

MONTEREY COUNTY PLANNING COMMISSION

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| Meeting: December 14, 2005 @ 10:45 AM | Agenda Item: 7 |
| Project Description: (PLN980663 – Jenkins) Combined Development Permit consisting of: 1) a Minor Subdivision to subdivide a 23.43 acre lot into four residential lots of: 5 acres (parcel 1); 5.55 acres (parcel 2); 6.28 acres (parcel 3); and 6.60 acres (parcel 4), including a road and utilities easement across all parcels; 2) a Use Permit for development on 30 percent or greater slopes, and 3) a Use Permit for the removal of 86 oaks trees, to allow for road construction, in a LDR/5-D District (Assessors Parcel Number 416-444-007-000). | |
| Project Location: The property is located on and to the south of San Benancio Canyon Road, three miles east of Highway 68, Salinas. | |
| Plan Area: Toro | Flagged and staked: No |
| Zoning Designation: LDR/5-D | CEQA Action: Mitigated Negative Declaration |
| Department: Planning and Building Inspection | |

RECOMMENDATION:

- 1) Approve the Combined Development Permit based on Findings and Evidence (**Exhibit C**) and subject to proposed conditions (**Exhibit D**);
- 2) Adopt the attached Mitigated Negative Declaration (**Exhibit E**);
- 3) Adopt the Mitigation Monitoring and/or Reporting Program (**Exhibit D**).

OVERVIEW OF PROPOSED ACTION

This project is a Combined Development Permit consisting of: 1) a Minor Subdivision to subdivide a 23.43 acre lot into four residential lots of: 5 acres (parcel 1); 5.55 acres (parcel 2); 6.28 acres (parcel 3); and 6.60 acres (parcel 4), including a 60-foot wide road and utilities easement across all parcels; 2) a Use Permit for development on 30 percent or greater slopes, and 3) a Use Permit for the removal of 86 oaks trees, to allow for road construction, in a LDR/5-D District. Access to the residential lots would be provided by a new road onto San Benancio Canyon Road as part of the project. All development on slopes greater than 30 percent will take place in conjunction with the road improvements. A mutual water system (private well) will serve the lots and septic systems will provide water and wastewater disposal.

OTHER AGENCY INVOLVEMENT:

- ✓ Water Resources Agency
- ✓ Environmental Health Division
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Salinas Rural Fire Protection District
- ✓ Housing and Redevelopment Agency
- ✓ Monterey Bay Unified Air Pollution Control District

All of the above have reviewed this project. Conditions are recommended by the Water Resources Agency, Environmental Health Division, Public Works Department, the Fire Protection District, Monterey Bay Unified Air Pollution Control District, and the Housing and Redevelopment Agency (see **Exhibit D**).

LUAC RECOMMENDATION:

The Toro Land Use Advisory Committee reviewed the project and unanimously recommended approval on July 14, 2003.

Paula Bradley, Associate Planner
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December 14, 2005

cc: Public Works Department, Environmental Health Division, Water Resources Agency, Housing and Redevelopment, Salinas Rural Fire Protection District, Applicant, File.

Attachments: Exhibit "A" Discussion of Proposed Project
Exhibit "B" Project Data Sheet
Exhibit "C" Recommended Findings and Evidence
Exhibit "D" Recommended Conditions of Approval and Mitigation Measures
Exhibit "E" Initial Study and Mitigated Negative Declaration
Exhibit "F" Letter from resident
Exhibit "G" Vicinity Map
Exhibit "H" Tentative Parcel Map

Taven Kinison Brown, Senior Planner, reviewed this report.

EXHIBIT “A”

DISCUSSION OF THE PROPOSED PROJECT

INTRODUCTION:

Setting

The 23.43 acre parcel is on to the south of San Benancio Road and three miles east of Highway 68. The topography is hilly, sloping upwards to the south of San Benancio Canyon to a ridge above the property. There is no address assigned to the parcel at this time and there are no structures existing on the site. A new road will be constructed to access the new residential lots from San Benancio Road. Vegetation on the parcel consists of stands of oaks and chaparral interspersed with open areas of grasses, both native and nonnative species.

PROJECT ANALYSIS:

The parcel is zoned Low-Density Residential (LDR/5) and Design Control (D) designation. The zoning designation requires that parcel sizes be a minimum of 5 acres in area (LDR/5). San Benancio Canyon Road is a County designated scenic route as defined in the Toro area plan. Site visibility from San Benancio Road is limited because of the hilly area and forest coverage near the road. None of the proposed building sites would constitute ridgeline development, nor will they be visible from San Benancio Road, due to the trees and the hilly topography. Adjacent land uses include low-density residential use to the north, east, and west and resource conservation zoning designation to the north. The proposed Minor Subdivision meets the requirements of Title 19, the County Subdivision Ordinance. The County Inclusionary Housing Ordinance requires an in-lieu fee for the project (Condition No. 18).

Slopes

The project meets the findings for a Use Permit for development on slopes in excess of 30 percent. Development on the site is constricted by scenic easements designating areas of 30% slope that cross the length and width of portions of the property. Building sites are designated on the tentative map and do not include 30% slope areas. The proposed subdivision road and building sites were designed to avoid these areas to the extent possible. The applicant consulted with several engineers on the subdivision to arrive at the proposed design. Grading required to improve the existing road is 4,500 cubic yards and some of the road construction will occur in areas of 30% slope. Conditions and mitigation measures are provided to address slope, drainage and erosion control issues. Approximately 1.6 acres will be occupied by the road right of way.

Environmental Review

A Mitigated Negative Declaration was prepared for the project. Mitigation measures have been deemed necessary to address Aesthetics, Biological Resources, and Geology/Soils. No other significant issues have been identified for the project. Appropriate Conditions and Mitigation Measures will reduce any potentially significant impacts to less than a significant impact.

