$874 |
| BUILDING | PERMIT TECH | Plan Check | 0.50 | \$49.93 | 35 | \$1,748 |
| | | TYPE SUBTOTAL | 3.25 | \$475.50 | | \$16,643 |
| TOTALS | | | 3.25 | \$475.51 | | \$16,643 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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| | | | |
|---|----------------------------------|---|-----------------|
| SERVICE RE-ROOF PERMIT | | REFERENCE NO. S-057 | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Resident/Business | |
| DESCRIPTION OF SERVICE Review of re-roof construction plans for compliance with City codes and standards, and inspection of the resulting construction. | | | |
| CURRENT FEE STRUCTURE \$255 per permit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$255.00 | TOTAL REVENUE: | \$31,365 |
| UNIT COST: | \$258.12 | TOTAL COST: | \$31,749 |
| UNIT PROFIT (SUBSIDY): | \$(3.12) | TOTAL PROFIT (SUBSIDY): | \$(384) |
| TOTAL UNITS: | 123 | PCT. COST RECOVERY: | 98.79% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$260 per permit | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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|---|--------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE RE-ROOF PERMIT | | | | REFERENCE NO. S-057 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 123 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | PROJECT PLANNER | | 0.25 | \$33.15 | 123 | \$4,077 |
| BUILDING | BUILDING INSPECTOR | | 1.00 | \$145.18 | 123 | \$17,857 |
| BUILDING | PERMIT TECH | | 0.75 | \$74.89 | 123 | \$9,211 |
| | | TYPE SUBTOTAL | 2.00 | \$253.22 | | \$31,146 |
| BUILDING | BUILDING OFFICIAL | | 0.50 | \$86.19 | 7 | \$603 |
| | | TYPE SUBTOTAL | 0.50 | \$86.19 | | \$603 |
| TOTALS | | | 2.50 | \$258.12 | | \$31,749 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|----------------|
| SERVICE BUILDING BOARD APPEAL | | REFERENCE NO. S-058 | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Appeal of a decision of the Building Official to the Building Board. | | | |
| CURRENT FEE STRUCTURE \$1,052 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,052.00 | TOTAL REVENUE: | \$1,052 |
| UNIT COST: | \$1,134.00 | TOTAL COST: | \$1,134 |
| UNIT PROFIT (SUBSIDY): | \$(82.00) | TOTAL PROFIT (SUBSIDY): | \$(82) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 92.77% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,135 per appeal | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|--|-------------------|----------------------|------------------|-------------------------------|-------------------|-------------------|
| SERVICE BUILDING BOARD APPEAL | | | | REFERENCE NO. S-058 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| BUILDING | BUILDING OFFICIAL | | 6.00 | \$1,034.28 | 1 | \$1,034 |
| BUILDING | PERMIT TECH | | 1.00 | \$99.85 | 1 | \$100 |
| | | TYPE SUBTOTAL | 7.00 | \$1,134.13 | | \$1,134 |
| | | TOTALS | 7.00 | \$1,134.00 | | \$1,134 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|--|---|--|
| SERVICE DUPLICATE INSPECTION CARD | | REFERENCE NO. S-059 | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE CARD | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Creation of a duplicate inspection card because the applicant lost the card. | | | |
| CURRENT FEE STRUCTURE \$63 per card | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$63.00 | TOTAL REVENUE: | \$630 |
| UNIT COST: | \$61.30 | TOTAL COST: | \$613 |
| UNIT PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$1.70 | TOTAL PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$17 |
| TOTAL UNITS: | 10 | PCT. COST RECOVERY: | 102.77% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$60 per card | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|--|--------------------|----------------------|------------------|-------------------------------|-------------------|-------------------|
| SERVICE DUPLICATE INSPECTION CARD | | | | REFERENCE NO. S-059 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 10 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| BUILDING | BUILDING INSPECTOR | | 0.25 | \$36.30 | 10 | \$363 |
| BUILDING | PERMIT TECH | | 0.25 | \$24.96 | 10 | \$250 |
| | | TYPE SUBTOTAL | 0.50 | \$61.26 | | \$613 |
| | | TOTALS | 0.50 | \$61.30 | | \$613 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|----------------------------------|---|--------------|
| SERVICE BUILDING TECHNICAL ASSISTANCE | | REFERENCE NO. S-059A | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE REVIEW | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Providing technical assistance at the Building counter at the request of the customer. This service does not include Public Records Act copy and research requests. | | | |
| CURRENT FEE STRUCTURE Charge the fully allocated hourly rate for all personnel involved after 15 minutes. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$0.00 | TOTAL REVENUE: | \$0 |
| UNIT COST: | \$0.00 | TOTAL COST: | \$0 |
| UNIT PROFIT (SUBSIDY): | \$0.00 | TOTAL PROFIT (SUBSIDY): | \$0 |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 0.00% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% Charge the fully allocated hourly rate for all personnel involved after 15 minutes. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|--|-----------------|---------------|------------------|-------------------------|-------------------|-------------------|
| SERVICE BUILDING TECHNICAL ASSISTANCE | | | | REFERENCE NO. S-059A | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| | | | 0.00 | \$0.00 | 0 | \$0 |
| | | TYPE SUBTOTAL | 0.00 | \$0.00 | | \$0 |
| | | TOTALS | 0.00 | \$0.00 | | \$0 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---|---|------------------|
| SERVICE STOP WORK INVESTIGATION | | REFERENCE NO. S-059B | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE INVESTIGATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Inspection of work performed without the proper permits. | | | |
| CURRENT FEE STRUCTURE \$568 per investigation plus double the permit fee | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$568.00 | TOTAL REVENUE: | \$24,424 |
| UNIT COST: | \$619.84 | TOTAL COST: | \$26,653 |
| UNIT PROFIT (SUBSIDY): | \$(51.84) | TOTAL PROFIT (SUBSIDY): | \$(2,229) |
| TOTAL UNITS: | 43 | PCT. COST RECOVERY: | 91.64% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$620 per investigation plus double the permit fee | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|---|--------------------|-------------|------------------|---------------------------------------|-------------------|-------------------|
| SERVICE STOP WORK INVESTIGATION | | | | REFERENCE NO. S-059B | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 43 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | PROJECT PLANNER | | 0.50 | \$66.31 | 43 | \$2,851 |
| BUILDING | BUILDING INSPECTOR | | 3.00 | \$435.54 | 43 | \$18,728 |
| BUILDING | BUILDING OFFICIAL | | 0.25 | \$43.10 | 43 | \$1,853 |
| BUILDING | PERMIT TECH | | 0.75 | \$74.89 | 43 | \$3,220 |
| TYPE SUBTOTAL | | | 4.50 | \$619.84 | | \$26,653 |
| TOTALS | | | 4.50 | \$619.84 | | \$26,653 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|--|---|---------------------------------------|
| SERVICE TEMPORARY CERTIFICATE OF OCCUPANCY | | REFERENCE NO. S-059C | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review and inspection of a request to occupy a building before all permits are final. | | | |
| CURRENT FEE STRUCTURE \$224 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$224.00 | TOTAL REVENUE: | \$1,344 |
| UNIT COST: | \$223.67 | TOTAL COST: | \$1,342 |
| UNIT PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$0.33 | TOTAL PROFIT (SUBSIDY): | <hr style="width: 100%;"/> \$2 |
| TOTAL UNITS: | 6 | PCT. COST RECOVERY: | 100.15% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$225 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE TEMPORARY CERTIFICATE OF OCCUPANCY | | | | REFERENCE NO. S-059C | | |
|--|--------------------|---------------|------------------|-------------------------|-------------------|-------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 6 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | PROJECT PLANNER | | 0.25 | \$33.15 | 6 | \$199 |
| BUILDING | BUILDING INSPECTOR | | 0.50 | \$72.59 | 6 | \$436 |
| BUILDING | BUILDING OFFICIAL | | 0.25 | \$43.10 | 6 | \$259 |
| BUILDING | PERMIT TECH | | 0.75 | \$74.89 | 6 | \$449 |
| | | TYPE SUBTOTAL | 1.75 | \$223.73 | | \$1,342 |
| | | TOTALS | 1.75 | \$223.67 | | \$1,342 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|---|----------------|
| SERVICE ALTERNATE MATERIALS/METHODS REVIEW | | REFERENCE NO. S-059D | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request to use alternate materials or methods for construction. | | | |
| CURRENT FEE STRUCTURE \$214 per application plus actual cost of City Staff for all time over one hour | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$214.00 | TOTAL REVENUE: | \$1,070 |
| UNIT COST: | \$222.40 | TOTAL COST: | \$1,112 |
| UNIT PROFIT (SUBSIDY): | \$(8.40) | TOTAL PROFIT (SUBSIDY): | \$(42) |
| TOTAL UNITS: | 5 | PCT. COST RECOVERY: | 96.22% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$220 per application plus actual cost of City Staff for all time over one hour | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|--|-------------------|----------------------|------------------|--------------------------------|-------------------|-------------------|
| SERVICE ALTERNATE MATERIALS/METHODS REVIEW | | | | REFERENCE NO. S-059D | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 5 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| BUILDING | BUILDING OFFICIAL | | 1.00 | \$172.38 | 5 | \$862 |
| BUILDING | PERMIT TECH | | 0.50 | \$49.93 | 5 | \$250 |
| | | TYPE SUBTOTAL | 1.50 | \$222.31 | | \$1,112 |
| | | TOTALS | 1.50 | \$222.40 | | \$1,112 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|-----------------|
| SERVICE BUILDING PHASED WORK REQUEST | | REFERENCE NO. S-059E | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request to break a proposed project into various phases. | | | |
| CURRENT FEE STRUCTURE \$302 per application | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$302.00 | TOTAL REVENUE: | \$15,100 |
| UNIT COST: | \$315.34 | TOTAL COST: | \$15,767 |
| UNIT PROFIT (SUBSIDY): | \$(13.34) | TOTAL PROFIT (SUBSIDY): | \$(667) |
| TOTAL UNITS: | 50 | PCT. COST RECOVERY: | 95.77% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$315 per application | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

