

## MONTEREY COUNTY SUBDIVISION COMMITTEE

<b>Meeting:</b> September 28, 2006 @ 10:15 am	<b>Agenda Item: 1</b>
<b>Project Description: Country Lake Estates: PLN040103 and GPZ060006.</b> (Continued from August 10, 2006) A Combined Development Permit request to allow: <ul style="list-style-type: none"> <li>• A General Plan Amendment to change the land use designation (1) from Rural Density Residential to Low Density Residential on approximately 40 acres of the subject property (70970 New Pleyto Road; APN423-071-059-000) and (2) from Commercial to Low Density Residential on approximately 2.5 acres of the subject property (eastern portion of 70850 New Pleyto Road; APN423-251-034-000);</li> <li>• A Zone change (1) from RDR/5.1 (Rural Density Residential, 5.1 acres per unit) to LDR/1/B-6 (Low Density Residential, 1 acre per unit, no further subdivision) on approximately 40 acres of the subject property (70970 New Pleyto Road; APN423-071-059-000), (2) from HC (Heavy Commercial) to LDR/1/B-6 (Low Density Residential, 1 acre per unit, no further subdivision) on approximately 2.5 acres of the subject property (eastern portion of 70850 New Pleyto Road; APN423-251-034-000), and (3) to add a B-6 overlay (no further subdivision) to all existing LDR/1 property;</li> <li>• A standard subdivision vesting tentative map to divide two properties totaling 92 acres into 52 market-rate single family parcels ranging in size from 1.0 acre to 5.1 acres and 5 commercial parcels located adjacent to New Pleyto Road. An alternative lot configuration proposed by the applicant would develop 45 market-rate single family parcels ranging in size from 1.0 acre to 5.1 acres and 5 commercial parcels;</li> <li>• A use permit for a mutual water system;</li> <li>• A use permit to continue automobile and recreational vehicle storage on all commercial lots; and</li> <li>• A General Development Plan.</li> </ul>	
<b>Project Location:</b> The project sites are located at 70850 & 70970 New Pleyto Road, Bradley Assessor's Parcel Numbers: 423-251-034-000 and 423-071-059-000	
<b>Plan Area:</b> South County Area	<b>Flagged and staked:</b> no
<b>Zoning Designation:</b> RDR/5.1, LDR/1 , HC	<b>CEQA Action:</b> Proposed Mit. Neg. Declaration
<b>Department:</b> Resource Management Agency: Planning Department.	

### **RECOMMENDATION:**

Staff is recommending that the Subdivision Committee recommend to the Planning Commission that they:

- 1) Adopt the Mitigated Negative Declaration in **Exhibit E**,
- 2) Adopt the Condition Compliance and Mitigation Monitoring Reporting Plan attached as **Exhibit D** and
- 3) Approve the Combined Development Permit for the Country Lake Estates Subdivision, as recommended by staff (Lot Pattern #2) as described in Condition #1 of the Condition Compliance and Mitigation Monitoring Reporting Plan, subject to the recommended Findings and Evidence attached as **Exhibit C**.

### **OVERVIEW OF PROPOSED ACTION**

This item was continued from the August 10, 2006 Monterey County Subdivision Committee hearing. Upon review by the Subdivision Committee, the need for clarifications to the Project Description became apparent. This document and the attached Initial Study and Proposed Mitigated Negative Declaration reflect changes in the Project Description and incorporate additional analysis and review by the environmental consultant and County staff.

The applicant has proposed a residential and commercial subdivision in South County along New Pleyto Road and has presented two lot configurations. One lot configuration (Lot Pattern #1) is dependent upon the County approving a General Plan Amendment and Rezoning to allow additional residential density than is currently designated and an adjustment to reduce the Commercial plan area. The other lot configuration (Lot Pattern #2) does not require a General Plan Amendment and Rezoning for the rural residential areas, but requires an adjustment to the General Plan and Zoning Maps to reduce the Commercial area by approximately 2.5 acres. Staff is recommending approval of Lot Pattern #2. See the Discussion in Exhibit B.

**OTHER AGENCY INVOLVEMENT:**

- |                                 |                                   |
|---------------------------------|-----------------------------------|
| ✓ Water Resources Agency        | ✓ Parks Department                |
| ✓ Environmental Health Division | ✓ CDF California Dept of Forestry |
| ✓ Public Works Department       | ✓ Housing and Redevelopment       |
| ✓ Monterey County Sheriff       |                                   |

All of the above have reviewed this project and recommended Conditions of Approval.

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Taven M. Kinison Brown, Senior Planner  
September 18, 2006

cc: Subdivision Committee Members; County Counsel; Health Department; Public Works; Water Resources Agency; California Department of Forestry, South County; Alana Knaster, Mike Novo; Taven M. Kinison Brown; Linda Rotharmel; Carol Allen; Applicant, James Hansen; Representative, John Bridges.

Attachments:

Exhibit A	Project Data Sheet
Exhibit B	Discussion
Exhibit C	Recommended Findings and Evidence
Exhibit D	Condition Compliance and Mitigation Monitoring Reporting Plan
Exhibit E	Initial Study and proposed Mitigated Negative Declaration (Aug 28 - Sept 26)
Exhibit F	MBUAPCD and Caltrans comment letters on proposed Mit. Neg. Dec.
Exhibit G	August 1, 2006 e-mail to staff and Letter to Planning Commissioner Jay Brown.
Exhibit H	<del>Errata Sheet</del>
Exhibit I	Vicinity Map
Exhibit J	Project Exhibits:
	○ Development Project Application Update 2.0 August 10, 2005
	○ Vesting Tentative Map - Full size

This report was reviewed by Mike Novo \_\_\_\_\_, Interim Director of Planning.

## **Project Data Sheet**

## **EXHIBIT A**

**DISCUSSION****FORWARD**

This item was continued from the August 10, 2006 Subdivision Committee hearing. What has transpired from that date is as follows:

- The Project Description was changed to reflect the applicant's request to amend the General Plan and Zoning Designations on the 40+/- acre western parcel from rural density residential (RDR/5.1) to low density residential (LDR/1) (APN: 423-071-059-000).
- The Project Description was changed to reflect the applicant's request to reduce the Commercial / Heavy Commercial areas (on APN: 423-251-034-000) by approximately 2.5 acres as mapped on official County documents and allowing a Low Density Residential zoning designation and development in the adjusted areas. The November 2005 Vesting Tentative Subdivision Map reflects the requested adjustment between the commercial and residential areas.
- The Project Description was changed to reflect the applicant's request to add the B-6 zoning designation (no further subdivision) to all proposed and existing LDR/1 areas.
- The Project Description was changed to request a continuation of Automobile and Recreation Vehicle Storage and to allow the same uses on the new commercial properties. Boat and Auto Sales, Open Air Retail Sales and Wholesale Sales have been withdrawn.
- The Project Description was clarified to identify that two lot pattern options have been proposed by the applicant; a total of 57 residential and commercial properties (Lot Pattern #1), or a total of 50 residential and commercial properties (Lot Pattern #2).

The following actions have occurred since the August 10, 2006 Subdivision Committee hearing:

- Staff and the environmental consultant have analyzed the revised Project Description.
- A revised Initial Study / Proposed Mitigated Negative Declaration was prepared, and a new Notice of Intent (NOI) and Notice of Completion (NOC) have been circulated for public and referral agency review (August 28 - September 26, 2006).
- New Public Hearing notices with the updated Project Description were prepared and delivered to the local newspaper for publication, mailed to adjacent residents and concerned parties, and mailed to the applicant for posting the project site and adjacent area.
- The Staff report and Condition Compliance and Mitigation Monitoring Reporting Plan matrix (Exhibit D) have been revised to reflect analysis and conclusions drawn from the revised Project Description.

What follows in this report is largely unchanged from the August 10, 2006 staff report. Staff has concluded that the potential physical impacts of the project as described August 10, 2006 and the project as described herein for September 28, 2006 are unchanged. Analyses and conclusions regarding the applicant's proposed amendments to the General Plan and Zoning Maps have been updated. The General Development Plan analysis has been revised, and the need for an Errata Sheet (former Exhibit H) has been removed as typos and edits have been fixed in the environmental document.

## **BACKGROUND:**

Mr. James Hansen applied for this South County development project in the early part of 2004. The project was first known as the Lawrence subdivision project. The project now reflects ownership by CLE Industries, Inc. The present application represents the third and fourth lot configurations proposed by the applicant. The first submittals requested that many more lots be created using the Density Bonus Provisions of State Law. These more dense designs presented difficulty in meeting the standards for septic treatment and minimum parcel size as required by the Department of Environmental Health. The one-acre minimum parcel size per unit for septic systems also presented a challenge in meeting the applicant's onsite Affordable Housing requirements.

The present proposal was submitted for County review in November 2005, and has two lot configurations laid over a single Vesting Tentative Map. While the applicant desires for the County to approve a General Plan Amendment and Rezone to allow a more dense development than current Zoning Standards allow, the map has also been draw so that a conforming lot configuration may be reviewed and acted upon. Staff has labeled these alternatives as Lot Pattern #1 and Lot Pattern #2. Assistance with preparing the Initial Study and Environmental Review for the project has been provided by Rincon Consultants. See Setting and Project Description below.