Geology and Soils

Portions of the parcel are designated high geologic (VI) hazard zone and moderate (III) hazard zone. A Geological Report prepared by CapRock Geology, Inc. on 1/24/05, evaluated the site and

provided recommendations to further consult with a civil engineer to design appropriate drainage, runoff, building sites and engineered foundations. The attached mitigation measures and conditions will ensure proper drainage, runoff, and channeling to avoid destabilizing any slopes or possible seismic hazards. No active faults cross the property although there are major faults located in the region. A soils report was completed by Soil Surveys, Inc., dated 7/13/05. The road construction, building and septic sites were evaluated and it was concluded that the soils are suitable for the proposed project and conditions and mitigations are provided (Mitigation Measures 8 and 9). The soils analysis includes recommendations for construction, grading, drainage and erosion control based on the soils, seismic and geologic hazards. Recommendations include preserving native vegetation outside of building envelopes, and all cut and fill slopes and other areas of disturbed ground shall be seeded with rye grass or landscaped with deep rooted drought tolerant soil holding plants (Condition No. 16).

Tree Removal

Eighty-six protected oak trees, including six landmark trees are proposed to be removed for the road construction. The proposed building sites are located in flatter areas with fewer oaks and slopes of less than 30 percent. The Forest Management Plan and map prepared by Matt Rourke, RPF, dated 7/12/04, evaluated the site and surveyed the trees required to be removed for the driveway construction. The parcel map (dated 10/01/00) notes only 40 oak trees to be removed, but the forest report survey increased to the total to 86 trees. Additional tree removal permits or an amendment to the forest report may be required for the building sites, depending on the location of the building footprint and driveway location. The forester states that the road appears to be located in the best possible location considering the topography, slopes and minimizing tree removal (page 6). Alternative building sites would not result in the removal of fewer trees and would increase the grading and disturbance of steeper sloped areas.

The Forest Management Plan does not recommend one-to-one tree replacement, due to natural regeneration over time and the limited available spaces for planting. Part of the property's functional wildlife habitat includes retaining some of the open areas for foraging, by deer or birds of prey, so planting open areas with trees is undesirable. The site could accommodate approximately 25 coast live oaks and blue oaks. Planting should occur in areas that screen the new road and future building sites from neighbors and at the base of the road fill. Mitigation Measures for construction activities to avoid potential to damage trees are incorporated as part of the project (Mitigation Measures 1 – 6). The forester noted the presence of a pair of sharp shinned hawks (*accipiter striatus*) observed nesting immediately outside of the proposed right of way in a mature landmark tree (below tree #60 on the tree survey, parcel #3, not a tree proposed for removal). This species is a California Department of Fish and Game Species of Special Concern, but not listed as rare, threatened or endangered by the State and Federal Government. The forester recommends that construction activities occur outside of the breeding period when the young fledge in mid summer. Mitigation Measure No.7 is included to require preconstruction survey by a licensed biologist to survey the site and if the species is located on the site a conservation easement will be required.

Air Quality

One comment in response to the Mitigated Negative Declaration was received, a letter dated September 15, 2005, from the Monterey Bay Unified Air Pollution Control District. The Monterey Bay Unified Air Pollution Control District provided additional information for mitigation which was incorporated into the project as Mitigation Measure (MM-10). Projects shall be compliance with the Districts 2004 Air Quality Management Plan. Particulate matter from any grading and excavation

activity shall be mitigated by measures identified in the District's CEQA Air Quality Guidelines. The measure addresses potential impacts to air quality during construction.

**EXHIBIT “B”
Project Data Sheet**

EXHIBIT “C”
RECOMMENDED FINDINGS AND EVIDENCE

1. FINDING: The project proposed in this application consists of a Minor Subdivision (PLN980663), as described in condition #1 of the attached Exhibit “C,” and as conditioned, conforms with the plans, policies, requirements and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, Toro Area Plan, and the Monterey County Zoning Ordinance (Title 21). The property is located on and to the south of San Benancio Canyon Road, three miles east of Highway 68, Salinas (Assessor’s Parcel Number 416-444-007-000), Toro Area Plan. The property is zoned “LDR/5-D.”

EVIDENCE: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- a) The Toro Area Plan
- b) Chapter 21.14 of the Monterey County Zoning Ordinance regulations for development.
- c) Title 19, the Monterey County Subdivision Ordinance.

EVIDENCE: The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, Housing and Redevelopment Agency, and the Fire Protection District. There has been no indication from these agencies that the site is not suitable for the proposed development. The Initial Study and Mitigated Negative Declaration prepared for the project demonstrates that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed development. Each agency has recommended conditions for subdivision improvements.

EVIDENCE: Written and verbal public testimony submitted at public hearings before the decision-making body.

EVIDENCE: The on-site inspection of the subject parcel by the project planner.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

2. FINDING: The proposed project, including all permits and approvals, will not have any significant adverse impacts on the environment and a Mitigated Negative Declaration has been adopted. Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed and mitigated, may cause a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and in consideration of testimony and information received, and scientific and factual data presented in evidence during the public review process. Mitigation measures identified in the Initial Study have been incorporated into the project, and agreed to by the applicant, to reduce any impact to an insignificant level. All applicable mitigation measures are included in the conditions of approval, which are hereby adopted as a mitigation monitoring and reporting program.

Studies, data, and reports prepared by staff from various County departments, including Planning and Building Inspection, Public Works, Environmental Health, Water Resources Agency, Parks Department, Monterey Bay Unified Air Pollution Control District, Housing and Redevelopment, and the Fire Protection District, support the adoption of a Mitigated Negative Declaration for the project. The custodian of the documents and materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based is the Monterey County Planning and Building Inspection Department 168 West Alisal Street, Second Floor, Salinas, CA 93901. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinion supported by facts have been submitted that refute the conclusions reached by these studies, data, and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data, and reports.