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| SERVICE BUILDING PHASED WORK REQUEST | | | | REFERENCE NO. S-059E | | |
|--|-------------------|---------------|------------------|-------------------------|-------------------|-------------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 50 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| BUILDING | BUILDING OFFICIAL | | 1.25 | \$215.48 | 50 | \$10,774 |
| BUILDING | PERMIT TECH | | 1.00 | \$99.85 | 50 | \$4,993 |
| | | TYPE SUBTOTAL | 2.25 | \$315.33 | | \$15,767 |
| | | TOTALS | 2.25 | \$315.34 | | \$15,767 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|--|
| SERVICE LANDSCAPE PLAN CHECK/INSPECTION | | REFERENCE NO. S-060 | |
| PRIMARY DEPARTMENT PLANNING | UNIT OF SERVICE PLAN/PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a stand-alone landscape plan for compliance with City codes and standards, and inspection of the construction. | | | |
| CURRENT FEE STRUCTURE \$281 per plan/inspection | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$281.00 | | TOTAL REVENUE: \$281 | |
| UNIT COST: \$691.00 | | TOTAL COST: \$691 | |
| UNIT PROFIT (SUBSIDY): \$(410.00) | | TOTAL PROFIT (SUBSIDY): \$(410) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 40.67% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$690 per plan/inspection | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|--|---------------------------|----------------------|------------------|--------------------------------------|-------------------|-------------------|
| SERVICE LANDSCAPE PLAN CHECK/INSPECTION | | | | REFERENCE NO. S-060 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PLANNING | ADMIN COORDINATOR | | 0.50 | \$44.42 | 1 | \$44 |
| PLANNING | PROJECT PLANNER | | 2.58 | \$342.13 | 1 | \$342 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | | 0.08 | \$19.46 | 1 | \$19 |
| PW-FOREST & BEACH | CITY FORESTER | | 1.00 | \$228.85 | 1 | \$229 |
| PW-FOREST & BEACH | MAINT WORKER | | 0.50 | \$56.14 | 1 | \$56 |
| | | TYPE SUBTOTAL | 4.66 | \$691.00 | | \$691 |
| | | TOTALS | 4.66 | \$691.00 | | \$691 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|--|---|---|
| SERVICE BUILDING TECHNOLOGY SURCHARGE | | REFERENCE NO. S-060A | |
| PRIMARY DEPARTMENT BUILDING | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Replacement of technology needed for Building & Safety. | | | |
| CURRENT FEE STRUCTURE \$8 per permit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$8.00 | TOTAL REVENUE: | \$14,400 |
| UNIT COST: | \$7.89 | TOTAL COST: | \$14,202 |
| UNIT PROFIT (SUBSIDY): | <hr style="width: 50%; margin: 0;"/> \$0.11 | TOTAL PROFIT (SUBSIDY): | <hr style="width: 50%; margin: 0;"/> \$198 |
| TOTAL UNITS: | 1,800 | PCT. COST RECOVERY: | 101.39% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$8 per permit | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|--|-----------------|----------------------|------------------|--------------------------------|-------------------|-------------------|
| SERVICE BUILDING TECHNOLOGY SURCHARGE | | | | REFERENCE NO. S-060A | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1,800 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| BUILDING | | IWORQ | 0.00 | \$5.56 | 1,800 | \$10,008 |
| BUILDING | | Hardware Replacement | 0.00 | \$0.89 | 1,800 | \$1,602 |
| BUILDING | | Bluebeam | 0.00 | \$1.44 | 1,800 | \$2,592 |
| | | TYPE SUBTOTAL | 0.00 | \$7.89 | | \$14,202 |
| TOTALS | | | 0.00 | \$7.89 | | \$14,202 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|------------------|
| SERVICE NEW BENCH LOCATION | | REFERENCE NO. S-061 | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Resident/Non-Resident | |
| DESCRIPTION OF SERVICE Processing a request for a new memorial bench at a new location and construction and installation of the bench and plaque. | | | |
| CURRENT FEE STRUCTURE \$964 per application plus the actual cost of the bench and plaque (plus 20% for future maintenance) plus \$1,325 if a public hearing is required. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$2,289.00 | TOTAL REVENUE: | \$11,445 |
| UNIT COST: | \$2,966.60 | TOTAL COST: | \$14,833 |
| UNIT PROFIT (SUBSIDY): | \$(677.60) | TOTAL PROFIT (SUBSIDY): | \$(3,388) |
| TOTAL UNITS: | 5 | PCT. COST RECOVERY: | 77.16% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$960 per application plus the actual cost of the bench and plaque (plus 20% for future maintenance) plus \$2,005 if a public hearing is required. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE NEW BENCH LOCATION | | | | REFERENCE NO. S-061 | | |
|--|---------------------------|---------------------|-----------|------------------------|------------|------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 5 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PW-STREETS | PW SUPERINTENDENT | | 2.50 | \$547.70 | 5 | \$2,739 |
| PW-FACILITIES MAINT. | BLDG MAINTENANCE SUPV. | + Bench/Plaque Cost | 0.50 | \$70.20 | 5 | \$351 |
| PW-FOREST & BEACH | CITY FORESTER | | 1.50 | \$343.82 | 5 | \$1,719 |
| | | TYPE SUBTOTAL | 4.50 | \$961.72 | | \$4,809 |
| PLANNING | ADMIN COORDINATOR | Public Hearing | 2.67 | \$237.23 | 5 | \$1,186 |
| PLANNING | PROJECT PLANNER | Public Hearing | 5.67 | \$751.96 | 5 | \$3,760 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | Public Hearing | 1.92 | \$466.98 | 5 | \$2,335 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | Public Hearing | 2.00 | \$548.78 | 5 | \$2,744 |
| | | TYPE SUBTOTAL | 12.26 | \$2,004.95 | | \$10,025 |
| TOTALS | | | 16.76 | \$2,966.60 | | \$14,833 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|---|----------------|
| SERVICE ADOPTION OF EXISTING BENCH | | REFERENCE NO. S-062 | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Resident/Non-Resident | |
| DESCRIPTION OF SERVICE Processing a request for the adoption of an existing memorial bench, installation of the plaque, and construction of the bench if applicable. | | | |
| CURRENT FEE STRUCTURE \$313 per application plus the actual cost of the bench and plaque (plus 20% for future maintenance) plus \$580 if a public hearing is required. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$409.67 | TOTAL REVENUE: | \$2,458 |
| UNIT COST: | \$536.17 | TOTAL COST: | \$3,217 |
| UNIT PROFIT (SUBSIDY): | \$(126.50) | TOTAL PROFIT (SUBSIDY): | \$(759) |
| TOTAL UNITS: | 6 | PCT. COST RECOVERY: | 76.41% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$380 per application plus the actual cost of the bench and plaque (plus 20% for future maintenance) plus \$940 if a public hearing is required. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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Attachment 3