## **SETTING AND PROJECT DESCRIPTION**

Please refer to the detailed Project Description and Environmental Setting in Section II of the attached Initial Study, Exhibit E. The subject property encompasses approximately 92 acres of which approximately 12.5 acres of HC commercially zoned land areas are adjacent to New Pleyto Road. West of and adjacent to the commercially zoned areas, approximately 40 acres are zoned LDR/1 Low Density Residential (maximum gross density of 1 acre / unit). The westernmost portion of the project site includes approximately 40 +/- acres of RDR/5.1, Rural Density Residential (maximum gross density of 5.1 acres/one unit).

### ***Lot Pattern #1***

Lot Pattern #1 is the applicant's preferred lot configuration as seen on the November 2005 project plans. The applicant desires to amend the Rural Density Residential General Plan and Zoning Designations of the western-most property to allow Low Density Residential. The applicant's desired lot configuration can be seen in proposed Lot Numbers 43 through 52.

Total parcel count for Lot Pattern #1 would be as follows:

Commercial Lots	Five.	Lot#	C1, C2, C3, C4, and C5.
Low Density Residential Lots	Forty-Seven	Lot#	1-37 and 43- 52
<u>Rural Density Residential Lots</u>	<u>Five</u>	<u>Lot#</u>	<u>38, 39, 40, 41, 42.</u>
	Fifty-Seven		

## ***Lot Pattern #2***

Lot Pattern #2 is the applicant's alternative lot configuration should the General Plan Amendment and Rezone requests to change Rural Density to Low Density on the western 40+/- acre parcel not be approved. Proposed Lot Numbers 43-A, 44-A, and 45-A are laid over the lots described above. Each of these three proposed lots would have a 5.1-acre minimum parcel size. No General Plan Map land use density change or Rezoning in the rural residential areas would be required to allow this configuration.

Total parcel count for Lot Pattern #2 would be as follows:

Commercial Lots	Five.	Lot#	C1, C2, C3, C4, and C5.
Low Density Residential Lots	Thirty-Seven	Lot#	1-37
Rural Density Residential Lots	Eight	Lot#	38-42, 43-A, 44-A and 45-A
<hr/>			
	Fifty		

The applicant is also requesting to adjust the General Plan and Zoning boundaries of the Commercial and Residential areas by reducing the Heavy Commercial district boundary by approximately 2.5 acres and allowing Low Density Residential development in those areas. More discussion of this follows.

## **ENVIRONMENTAL REVIEW**

In accordance with the California Environmental Quality Act (CEQA), an Initial Study was prepared to assess the potential adverse environmental impacts from the project and was circulated on June 23, 2006, with the public review period ending July 24, 2006. As introduced above, the Project Description was subsequently revised and an amended Initial Study and Proposed Mitigated Negative Declaration was circulated for public and referral agency review August 28, 2006 through September 26, 2006. No new environmental issues were identified in the second circulation (as of September 18, 2006).

The Initial Study identifies mitigation measures to assure a less than significant impact to the environment for the following: Biological Resources, Geology and Soils, and Hazards and Hazardous Materials (Fire Safety). Prior to the close of the (first) public review period for the Initial Study, July 24, 2006, staff received comments from the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and the State Department of Transportation (CalTrans). These comments have been attached as Exhibit F and mitigation measures to further protect Air Quality and mitigate cumulative impacts to regional transportation systems have been incorporated in the revised Initial Study and Proposed Mitigated Negative Declaration.

No other significant environmental issues have been identified for the project. All mitigation measures are included in the Condition Compliance and Mitigation Monitoring Reporting Plan (Exhibit D).

## **ANALYSIS**

This Section addresses the components of the Combined Development Permit request before the County: The General Plan Amendments, the Zone Change Requests, the Standard Subdivision Vesting Tentative Map, the Use Permit Request for the Mutual Water System and commercial uses, and the General Development Plan proposal for the Heavy Commercial (HC) zoned properties along New Pleyto Road.

### ***General Plan Amendment and Zone Change Request***

As described above, the applicant wishes to increase the development density on the westernmost portion of the subject property. Presently, the General Plan Land Use Map and Zoning Map designates this area as appropriate for rural densities of 5.1-acres per unit. The applicant would prefer to reconfigure approximately 15.3 of these western acres to accommodate Low Density Residential lots with several as small as 1 acre. The applicant at the August 10, 2006 Subdivision Committee hearing requested / clarified that, while they are proposing increased densities on only 15.3 acres of the rural designated properties, their desire is to amend and rezone the entire 40+/- acre western parcel as Low Density Residential and add the B-6 (no further subdivision) designation. This approach, to extend and connect the proposed western low density designations to the existing eastern low density designations, would distance staff's recommendation against spot zoning.

To increase to the desired density, the County would need to approve amendments to both the General Plan Land Use Map and the Zoning Map. If it deems it to be *in the public interest*, the legislative body may amend all or part of an adopted general plan (California Government Code Section 65358). The General Plan may be amended to reflect changing community values, conditions, and needs. The Plan should only be considered for amendment when the County determines, based on new information, that a change is necessary (1982 Monterey County General Plan, Chapter VI, Plan Implementation).

In considering a General Plan Amendment, there are several fundamental questions that are helpful to frame the discussion of when a change is necessary.

- Do public health, safety and general welfare warrant the change of the General Plan designation? Is there a significant public benefit, or is it in the public interest?
- What community values, conditions or needs have changed that warrant an Amendment?
- Are there changes to the area that create the need for an amended General Plan?

The applicant's proposal to increase density from 45 residential lots to 52 residential lots has no apparent sufficient public benefit to warrant amending the General Plan. The type of development proposed is a standard subdivision in a remote rural area. Innovative housing or siting is not proposed. No provisions are made to help enable a greater affordability for Monterey County residents. No new sewer treatment systems, new or more efficient transit systems, community buildings, or other items of public benefit are proposed. No apparent public health, safety or general welfare issues are proposed that warrant revision to the County's Land Use Plan for the additional seven market rate properties as seen in Lot Pattern #1.

There are no known changes to the area that create the need for an amended General Plan to increase the residential unit yield by seven units. The current General Plan and Zoning provide

for a small residential cluster in this area, and appear sufficient to meet demand in the Jolon / New Pleyto area. Without an apparent and compelling public benefit to allowing the applicant seven additional residential lots, and no apparent public health, safety and general welfare issues that lead to a need for creating seven more market rate residential properties in a rural area of the County, staff recommends denying the General Plan Amendment to increase rural area residential density on the western 40 acres. As such, staff cannot support the Rezone as well. The following sections analyze Lot Pattern #2 as described above.

The applicant submitted an e-mail to staff and letter to Commissioner Jay Brown on August 1, 2006 (Exhibit G) outlining their reasons for requesting a General Plan Amendment and Rezone Request. The new information does not affect staff's recommendation to deny the above described General Plan Amendment and Rezone request.

#### *Proposed Adjustment to the LDR/HC boundary*

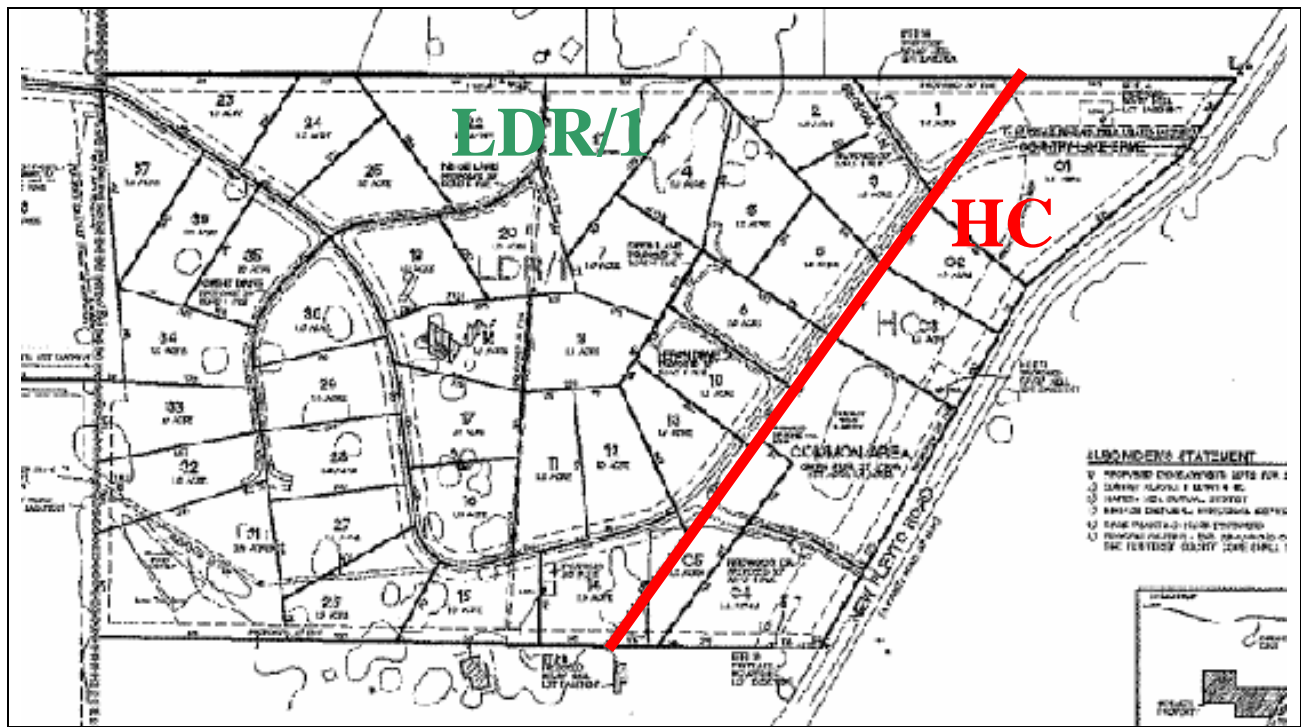
A late discovery preceding the August 10, 2006 Subdivision Committee meeting revealed that the applicant's development proposal for the eastern areas adjacent to New Pleyto Road had not followed Official County Zoning Maps. To clarify, the 52+/- acre eastern parcel has two general plan and zoning designations running through it. The demarcation between the residential areas and the commercial areas, is not evident on the ground, nor by official County survey; merely an adopted map and corresponding Resolution and Ordinance by the Board of Supervisors describing the addition of a Commercial General Plan Designation and a HC Heavy Commercial Zoning Designation to the property in 1994. Upon review of the Resolution, Ordinance and Official Map, it was determined that the Official Map is correct and had been drawn from exhibits submitted in a 1994 General Plan and Rezone Request application (File# PC94115). This effectively confirmed that the applicant had presented a proposal with residential parcels on Heavy Commercial designated areas.