EVIDENCE:

County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on September 8, 2005, and noticed for public review. All comments received on the Initial Study have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

1. Project Application / Plans for the Jenkins Minor Subdivision
2. Technical Reports
 - a. Preliminary Archaeological Reconnaissance of Assessor's parcel Number 416-444-007, near Salinas, Monterey County, California prepared by Archaeological Consulting, dated April 15, 2004.
 - b. Forest Management Plan for Residential Parcel, prepared by Matt Rourke, RPF, dated July 12, 2004.
 - c. Project Specific Hydrogeological Report, prepared by Todd Engineers, dated May 2003.
 - d. Geological Report, prepared by CapRock Geology, Inc., dated January 24, 2002.
 - e. Geotechnical and Percolation Investigation, prepared by Soils Surveys, Inc., dated July 13, 2001.
3. Monterey County General Plan
4. Toro Land Use Plan

5. Monterey County Zoning Code Title 21 and Zoning Map.
6. Referral Agency Comments

EVIDENCE: File and application materials; Initial Study/Mitigated Negative Declaration with mitigation measures; additional supporting information from the Monterey Bay Unified Air Pollution Control District which agencies, consultants' names and study types; and Mitigated Negative Declaration contained in the project file.

- 3. FINDING:** The project is consistent with the findings required for development on slopes of 30 percent or more.

EVIDENCE: a) There is no feasible alternative which would allow the development to occur on slopes of less than 30%. Development on the site is constricted by scenic easements designating areas of 30% slope that cross the length and width of portions of the property. The road design avoids disturbing areas of 30% slopes and the proposed building sites are located in flatter areas with fewer oaks and slopes of less than 30 percent. A slope analysis was provided as part of the application.

b) There is no alternative subdivision or road design that better achieves the goals, policies and objectives of the Monterey County General Plan and Toro Area Plan than the design proposed. The forester also concluded that the road appears to be located in the best possible location considering the topography, slopes, and minimizing tree removal (Forest Management Plan, dated 7/12/04, page 6).

EVIDENCE: File and application materials; Initial Study/Mitigated Negative Declaration with mitigation measures; additional supporting information which agencies, consultants' names and study types contained in the project file.

- 4. FINDING:** The tree removal is the minimum required under the circumstances of the case and will not involve a risk of adverse environmental impacts.

EVIDENCE: a) The proposed building sites are located in flatter areas with fewer oaks and slopes of less than 30 percent. Alternative building sites would not result in the removal of fewer trees and would increase the grading and disturbance of steeper sloped areas.

b) The Forest Management Plan and map prepared by Matt Rourke, RPF, dated 7/12/04, evaluated the site and surveyed the trees required to be removed for the driveway construction. The forester states that the road appears to be located in the best possible location considering the topography, slopes and minimizing tree removal (page 6).

c) The Forest Management Plan does not recommend one-to-one replacement trees to maintain forest health on the parcel, due to natural regeneration over time and due to the limited available spaces for planting. Part of the property's functional wildlife habitat includes retaining some of the open areas for foraging, by deer or birds of prey. Mitigation Measures for construction activities to avoid potential to damage trees are incorporated as part of the project (Mitigation Measures 1 – 6)

d) The forester noted the presence of a pair of sharp shinned hawks (*accipiter striatus*) observed nesting immediately outside of the proposed right of way (below tree #60 on the tree survey, parcel #3) in a mature landmark tree (a tree not proposed to be removed). This species is a California Department of Fish and Game Species of Special Concern

but is not listed as rare, threatened or endangered by the State and Federal Government. The forester recommends that construction activities should be outside of the breeding period when the young fledge in mid summer. Mitigation Measure No. 7 requires: 1) a preconstruction survey by a licensed biologist to identify any presence of the species; 2) a note on the final map and on the building plans of any recommendations resulting from the biotic resources survey; 3) record a conservation easement and include this on the final map if the species is located on the site.

5. FINDING: That none of the findings found in Section 19.04.025.I of the Subdivision Ordinance can be made.

EVIDENCE: Section 19.04.025.I requires that the subdivision be denied if any one of the findings are made. Planning staff has analyzed the project against the findings for denial outlined in this section. The map and its design and improvements are consistent with the County General Plan and the Toro Area Plan. No specific plan has been prepared for this area. The site has been determined to be physically suitable for the type and density of development (see Evidence below). The design and improvements are not likely to cause substantial environmental damage, substantially and avoidably injure fish or wildlife or their habitat, or cause serious public health problems as demonstrated in the Mitigated Negative Declaration adopted for this project. The design and improvements will not conflict with easements for access through or use of property within the proposed subdivision. Planning staff reviewed the Title Report and applicable recorded documents to identify all easements and ensure that the project does not conflict with existing easements.

EVIDENCE: The property provides for adequate building sites as evidenced by the application materials submitted for the site.

EVIDENCE: The application, plans, and support materials, including the technical reports submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development. The reports are:

- a. Preliminary Archaeological Reconnaissance of Assessor's parcel Number 416-444-007, near Salinas, Monterey County, California prepared by Archaeological Consulting, dated April 15, 2004.
- b. Forest Management Plan for Residential Parcel, prepared by Matt Rourke, RPF, dated July 12, 2004.
- c. Project Specific Hydrogeological Report, prepared by Todd Engineers, dated May 2003.
- d. Geological Report, prepared by CapRock Geology, Inc., dated January 24, 2002.
- e. Geotechnical and Percolation Investigation, prepared by Soils Surveys, Inc., dated July 13, 2001.

The reports concluded the proposed development is suitable for the site, subject to mitigation measures and recommendations for construction.

EVIDENCE: 1) The on-site inspection of the parcel by the project planner.
2) Maps and application contained in the project file.

EVIDENCE: Preceding Findings and Evidence.

- 6. FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvement in the neighborhood, or to the general welfare of the County.
- EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, Environmental Health Division, Public Works Department, Water Resources Agency, Parks Department, Housing and Redevelopment Agency and Salinas Rural Fire Protection District. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the County in general.
- EVIDENCE:** Adoption of the Mitigated Negative Declaration includes mitigation measures that address potential impacts to Aesthetics, Biological Resources, and Geology/Soils.
- EVIDENCE:** File and application materials, Initial Study with mitigation measures, and Mitigated Negative Declaration contained in the project file.
- 7. FINDING:** The subject property is in compliance with all the rules and regulations pertaining to zoning: uses, subdivision, and any other applicable provisions of this Title and any zoning violation abatement costs have been paid.
- EVIDENCE:** The subject property is currently vacant and undeveloped and there are no zoning violations recorded or pending to be resolved.
- 8. FINDING:** The project is appealable to the Board of Supervisors.
- EVIDENCE:** Sections 19.15.025(A) of the Monterey County Subdivision Ordinance (Title 19).