| SERVICE | | | | REFERENCE NO. | | |
|--|---------------------------|---------------------|-----------|---------------|------------|------------|
| ADOPTION OF EXISTING BENCH | | | | S-062 | | |
| NOTE | | | | TOTAL UNITS | | |
| Unit Costs are an Average of Total Units | | | | 6 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PW-STREETS | PW SUPERINTENDENT | | 1.25 | \$273.85 | 6 | \$1,643 |
| PW-FACILITIES MAINT. | BLDG MAINTENANCE SUPV. | + Bench/Plaque Cost | 0.75 | \$105.29 | 6 | \$632 |
| TYPE SUBTOTAL | | | 2.00 | \$379.14 | | \$2,275 |
| PLANNING | ADMIN COORDINATOR | Public Hearing | 0.50 | \$44.43 | 1 | \$44 |
| PLANNING | PROJECT PLANNER | Public Hearing | 2.17 | \$287.79 | 1 | \$288 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | Public Hearing | 0.25 | \$60.81 | 1 | \$61 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | Public Hearing | 2.00 | \$548.78 | 1 | \$549 |
| TYPE SUBTOTAL | | | 4.92 | \$941.81 | | \$942 |
| TOTALS | | | 6.92 | \$536.17 | | \$3,217 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
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| | | | |
|---|---------------------------------------|--|--|
| SERVICE REPLACEMENT OF BENCH PLAQUE | | REFERENCE NO. S-063 | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Resident/Non-Resident | |
| DESCRIPTION OF SERVICE Processing a request for the replacement of an existing memorial bench plaque plus installation of new plaque. | | | |
| CURRENT FEE STRUCTURE \$406 per application plus the actual cost of the plaque plus \$380 if a public hearing is required. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$786.00 | | TOTAL REVENUE: \$786 | |
| UNIT COST: \$1,019.00 | | TOTAL COST: \$1,019 | |
| UNIT PROFIT (SUBSIDY): \$(233.00) | | TOTAL PROFIT (SUBSIDY): \$(233) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 77.13% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$490 per application plus the actual cost of the plaque plus \$530 if a public hearing is required. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
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| SERVICE | | | | REFERENCE NO. | | |
|--|---------------------------|----------------|-----------|---------------|------------|------------|
| REPLACEMENT OF BENCH PLAQUE | | | | S-063 | | |
| NOTE | | | | TOTAL UNITS | | |
| Unit Costs are an Average of Total Units | | | | 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PW-STREETS | PW SUPERINTENDENT | | 0.50 | \$109.54 | 1 | \$110 |
| PW-FACILITIES MAINT. | BLDG MAINTENANCE SUPV. | + Plaque Cost | 1.50 | \$210.59 | 1 | \$211 |
| PW-FOREST & BEACH | MAINT WORKER | | 1.50 | \$168.69 | 1 | \$169 |
| TYPE SUBTOTAL | | | 3.50 | \$488.82 | | \$489 |
| PLANNING | ADMIN COORDINATOR | Public Hearing | 0.50 | \$44.43 | 1 | \$44 |
| PLANNING | PROJECT PLANNER | Public Hearing | 2.17 | \$287.79 | 1 | \$288 |
| PLANNING | PLAN & BLDG SVCS DIRECTOR | Public Hearing | 0.25 | \$60.81 | 1 | \$61 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | Public Hearing | 0.50 | \$137.20 | 1 | \$137 |
| TYPE SUBTOTAL | | | 3.42 | \$530.23 | | \$530 |
| TOTALS | | | 6.92 | \$1,019.00 | | \$1,019 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---|---|--|
| SERVICE TEMPORARY ENCROACHMENT PERMIT | | REFERENCE NO. S-069 | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a temporary encroachment in the public right-of-way, such as cranes, dumpsters, pods, or lane closures. | | | |
| CURRENT FEE STRUCTURE \$219 per permit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$219.00 | TOTAL REVENUE: | \$13,578 |
| UNIT COST: | \$343.44 | TOTAL COST: | \$21,293 |
| UNIT PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;">\$(124.44)</div> | TOTAL PROFIT (SUBSIDY): | <div style="border-top: 1px solid black; border-bottom: 3px double black;">\$(7,715)</div> |
| TOTAL UNITS: | 62 | PCT. COST RECOVERY: | 63.77% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$345 per permit | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| | | | | | | |
|--|-------------------|----------------------|------------------|-------------------------------|-------------------|-------------------|
| SERVICE TEMPORARY ENCROACHMENT PERMIT | | | | REFERENCE NO. S-069 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 62 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| BUILDING | PERMIT TECH | | 0.50 | \$49.93 | 62 | \$3,096 |
| PUBLIC WORKS ADMIN | ADMIN COORDINATOR | | 0.75 | \$74.78 | 62 | \$4,636 |
| PW-STREETS | PW SUPERINTENDENT | | 1.00 | \$218.73 | 62 | \$13,561 |
| | | TYPE SUBTOTAL | 2.25 | \$343.44 | | \$21,293 |
| | | TOTALS | 2.25 | \$343.44 | | \$21,293 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|----------------------------------|--|--|
| SERVICE PERMANENT ENCROACHMENT PERMIT | | REFERENCE NO. S-070 | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Resident/Business | |
| DESCRIPTION OF SERVICE Review of a permanent encroachment in the public right-of-way, such as Utility street cuts, sidewalk, curb, gutter, driveway, R-O-W landscaping, retaining walls, drainage, boring, and aerial powerpoles. | | | |
| CURRENT FEE STRUCTURE Street Excavation - \$766 per permit plus \$4.25 per lineal foot Other - \$432 per permit plus \$2.13 per lineal foot Plus cost of damage to public right-of-way or street as determined by the Public Works Director. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$614.25 | | TOTAL REVENUE: \$7,371 | |
| UNIT COST: \$801.17 | | TOTAL COST: \$9,614 | |
| UNIT PROFIT (SUBSIDY): \$(186.92) | | TOTAL PROFIT (SUBSIDY): \$(2,243) | |
| TOTAL UNITS: 12 | | PCT. COST RECOVERY: 76.67% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% Street Excavation - \$800 per permit plus \$8.75 per lineal foot Other - \$475 per permit plus \$8.75 per lineal foot Plus cost of damage to public right-of-way or street as determined by the Public Works Director. | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE PERMANENT ENCROACHMENT PERMIT | | | | REFERENCE NO. S-070 | | |
|--|-------------------|----------------------|--------------|------------------------|------------|----------------|
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 12 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| BUILDING | PERMIT TECH | Street Excavation | 2.00 | \$199.70 | 4 | \$799 |
| PW-STREETS | PW SUPERINTENDENT | Add'l 25 Feet | 1.00 | \$218.73 | 4 | \$875 |
| PW-STREETS | PW SUPERINTENDENT | Street Excavation | 2.75 | \$601.51 | 4 | \$2,406 |
| | | TYPE SUBTOTAL | 5.75 | \$1,019.94 | | \$4,080 |
| BUILDING | PERMIT TECH | Other | 2.00 | \$199.70 | 8 | \$1,598 |
| PW-STREETS | PW SUPERINTENDENT | Add'l 25 Feet | 1.00 | \$218.73 | 8 | \$1,750 |
| PW-STREETS | PW SUPERINTENDENT | Other | 1.25 | \$273.41 | 8 | \$2,187 |
| | | TYPE SUBTOTAL | 4.25 | \$691.84 | | \$5,535 |
| TOTALS | | | 10.00 | \$801.17 | | \$9,614 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|---------------------------------------|--|--|
| SERVICE TRAFFIC CONTROL PLAN REVIEW/INSPECT | | REFERENCE NO. S-070A | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE PLAN/PERMIT | SERVICE RECIPIENT Developer/Utility | |
| DESCRIPTION OF SERVICE Review of traffic control plans for right-of-way construction and inspection of traffic control devices. | | | |
| CURRENT FEE STRUCTURE \$370 per review plus \$210 per each additional review | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$580.00 | | TOTAL REVENUE: \$580 | |
| UNIT COST: \$1,078.00 | | TOTAL COST: \$1,078 | |
| UNIT PROFIT (SUBSIDY): \$(498.00) | | TOTAL PROFIT (SUBSIDY): \$(498) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 53.80% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$675 per review plus \$405 per each additional review | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| SERVICE | | | | REFERENCE NO. | | |
|--|--------------------------|--------------|-----------|---------------|------------|------------|
| TRAFFIC CONTROL PLAN REVIEW/INSPECT | | | | S-070A | | |
| NOTE | | | | TOTAL UNITS | | |
| Unit Costs are an Average of Total Units | | | | 1 | | |
| DEPARTMENT | POSITION | TYPE | UNIT TIME | UNIT COST | ANN. UNITS | TOTAL COST |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 0.50 | \$137.14 | 1 | \$137 |
| PW-STREETS | PROJECT MANAGER | | 1.50 | \$317.28 | 1 | \$317 |
| PW-STREETS | PW SUPERINTENDENT | | 1.00 | \$218.73 | 1 | \$219 |
| TYPE SUBTOTAL | | | 3.00 | \$673.15 | | \$673 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | Add'l Review | 0.50 | \$137.14 | 1 | \$137 |
| PW-STREETS | PROJECT MANAGER | Add'l Review | 0.75 | \$158.64 | 1 | \$159 |
| PW-STREETS | PW SUPERINTENDENT | Add'l Review | 0.50 | \$109.37 | 1 | \$109 |
| TYPE SUBTOTAL | | | 1.75 | \$405.15 | | \$405 |
| TOTALS | | | 4.75 | \$1,078.00 | | \$1,078 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|----------------------------------|---|--------------------|
| SERVICE TREE REMOVAL PERMIT | | REFERENCE NO. S-072 | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE PERMIT | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for the removal of a tree larger than 4 inches in diameter. | | | |
| CURRENT FEE STRUCTURE \$255 per permit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$238.33 | TOTAL REVENUE: | \$25,740 |
| UNIT COST: | \$1,331.40 | TOTAL COST: | \$143,791 |
| UNIT PROFIT (SUBSIDY): | \$(1,093.07) | TOTAL PROFIT (SUBSIDY): | \$(118,051) |
| TOTAL UNITS: | 108 | PCT. COST RECOVERY: | 17.90% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$1,330 per permit | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| | | | | | | |
|--|--------------------------|-------------|------------------|-------------------------------|-------------------|-------------------|
| SERVICE TREE REMOVAL PERMIT | | | | REFERENCE NO. S-072 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 108 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 0.50 | \$137.14 | 108 | \$14,811 |
| PW-STREETS | PW SUPERINTENDENT | | 0.50 | \$109.37 | 108 | \$11,812 |
| PW-FOREST & BEACH | CITY FORESTER | | 4.25 | \$972.61 | 108 | \$105,042 |
| PW-FOREST & BEACH | MAINT WORKER | | 1.00 | \$112.28 | 108 | \$12,126 |
| TYPE SUBTOTAL | | | 6.25 | \$1,331.40 | | \$143,791 |
| TOTALS | | | 6.25 | \$1,331.40 | | \$143,791 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|---------------------------------------|---|-------------------|
| SERVICE TREE PRUNING REQUEST | | REFERENCE NO. S-072A | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE APPLICATION | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Review of a request for the pruning of a tree larger than 4 inches in diameter. | | | |
| CURRENT FEE STRUCTURE \$255 per permit | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$255.00 | TOTAL REVENUE: | \$9,180 |
| UNIT COST: | \$793.78 | TOTAL COST: | \$28,576 |
| UNIT PROFIT (SUBSIDY): | \$(538.78) | TOTAL PROFIT (SUBSIDY): | \$(19,396) |
| TOTAL UNITS: | 36 | PCT. COST RECOVERY: | 32.12% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$795 per permit | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