To avoid redrawing the proposed November 2005 Vesting Tentative Subdivision Map the applicant has proposed that the County General Plan Map and Zoning Map be adjusted to reflect the lot configurations and district boundaries as drawn on the 2005 Vesting Tentative Subdivision Map, effectively reducing the Commercial (HC) areas by approximately 2.5 acres, and expanding the Low Density Residential (LDR/1) area by approximately 2.5 acres. See Graphic next page.

No additional physical impacts than were reviewed and analyzed in the first circulation of the Initial Study result from the amended Project Description in this regard because the map was not reconfigured. The applicant has requested the General Plan Amendment and Zone Change to implement the development proposal.

<p>This Figure shows the applicant's eastern subject parcel (APN 423-251-034) which is 52 +/- acres in area. Staff has highlighted the requested demarcation of the Heavy Commercial district and the Low Density Residential District.</p>
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This Figure illustrates the County Zoning Map overlaid on the applicant's Vesting Tentative Subdivision Map. The shaded area is the difference between the Official map and the applicant's request to adjust the demarcation between the districts. An adjustment of approximately 2.5 acres.



The proposal to revert approximately 2.5 acres of Commercial designated areas back to Low Density Residential on APN: 423-071-059-000 represents a fine tuning of the rezoning request

approved by the Board of Supervisors in December 1994 (Resolution 94-515 and Ordinance 03804) for the following reasons:

- a) The 1982 General Plan, prior to the amendment, designated this area as Low Density Residential.
- b) In the twelve years that have passed since the approval of Resolution 94-515 and Ordinance 03804 allowed Heavy Commercial Zoning Designation, no subdivision or development requests have been received or processed for the subject property APN: 423-251-034-000, other than the current proposal.
- c) The adjustment of reducing approximately 2.5 acres of commercially designated land area still allows the development of commercial uses on approximately 10 acres of the subject property.
- d) The adjustment of increasing approximately 2.5 acres of residential designated property, simply reverts these areas to the pre-1994 General Plan and Zoning designations.
- e) There are no apparent public health, safety or general welfare issues that staff has identified that would cause concern in reducing the Commercial areas by approximately 2.5 acres and allowing the preexisting (1994) low density residential designation to return to these areas.

Approval of the adjustments to the commercial and residential boundaries would allow the applicant's present development proposal of 45 residential parcels and five commercial properties (necessary for both Lot Pattern #1 and Lot Pattern #2). Without approval of the adjustments to the Commercial and Residential demarcation, the applicant would be required to revise the November 2005 Vesting Tentative Map submittal to reflect the zoning boundaries as shown on Official County maps and documents.

#### ***Standard Subdivision Vesting Tentative Map.***

As discussed above and in the Land Use and Planning Section of the Initial Study, Lot Pattern #2 is consistent with the densities of the existing General Plan and allowances for Rural Density Residential, Low Density Residential and Commercial Land Uses. The Lot Pattern #2 lots have been laid out consistent with the existing zoning designations and the adjustments proposed for the HC/LDR demarcation. The parcel sizes for the Heavy Commercial areas are at the discretion of the Planning Commission and review of the applicant's general development plan, which will be discussed further on.

Layout and Design. Staff has reviewed the Country Lake Estates Vesting Tentative Subdivision Map proposal and believes that the applicant's proposal is supported by the 1982 General Plan, South County Area Plan and Subdivision Ordinance. The Vesting Tentative Subdivision Map (VTM) (Lot Pattern #2) proposes to create 45 market rate residential parcels, five market rate commercial parcels and one Common Area Parcel between Lots C3 and C4. The Common Area Parcel has been configured to mainly accommodate the Drainage Pond. The pond will meter project runoff to not exceed predevelopment flows and will be maintained by the homeowners association.

*Access:* Access is from two proposed roads along New Pleyto Road: Country Lake Drive and Redwood Drive. Country Lake Drive would serve as the main spine east to west through the 92 acres; several smaller lanes and drives will provide access to lots that do not have frontage along Country Lake Drive: Sequoia Lane, Heron Drive, Ridge Lane, Crest Drive and Quail Drive.

Quail Drive would not be necessary with approval of Lot Pattern #2 as Country Lake Drive would provide sufficient access to Lots 43-A, 44-A and 45-A.

*Parks:* After meeting on numerous occasions with the Monterey County Parks Department to develop an appropriately located and sized park site for the project, an easement for recreation purposes has been sited on proposed Lot 38. The Parks Department has offered five conditions of Approval in Exhibit D. The precise acreage of parkland dedication will be determined after calculating the appropriate amount of “credit” for the recreational improvements to be installed by the applicant. Lot #38 and other parcels may need to be reconfigured should the County not accept the Park Location as an Easement on a 5.1 acre residential property.

*Lot Design (Section 19.10.030 of Title 19 Subdivision Ordinance):* Lot Pattern #2 meets and exceeds the minimum lot size, lot width, and depth requirements of the ordinance. Double frontage lots have been avoided. Due to the natural drainage and easement along New Pleyto Road, the Commercial properties will be accessed from Country Lakes Drive and will include a proposed 3 foot berm along the drainage easement.

Slopes: While portions of the property have slopes in excess of 30%, infrastructure, lot patterns and building envelopes have been and can be sited in such a way as to avoid these areas. Proposed lots #2, 4, 5, 7, 21, 22, 24, 25, 40, 41, and 42 include such slopes. According to the Slope Density Map dated March 28, 2004, the proposed lot patterns include sufficient areas for septic systems and building envelopes to avoid impacting these protected resources. Staff has included a standard Monterey County condition of approval requiring the Scenic Easements be adopted over those areas that exceed 30 % slope.

Septic: Sewage disposal will be provided by individual septic tanks and leach fields on less than 20% slope. The Health Department has included a condition of approval for the applicant to submit an updated map indicating all proposed septic envelopes to the Division of Environmental Health for review and approval. Once approved the septic envelopes shall appear as part of the final/parcel map.

Storm Drainage and Percolation: Drainage pond facilities have been proposed along New Pleyto Road north of Redwood Drive in the commercially zoned “Common Areas.” A second pond has been sited on lot 31. The proposed subdivision would result in an increase in impervious surfaces and subsequent runoff. However, it would not exceed the capacity of existing or planned stormwater drainage facilities. The Water Resources Agency has reviewed the proposed subdivision and recommended ten standard conditions of approval and two non-standard conditions of approval.

Grading: Grading figures have not been estimated at this time, and will not be refined until such time as the final lot pattern and the extent of road construction determined. Home construction is not proposed at this time. No grading is proposed along 30% or greater slopes. The MBUAPCD, as described above, has recommended mitigation measures to assure that daily and project wide activities will not exceed the thresholds of the district. Staff believes that any potential impacts regarding grading can be addressed through the MBUAPCD mitigation and standard county regulations for grading activities.

Affordable Housing Requirements: Depending on how many lots are ultimately approved, the exact figures for the applicant's contribution for compliance with the County's Inclusionary Ordinance are still in flux and won't be apparent until the project approval is final. Staff has underlined figures below that reflect staff's recommendation.. According to the Redevelopment and Housing Division memo to staff August 3, 2006:

The project currently consists of a General Plan Amendment, Rezoning, Standard Subdivision, and Use Permit that will result in either 52 residential lots (Plan #1) or 45 residential lots (Plan #2) and five commercial lots. There are no existing residential units located on the project site. The project is subject to the County's Inclusionary Ordinance (#04185) which requires that projects contribute an amount equal to 20% of the total number of new residential lots/units being created. As part of the project application, the applicant has requested that he be allowed to pay an in-lieu fee instead of supplying on-site Inclusionary Units. On September 14, 2005 the Monterey County Housing Advisory Committee considered the applicant's request that the project be allowed to comply with the Inclusionary Housing Ordinance by paying an In-Lieu Fee instead of providing units on the project site. The Housing Advisory Committee discussed the request and the members present at the meeting (there was not a quorum) indicated that, given the project location and design, the Planning Commission should approve this in-lieu request.