Exhibit D
Monterey County Planning and Building Inspection
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: *Jenkins Minor Subdivision*

File No: PLN980663

APN: 416-444-007-000

Approval by: *Planning Commission*

Date: *December 14, 2005*

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

| <i>Permit Cond. Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
|----------------------------|----------------------|--|--|---|---------------------------------|---|
| 1. | | <p>PBD029 - SPECIFIC USES ONLY</p> <p>This Combined Development Permit consisting of: 1) a Minor Subdivision to subdivide an existing 23.43 acre lot into four residential lots of: 5 acres (parcel 1); 5.55 acres (parcel 2); 6.28 acres (parcel 3); and 6.60 acres (parcel 4), including a road and utilities easement across all parcels; and 2) a Use Permit for development on 30 percent or greater slopes and 3) a Use Permit for the removal of 86 oak trees, to allow for road construction; in an LDR/5-D District. A new road will be constructed onto San Benancio Road to access the new residential lots. The property is located on and south of San Benancio Canyon Road, three miles east of Highway 68, Salinas (Assessor's Parcel Number 416-444-007-000), Toro Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the</p> | Adhere to mitigations, conditions and uses specified in the permit. | Owner/ Applicant | Ongoing unless otherwise stated | |

| <i>Permit Cond. Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
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| | | appropriate authorities. (Planning and Building Inspection) | | | | |
| 2. | | PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 416-444-007-000 on December 14, 2005. The permit was granted subject to 54 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection) | Proof of recordation of this notice shall be furnished to PBI. | Owner/ Applicant | Prior to Issuance of grading and building permits or start of use. | |
| 3. | | PBD010 – EASEMENT - SCENIC SLOPE A scenic easement shall be conveyed to the County over those portions of the property where the slope exceeds 30 percent. A scenic easement deed shall be submitted to, and approved by, the Director of Planning and Building Inspection prior to issuance of grading or building permits. (Planning and Building Inspection) | Submit scenic easement to PBI for approval. | Owner/ Applicant | Prior to Issuance of Grading and Building Permits | |
| 4. | | PBD011 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Soils Conservation Service and the Director of Planning and Building Inspection. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the | 1. Evidence of compliance with the Erosion Control Plan shall be submitted to PBI prior to issuance of building and grading permits. | Owner/ Applicant | Prior to Issuance of Grading and Building Permits | |

| <i>Permit Cond. Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
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| | | course of construction, subject to the approval of the Director of Planning and Building Inspection. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Building Inspection. (Planning and Building Inspection) | 2. Evidence of compliance with the Implementation Schedule shall be submitted to PBI during the course of construction until project completion as approved by the Director of PBI. | Owner/ Applicant | Prior to Final Inspection | |
| 5. | | PBD014 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. (Planning and Building Inspection) | If grading occurs during October 15 and April 15, obtain prior authorization from the Director of Planning and Building. | Owner/ Applicant | Ongoing | |
| 6. | | PBD020 – LIGHTING - STREET LIGHTS All street lights in the development shall be approved by the Director of Planning and Building Inspection. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection) | Submit three copies of the lighting plans to PBI for review and approval. | Owner/ Applicant | Prior to issuance of grading or building permits for street lights. | |
| 7. | | PBI – NOTICE OF REPORT(NONSTANDARD) Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Forest Management report has been prepared for this parcel by Plan prepared by Matt Rourke, RPF, dated July 12, 2004, and is on record in the Monterey County | Proof of recordation of this notice shall be furnished to PBI. | Owner/ Applicant | Prior to issuance of grading and building permits | |

| <i>Permit Cond. Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
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| | | Planning and Building Inspection Department Library No.050612. All development shall be in accordance with this report." Planning and Building Inspection) | | | | |
| 8. | | PBI – NOTICE OF REPORT(NONSTANDARD) Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Project Specific Hydrogeological Report report has been prepared for this parcel by Todd Engineers, dated May 2003, and is on record in the Monterey County Planning and Building Inspection Department Library No. 050613. All development shall be in accordance with this report." (Planning and Building Inspection) | Proof of recordation of this notice shall be furnished to PBI. | Owner/ Applicant | Prior to issuance of grading and building permits | |
| 9. | | PBI – NOTICE OF REPORT(NONSTANDARD) Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Geological Report has been prepared for this parcel by CapRock Geology, Inc., dated January 24, 2002, and is on record in the Monterey County Planning and Building Inspection Department Library No. 030127. All development shall be in accordance with this report." (Planning and Building Inspection) | Proof of recordation of this notice shall be furnished to PBI. | Owner/ Applicant | Prior to issuance of grading and building permits | |
| 10. | | PBI – NOTICE OF REPORT(NONSTANDARD) Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Biotic Resources Report has been prepared for this parcel by _____, dated _____ and is on record in the Monterey County Planning and Building Inspection Department Library No. _____. All development shall be in accordance with this report." (Planning and Building Inspection) | Proof of recordation of this notice shall be furnished to PBI. | Owner/ Applicant | Prior to recordation of the Final Map and issuance of grading and building permits | |

| <i>Permit Cond. Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
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| 11. | | PBI – NOTICE OF REPORT(NONSTANDARD) Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Preliminary Archaeological Reconnaissance of Assessor's parcel Number 416-444-007, near Salinas, Monterey County, California prepared by Archaeological Consulting, dated April 15, 2004, and is on record in the Monterey County Planning and Building Inspection Department Library No.050613. All development shall be in accordance with this report." (Planning and Building Inspection) | Proof of recordation of this notice shall be furnished to PBI. This condition shall be noted on the building plans. | Owner/ Applicant | Prior to issuance of grading and building permits | |
| 12. | | PBD033 – UTILITIES – SUBDIVISION A note shall be placed on the final map or a separate sheet to be recorded with the final map indicating that "Underground utilities are required in this subdivision in accordance with Chapter 19.10.095, Title 19 of the Monterey County Code." Such facilities shall be installed or bonded prior to filing the (parcel or final) map. The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works. (Planning and Building Inspection) | Place note on map or a separate sheet and submit to PBI for review and approval. | Applicant/ Owner | Prior to recordation of final map. | |
| 13. | | PBD022 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (Planning and Building Inspection) | 1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement. (The current fee for 1 to 10 mitigation measures is \$5,234.) | Owner/ Applicant | Within 60 days after project approval or prior to issuance of grading and building permits, which-ever occurs first. | |