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|---|-------------------|----------------------|------------------|---------------------------------------|-------------------|-------------------|
| SERVICE TREE PRUNING REQUEST | | | | REFERENCE NO. S-072A | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 36 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PW-STREETS | PW SUPERINTENDENT | | 0.50 | \$109.37 | 36 | \$3,937 |
| PW-FOREST & BEACH | CITY FORESTER | | 2.50 | \$572.13 | 36 | \$20,597 |
| PW-FOREST & BEACH | MAINT WORKER | | 1.00 | \$112.28 | 36 | \$4,042 |
| | | TYPE SUBTOTAL | 4.00 | \$793.78 | | \$28,576 |
| | | TOTALS | 4.00 | \$793.78 | | \$28,576 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|----------------------------------|---|-------------------|
| SERVICE TREE APPEAL TO FOREST & BEACH COMM | | REFERENCE NO. S-072C | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE APPEAL | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Appeal of tree-related decision to the Forest & Beach Committee. | | | |
| CURRENT FEE STRUCTURE \$1,485 per appeal plus actual outside costs | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,485.00 | TOTAL REVENUE: | \$17,820 |
| UNIT COST: | \$2,696.75 | TOTAL COST: | \$32,361 |
| UNIT PROFIT (SUBSIDY): | \$(1,211.75) | TOTAL PROFIT (SUBSIDY): | \$(14,541) |
| TOTAL UNITS: | 12 | PCT. COST RECOVERY: | 55.07% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$2,695 per appeal plus actual outside costs | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| | | | | | | |
|---|--------------------------|-------------|------------------|---------------------------------------|-------------------|-------------------|
| SERVICE TREE APPEAL TO FOREST & BEACH COMM | | | | REFERENCE NO. S-072C | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 12 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PUBLIC WORKS ADMIN | ADMIN COORDINATOR | | 2.50 | \$249.25 | 12 | \$2,991 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 3.50 | \$959.98 | 12 | \$11,520 |
| PW-FOREST & BEACH | CITY FORESTER | | 6.50 | \$1,487.53 | 12 | \$17,850 |
| TYPE SUBTOTAL | | | 12.50 | \$2,696.76 | | \$32,361 |
| TOTALS | | | 12.50 | \$2,696.75 | | \$32,361 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|----------------------------------|---|----------------|
| SERVICE TREE APPEAL TO CITY COUNCIL | | REFERENCE NO. S-072D | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE APPEAL | SERVICE RECIPIENT Developer/Resident/Business | |
| DESCRIPTION OF SERVICE Appeal of a tree-related decision to the City Council. | | | |
| CURRENT FEE STRUCTURE \$1,485 per appeal plus actual outside costs | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$1,485.00 | TOTAL REVENUE: | \$1,485 |
| UNIT COST: | \$2,414.00 | TOTAL COST: | \$2,414 |
| UNIT PROFIT (SUBSIDY): | \$(929.00) | TOTAL PROFIT (SUBSIDY): | \$(929) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 61.52% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% \$2,415 per appeal plus actual outside cost | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| | | | | | | |
|---|--------------------------|----------------------|------------------|---------------------------------------|-------------------|-------------------|
| SERVICE TREE APPEAL TO CITY COUNCIL | | | | REFERENCE NO. S-072D | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PUBLIC WORKS ADMIN | ADMIN COORDINATOR | | 1.50 | \$149.55 | 1 | \$150 |
| PUBLIC WORKS ADMIN | DIRECTOR OF PUBLIC WORKS | | 4.50 | \$1,234.26 | 1 | \$1,234 |
| PW-FOREST & BEACH | CITY FORESTER | | 4.50 | \$1,029.83 | 1 | \$1,030 |
| | | TYPE SUBTOTAL | 10.50 | \$2,413.64 | | \$2,414 |
| | | TOTALS | 10.50 | \$2,414.00 | | \$2,414 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|---|--------------------------------|--|--|
| SERVICE PRIVATE TREE FALL IN PUBLIC R-O-W | | REFERENCE NO. S-073 | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE TREE | SERVICE RECIPIENT Resident/Business | |
| DESCRIPTION OF SERVICE Removal of a fallen private tree in the public right-of-way. | | | |
| CURRENT FEE STRUCTURE Charge the fully allocated hourly rate for all personnel involved plus any outside costs | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: \$0.00 | | TOTAL REVENUE: \$0 | |
| UNIT COST: \$281.00 | | TOTAL COST: \$281 | |
| UNIT PROFIT (SUBSIDY): \$(281.00) | | TOTAL PROFIT (SUBSIDY): \$(281) | |
| TOTAL UNITS: 1 | | PCT. COST RECOVERY: 0.00% | |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% Charge the fully allocated hourly rate for all personnel involved plus any outside costs | | | |

CITY OF CARMEL-BY-THE-SEA
COST DETAIL WORKSHEET
FY 2023

Attachment 3

| | | | | | | |
|--|-----------------|---------------|------------------|------------------------|-------------------|-------------------|
| SERVICE PRIVATE TREE FALL IN PUBLIC R-O-W | | | | REFERENCE NO. S-073 | | |
| NOTE Unit Costs are an Average of Total Units | | | | TOTAL UNITS 1 | | |
| <u>DEPARTMENT</u> | <u>POSITION</u> | <u>TYPE</u> | <u>UNIT TIME</u> | <u>UNIT COST</u> | <u>ANN. UNITS</u> | <u>TOTAL COST</u> |
| PW-FOREST & BEACH | MAINT WORKER | | 2.50 | \$280.70 | 1 | \$281 |
| | | TYPE SUBTOTAL | 2.50 | \$280.70 | | \$281 |
| | | TOTALS | 2.50 | \$281.00 | | \$281 |

CITY OF CARMEL-BY-THE-SEA
REVENUE AND COST SUMMARY WORKSHEET
FY 2023

| | | | |
|--|--------------------------------------|---|----------------|
| SERVICE DAMAGE TO CITY PROPERTY | | REFERENCE NO. S-074 | |
| PRIMARY DEPARTMENT PUBLIC WORKS | UNIT OF SERVICE OCCURRENCE | SERVICE RECIPIENT Resident/Non-Resident | |
| DESCRIPTION OF SERVICE Repair of damage to City property. | | | |
| CURRENT FEE STRUCTURE Charge the fully allocated hourly rate for all personnel involved plus any outside costs. | | | |
| <u>REVENUE AND COST COMPARISON</u> | | | |
| UNIT REVENUE: | \$0.00 | TOTAL REVENUE: | \$0 |
| UNIT COST: | \$110.00 | TOTAL COST: | \$110 |
| UNIT PROFIT (SUBSIDY): | \$(110.00) | TOTAL PROFIT (SUBSIDY): | \$(110) |
| TOTAL UNITS: | 1 | PCT. COST RECOVERY: | 0.00% |
| SUGGESTED FEE FOR COST RECOVERY OF: 100% Charge the fully allocated hourly rate for all personnel involved plus any outside costs. | | | |

Attachment 3

May 24, 2023

Table 1: Planning Fees Comparison

| | Carmel Current | Carmel Proposed | Marina | Monterey | | Pacific Grove | Seaside |
|---|---------------------------|----------------------------|---------------|-----------------|------------------------|--------------------------|----------------|
| Track 1 Design - Minor | 448 | 690 | 340 | 345 | + 1,000 Preapplication | 932 | 500 |
| Track 1 Design - Major | 813 | 990 | 1,010 | 1,237 | | 1,597 | 500 |
| Track 2 Design - Minor | 2,360 | 3,910 | 7,775 | 2,003 | | 3,318 | 1,200 |
| Track 2 Design - Major | 5,392 | 5,935 | 7,775 | 4,400 | | 3,318 | 1,200 |
| Use Permit | 2,730 | 3,060 | 5,350 | 4,000 | | 3,248 | 1,000 |
| Prelim (Phase 1) Hist Eval - Staff | 474 | 310 | NA | 0 | | 491 | 1,963 |
| Phase 1 Historical Eval - Qual Prof | 271 | 405 | NA | 0 | | 1,887 | 1,963 |
| Phase 2 Hist Eval - HRB Rev of Design | 1,579 | 2,040 | NA | 1,531 | + 1,000 Preapplication | 5,218 | 1,963 |