The In-Lieu fee is based on the adopted In-Lieu Fee Schedule in effect at the time that the application is deemed complete. The following calculation is based on the current Fee Schedule (dated 2000):

Lot Pattern #1

52 lots x .20 = 10.4 Inclusionary Units

Fee for each Inclusionary Unit required located in the South County Planning Area = \$22,950.  $\$22,950 \times 10.4 = \underline{\$238,680}$

Lot Pattern #2

45 lots x .20 = 9.0 Inclusionary Units

Fee for each Inclusionary Unit required located in the South County Planning Area = \$22,950.  $\$22,950 \times 9.0 = \underline{\$206,550}$

A Condition of Approval has been recommended to reflect these numbers. This is the present estimate. The applicant may receive credit for one or as many as four of the existing residences on the subject property, thereby reducing the applicant's financial obligation.

Subdivision Findings: Section 19.05.055 B of the Monterey County Subdivision Ordinance and the California Subdivision Map Act (Section 66474) requires that a subdivision be denied if any one of the findings of that section are made. Planning staff has analyzed the project against the findings for denial outlined in that section and can not make these findings for Lot Pattern #2 (subject to the staff's recommended actions on the General Plan Amendment and Rezone requests as discussed above and included in the Findings. Staff recommends that the Country Lake Estates subdivision Lot Pattern #2 be approved for the following reasons:

- The map and its design and improvements would be consistent with the County General Plan and the South County Area Plan (as adjusted at the HC / LDR demarcation.).

- The site has been determined to be physically suitable for the type and density of development.
- 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
- 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.

### ***Use Permit Request for Mutual Water System***

According to the Zoning Code, water systems facilities including wells and storage tanks serving fifteen or more service connections, require a Use Permit in the LDR and RDR zoning designations. On May 8, 2006 the DEH accepted the applicant's project submittal as complete and has recommended twelve (12) standard conditions and two (2) non-standard conditions of approval.

These have been included in Exhibit D and include the following conditions related to the Mutual Water System proposed: EH1 – Water System Permit, EH2 – Water System Improvements, EH4 – Fire Flow Standards, EH5 – Install / Bond Water System Improvements, EH44 – Well Lots, and ESP02 – Capital Reserve Account for Mutual Water Co.

### ***General Development Plan for Commercial Uses***

As described above, the applicant has revised the proposed General Development Plan. Previously, the applicant had desired to use the five proposed Heavy Commercial lots for Christmas Tree Cultivation, Recreational Vehicle (RV) Storage, Boat and Auto Sales and Open Air Retail and Wholesale Sales. Presently, the applicant merely wishes to continue RV and Automobile storage, and to allow those uses across the other commercial properties.

Staff has included the following proposed language in Condition #2 that describes the allowed uses under the General Development Plan: "New automobile and recreational vehicle storage operations planned for undeveloped commercial properties C1, C2, and C3 shall be subject to review and approval of a formal site plan prepared by the applicant and will be reviewed for consistency with County policy in regard to landscaping, appropriate visual screening, unobtrusive lighting, signage, drainage, surface water quality protection and compliance with codes and requirements from County Land Use Agencies. Building Permits may be required."

The applicant's main objective is to develop the residential properties and would rather not forecast the development of the commercial areas at this time. County Code though does require that a General Development Plan be proposed and reviewed by the Planning Commission. Staff recommends accepting the applicant's proposed "status quo" General Development Plan at this time. The recommended condition offered by staff would allow sufficient review and discretion to see that future development of RV and Auto Storage would meet County standards. Should future owners or the applicant desire uses not described in the General Development Plan, that applicant would be required to prepare an Amended General Development Plan for review and

approval by the County. Depending on the future use proposed, additional environmental review may also be required.

### **PUBLIC COMMENT**

Prior to the August 10, 2006 Subdivision Committee, staff was contacted by one local resident who had concerns with the applicant's approach and methodology of water testing and shared concerns for his personal wells and his neighbors' wells. Staff spoke with the DEH who is most involved in these matters and was assured that the hydrologic testing and proving of the water system meets County Standards.

### **CONCLUSION**

While not the applicant's first choice of scenarios, Lot Pattern #2 has been presented as a subdivision design that meets adopted County standards and regulations, subject to the recommended Findings and Evidence to deny conversion of the Rural Residential Area to Low Density Residential and add the B-6 overlay. Subject to the positive Findings staff has recommended that would enable Lot Pattern #2, the applicant has proposed a project (Lot Pattern #2) that is consistent with the 1982 General Plan, South County Area Plan, Subdivision Ordinance, Health Department criteria and the recommended approval by the other Land Use agencies subject to conditions and mitigation measures being implemented.

As discussed above, the applicant has not demonstrated a significant public interest to warrant modifying the General Plan Land Use Map or Zoning Maps to increase the development potential of the project by seven units. The Findings and Evidence which follow reflect this.

**RECOMMENDED FINDINGS AND EVIDENCE**

1. **FINDING:** **CONSISTENCY.** The project proposed in this application, consisting of a Combined Development Permit and Vesting Tentative Subdivision Map (**Country Lake Estates: File #s GPZ060006 / PLN040103**), as described in Condition #1 for Lot Pattern #2, conforms with the policies, requirements and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, South County Area Plan, and the Monterey County Zoning Ordinance (Title 21).

**EVIDENCE:**

- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications.
  - i. The 1982 Monterey County General Plan
  - ii. The South County Area Plan.
  - iii. Chapters of the Monterey County Zoning Ordinance: 21.14 Regulations for Low Density Residential Zoning Districts; 21.16 Regulations for Rural Density Residential Zoning Districts; 21.20 Regulations for Heavy Commercial Zoning Districts; 21.76 Combined Development Permits; and 21.74 Use Permit for Mutual Water Systems;
  - iv. Chapters 19.03, 19.05 and 19.10 of the Monterey County Code Title 19 Subdivision Ordinance.

No conflicts were found to exist.

- (b) The property is located at 70850 & 70970 New Pleyto Road, Bradley (Assessor's Parcel Numbers 423-071-059-000 and 423-251-034-000), South County Area Plan. The parcels are zoned RDR/5.1 (Rural Density Residential, 5.1 acres per unit) and LDR/1 (Low Density Residential 1 acre per unit). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
- (c) The project planner conducted site inspections in 2004, 2005 and 2006 to verify that the project on the subject parcel conforms to the plans listed above.
- (d) The Department of Environmental Health (DEH), determined that the required reporting and documentation and observance of pump tests at the property meet County standards. The project was deemed complete by DEH and conditions of approval have been recommended.
- (e) The project includes a request for a Vesting Tentative Subdivision Map (Lot Pattern #2), Mutual Water System, and General Development Plan inclusive of RV Storage.
- (f) No Land Use Advisory Committee (LUAC) currently represents this area, therefore, no recommendation from such a group has been made.
- (g) The application, plans, and related support materials submitted by the project applicant to the Monterey County Planning and Building

Inspection Department for the proposed development found in Project Files GPZ060006 and PLN040103.

(h) See the following findings and related evidence.

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

- (a) The proposed development has been reviewed by the Monterey County Planning Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, Redevelopment and Housing Division, and the applicable Fire Department. There has been no indication from these agencies that the site is not suitable for the proposed development. The Initial Study 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.
- (b) Technical reports by Biological, Archaeological, Geological, Geotechnical and Traffic consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
  - 1. *Project Specific Hydrological Report-Country Lake Estates New Pleyto Road, Bradley, California (LIB060151). Prepared by Geomatrix Consultants, April 2005.*
  - 2. *Project Specific Hydrological Report-Country Lake Estates New Pleyto Road, Bradley, California (no Library number as of the publishing of the staff report). Prepared by Geomatrix Consultants, March 2006.*
  - 3. *Geologic Hazards Investigation 70850 and 70970 New Pleyto Road Bradley, Monterey County, California 93426. (LIB060175) Prepared by Sierra Delta Corporation (DRC) 2004.*
  - 4. *Percolation Data Report-Leach Line Method. (LIB060185) Prepared by Mid-Coast Geotechnical Inc. (MCG) April 23, 2004.*
  - 5. *Percolation Data Report-Leach Line Method. (LIB060208) Prepared by Mid-Coast Geotechnical Inc. (MCG) August 25, 2004.*
  - 6. *Cultural Resources Survey (Library 060186). Prepared by C.A. Singer & Associates, Inc. March 27, 2004.*
  - 7. *Archaeological Resources -An Evaluation and Assessment (Library 060189). Prepared by C.A. Singer & Associates, Inc. May 30, 2004.*
  - 8. *Geological and Geophysical Survey for Water Well Location, Proposed Subdivision, Lake San Antonio Area Monterey County, California (LIB060173) Prepared by Geoconsultants, Inc. July 31, 2004.*



9. *Biological Resources Survey (LIB060187). Prepared by Craig Hohenberger, dated March 21, 2004.*

(c) Staff conducted site inspections 2004, 2005 and 2006 to verify that the site is suitable for this use.