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| 14. | | PBD012 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) calendar days of project approval – prior to filing of the Notice of Determination. This fee shall be paid on or before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid. (Planning and Building Inspection) | Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. (The Fish and Game fee required at the time of recordation is \$1,275) | Owner/ Applicant | Prior to the recordation of the tentative map, the start of the use or the issuance of building and grading permits. | |
| 15. | | PBD030 - STOP WORK - RESOURCES FOUND If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection) | Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. | Owner/ Applicant/ Archaeologist | Ongoing | |
| 16. | | PBI NONSTANDARD CONDITION Native vegetation outside of building envelopes shall be preserved to the extent possible. All cut and fill slopes and other areas of disturbed ground shall be seeded with rye | Include a note on the grading and drainage plans to be approved by the Director of Planning and Building. | Owner/ Applicant | Prior to issuance of grading or building | |

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| | | grass or landscaped with deep- rooted drought tolerant soil retaining plants. All cut and fill slopes shall be seeded and mulched for grass at the completion of the roadway rough grading operations. (Planning and Building Inspection) | | | permits and ongoing | |
| 17. | | PBD016 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney’s fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (Planning and | Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI. | Owner/ Applicant | Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable | |

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| | | Building Inspection) | | | | |
| 18. | | HRSP01 – NONSTANDARD CONDITION Prior to the recordation of the Final Map, the applicant shall comply with the County’s Inclusionary Housing Ordinance #04183 by either 1) paying, or securing, to the satisfaction of the Housing Office Program Manager, an in-lieu fee of \$128,488 , or: 2) executing an Inclusionary Housing Owner-Exemption Agreement (Agreement), the provisions of which shall be secured by a Promissory Note and Deed of Trust in the amount of \$32,122 and paying or securing, to the satisfaction of the Housing Office Program Manager, an in-lieu fee of \$96,366 , consistent with the provisions stated in the adopted Inclusionary Housing Administrative Manual. The Agreement shall be recorded with the Final Map on one of the lots being created by the subdivision. (Redevelopment and Housing Division) | Prior to the recordation of the Final Map | Owner/ Applicant | Prior to Recordation of Parcel Map | |
| 19. | | PW0001 – ENCROACHMENT (COM) Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to San Benancio Road including acceleration and deceleration tapers. The design and construction is subject to the approval of the Public Works Director. (Public Works) | Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances. | Owner/ Applicant | Prior to Building/ Grading Permit Issuance | |
| 20. | | PW0031 – PARCEL MAP File a Parcel Map delineating all existing and required easements or rights-of-way and monument new lines. (Public Works) | Applicant’s surveyor shall prepare Parcel Map, submit to DPW for review and approval. | Owner/ Applicant/ Engineer | Prior to Recordation of Parcel Map | |
| 21. | | PW0033 – SURVEYOR CHECK-LIST Thirty days prior to expiration date of the tentative map, Step A (8-Items) of the County Surveyor’s Check Off List | Subdivider shall submit items included in County Surveyors Check Off List to DPW for review | Subdivider | Prior to Recordation of Parcel Map | |

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| | | for Parcel Map Processing shall be completed. (Public Works) | and approval. | | | |
| 22. | | PW0022 – FIRE REQUIREMENTS FOR ROADS Improve roads in accordance with requirements of the local fire jurisdiction. (Public Works) | Subdivider shall submit improvement plans prepared by his Engineer to local fire jurisdiction and to DPW for approval. Roads to be constructed in accordance with approved plans. | Subdivider | Prior to Recordation of Parcel Map | |
| 23. | | PW0036 – EXISTING EASEMENTS AND ROW Provide for all existing and required easements or rights of way. (Public Works) | Subdivider’s Surveyor shall include all existing and required easements or rights of way on Parcel Map. | Subdivider/ Surveyor | Prior to Recordation of Parcel Map | |
| 24. | | PW0037 – ROUTE 68 IMPROVEMENT FEE Contribute \$29,250 (3 X \$9,750 based on 1995 dollars) to County of Monterey for future improvements to State Route 68. (Public Works) | Applicant shall pay to DPW required Traffic Mitigation Fee. | Owner/ Applicant | Prior to Issuance of Building Permits | |
| 25. | | PKS002 – RECREATION REQUIREMENTS/FEES The Applicant shall comply with Section 19.12.010 - Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D) (Parks Department) | The Applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County Code. | Owner/ Applicant | Prior to the Recordation of the Parcel Map | |
| 26. | | WR07 - DRAINAGE NOTE A note shall be recorded on the final map stating: “Any future development on these parcels will require a drainage plan to be prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall be submitted to the Water Resources Agency for approval.” The applicant shall provide the Water Resources Agency a copy of the map to be recorded. (Water Resources Agency) | Submit a copy of the final map to be recorded, with appropriate note, to the Water Resources Agency for review and approval. | Owner/ Applicant | Prior to recordation of the Parcel Map | |

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| 27. | | WR10 - ROAD IMPROVEMENT PLAN The applicant shall provide the Water Resources Agency a road improvement plan prepared by a registered civil engineer that includes dispersing storm water runoff onto a non-erodible surface. Improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency) | Submit 3 copies of the engineered road improvement plan to the Water Resources Agency for review and approval. | Owner/ Applicant/ Engineer | Prior to issuance of any grading permits | |
| 28. | | WR38 - ROAD AND DRAINAGE MAINTENANCE AGREEMENT Developer shall have the sole responsibility for the care, maintenance, and repair of road and drainage improvements installed as a condition of approval of the subdivision. Upon each conveyance of each lot in the subdivision, developer shall be jointly obligated with the succeeding owners to perform such obligation pro rated on the basis of the remaining number of lots still owned by the developer. Developer's obligation shall cease upon the conveyance of the last lot in the subdivision. Prior to filing the final map, a copy of a signed and notarized <i>Road and Drainage Maintenance Agreement</i> shall be provided to the Water Resources Agency for approval. The agreement shall be recorded concurrently with the final map. (Water Resources Agency) | Submit the signed and notarized original Agreement to the Water Resources Agency for review and approval prior to recordation. (A copy of the County's standard agreement can be obtained at the Water Resources Agency.) | Owner/ Applicant | Prior to filing the Parcel Map. | |
| 29. | | WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS A notice shall be recorded on the deed for each lot stating: "All new construction shall incorporate the use of low water use plumbing fixtures and drought tolerant landscaping, in accordance with County Water Resources Agency Ordinance No. 3932." Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency) | Submit a recorded notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.) | Owner/ Applicant | Recordation of the notice shall occur concurrently with the map | |