Table 2: Tree Pruning and Removal Fees Comparison

| | Carmel Current | PRIOR Proposed | Carmel Proposed | Marina | Monterey | Pacific Grove | Seaside |
|--------------------------|-----------------------|---------------------------|----------------------------|--|--|---|-----------------|
| Tree Pruning Trimming | 255 | 600 | 795 | NA | 117.50 | 68 - single tree 31 - each additional 100 - application 296 - with development | 122 - 1-5 trees |
| Tree Removal | 255 | 1,170 | 1,330 | 505 - administrative 1,335 - application 110 - each additional 10 trees | 146.50 - permit no development 706 - permit with development 298.50 - administrative with development | 68 - single tree 31 - each additional 100 - application 296 - with development | 122 - 1-5 trees |



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
ADJOURNMENT

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Chip Rerig, City Administrator

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Correspondence Received After Agenda Posting

RECOMMENDATION:

BACKGROUND/SUMMARY:

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

Correspondence #1 - Reimers
Correspondence #2 - MBEP
Correspondence #3 - Lewis
Correspondence #4 - Twomey
Correspondence #5 - Wilke

To: City Council, Carmel

June 30, 2023

From: Niels Reimers *nr*

Subject: Carmel trees and the Carmel dunes

Most of you are aware that in 1921, Carmel citizens (basically the entire population!) created a Save the Dunes campaign which successfully stopped development of the dunes. About 100 years later, a Save our Native Dunes (SAND) committee was formed to advocate restoration of the dunes. SAND was partially successful in that enough trees were removed so that there now is a small area as you descend Ocean Avenue at San Antonio where you can again see toward Pescadero Point and a blink of the dunes.

Attached is an essay entitled Carmel Dunes prepared by SAND for background regarding the history of the dunes restoration and presentations to Forest & Beach. Forest & Beach authorized some trees to be removed, enough to have that blink of Pescadero Point mentioned in the previous paragraph. However, a large clutch of trees remains in the east of the dunes. And no trees at all were removed at the western end (crest) of the upper dunes.

We have met with the City Forester regarding removal of more trees to protect more of the dunes. She (disappointedly) made it clear Carmel's dunes are secondary to trees.

This message will request that the City Council take steps to restore the dunes as Perry Newberry and other council members did to save the dunes for Carmel 100 years ago.

Recommendation #1

Specifically, you likely have seen what the East-West row of cypress trees along the dunes have done and are doing to the dunes. One can anticipate that, as the cypress trees grow along the crest of the dunes, what they also will do to adjacent dunes (all directions but primarily east and west) and, given onshore winds, will do the dunes far beyond to the East. And how they will block normal sand replenishment of the dunes to their east. And how those trees will increasingly block views to the west..... of the sea and sky, Stillwater Cove, Pebble Beach, and Pescadero Point.

Recommendation 1. That the City Council take actions toward removal of all trees along the crest of the dunes from Ocean Avenue to the north.

Recommendation #2

One need only walk to the clutch of trees out north-east about 30 yards from the corner of Ocean Avenue and San Antonio to see their effect on the dunes but also views from San Antonio and Ocean Avenue that were enjoyed by Perry Newberry and fellow citizens 100 years ago.

Recommendation 2. That the City Council authorize removal of the above clutch of trees and any other trees in the southern portion of the North Dunes.

Recommendation #3

There remain the questions (a) of removing the old cypress trees standing in an east/west row between the south side of the dunes and Ocean Avenue.....or at least some of those trees and all other non-native plants in that area and (b), learning whether it is possible to restore the dunes damaged by those trees and, if possible to restore, authorize that restoration.

Recommendation 3. That the City Council authorize a study of the potential removal of the non-native Cypress along the south side of the North dunes and feasibility of restoration of the dunes damaged by those trees.

Closing

SAND has been led by Andrea Thatcher, Jim Emery, and Niels Reimers (all over 90) and many other Carmel old timers have joined SAND. And they recall the pristine dunes and the efforts of the Carmel citizenry in 1921 to save the dunes. Please respect the wonderful accomplishment of those Carmel citizens of 1921 by giving our recommendations serious consideration.

PS. Also, we recall that it was considered important in the past that the view of the ocean down Ocean Avenue be maintained. Usually in the past it was done by trimming pine trees along Ocean Avenue from Monte Verde on down. There is now a large, growing cypress in the center of Ocean Avenue, at the intersection with San Antonio. There also are several new cypress trees planted where cars are parked in the center of Ocean Avenue below San Antonio. We (SAND) are not taking a position...this is just an observation.

To: City Council, Carmel

June 30, 2023

From: Niels Reimers *nr*

Subject: Carmel trees and the Carmel dunes

Most of you are aware that in 1921, Carmel citizens (basically the entire population!) created a Save the Dunes campaign which successfully stopped development of the dunes. About 100 years later, a Save our Native Dunes (SAND) committee was formed to advocate restoration of the dunes. SAND was partially successful in that enough trees were removed so that there now is a small area as you descend Ocean Avenue at San Antonio where you can again see toward Pescadero Point and a blink of the dunes.

Attached is an essay entitled Carmel Dunes prepared by SAND for background regarding the history of the dunes restoration and presentations to Forest & Beach. Forest & Beach authorized some trees to be removed, enough to have that blink of Pescadero Point mentioned in the previous paragraph. However, a large clutch of trees remains in the east of the dunes. And no trees at all were removed at the western end (crest) of the upper dunes.

We have met with the City Forester regarding removal of more trees to protect more of the dunes. She (disappointedly) made it clear Carmel's dunes are secondary to trees.

This message will request that the City Council take steps to restore the dunes as Perry Newberry and other council members did to save the dunes for Carmel 100 years ago.

Recommendation #1

Specifically, you likely have seen what the East-West row of cypress trees along the dunes have done and are doing to the dunes. One can anticipate that, as the cypress trees grow along the crest of the dunes, what they also will do to adjacent dunes (all directions but primarily east and west) and, given onshore winds, will do the dunes far beyond to the East. And how they will block normal sand replenishment of the dunes to their east. And how those trees will increasingly block views to the west..... of the sea and sky, Stillwater Cove, Pebble Beach, and Pescadero Point.

Recommendation 1. That the City Council take actions toward removal of all trees along the crest of the dunes from Ocean Avenue to the north.

CARMEL DUNES

This essay is written on behalf of SAND (SAve our Native Dunes), a group whose goal is to see restoration of the Carmel dunes, the area north of Ocean and west from San Antonio to the sea. Our core members are long-time residents of Carmel. We dedicate this writing to Elinor Laiolo and Lillian Hazdovac, both of whom passed away in the last 12 months, both in their 90's. At a Forest and Beach Commission meeting, Lillian provided our battle cry, pleading "Let the dunes be the dunes and the forest the forest".

The dunes were almost lost to Carmel in 1920 when it became known they were to be developed, with a hotel on the high west dunes and 40 by 100 building lots up to San Antonio street. Carmel citizens arose to stop the development and were successful. A meeting with Frank Devendorf led to his offering the dunes for a bargain rate of \$15,000, throwing in the City park property at Junipero and Ocean as well.....and title to the beach and the dunes at the foot of Ocean Avenue.

The Carmel Pine Cone, in its September 29, 1921 front page, the headline read Save the Sand-Dunes Campaign Started. Two quotes: "If the vote to fail the property will have sold for commercial purposes". "These dunes have won world-wide fame through being pictured upon the canvasses of many noted artists of this country and Europe".

The November 24, 1921 Pine Cone front page trumpeted Voters Approve Bond Issue To Purchase Dunes. That issue also contained news of "baseball on the Eight Acre Tract this afternoon. Players are 50-50 male and female".

But there was more to come about the dunes in 1924 when citizens were asked to approve a zoning ordinance restricting development. One reader asked "Isn't the City sure of the sand dunes, even if this ordinance is defeated?". The Planning Commission response was "The City does not own all of the sand dunes. One and 7/10 acres, including much of the large white dunes, were sold almost 20 years ago, prior to advent of the Carmel Development Company, to the Pacific Land Glass Company of San Francisco. Use of that sand for commercial purposes, now possible on account of the development of motor transportation, would ruin that part of the dunes. Without zoning, the beauty of this portion of the beach would be endangered.

There are several colorful Carmel histories telling in detail of the many actions of the Save the Dunes Campaign and the great support of the Carmel community.

In her 1925 book Crossroads and Chaparral, Eunice Gray tells of the dunes: "These dunes are the unique feature of Carmel's shore, loved of every person who has set foot of their slopes, the despair and joy of the painter and the perfect playground of the child; yet so heedless had we become in the cheerful gregariousness of our second decade that these dunes were all but

lost by Carmel, almost lost to the real estate speculator and show-front clients. It was only after that kind of a fight which a man makes for his birthright that a part of the dunes was saved". Eunice goes to tell of the beautiful outlook over the dunes to the bay and sea beyond, Pescadero Point and "sister" Point Lobos and east to from there to the Santa Lucias.