(d) Materials in Project Files GPZ060006 and PLN040103.

- 3. FINDING:** **CEQA.** The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment. A Mitigated Negative Declaration has been prepared and is on file (File# PLN040103 in the Planning Department). All mitigation measures identified in the Initial Study and Mitigated Negative Declaration and all project changes required to avoid significant effects on the environment have been incorporated into the approved project or are made conditions of approval. A Condition Compliance and Mitigation Monitoring Reporting Plan (hereafter “the MMRP”) has been prepared pursuant to Public Resources Code 21081.6 and is made a condition of approval. The MMRP is incorporated herein by reference. 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, may have 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 the testimony and information received, and scientific and factual data presented as evidence during the public review process. The Monterey County Planning Department, located at 168 W. Alisal Street 2<sup>nd</sup> Floor, Salinas is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based.

**EVIDENCE:**

- (a) 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.
- (b) With assistance by County Consultant Rincon Consultants of Paso Robles, California, 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 Negative Declaration was filed with the County Clerk on June 23, 2006, 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 and Plans (dated February 14, 2004).
2. Interdepartmental Review Agency Comments.
3. C.A. Singer & Associates: Cultural resources survey and impact assessment for a 91 acre property near the town of Lockwood in Monterey County, CA (APN 423-071-059 and 423-251-034) March 2004. Archaeological resources at APN 423-071-059 and APN 423-251-034: an evaluation of site CA-MNT-2191 and assessment of projected impacts associated with the proposed Country Lake Estates Subdivision, May 2004.
4. Department of Water Resources (DWR), March 2003, California's Groundwater-Bulletin 118, Update 2003, Lockwood Valley Groundwater Basin.
5. Dibblee, T.W., Jr., 1971, Geologic Map of the Bradley 15' Quadrangle, California: U.S. Geological Survey Open File Report.
6. Durham, D.L., 1966, Geology of Hames Valley, Wunpost, and Valleton Quadrangles, Monterey County, California: U.S. Geological Survey Bulletin 1221-B.
7. Environmental Data Resources Inc (EDR). The EDR Radius Map with GeoCheck®, Country Lake Estates 70850/70970 New Pleyto Road Bradley, California. April 10, 2006.
8. Furgo 2002, El Pomar-Estrella Area Plan Update: Environmental Impact Report.
9. Geomatrix Consultants 2005, Project Specific Hydrological Report- Country Lake Estates New Pleyto Road, Bradley, California.
10. Sierra Delta Corporation (DRC) 2004, Geologic Hazards Investigation 70850 and 70970 New Pleyto Road Bradley, Monterey County, California 93426.
11. Mid-Coast Geotechnical (MCG) (2004). Percolation Data Report- Leach Line Method.
12. Mixed Water Quality & Laboratory Reports, Country Lake Estates, May 9, 2005.
13. Monterey County General Plan, adopted September 30, 1982.
14. Monterey Bay Unified Air Pollution Control District. June 2004. *CEQA Air Quality Guidelines*.
15. September 2004. *2004 Air Quality Management Plan for the Monterey Bay Region*.
16. Pinnacle Traffic Engineering, 2004, Country Lake Estates Project; Monterey County, California Draft Traffic Impact Report.
17. Solid Waste Information Service (SWIS). State of California Integrated Waste Management Board. <http://www.ciwmb.ca.gov/SWIS/detail.asp?PG=DET&SITESCH=27-AA-0005&OUT=HTML>
18. Hohenberger, Craig. Biological Resource Survey. March 21, 2004.
19. Regional Water Quality Control Plan.
20. Site visit by Rincon Consultants on April 18, 2006.
21. California Department of Forestry and Fire Protection. Fire planning and Mapping Tools, <http://wildfire.cr.usgs.gov/fireplanning/>
22. Art Black, CDF Fire Consultant. April 12, 2006.

23. Matt Mihalco – Bradley CDF station Representative, California Department of Forestry and Fire Protection.
  24. Fred Garcia – Commanding Officer, South County Sheriffs Station. April 12, 2006.
  25. Faey Wells - San Antonio Union School District Representative. April 10, 2006.
  26. Jeanne Howland – King City High School District Representative. May 25, 2006.
  27. David Mesa – Engineering Manager, Salinas Valley Solid Waste Authority. April 13, 2006.
  28. US Census Bureau. State & County Quick Facts, <http://quickfacts.census.gov/qfd/states/06/06053.html>
  29. Association of Monterey Bay Area Governments (AMBAG. 2004 Population, Housing Unit, and Employment Forecast. Adopted April 14, 2004.
  30. Pinnacle Traffic Engineering, Traffic Impact Report Supplement. August 16, 2006.
- (c) The Program for Mitigation Monitoring and/or Reporting on Conditions of Approval, prepared and required pursuant to Section 21081.6 of the Public Resources Code, is made a condition of approval and is designed to ensure compliance during project implementation.
  - (d) 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.
  - (e) Studies, data and reports prepared by staff from various County departments including Planning Department, Public Works, Environmental Health and Monterey County Water Resources Agency and Redevelopment and Housing support the adoption of the Mitigation Negative Declaration for the project.
  - (f) Initial Study with mitigation measures; additional supporting information from Caltrans, and Monterey Bay Unified Air Pollution Control District contained in the project file.

**4. FINDING: FISH AND GAME FEES** – Filing of Notice of Determination. For Purposes of the Fish and Game Code, the project will have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends.

**EVIDENCE:**

- (a) Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein will affect changes to native and non-native plant life and soils, and the biological analyses identified potential impacts to wildlife and special status species.
- (b) Initial Study and Mitigated Negative Declaration contained in the project file.

(c) Evidence in Finding 3.

- 5. FINDING: GENERAL PLAN AMENDMENT PROPOSAL.** (To deny the request to amend the Rural Residential Designation to Low Density Residential on APN: 423-071-059-000; Approximately 40+/- acres). If it deems it to be *in the public interest*, the legislative body may amend all or part of an adopted general plan (California Government Code Section 65358). The General Plan may be amended to reflect changing community values, conditions, and needs. The Plan should only be considered for amendment when the County determines, based on new information, that a change is necessary (Monterey County General Plan, Chapter VI, Plan Implementation).

**EVIDENCE:**

- (a) The proposal to increase density from 45 residential lots to 52 residential lots does not have sufficient benefit to the public interest to cause an amendment to the General Plan.
  - 1. The type of development is a standard subdivision in a remote rural area.
  - 2. Innovative housing or siting is not proposed.
  - 3. No provisions are made to help enable a greater affordability for Monterey County residents.
  - 4. No new sewer treatment systems, new or more efficient transit systems, community buildings, or other items of public benefit are proposed.
- (b) There are no apparent public health, safety or general welfare issues that staff has identified to warrant revision to the County's Land Use Plan for the additional seven market rate properties.
  - 1. An increase in development density on a 40 acre portion of the proposal is not necessary to serve a compelling public health, safety or general welfare issue identified in this region.
- (c) There are no known changes in the area that create the need for an amended General Plan.
  - 1. There are no other applications for subdivision within the area proposed for more intense development in this rural area.
  - 2. There are existing, vacant parcels in the immediate vicinity with Low Density Residential designations.

- 6. FINDING: GENERAL PLAN AMENDMENT PROPOSAL.** (To approve the request to revert approximately 2.5 acres of Commercial to Low Density Residential on APN: 423-251-034-000). If it deems it to be *in the public interest*, the legislative body may amend all or part of an adopted general plan (California Government Code Section 65358). The General Plan may be amended to reflect changing community values, conditions, and needs. The Plan should only be considered for amendment when the County determines, based on new information, that a change is necessary (Monterey County General Plan, Chapter VI, Plan Implementation).

**EVIDENCE:**

- (a) The proposal to revert approximately 2.5 acres of Commercial designated areas to Low Density Residential on APN: 423-071-059-000 represents a

fine tuning of the rezoning request made to and approved by the Board of Supervisors December in 1994 (Resolution 94-515 and Ordinance 03804).