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| 30. | | WR42 - LANDSCAPING REQUIREMENTS A notice shall be recorded on the deed for each lot stating: "The front yards of all homes shall be landscaped at the time of construction. Low water use \or drought tolerant plants shall be used together with water efficient irrigation systems." Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency) | Submit the notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.) | Owner/ Applicant | Recordation of the notice shall occur concurrently with the map | |
| 31. | | WELL INFORMATION (NON-STANDARD WORKING) Prior to filing the final map, the applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency) | Applicant/owner shall pay the fee. | Owner/Appl licant | Prior to recordation of the map | |
| 32. | | EH1 - WATER SYSTEM PERMIT Obtain a new or amended water system permit from the Division of Environmental Health. (Environmental Health) | Submit necessary application, reports and testing results to EH for review and approval. | CA Licensed Engineer /Owner/ Applicant | Prior to issuance of grading/ building permits or prior to filing Parcel Map | |
| 33. | | EH2 - WATER SYSTEM IMPROVEMENTS (CO. PERMITTED SYSTEM) Design the water system improvements to meet the standards as found in Chapter 15.04 of the Monterey County Code, Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to the Director of Environmental Health for review and approval prior to installing (or bonding) the improvements. | Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to EH for review and approval prior to installing (or bonding) the improvements. | CA Licensed Engineer /Owner/ Applicant | Prior to issuance of grading/ building permit or Prior to filing Parcel Map | |

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| | | (Environmental Health) | | | | |
| 34. | | EH4 - FIRE FLOW STANDARDS Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. (Environmental Health) | Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency. | CA Licensed Engineer /Owner/ Applicant | Prior to installing or bonding water system improvements | |
| 35. | | EH5 - INSTALL/BOND WATER SYSTEM IMPROVEMENTS The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement. (Environmental Health) | The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement. | CA Licensed Engineer /Owner/ Applicant | Prior to filing Final Map | |
| 36. | | EH21 - SEPTIC ENVELOPES Submit an updated map indicating proposed septic envelopes for parcels 1, 2, 3, and 4 to the Division of Environmental Health for review and approval. Once approved the septic envelopes shall appear as part of the final/Parcel Map. (Environmental Health) | Once approved the septic envelopes shall appear as part of the final/Parcel Map. | Owner/ Applicant | Prior to filing the Parcel Map | |
| 37. | | EH22 - DEED NOTIFICATION – PERC REPORT A deed notification shall be recorded concurrently with the final/Parcel Map with the Monterey County Recorder which states: "A soils and percolation report has been prepared for this parcel by Soils Surveys, Inc., dated July 13, 2001 and is on record at the Division of Environmental Health, Monterey County, File Number PLN980663 (Library No.050702). All proposed development shall be in compliance with this report and the recommendations therein." (Environmental Health) | Submit proposed wording and forms to be recorded to EH and P&BI for review and approval. Record deed notification. | Owner/ Applicant | Concurrently with filing of Parcel Map | |

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| 38. | | EH44 - WELL LOTS Submit a tentative map indicating the proposed well lots, water distribution, and access easements for the water system to the Director of Environmental Health for review and approval. Once approved, well lots and easements shall appear as part of the final map. (Environmental Health) | Submit plans to the Division of Environmental Health for review and approval. | CA Licensed Engineer /Owner/ Applicant | Prior to filing the final Parcel Map | |
| 39. | | EHSP01 – WASTEWATER The applicant shall record a deed notification with the Monterey County Recorder for parcel 1 , indicating that: “Prior to the issuance of any building permits for development that would generate wastewater, submit plans showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Sewage Disposal Ordinance) and “Prohibitions,” Central Coast Basin Plan, RWQCB to the Division of Environmental Health for review and approval. The septic system layout and design shall specifically address the protection of leachfields from both surface and subsurface drainage.” (Environmental Health) | Submit proposed wording and forms to be recorded to EH and P&BI for review and approval. Record deed notification. | Owner/ Applicant | Concurrently with filing of Parcel Map | |
| 40. | | EHSP02 – WASTEWATER The applicant shall record a deed notification with the Monterey County Recorder for parcel 3 , indicating that: “Prior to the issuance of any building permits for development that would generate wastewater, submit plans showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Sewage Disposal Ordinance) and “Prohibitions,” Central Coast Basin Plan, RWQCB to the Division of Environmental Health for review and approval. The septic system layout and design | Submit proposed wording and forms to be recorded to EH and P&BI for review and approval. Record deed notification. | Owner/ Applicant | Concurrently with filing of Parcel Map | |

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| | | shall specifically address the protection of leachfields from both surface and subsurface drainage.” (Environmental Health) | | | | |
| 41. | | FIRE - ROAD WIDTH The subdivision common roadway and all roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow unless other standards or additional requirements are mandated by local jurisdiction or local subdivision requirements. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of a demolition, grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection for each phase of development. | Applicant or owner | Prior to final building inspection | |
| 42. | | FIRE - ROADWAY SURFACE (NONSTANDARD WORDING) General- The subdivision common roadway and access roadways shall be all-weather driving surface capable of supporting fire apparatus (22 tons) and a minimum of 15 percent grade. On driveways and access roads having a slope of 8% or more the finish surface shall be A/C pavement or concrete (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of a demolition, grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection for each phase of development. | Applicant or owner | Prior to final building inspection | |
| 43. | | FIRE - DEAD-END ROADS - TURNAROUND TERMINUS (NONSTANDARD WORDING) Each dead-end road shall have turnaround constructed at its terminus. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of a demolition, grading and/or building permit | |