Decades later, however, after the streets began being oiled the annual stream of water down 4th Avenue during winter rains gradually increased. Where the stream had previously flowed down to Pescadero Creek after crossing San Antonio Street, it was diverted (purposely or by nature) to flow into the dunes, bringing in pine cones, acorns, and other detritus. The flow into the dunes ended when pipes were put in by the City to carry the 4th Street water under the North border of the dunes. However, trees and plants non-native to the dunes began to grow. The beautiful views described by Eunice Gray were blocked. Cypress were also planted intentionally, further destroying the dunes.

The crowning blow was in around 2005, when 23 cypress trees were planted across the dunes, and provided with water. The City then authorized a professional botanist, Jean Ferreira, to prepare a plan for restoration of the dunes. Her excellent July 15, 2008 plan "North Dunes & Del Mar Dunes Habitat Restoration Plan" was approved for implementation by the Forest & Beach and Planning Commissions. This plan called for removal of the trees and non-native (to the dunes) plants.

However, the plan did not make it to the City Council. It was altered to make tree removable permissible rather than required and resubmitted to Forest & Beach, where it was approved. Planning then received the "slightly" altered plan and approved it and, according to a Planning Commission member, had not been advised the changes were major. The altered plan was approved by the City Council September 1, 2009.

Jean Ferreira is outraged the changed plan was presented as her work product. She was advised by the City Planner the changes were made "to avoid a large, expensive and controversial tree removal program on their hands".

Incongruously, what was not changed in the revised plan were all the botanist's arguments as to the negative effects of tree detritus and shade upon native dune plants.

The City then hired Joey Canepa to carry out the restoration plan. Joey is a wonderful person and botanist but also loves trees. It was only with pressure by a later Forest & Beach Commission that any trees at all have been removed.

The primary obstacle to full restoration of the dunes has been, what SAND members call, the "tree people". At a public meeting on the dunes, a SAND member noted the trees form a wall, blocking the beautiful views of Stillwater Cove, the sea, and Pescadero Point. A tree person's

response was "who wants to look at millionaire's homes?" And in response to SAND supporters' comments of noting trees are not native to the dunes and require considerable water to live and how wonderful it was walking through the natural dunes as a child, we were told: "The native plants likely did not thrive because you likely walked on them. And the trees died because you likely poisoned them" The Forest & Beach chair (and a tree person) closed the meeting noting: "F&B has too many important things on its plate to contend with than this matter". We noted their previous two F&B meetings were cancelled for "lack of topics".

We ask today's Carmel citizens to make it a point to view the dunes from the Northwest corner of San Antonio and Ocean. Imagine if the grouping of trees directly in front of you were removed and you could look over the flowing dunes to the sea and Pescadero Point.....seeing what early citizens had loved, fought for, and paid for.....and decide for yourselves if you wish the dunes so cherished by early Carmelites were restored.

If the trees are removed there will be the detritus of leaves, etc from the trees. This detritus will, for the present, not be able to be fully removed. In time, however, nature's winds will restore the beautiful white dunes we so loved.

In time, the grand eucalyptus at the corner of San Antonio will pass on. A fantasy of ours is that its trunk, up to about 4-5 feet, remain and a statue of a 5 year old girl or boy be placed there, looking over the dunes to the sea with a pail and sand shovel in hand. (Or a girl and boy!)



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CEO, Community Foundation
Santa Cruz County

Matt Wetstein
Superintendent/President, Cabrillo College

Staff: Tahra Goraya, President & CEO

July 6, 2023

Carmel-By-The-Sea City Council and Staff
Monte Verde St.
Carmel-By-The-Sea, CA 93923

Subject: Support 6th Cycle Housing Element Draft

Dear Mayor Potter, City Councilmembers, and City Staff,

Monterey Bay Economic Partnership (MBEP) supports draft recommendations for the 6th Cycle Housing Element made available to the public June 2023. The City of Carmel-By-The-Sea's Draft Housing Element incorporates policies in alignment with recommendations from MBEP's white paper *Practical Housing Policy: Increasing Supply and Affordability*, which include:

1. Streamline permitting and reduce discretionary reviews
2. Increase allowable densities
3. Reform impact fees
4. Increase funding sources for affordable housing
5. Optimize inclusionary housing ordinances

Specific comments on Draft Housing Element:

Program 1.1.B: Underutilized Sites - AFFH

MBEP supports the City's planned use of publicly owned sites for housing development and recommends seeking innovative models for private developers – including for-profit organizations – to construct affordable housing. Availing of property tax exemptions through retained public ownership can increase financial viability for development of affordable housing under thoughtfully executed public-private partnerships.

Program 1.1.C: Development on Small Sites

The combination of reduced or waived parking requirements and setbacks along with density bonuses increases housing development viability and MBEP supports implementation of such incentives, especially in the high value and high cost downtown area. Integrating such incentives – including the 88 du/acre density potential – into the Affordable Housing Overlay Zoning District (Program 3.1G) will maximize development potential, especially for affordable homes.

Program 1.3.E: Amend the A-2 Zoning District

MBEP applauds the City for planning the creation of clear and objective

3180 Imjin Road, Suite 102
Marina, CA 93933 831.915.2806

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design guidelines for developers to use in advance of permit applications. Integrating these guidelines with the By Right approval processes guaranteed for projects including 20% affordable units in the Affordable Housing Overlay program will only further strengthen development potential for affordable homes.

Policy 1.4: Improve Development Review and Approvals Processes

MBEP supports implementation of the programs entailed in this policy to their fullest extent. Removing the conditional use permitting (CUP) process for multifamily development (1.4A) is an excellent start for streamlining development and MBEP recommends maximizing impact of this policy by increasing the exemption from CUP for density up to 88 du/acre or higher, consistent with Program 1.1C.

Program 1.4.B: Objective Design Standards - AFFH

MBEP supports the program for creating objective design guidelines for projects including affordable units, as mentioned in our support for Program 1.3E. Ensuring minimal discretionary review following objective design approval only further maximizes development potential for affordable units.

Program 2.1.A: Incentives for Mixed-Use Development - AFFH

MBEP agrees strongly with the assertion that granting floor area ratio (FAR) bonuses for affordable units only compounds affordability potential and project feasibility. We support offering the maximum FAR for affordable units within health and safety code requirements, which in some cases could exceed the 15-25% bonus offered in this program.

Program 2.3.A: Preserve and Increase Second and Existing Third Floor Residential Uses - AFFH

MBEP supports this policy and recommends expanding to allow for development of residential uses on the first floor of parcels otherwise in commercial use – such as behind the existing the commercial establishment – to maximize affordable development potential.

Policy 3.1.: Programs A-G:

MBEP strongly supports Programs A-G under Policy 3.1 with special emphasis on 3.1G which would create an Affordable Housing Overlay Zoning District. Offering as many incentives as possible and guaranteeing By Right approval for developments that meet objective design guidelines creates an optimal environment for much-needed affordable housing.

In conclusion, MBEP supports the Draft 6th Cycle Housing Element set forth by the City of Carmel-By-The-Sea with some qualified recommendations. This first draft represents an affirmative and encouraging step toward progress on affordability. You can find more recommendations in our housing white paper at <https://mbep.biz/initiatives/housing>. Please contact Gabriel Sanders, Director of Housing and Community Development Policy, at gsanders@mbep.biz with any questions or concerns.

Sincerely,

Tahra Goraya, MA, MPA
President & CEO



Nova Romero <nromero@ci.carmel.ca.us>

Control

2 messages

William Lewis <wblewis10@msn.com>
To: "cityclerk@ci.carmel.ca.us" <cityclerk@ci.carmel.ca.us>

Mon, Jul 10, 2023 at 3:59 PM

Please do not let the State dictate to our City as to its building codes to provide affordable housing. Join with other Cities that want to maintain local control and fight the State. You are elected by the residents, do not look for exotic ways to raise additional funds but control expenditures !

William Lewis

40 YEAR RESIDENT

Sent from [Mail](#) for Windows

Nova Romero <nromero@ci.carmel.ca.us>
To: Jeff Baron <jbaron@ci.carmel.ca.us>, Bobby Richards <brichards@ci.carmel.ca.us>, Alissandra Dramov <renewcarmel@outlook.com>, Karen Ferlito <kferlito@ci.carmel.ca.us>, Dave Potter <dpotter@ci.carmel.ca.us>
Cc: Chip Rerig <crerig@ci.carmel.ca.us>, Maxine Gullo <mgullo@ci.carmel.ca.us>, Brandon Swanson <bswanson@ci.carmel.ca.us>

Mon, Jul 10, 2023 at 4:12 PM

Good afternoon Mayor and Council,

Please see correspondence received below regarding affordable housing.