1. The Plan Amendment and Rezone request approved by Resolution 94-515 and Ordinance 03804 allowed Heavy Commercial Zoning Designations to be applied to areas previously designated solely for Low Density Residential Development.
  2. In the twelve years that have passed since the approval of Resolution 94-515 and Ordinance 03804 allowed Heavy Commercial Zoning Designations, no subdivision or development requests have been received or processed for the subject property (APN: 423-251-034-000), other than the current proposal.
  3. The adjustment of reducing approximately 2.5 acres of commercially designated land areas still allows the development of commercial uses on approximately 10 acres of the subject property.
  4. The adjustment of increasing approximately 2.5 acres of residential designated property, simply reverts these areas to the pre-1994 General Plan and Zoning designations.
  5. The applicant intends to provide a fence and landscaped screen between the residential areas and the commercial areas and has allowed a sufficient land area adjacent to Country Lake Drive for these amenities.
- (b) There are no apparent public health, safety or general welfare issues that would cause concern in reducing the Commercial areas by approximately 2.5 acres and allowing the preexisting (1994) low density residential designation to return to these areas.
1. When the Board of Supervisors approved Resolution 94-515 and Ordinance 03804 (converting approximately 12.5 acres of the subject Low Density Residential property to Commercial and Heavy Commercial, they found that the proposed amendment had no significant impact on the environment, and that the conversion of the residential areas to commercial areas, would not under the circumstances be detrimental to the health safety, peace morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
  2. The Board also found that the 1994 application for Amendment and Rezone would provide for future development.
  3. The applicant's present proposal is for subdivision and the provision of both low density residential development and the creation of commercially designated parcels
- (c) There are potential changes in the Commercial and Low Density Residential areas that may create the need for an amended General Plan.
1. While several small residences and a fenced recreational vehicle and storage area have been present for many years, no development proposal on the subject property has been forthcoming in the ten years from the Board's 1994 action; it could be argued that simply having such a development proposal on the table is a change.

2. Approval of the adjustments to the commercial and residential boundaries would allow the applicant's present development proposal of 45 residential parcels and five commercial properties.
3. Without approval of the adjustments to the Commercial and Residential demarcation, the applicant would be required to revise the November 2005 Vesting Tentative Map submittal to reflect the zoning boundaries as shown on Official County maps and documents.

**7. FINDING:** **ZONE CHANGE REQUEST** (To deny the request to rezone the RDR/5.1 (Rural Density Residential 5.1 acres per unit) zoning designation to LDR/1 (Low Density Residential 1.0 acre per unit) zoning designation on APN: 423-071-059-000; Approximately 40+/- acres). A zone change may be allowed to provide consistency with the General Plan and existing land uses, or to serve a greater public purpose.

**EVIDENCE:**

- (a) The Zone Change request does not correct an existing or perceived mapping error or inconsistency in official county documents.
- (b) The Subdivision Committee has recommended against the applicant's General Plan Amendment request to change the Rural Density Residential designation to Low Density Residential. A Rezone from RDR/5.1 to LDR/1 would not be consistent with the General Plan unless the General Plan is amended by the County.
- (c) The Zone Change request from RDR/5.1 to LDR/1 is not necessary to implement the applicant's proposed Lot Pattern 2, as recommended by the Subdivision Committee.

**8. FINDING:** **ZONE CHANGE REQUEST** (To approve the request to revert approximately 2.5 acres of HC (Heavy Commercial) zoning designation back to LDR/1 (Low Density Residential 1 acre per unit) zoning designation on APN: 423-251-034-000). A zone change may be allowed to provide consistency with the General Plan and existing land uses, or to serve a greater public purpose.

**EVIDENCE:**

- (a) The Zone Change request refines and enables the 1994 decision by the Board of Supervisors to allow commercial and residential development on the subject parcel, although it does not correct an existing or perceived mapping error or inconsistency in official county documents.
- (b) The Subdivision Committee approval of the applicant's General Plan Amendment request to reduce the Commercial designated areas by approximately 2.5 acres and increase the Low Density Residential areas by approximately 2.5 acres. A Zone Change request to revert approximately 2.5 acres of HC (Heavy Commercial) zoning designation back to LDR/1 (Low Density Residential 1 acre per unit) zoning designation on APN: 423-251-034-000 is consistent with this recommendation.
- (c) The Zone Change request is necessary to implement either of the applicant's proposed Lot Patterns 1 and 2.
- (d) Without approval of the adjustments to the HC and LDR/1 designation, the applicant would be required to revise the November 2005 Vesting

Tentative Map submittal to reflect the zoning boundaries as shown on Official County maps and documents. This would affect both of the applicant's proposed Lot Patterns 1 and 2.

9. **FINDING: ZONE CHANGE REQUEST** (To deny the applicant's request to apply a B-6 Overlay to all project portions with the LDR/1 designation {No further subdivision on Low Density Residential Properties}) A zone change may be allowed to provide consistency with the General Plan and existing land uses, or to serve a greater public purpose.
- (a) The applicant's proposal included a B-6 overlay zoning district to declare that no further subdivision are intended nor allowed.
  - (b) As staff has recommended against the applicant's General Plan Amendment from Rural Residential to Low Density Residential and from the RDR/5.1 Zoning Designation to the LDR/1 Zoning Designation on APN: 423-071-059-000; (approximately 40+/- acres) the applicant's request to apply a B-6 overlay to these and other portions of the property is not necessary.
  - (c) As the eastern balance of the residential property (the 40+/- acres of APN 423-251-034-00) as shown on the November 2005 proposed Vesting Tentative Subdivision has been divided to the near maximum density possible with most lots at the district minimum parcel size of 1.0 acres, no substantial subdivision of the eastern parcel could occur anyway, making a B-6 in these areas superfluous.
  - (d) A B-6 overlay if applied to the eastern LDR/1 residential properties would make minor Lot Line Adjustments between properties unnecessarily bureaucratic and expensive, subjecting each minor adjustment to an Administrative Permit, unless an exchange of exactly equal areas is made.
10. **FINDING: SUBDIVISION.** The Subdivision Committee recommends that **LOT PATTERN #2** can be approved under the Subdivision Ordinance. None of the negative findings found in Section 19.05.055 B of the Subdivision Ordinance can be made for Lot Pattern #2 of the proposed Combined Development Permit and Vesting Tentative Subdivision map.

**EVIDENCE:**

- (a) Planning staff has analyzed the project against the findings for denial outlined in Section 19.05.055 B. This section requires that the subdivision be denied if any one of the following findings are made:
  - 1. The proposed map is not consistent with the general plan, area plan, coastal land use plan, or specific plan.
  - 2. That the design or improvements of the proposed subdivision is not consistent the applicable general plan, area plan, coastal land use plan, master Plan or specific plan.
  - 3. That the site is not physically suitable for the type of development.
  - 4. That the site is not physically suitable for the proposed density of development.
  - 5. That the design of the subdivision or type of improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
8. That the subdivision fails to meet any of the requirements or conditions imposed by the Subdivision Map Act or this Title (Title 19).

As none of these findings requiring denial can be made for Lot Pattern #2, Lot Pattern #2 is supportable under the Monterey County Subdivision Ordinance.

- (b) The property provides for adequate building sites as evidenced by the application materials submitted for the site.
- (c) 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 listed above in Finding 2. The reports concluded the proposed development is suitable for the site, subject to environmental protections / mitigations and recommendations for construction.
- (d) The on-site inspections of the project site by the project planner.
- (e) Application and Plan Materials (November 2005) and application materials contained in the project file supporting Lot Pattern 2.
- (f) See the preceding and following Evidence for Findings.

**11. FINDING: INCUSIONARY HOUSING.** In approving the final map, the decision-making body has balanced the housing needs of the County against the public service needs of its residents and available fiscal and environmental resources.

**EVIDENCE:** The applicant will be required to comply with the Inclusionary Housing Ordinance.

**12. FINDING:** The recommended conditions regarding Inclusionary Housing, recreation requirements, and underground utilities have been applied to ensure that the health, safety, and welfare is preserved and protected.

**EVIDENCE:**

- (a) Section 18.40 of the Monterey County Code (Inclusionary Housing Ordinance)
- (b) Section 19.12.010 of the Monterey County Code (Recreation).
- (c) Section 19.10.095 of the Monterey County Code (underground utilities)

**13. FINDING: INCLUSIONARY HOUSING:** The project, as conditioned, conforms with the policies and requirements of Section 18.40 of the Monterey County Code. Inclusionary Housing Ordinance #04185).

**EVIDENCE:**

- (a) The condition of approval that will be applied to the project is consistent with Ordinance #04185 (Monterey County Code, Chapter 18.40). County Code Section 18.40.50B.2 allows for modifications to the requirements for Inclusionary Housing based on unique, unusual or unforeseen



circumstances. It is appropriate for the project to pay an in-lieu fee instead of supplying units on the project site due to the following:

1. The project site is located in a relatively remote location, somewhat distant from residential services, including sewer treatment.
  2. The project is a large lot, rural subdivision with potentially significant property maintenance costs.
  3. Alternatives to individual on-site wells and septic systems that would allow for Inclusionary units to be constructed on the project site either on smaller lots or as rental units were found to be infeasible from a health and safety standpoint by the Monterey County Environmental Health Division.
- (b) On September 14, 2005 the Housing Advisory Committee (HAC) recommended that the proposed modification to allow payment of an in-lieu fee, be approved.

- 14. FINDING: USE PERMIT.** 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:**

- (a) 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, the appropriate Fire District (CDF), Water Resources Agency, Parks and Recreation and Redevelopment and Housing Division. 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.
- (b) Adoption of the Proposed Mitigated Negative Declaration includes mitigation measures that address potential impacts to Biological Resources, Geology and Soils, and Hazards and Hazardous Materials, Air Quality and Cumulative Impacts for Regional Traffic. No other significant issues have been identified for the project.
- (c) File and application materials, Initial Study with mitigation measures, and Mitigated Negative Declaration contained in the project file.