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| | | | Applicant shall schedule fire dept. clearance inspection for each phase of development. | Applicant or owner | Prior to final building inspection | |
| 44. | | FIRE – ROADWAY TURNAROUNDS Subdivision common roadway and all roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roads shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the “T” shall be a minimum of 60 feet in length. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of a demolition, grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| 45. | | FIRE – ROADWAY GRADES (NONSTANDARD WORDING) The grade for all roads, streets, private lanes and driveways shall not exceed 15 percent. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of a demolition, grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection. | Applicant or owner | Prior to final building inspection | |
| 46. | | FIRE – VERTICAL CLEARANCE (NONSTANDARD WORDING) Unobstructed vertical clearance shall be not less than 15 feet for all access roads. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of a demolition, grading and/or building permit | |

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| | | | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| 47. | | FIRE - IMPROVEMENT PLANS (NONSTANDARD WORDING) – Prior to the filing of the final map, Roadway Improvement Plans shall be submitted to and approved by the Salinas Rural Fire District. Roadway Improvement Plans shall set forth a roadway design that complies with the conditions of the Salinas Rural Fire District. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| MUTUAL WATER SYSTEM REQUIREMENTS: The mutual water system serving this subdivision shall comply with the following requirements: | | | | | | |
| 48. | | FIRE APPLICATION - (NONSTANDARD WORDING) The provisions of this section shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on improvement plans. | Applicant or owner | Prior to filing of Parcel Map | |
| | | | Applicant shall schedule fire dept. clearance inspection for each phase of development. | Applicant or owner | | |
| 49. | | FIRE - TIMING OF INSTALLATION (FIRE) - (NONSTANDARD WORDING) Approved fire protection water supply systems must be installed and made serviceable prior to the time of construction. (Salinas Rural Fire Protection District) | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |

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| 50. | | FIRE - WATER SYSTEM GENERAL STANDARDS (NONSTANDARD WORDING) Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan. For this project, if the parcels are between 1.1 and 10 acres, with no further land division possible then the available water storage shall be water tanks with a total capacity of 10,000 gallons, centrally located, with fire hydrants spaced to serve each building as set forth in these conditions. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| 51. | | FIRE - HYDRANT/FIRE VALVE (LOCATION) (NONSTANDARD WORDING) The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| 52. | | FIRE – HYDRANT/FIRE VALVE (SPACING) (FIRE) (NONSTANDARD WORDING) The hydrant serving any building shall not be less than 50 feet or more than 1000 feet by the road from the building it is to serve. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |

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| 53. | | FIRE - HYDRANT/FIRE VALVE (CONSTRUCTION) (NONSTANDARD WORDING) Minimum hydrant standards shall include a brass head and valve with at least one 2-1/2 inch National Standard Thread outlet supplied by a minimum 4-inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| 54. | | FIRE - SIGNING OF WATER SOURCES (BLUE PAVEMENT MARKERS) (NONSTANDARD WORDING) Hydrant or fire valve identification may be allowed as specified in the State Fire Marshal’s Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Salinas Rural Fire Protection District) | Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of grading and/or building permit | |
| | | | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| | MM-1 | TREE REMOVAL The applicant shall comply with all recommendations agreed to, and noted in the Forest Management Plan dated July 12, 2004, prepared by Matt Rourke, RPF. (Planning and Building Inspection) | 1. Trees proposed for removal shall be conspicuously marked by flagging or paint. Proposed removal shall be the minimum necessary for the proposed development. Removal not necessary for the proposed road construction shall be limited to that required for the overall health and long-term maintenance of the forest, as verified by the forest management plan or subsequent amendments to the plan. 2. The Forest Management Plan evaluated the trees required to be | Owner/ Applicant | Prior to issuance of grading or building permits and ongoing | |

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| | | | removed for the driveway construction only. Tree removal permits or an amended forest report may be required for building envelopes depending on the location of the building footprint, according to County Zoning Ordinance 21.64.260(D)(2) (three or less trees) and 21.64.260(D)(3) for more than three trees. | | | |
| | MM-2 | TREE PROTECTION The applicant shall comply with all recommendations agreed to, and noted in the Forest Management Plan dated July 12, 2004, prepared by Matt Rourke, RPF. (Planning and Building Inspection) | 1. Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. 2. All landmark trees shall be protected from damage, if not permitted to be removed, as a diseased tree, which threatens to spread the disease to nearby | Owner/ Applicant | Prior to issuance of grading or building permits and ongoing | |

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| | | | healthy trees or as a dangerous tree, which present immediate danger to human life or structures. | | | |
| | MM-3 | <p>TREE PRESERVATION FOR TREES TO BE RETAINED</p> <ol style="list-style-type: none"> 1. Trees other than those approved for removal shall be maintained in good condition according to County Zoning Ordinance 21.64.260. 2. Irrigation Restrictions 3. Disease Care shall be taken to avoid the introduction of sudden oak death syndrome by treating equipment prior to use on the site, particularly if the equipment has been used in forest areas containing the disease. 4. Eradicate and avoid introduction of invasive species vegetation. <p>(Planning and Building Inspection)</p> | <ol style="list-style-type: none"> 1. Trees other than those approved for removal shall be maintained in good condition according to County Zoning Ordinance 21.64.260. Trees less than six inches in diameter may be thinned to promote the growth of neighboring trees. 2. The native forest shall not be irrigated. Future irrigation may occur within the developed areas residential areas of the property. 3. Equipment shall be clean of soil and debris and washed with a bleach/water solution or Lysol type disinfectant prior to transporting equipment to the site. Nursery stock to be planted on the site shall be certified free from P. ramorum so as not to introduce the disease to this healthy site. 4. Care shall be taken to eradicate and avoid introduction of the following pest species: a) Pampas grass; b) genista (Scotch and French broom) and 3) eucalyptus (large types). | Owner/ Applicant | Prior to issuance of grading or building permits and ongoing | |