(Reminder-- Please do not reply all)



Nova Romero, MMC
City Clerk
City of Carmel-by-the-Sea
P.O. Box CC
Carmel-by-the-Sea, CA 93921
(831) 620-2016
nromero@cbts.us

[Quoted text hidden]

Proposed Fee Schedule Changes on City Council Agenda 7/11/23

'Tim Twomey' via cityclerk <cityclerk@ci.carmel.ca.us>

Mon, Jul 10, 2023 at 11:36 PM

Reply-To: Tim Twomey <timtwomey@aol.com>

To: Dave Potter <dpotter@ci.carmel.ca.us>, Bobby Richards <brichards@ci.carmel.ca.us>, Karen Ferlito <kferlito@ci.carmel.ca.us>, Alisandra Dramov <adramov@ci.carmel.ca.us>, Jeff Baron <jbaron@ci.carmel.ca.us>, City of Carmel-by-the-Sea <crerig@ci.carmel.ca.us>, City of Carmel-by-the-Sea <cityclerk@ci.carmel.ca.us>

On behalf of the Carmel Residents Association (CRA) Board we've identified 4 recommended cost-recovery fee increases that need further scrutiny prior to your decision.

These specific 4 proposed fee increases include:

- 1) \$0 to \$390 for Tree evaluation
- 2) 212% for Tree pruning permit
- 3) 422% for Tree removal permit
- 4) 146% Landscape plan/check inspection

These exorbitant increases will discourage proactive maintenance and necessary tree removal (due to safety, disease, or dead trees) by property owners. In many cases the city fees will exceed the separate cost of the service. And just like maintaining the trees, quality landscape projects should be encouraged and these new proposed fees don't. Landscape in our Village is a fundamental contributor to our charm and character.

What justifies these dramatic increases in fees, given that:

- 1) Carmel's proposed increases are many times the cost compared to other local cities. For example, Carmel's proposed tree pruning permit fee is \$795 compared to \$117.50 in the City of Monterey.
- 2) Why are other neighboring jurisdiction's costs so much lower? Do they subsidize these fees? If not, why are our internal costs so much more?

As stated in the staff report, City Council may determine that certain services have a community wide benefit, and choose to reduce fees associated with certain services. This has been the decision of City Council in the past, and they have historically subsidized selected fees, specifically tree permitting.

We recommend this practice continues now.

Thank you for your consideration.

Tim Twomey
On behalf of CRA Board of Directors
(916) 335-3399



Comment on #12 for meeting today

Brian Wilke <wilkebrian3180@gmail.com>

Tue, Jul 11, 2023 at 12:33 PM

To: cityclerk@ci.carmel.ca.us

Re: #12 Update on the Housing Element Public Review Draft:

Please correct an error in draft page 2-12: "...the city will continue to promote education programs that improve public understanding of the city's rich cultural and design heritage, and provide zoning flexibility and incentives to facilitate residential rehabilitation of historic resources."

Correction: The city has not done that, so cannot continue to do that.



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

July 11, 2023
ADJOURNMENT

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Chip Rerig, City Administrator

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Presentations received after agenda posting

RECOMMENDATION:

BACKGROUND/SUMMARY:

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

Item #12 - Housing Element Update
Item #14 - Fee Schedule Update



CITY OF CARMEL-BY-THE-SEA

Update on Housing Element Public Review Draft



City Council Meeting
Tuesday, July 11, 2023
City Hall, 4:30pm



Tonight's Presentation

1. Overview / Background
2. Project timeline going forward
3. Responses to common concerns expressed
4. Policy direction on certain topics

**Housing
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Overview/Background

The Housing Element is a chapter of the General Plan mandated by the State to be updated every 8 years.

The City is tasked with identifying policies, programs, and actions to incentivize the development of housing.

Every community in CA contributes to the statewide housing need. Carmel's share is 349 new housing units.

The City is not constructing housing; the City is preparing a PLAN and setting POLICY to facilitate private development.



<https://homecarmelbythesea.com/>

Just joining us? Presentations from five (5) previous community meetings are available [online!](#)

CARMEL-BY-THE-SEA
Housing Opportunities Made Easier

Home Housing Element Updates Learn More Participate Search

Public Meetings & Workshops
Property Owner Interest Form
Community Ideas Board
Site Mapping Tool

Housing Opportunities Made Easier (H.O.M.E.)

Welcome to H.O.M.E. Carmel-by-the-Sea, the City's online community forum to engage in the 2023-2031 6th Cycle Housing Element Update. The housing element update presents the community with an opportunity to help shape the future of Carmel-by-the-Sea.

This website will be regularly updated to keep you informed on the 6th Cycle Housing Element Update planning process. You may expect information including public meetings, community engagement events, surveys, and find key documents posted here. Please register to participate or subscribe to stay informed and receive the latest information on the update process.

The City of Carmel-by-the-Sea is required to plan for 349 new housing units between 2023-2031. Please take the time to better understand the challenges we face as a City and lend your thoughts and voices to help find the best solutions.



State > Regional > Local Housing Needs



**2.5 MILLION
HOMES
NEEDED**

Very Low Income
643,352
Low Income
384,910
Moderate Income
420,814
Above Moderate Income
1,051,177

STATE: 2.5 million units



AMBAG: 33,274 units



CARMEL: 349 units





Project Timeline: Public Review Draft

- **6/5/23:** Draft 2023-2031 Housing Element released.
- **7/6/23:** 30-day public review period closed.
- **7/11/23:** Progress update for City Council; policy direction requested.
- **8/1/23:** Revised draft to be reviewed by the City Council prior to submission to HCD. Every public comment will be logged with a response and included as an appendix.

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Project Timeline: HCD Review Draft

- **August 2023:**
Submit Draft Housing Element to HCD
- **August-October 2023:**
90-day HCD review period; City begins CEQA review
- **November 2023:**
City responds to HCD comments and resubmits revised draft
- **December 2023:**
AMBAG deadline for certification by HCD.
120-day grace period for jurisdictions that do not meet the deadline but are working on revisions
- **Winter 2024:**
Receive substantial compliance letter from HCD, City Council adoption of Housing Element, HCD certification
- **2023-2031:**
Implementation and annual progress reporting to HCD



Common Concern: Do we have to?

Response: YES.

The governor has declared a state-wide housing crisis. The Housing Element is a **policy document** that addresses housing needs by,

- a) Facilitating the creation of more housing units of various types and sizes,
- b) Identifying and removing constraints to housing development, and
- c) Creating incentives to encourage housing production.

Learn more online: <https://homecarmelbythesea.com/what-if-we-don-t>



Common Concern: Builder's Remedy

Response: Builder's Remedy is a loophole in State law that allows developers to circumvent the local Planning process and obtain by-right approval of housing projects in a community where the Housing Element is out of compliance with State law.

Carmel's current 5th cycle housing element is in compliance.

The deadline to obtain certification of the 6th cycle housing element is December. The State provides a 120 day grace period with no penalties to achieve certification.

However, during this time, we are at risk. The best way to protect ourselves is through the adoption of **objective design standards** that uphold our design traditions without requiring a formal design review process for housing projects.

More on this later...



Common Concern: We have no water.

Response: True, we remain under the State imposed **cease-and-desist order** and do not have enough water resources to serve 349 new housing units.

However, it's important to have a housing plan in place so that when additional water resources become available, we are able to support new housing.

The 2023-2031 Housing Element is a policy document that spans the next 8 years. If no additional water resources become available during the planning period, this will be reported to HCD.



Common Concern: Carmel is built out.

Response: Not true.

While very few truly vacant properties remain in Carmel, there *are* opportunities to add new housing units through second-story additions, conversion of vacant office space, and redevelopment of underutilized sites.

Under the current General Plan and zoning there is additional housing capacity.



Common Concern: Multi-Family Housing

Response: A multi-family dwelling is defined as 2 or more dwellings each with its own facilities for living, sleeping, cooking, and eating. It includes condominiums, townhouses, and apartments. A mixed-use building could also include multi-family housing.

15% of Carmel's housing stock is multi-family housing (Source: DOF 1/1/2023).

Examples include...



Common Concern: Multi-Family Housing

5 units total
2 condominiums
3 apartments



NE Mission and 4th



Common Concern: Multi-Family Housing



SE Mission and 4th / SW Junipero and 4th



Common Concern: Multi-Family Housing



Mission 3 SE of 4th



Common Concern: Multi-Family Housing

This is what affordable housing looks like in Carmel:



Haseltine Court, SE Lincoln & 5th



Trevett Court, Dolores 4 NW of 5th



Common Concern: Multi-Family Housing

This is what affordable housing looks like in Carmel:



NE Mission and 4th



Norton Court, NW Dolores and 5th



Common Concern: New ADUs are not rentals

Response: The City **does not** have the authority to require that ADUs be rented.

It's worth noting that Carmel has a long history of establishing ADUs that begins before 1929. Property owners have the flexibility to use an ADU for aging family members, students, on-site health care providers, and other small household types. They can be occupied at no cost, at reduced cost, or at market rate.

The benefit of ADUs are that they add complete, independent living units to the housing stock. They provide a housing opportunity today and well into the future.

ADUs count towards our RHNA goals and help the City retain its character without resorting to more drastic zoning changes or building height increases.



Common Concern: Downtown Character

Response: The Draft Housing Element encourages second-floor additions to one-story buildings downtown within current height limits.

It's worth noting that 3-story buildings are part of Carmel's past and contribute to the aesthetic that is cherished today.

Examples include...