- 15. FINDING: NO VIOLATIONS.** The subject property is in compliance with the rules and regulations pertaining 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 mostly vacant and undeveloped and there are no zoning violations recorded or pending to be resolved.

**16. FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

**EVIDENCE:** (a) Preceding findings and supporting evidence.

**17. FINDING:** The project is subject to approval by the Board of Supervisors.

**EVIDENCE:** The Monterey County Zoning Ordinance Title 21, Chapter 21.88.

<p align="center"><b>Exhibit D</b></p> <p align="center"><b>Monterey County Planning and Building Inspection</b></p> <p align="center"><b>Condition Compliance and/or Mitigation Monitoring</b></p> <p align="center"><b>Reporting Plan</b></p>	<p><b>Project Name: <i>Country Lake Estates</i></b></p> <p><i>File No:</i> PLN040103 <span style="float:right"><i>APNs:</i> 423-251-034, 423-071-059</span></p> <p><i>Approval by:</i> Sub Committee, PC, BOS <span style="float:right"><i>Date:</i> _____</span></p>
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*\*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><b>PBD029 - SPECIFIC USES ONLY</b></p> <p>This Combined Development Permit (Country Lake Estates /Hansen PLN040103 and GPZ06006) allows</p> <ul style="list-style-type: none"> <li>• A General Plan Amendment to change the land use designation (1) <del>from Rural Density Residential to Low Density Residential on approximately 40 acres of the subject property (70970 New Pleyto Road; APN423-071-059-000)</del> and (2) from Commercial to Low Density Residential on approximately 2.5 acres of the subject property to reflect the demarcation as shown in the applicant's November 2005 Vesting Tentative Map submittal (eastern portion of 70850 New Pleyto Road; APN423-251-034-000);</li> <li>• A Zone change (1) <del>from RDR/5.1 (Rural Density Residential, 5.1 acres per unit) to LDR/1/B-6 (Low Density Residential, 1 acre per unit, no further subdivision) on approximately 40 acres of the subject property (70970 New Pleyto Road; APN423-071-059-000);</del> (2) (1) from HC (Heavy Commercial) to LDR/1 (Low Density Residential 1 acre per</li> </ul>	<p>Adhere to conditions and uses specified in the permit.</p> <p>NOTE : The request for a General Plan Amendment from Rural Density Residential to Low Density Residential on approximately 40 acres of the subject property, and a Zone Change from RDR/5.1 Rural Density Residential 5.1 acre minimum parcel size to LDR/1 Low Density Residential 1 acre minimum parcel size on approximately 40 acres of the subject property - <u>have not been approved.</u></p>	Owner/ Applicant	Ongoing unless other-wise 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>
		<p>unit) on approximately 2.5 acres of the subject property to reflect the demarcation as shown in the applicant's November 2005 Vesting Tentative Map submittal (eastern portion of 70850 New Pleyto Road; APN423-251-034-000), and (3) (2) to add a B-6 overlay (no further subdivision) to all existing LDR/1 property;</p> <ul style="list-style-type: none"> <li>• A standard subdivision vesting tentative map to divide two properties totaling 92 acres into <del>52</del> market rate single family parcels ranging in size from 1.0 acre to 5.1 acres and 5 commercial parcels located adjacent to New Pleyto Road. An alternative lot configuration proposed by the applicant would develop 45 market-rate single family parcels ranging in size from 1.0 acre to 5.1 acres and 5 commercial parcels <u>located adjacent to New Pleyto Road (Lot Pattern #2)</u>;</li> <li>• A use permit for a mutual water system;</li> <li>• A use permit to continue automobile and recreational vehicle storage on all commercial lots; and</li> <li>• A General Development Plan.</li> </ul> <p>The property is located at 70850 and 70970 New Pleyto Road, Bradley. Assessors Parcel Numbers 423-251-034-000 and 423-071-059-000. South County Area Plan.</p> <p>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</p>				

<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>
		and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. <b>(Planning)</b>				
2.		<p><b>GENERAL DEVELOPMENT PLAN - NON-STANDARD LANGUAGE.</b></p> <p>Presently only one RV and Automobile storage facility is in operation on the southern-most portion of the subject property and shall be allowed to continue contiguous within the boundaries of Commercial Lots C4 and C5. Automobile and recreational vehicle storage on Lots C1, C2, C3 shall be allowed subject to the following:</p> <p>New automobile and recreational vehicle storage operations planned for undeveloped commercial properties C1, C2, and C3 shall be subject to review and approval of a site plan prepared by the applicant and will be reviewed for consistency with County policy in regard to landscaping, visual screening, unobtrusive lighting, signage, drainage, surface water quality protection and compliance with codes and requirements from County Land Use Agencies. Building Permits may be required. <b>(Planning)</b></p>	<p>A note containing the entirety of this General Development Plan condition shall be placed on the final map to be recorded.</p> <p>As Described.</p>	<p>Applicant / Engineer</p> <p>All Owner Operators and users of the Commercial Properties.</p>	<p>Prior to Recordation of the Final Map</p> <p>Ongoing</p>	

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3.		<p><b>NON-STANDARD LANGUAGE</b></p> <p>In accordance with approval of the Country Lake Estates Subdivision <u>Lot Pattern #2</u> and Combined Development Permit, all construction and improvements shall be in substantial conformance to those Vesting Tentative Map documents submitted to the County November 2005. <b>(Planning)</b></p> <p>The parcel count for Lot Pattern #2 totals 50 as follows:</p> <ul style="list-style-type: none"> <li>• Commercial Lots <u>Five</u>. Lot #s C1, C2, C3, C4, and C5.</li> <li>• Low Density Residential Lots <u>Thirty-Seven</u> Lot #s 1-37.</li> <li>• Rural Density Residential Lots <u>Eight</u> Lot #s 38-42, 43-A, 44-A and 45-A</li> </ul> <p>Revise the final map to reflect Lot Pattern 2.</p>	Submit a Final Map showing the approved lot configuration.	Applicant / Owner	Prior to Recordation of the Final Map	
4.		<p><b>PBD025 - NOTICE-PERMIT APPROVAL</b></p> <p>The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Board of Supervisor's for Assessor's Parcel Numbers 423-251-034-000 and 423-071-059-000 on (_____date). The permit was granted subject to 89 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. <b>(Planning Department)</b></p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Recordation of the Final Map	
			A note containing the entirety of this Permit Approval Notice condition shall be placed on the final map to be recorded.	Applicant / Engineer	Prior to Recordation of the Final Map	

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5.		<p><b>PBD016 - INDEMNIFICATION AGREEMENT</b></p> <p>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. <b>(Planning Department)</b></p>	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, which-ever occurs first and as applicable	

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6.		<b>PBD012 - FISH AND GAME FEE-NEG DEC/EIR</b> 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) working days of project approval. This fee shall be paid before the <u>Notice of Determination</u> is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. <b>(Planning)</b>	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of Planning and Building Inspection.	Owner/ Applicant	Within 5 working days of project approval.	
7.		<b>PBD022 - MITIGATION MONITORING PROGRAM</b> 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. <b>(Planning)</b>	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.	Owner/ Applicant	Within 60 days of project approval	
8.		<b>NON-STANDARD- FINAL MAP TO SHOW SCENIC EASEMENTS - DOCUMENTS TO BE PREPARED FOR EACH AFFECTED PARCEL</b> 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. <b>(Planning)</b>  Prior to recordation of the Final Map, the Subdivision Map	Submit scenic easement to PBI for approval.	Owner/ Applicant	Prior to recordation of the Final Map	
			As Described. The following lots include areas with slopes in excess of 30%. Lots #2, 4, 5, 7, 21, 22, 24, 25, 40, 41, and 42.	Owner/ Applicant	Prior to recordation of the Final Map	



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		shall be revised to delineate those areas where easements are conveyed to the County where the slope exceeds 30 percent. Prior to Map Recordation, a Scenic Easement conveyance document shall be prepared for the affected property and reviewed by the County. Such documents will be recorded concurrent with Map Recordation, <b>(Planning)</b>				
9.		<p><b>NON STANDARD - NOTE ON MAP-STUDIES</b></p> <p>A note shall be placed on the final map or a separate sheet to be recorded with the final map stating that: "The following reports have been prepared for the development proposed on the subject property:</p> <ol style="list-style-type: none"> <li>1. C.A. Singer &amp; Associates: Cultural resources survey and impact assessment for a 91 acre property near the town of Lockwood in Monterey County, CA (APN 423-071-059 and 423-251-034) March 2004. Archaeological resources at APN 423-071-059 and APN 423-251-034: an evaluation of site CA-MNT-2191 and assessment of projected impacts associated with the proposed Country Lake Estates Subdivision, May 2004.</li> <li>2. Geomatrix Consultants 2005, Project Specific Hydrological Report-Country Lake Estates New Pleyto Road, Bradley, California.</li> <li>3. Mid-Coast Geotechnical (MCG) (2004). Percolation Data Report-Leach Line Method.</li> <li>4. Mixed Water Quality &amp; Laboratory Reports, Country Lake Estates, May 9, 2005.</li> <li>5. Sierra Delta Corporation (DRC) 2004, Geologic</li> </ol>	Final recorded map with notes shall be submitted to PBI and Public Works for review and approval.	Owner/ Applicant	Prior to Record-ation of Final Map	