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| | MM-4 | TREE PRESERVATION AND WILDLIFE Dead trees because of their great value for wildlife habitat (particularly as nesting sites for insect eating birds) shall be preserved. (Planning and Building Inspection) | Large dead trees shall normally be left in place. Smaller dead trees may be removed by the owner to reduce the fire hazard. | Owner/ Applicant | Prior to issuance of grading or building permits and ongoing | |
| | MM-5 | TREE REPLACEMENT Although the zoning code requires a one-to-one relocation or replacement, the forester does not recommend replacement due to limited spaces for planting. At the most he estimates the site can accommodate 25 trees. Planting should occur in areas that screen the new road and future building sites from neighbors (lower portion on the east and west sides) and at or near the base of the road fill. (Planning and Building Inspection) | 1. Up to 25 replacement trees could be safely planted during the second winter following road construction to allow fills to settle. Locations as recommended in the Forest Management Report. 2. No trees should be planted under the canopy of the existing trees or where planting could result in an overcrowded, unhealthy forest. | Owner/ Applicant | Prior to issuance of grading or building permits and ongoing | |
| | MM-6 | TREE PRESERVATION - FIRE PREVENTION In addition to measures required by the local California Department of Forestry for future development, the owner shall observe practices to minimize risk of fire to preserve the oak forest. (Planning and Building Inspection) | 1. Maintain a spark arrester screen atop each chimney 2. Maintain spark arresters on gasoline powered equipment 3. Establish a “greenbelt by keeping vegetation in a green growing condition to a distance of at least 50 feet around the homes) 4. Clear dense accumulations of dead or dry underbrush or plant litter, especially near landmark trees and around greenbelt. 2. Use of fire (for clearing etc.): Open fires on the property shall only be allowed under the direction of the Department of Forestry authorities pursuant to | Owner/ Applicant | Prior to issuance of grading or building permits and ongoing | |

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| | | | local fire ordinances and directives. 3. Brush and other undergrowth, if removed, shall be cleared through methods which shall not materially disturb the ground surface. Hand grubbing, crushing or mowing will normally be the methods of choice. | | | |
| | MM-7 | BIOTIC RESOURCES PRECONSTRUCTION SURVEY A licensed biologist shall conduct a preconstruction survey to identify any presence of nesting sharp shinned hawks (accipiter striatus) a species of Special Concern California Department of Fish and Game, on the site near oak tree #60, as noted in the Forest Management Plan. (Planning and Building Inspection) | 1. Conduct a preconstruction survey by a licensed biologist. 2. Include a note on the final map and building plans of any recommendations resulting from the biotic resources survey. 3. Record a conservation easement and include this on the final map if the species is located on the site. | Owner/ Applicant | Prior to recording a final map and issuance of grading or building permits | |
| | MM-8 | GEOLOGICAL MITIGATIONS The applicant and/or developer shall provide certification that all development shall be in full compliance with recommendations in the Geological Report CapRock Geology, Inc. dated January 24, 2002, and Geotechnical and Percolation Investigation report dated July 13, 2001, by Soils Surveys, Inc. (Planning and Building Inspection) | Mitigation Measure 9 addresses this impact. | Owner/ Applicant | Prior to final inspection | |
| | MM-9 | EROSION CONTROL AND SOIL STABILITY 1. The engineered improvement, drainage and grading plans for the development shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust, during and immediately following construction and until erosion control planning becomes established. This program shall | 1. The engineered improvement, drainage and grading plans for the development shall be approved by the Director of Planning and Building Inspection. 2. Drainage through this swale should be channeled to route it | Owner/ Applicant | Prior to issuance of grading or building permits and ongoing | |

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| | | <p>be approved by the Director of Planning and Building Inspection.</p> <p>2. In the central portion of the parcel there is a swale through which the existing dirt road runs. This swale has the potential to act as a channel for debris that might erode from the upper slopes on the property.</p> <p>3. Required setbacks for buildings.</p> <p>4. Vegetative ground cover shall be maintained to substantially reduce the risk of erosion on the property.</p> <p>5. No unsuitable soil conditions were found for foundation purposes other than the slightly to moderately expansive sandy clay at Parcels 3 and 4, which can be reduced to a less than significant impact with mitigations. Mitigations are provided for parcels 3 and 4. Near surface soils at two of the four potential building sites (parcels 2 and 3) consist of slightly to moderately expansive sandy clay. Parcels 1 and 2 do not have expansive soil conditions.</p> <p>(Planning and Building Inspection)</p> | <p>around the proposed building sites. A registered civil engineer shall be contracted to design appropriate measures to route any possible drainage or debris around the proposed building sites, in the central portion of the parcel through which the existing dirt road runs</p> <p>3. Buildings on parcel 3 and 4 shall be setback at least 30 feet from the break in slope where the ridge slopes into the ravine.</p> <p>4. Native vegetation outside of the building envelopes shall be preserved as much as possible. All cut and fill slopes and other areas of disturbed ground shall be seeded with rye grass or landscaped with deep rooted drought tolerant, soil holding plants.</p> <p>5. Recommendations shall be implemented for the use of septic tanks and wastewater and have been provided in the Geotechnical and Percolation Investigation by Soils Surveys, Inc. dated July 13, 2001</p> | | | |
| | MM-10 | <p>AIR QUALITY</p> <p>Projects shall be compliance with the Districts 2004 Air Quality Management Plan. Particulate matter from any grading and excavation activity shall be mitigated by measures identified in the District's CEQA Air Quality</p> | <p>1. Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day.</p> <p>2. Water graded/excavated areas at least twice daily. Frequency</p> | | | |

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| | | Guidelines. (Monterey Bay Unified Air Pollution Control District) | <p>should be based on the type of operations soil and wind exposure.</p> <p>3. Apply chemical soil stabilizers on roads that are unused for at least four consecutive days.</p> <p>4. Apply non-toxic binders to exposed area after cut and fill operations and hydro-seeded areas.</p> <p>5. Plant vegetative ground cover in disturbed areas as soon as possible.</p> <p>6. Haul truck shall maintain at least 2/0" of freeboard.</p> <p>7. All trucks shall be covered.</p> | | | |