Common Concern: Downtown Character





Common Concern: Downtown Character

However, increasing the existing **height limits** in the downtown area, is **not** part of the current housing plan.

Second-floor additions create housing opportunities while maintaining Carmel's character.

They can also improve the aesthetics of the commercial district by shielding rooftop equipment and blank walls.

For example...



Common Concern: Downtown Character



Carmel Realty Office, NEC Dolores & 8th Avenue





Common Concern: Downtown Character



Dolores between 5th & 6th Avenues



Common Concern: Downtown Character



Dolores & 6th Avenue





Common Concern: Downtown Character



Doud Arcade, San Carlos between Ocean & 7th Avenue





Common Concern: Downtown Character

Response: Buildings that are on the historic inventory or have historic resource potential are more challenging to develop with housing because you must also consider preserving and protecting the historic character of the building.

However....



Common Concern: Downtown Character

Historic Percy Parkes Building
3 apartments approved



Dolores between Ocean and 7th Avenue



Policy Questions for the Council

Staff is reviewing and preparing written responses to **all** public comments.

Responses will be provided at the 8/1/2023 City Council meeting.

Tonight, staff is seeking policy direction on a few key issues.

Common Concerns:

- Do we have to?
- Builders Remedy
- We have no water.
- Carmel is built out.
- Multifamily housing.
- New ADUs are not rentals.
- Downtown character.



Policy Questions for the Council

1. Transfer of Development Rights for Hotels/Motels?
2. Objective design standards?
3. Vacancy Tax?
4. Third story vs. third floor mezzanines?
5. SB10 sites?
6. Pre-approved ADU plans?
7. Sites with parking lots?

Other comments from the Council?

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Policy Question #1: Hotel/Motel Conversion

Question: Should we amend Program 1.3.B: R-1 Motel (Conversion) Development Transfer Rights to include existing hotels/motels not just in the R-1 but **in every zoning district**? Please note that the term “motel” is in reference to any transient lodging: hotel, motel, inn, b&b, etc.

Recommendation: Modify Program 1.3.B to reflect its application to all hotels/motels in all districts.



Policy Question #2: Objective Design Standards

Question: Should we keep Program 1.4.B: Objective Design Standards to **develop objective design standards** for affordable multi-family housing projects? If not, should we remove one or more sites carried over from the 5th Housing Element cycle?

Recommendation: Keep Program 1.4.B and develop objective design standards for projects with at least 20% affordable multi-family housing.

Staff also recommends that 5th cycle sites in the **Downtown Conservation District** be removed from the site's inventory. More on this later...

*Wells Fargo Bank, Cafe Carmel, NWC Monte Verde & 7th (office building), Court of the Fountains



Policy Question #2: Objective Design Standards

Objective Design Standards = Yes/No Checklist (specific, shall/must)
(*San Francisco, Santa Cruz, Sacramento, Santa Barbara, and dozens more*)

Subjective Design Standards = Exercise of discretion (vague, should/may)

Objective:

Metal roofs are prohibited except within the High Fire Hazard Severity Zone.

Subjective:

Metal roofs *may* be appropriate on *some* architectural styles depending on neighborhood *context*.



Policy Question #2: Objective Design Standards

Figure 19: Material Application





Policy Question #2: Objective Design Standards

Carmel's current Design Guidelines (being updated) are a mix of objective & subjective standards, and require discretionary review (by the Director or the Planning Commission).

The existing guidelines (as amended) would continue to apply to all development projects that aren't eligible for by-right approvals.

Cities can have BOTH objective standards and subjective guidelines for different types of projects.



Policy Question #3: Vacancy Tax

Question: Should we keep a **vacancy tax** on the list of potential options in Program 2.1.D: Establish Affordable Housing Trust Fund?

Recommendation: **Remove** vacancy tax from Program 2.1.D as a potential funding source for an Affordable Housing Trust Fund.

This does not preclude the City Council from considering it over the next 8 years.



Policy Question #4: Building Height

Question: Should Program 3.1.A: Mixed Use Affordable Housing be modified to remove consideration of a **third story** when devoted to affordable housing?

*This program is a carry-over from the 5th cycle.

Recommendation: **Modify** Program 3.1.A: Mixed Use Affordable Housing to allow for a **third-floor (not a story) mezzanine** within the current height limits to encourage the development of affordable housing.



Policy Question #5: Re-Zoning & SB 10

Question: Should we consider using **Senate Bill (SB) 10** for the Regional Housing Needs Allocation (RHNA) sites zoned R-1, or should we remove them from the site's inventory?

SB 10 allows up to 10 housing units on an R-1 parcel without having to change the zoning. Projects are also exempt from environmental review.

Recommendation: **Remove** the **Pine Inn Parking Lot** and **Carmel Presbyterian Church** from the site's inventory. If the City Council prefers not to use SB10 on the remaining three sites*, staff recommends they be removed and replaced with alternative sites.

*American Legion, Red Cross, and First Church of Christ Scientist



Policy Question #6: Pre-approved ADU plans

Question: Should we modify Program 1.3.C: Accessory Dwelling Units to **remove** the creation of standardized, pre-approved Accessory Dwelling Unit plans?

Recommendation: Retain Program 1.3.C to **explore the creation** of standardized, pre-approved Accessory Dwelling Unit plans.



Policy Question #7: Parking Lots

Question: Should we **keep** properties that contain parking lots on the site's inventory, or should we remove them?

Recommendation: **Retain** sites with parking lots on the site's inventory on the condition that existing parking spaces are incorporated into the design of any future housing project.



Policy Question #7: Parking Lots

THIS?



OR THIS?





Policy Question #7: Parking Lots

THIS?



OR THIS?





Policy Question #7: Parking Lots

THIS?



OR THIS?





Sites Inventory Revisions

- 5th cycle sites being reused are subject to a “by-right” approval
- Projects must have 20% of the housing units deed restricted affordable
- Discretionary review is not allowed but objective design standards can be applied
- 21+ sites are proposed to be carried over from the 5th cycle
- Adopting objective design standards is recommended
- The Council may direct staff to remove one or more of the 5th cycle sites

Note: The following 5th cycle sites in the Downtown Conservation District are recommended for removal:

1. Wells Fargo Bank
2. Cafe Carmel
3. NWC Monte Verde & 7th (office building)
4. Court of the Fountains



Housing Ad Hoc Committee



Councilmember Karen Ferlito
kferlito@cbts.us



Mayor Pro Tem Bobby Richards
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<https://homecarmelbythesea.com/>
<https://ci.carmel.ca.us/post/long-range-planning-initiatives>

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Stay Involved!

- Sign up for the “Housing” email listserv
- Look for future meeting announcements in the City Administrator’s “Friday Letter” and the *Carmel Pine Cone*
- Slides from this presentation will be posted on the City website at <https://ci.carmel.ca.us/post/long-range-planning-initiatives> and on our dedicated Housing Element Update website at <https://homecarmelbythesea.com/>



THE END

Housing
Opportunities
Made
Easier





CITY OF CARMEL-BY-THE-SEA

Resolution 2023-076 Adoption of Fiscal Year 2023-2024 Fee Schedule

City Council Meeting

11 July 2023



Background and Purpose

- City provides services to identifiable customers (“user”) and is legally allowed to recover “reasonably-borne” costs
 - City Policy to review fees through cost of services study every three years
 - Attachment 3) Carmel-by-the-Sea Fee Study Update Report
- March 2023 update to original cost of services study
 - Community Planning and Building and Public Works Departments
- Local Area CPI of +4.9% adjustment
 - Public Safety, Administration, and Community Services Departments
- Adoption of FY 23-24 Fee Schedule



Functional Areas Summary

Community Planning and Building proposed fees

- Increased Fees: Design Study and Review Fees, Environmental Review Fees
- Decreased Fees: Temporary Use Permit, Coastal Development Permit–Event, Historical Evaluation Preliminary Phase 1, and Appeal to Historic Resources Board
- New Fees: Reasonable Accommodation-Staff, Mills Act Maintenance Plan Review, Mills Act 5-Year Inspection, and Mills Act 10-Year Maintenance Plan Review
- Removed Fees: Temporary Sign Permit Fee
- No proposed changes to the Building Safety Division Fees

Development fees comparative to neighboring jurisdictions

- Attachment 4), Table 1 for comparative of CP&B's more utilized fees



Functional Areas Summary

Public Works proposed fees

- Increased Fees: Tree Removal, Tree Pruning, and Tree Appeals (fees historically subsidized)
- New Fees: Tree Evaluation

Tree Pruning and Removal fees comparative to neighboring jurisdictions

- Attachment 4), Table 2 for Trees Pruning/Trimming and Tree Removal Fees

Public Safety, Administration, and Community Activities proposed fees

- Increased Fees: +4.9% CPI adjustment (Local Area San Francisco-Oakland-Hayward)
- Norton Court Garage Parking Rental: currently \$2,000 annually, proposed \$2,400



Recommendation and Discussion

- Staff recommends the continuation of full cost recovery for charges for services
- Recommend adoption of FY 23-24 fees as proposed (including San Francisco-Oakland-Hayward area CPI of 4.9%)
- New fees will become effective on September 9, 2023