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		<p>Hazards Investigation 70850 and 70970 New Pleyto Road Bradley, Monterey County, California 93426.</p> <p>6. C.A. Singer &amp; Associates: Cultural resources survey and impact assessment for a 91 acre property neat the town of Lockwood in Monterey County, CA (APN 423-071-059 and 423-251-034) March 2004.</p> <p>7. Archaeological resources at APN 423-071-059 and APN 423-251-034: an evaluation of site CA-MNT-2191 and assessment of projected impacts associated with the proposed Country Lake Estates Subdivision, May 2004.</p> <p>8. Geomatrix Consultants 2005, Project Specific Hydrological Report-Country Lake Estates New Pleyto Road, Bradley, California.</p> <p>9. Mid-Coast Geotechnical (MCG) (2004). Percolation Data Report-Leach Line Method. Mixed Water Quality &amp; Laboratory Reports, Country Lake Estates, May 9, 2005.</p> <p>10. Sierra Delta Corporation (DRC) 2004, Geologic Hazards Investigation 70850 and 70970 New Pleyto Road Bradley, Monterey County, California 93426.</p> <p>11. Pinnacle Traffic Engineering, 2004, Country Lake Estates Project; Monterey County, California Draft Traffic Impact Report.</p> <p>12. Pinnacle Traffic Engineering, Traffic Impact Report Supplement. August 16, 2006.</p> <p>These reports are on file with Monterey County Planning Department. The recommendations contained in said</p>				

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		reports shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. <b>(Planning)</b>				
10.		<b>NON-STANDARD - NOTES ON FINAL MAP</b> The following conditions of approval shall be placed as notes on the Final Map to serve as notification to subsequent homeowners and property owners of requirements of this Combined Development permit. Condition numbers 20, 21, 24, 46, 62, 73, 78, 80, 81, 85, 86. <b>(Planning)</b>	Place note on map or a separate sheet and submit to PBI for review and approval.	Applicant/ Owner	Prior to record- ation of final map.	
11.		<b>PBD033 – UTILITIES – SUBDIVISION</b> 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. <b>(Planning)</b>	Place note on map or a separate sheet and submit to PBI for review and approval.	Applicant/ Owner	Prior to record- ation of final map.	
12.		<b>PBD030 - STOP WORK - RESOURCES FOUND</b> 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	A note containing the entirety of this condition shall be placed on the Final Map to be recorded.	Applicant / Engineer	Prior to Recordati on of the Final Map	

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		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. <b>(Planning)</b>	A note containing the entirety of this condition shall be placed on the Improvement Plans prior to approval.	Applicant / Engineer	Prior to approval of Improvement plans and authorization to proceed with ground disturbance	
			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.			
13.		<b>NON-STANDARD LANGUAGE</b> The applicant shall prepare formalized <u>Improvement Plans</u> which shall include and incorporate all conditions of approval and physical structures required by the Environmental Health Department, Water Resources	As Described. All Conditions of Approval and adopted Mitigation Measures shall be included prominently as Notes on the Improvement Plans	Owner/ Applicant	Prior to grading and construction activities	

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		Agency, Public Works Department, Fire Department and other agencies as required of this Vesting Tentative Map. <b>(Planning)</b>				
14.		<b>PBD032(A) - TREE PROTECTION</b> Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by 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. <b>(Planning)</b>	Submit evidence of tree protection to PBI for review and approval.	Owner/ Applicant	Prior to issuance of grading and building permits	
15.		<b>NON-STANDARD LANGUAGE</b> The Applicant shall call the Planning Department to coordinate a pre-construction conference with County Land Use agencies. Mitigation Measures, infrastructure, construction phasing, construction practices, fees, inspection schedules and County and applicant expectations will be discussed.	As Described	Owner/ Applicant	Prior to grading and construction activities	
16.		<b>PBD014 - GRADING-WINTER RESTRICTION</b> 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. <b>(Planning)</b>	None	Owner/ Applicant	Ongoing	

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17.		<b>PBD011 - EROSION CONTROL PLAN AND SCHEDULE</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of 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 course of construction, subject to the approval of the Director of 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 Building Inspection. <b>(Planning)</b>	1) Evidence of compliance with the Erosion Control Plan shall be submitted to Building prior to issuance of building and grading permits.  2) Evidence of compliance with the Implementation Schedule shall be submitted to Building during the course of construction until project completion as approved by the Director of PBI.	Owner/ Applicant          Owner/ Applicant	Prior to Issuance of Grading and Building Permits          Prior to Final Inspection	
18.		<b>PBD042 – GRADING PERMITS REQUIRED</b> A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. <b>(Planning)</b>	If applicable, apply and receive the appropriate grading permit from Monterey County Building Inspection.          A note to this effect shall be placed on the final map to alert future property owners to this requirement.	Engineer/ Owner/ Applicant          	Prior to Issuance of Permits for Single Family Residences          Prior to Map Recordation	

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19.		<b>PBD021 LIGHTING EXTERIOR LIGHTING PLAN</b> 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. <b>(Planning)</b>	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	
			A note to this effect shall be placed on the final map to alert future property owners to this requirement.		Prior to Map Recordation	
20.		<b>PBD020 – LIGHTING - STREET LIGHTS</b> All street lights in the development shall be approved by the Director of Planning. At a maximum, street lights may be considered only at the intersections of roads, drives, and lanes. <b>(Planning)</b>	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to approval of Subdivision Improvement Plan	
21.		<b>PBD036 - WATER TANK APPROVAL</b> The project water tanks (located in a public utility easement a=on proposed Lot #22) shall be painted an earth tone color to blend into the area and landscaped (including land sculpturing and fencing, where appropriate), subject to the approval of the Director of Planning prior to approval of the Subdivision Improvement Plan. <b>(Planning)</b>	1) Submit proposed color of water tank and landscaping to PBI for review and approval.	Applicant/ Owner	Prior to approval of Subdivision Improvement Plan	
			2) Provide evidence to PBI that the water tank is painted as approved by PBI and that landscaped was installed as approved by PBI.	Applicant/ Owner	Prior to final inspection	

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22.		<b>NON-STANDARD LANGUAGE</b> Residential Landscaping: Property owners constructing residential structures shall plant native grasses, shrubs, and trees to increase habitat quality after construction disturbances; create proper drainage and planting during construction; and remove any non-native species (IS/MND PG19). <b>(Planning)</b>	Prepare and submit landscape plans in accordance with County Policy incorporating the described elements herein. (Cross-reference this condition with Landscaping Requirements from the CDF Fire Department below.)	Home Owner / Property Owner	Prior to occupancy	
			A note to this effect shall be placed on the final map to alert future property owners to this requirement.		Prior to Map Recordation	
<b>Environmental Health Department</b>						
23.		<b>EH1 - WATER SYSTEM PERMIT</b> Obtain a new or amended water system permit from the Division of Environmental Health. <b>(Environmental Health)</b>	Submit necessary application, reports and testing results to EH for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to approval of Subdivision Improvement Plan <b>or</b> prior to filing final map	
24.		<b>EH2 - WATER SYSTEM IMPROVEMENTS (CO. PERMITTED SYSTEM)</b> 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	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)	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/ building permit <b>or</b>	



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		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. <b>(Environmental Health)</b>	the improvements.		Prior to filing final map	
25.		<b>EH4 - FIRE FLOW STANDARDS</b> Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. <b>(Environmental Health)</b>	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 / bonding water system improvements	
26.		<b>EH5 - INSTALL / BOND WATER SYSTEM IMPROVEMENTS</b> 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. <b>(Environmental Health)</b>	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	
27.		<b>EH12 - EXISTING SEPTIC SYSTEM</b> Submit a plot plan to the Division of Environmental Health showing the locations of all existing septic systems on the property. Any sewage disposal system or part thereof which crosses property lines or does not meet the setback requirements specified in Monterey County Code, Chapter 15.20 will require proper abandonment and replacement with an approved system. A permit for the system replacement shall be obtained	Division of Environmental Health must approve plans.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final map or issuance of a building permit	

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		from the Monterey County Health Department. <b>(Environmental Health)</b>				
28.		<b>EH13 - DRAINAGE IMPROVEMENTS</b> Submit plans for surface and subsurface drainage improvements for review and approval to the Director of Environmental Health to determine any potential septic system impacts. All improvements shall comply with the regulations found in Chapter 15.20 of the Monterey County Code, and <u>Prohibitions</u> of the Basin Plan, RWQCB. <b>(Environmental Health)</b>	Division of Environmental Health must approve plans.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final map	
29.		<b>EH21 - SEPTIC ENVELOPES</b> Submit an updated map indicating all proposed septic envelopes to the Division of Environmental Health for review and approval. Once approved the septic envelopes shall appear as part of the final/parcel map. <b>(Environmental Health)</b>	Once approved the septic envelopes shall appear as part of the final/parcel map.	Owner/ Applicant	Prior to filing the final map.	
30.		<b>EH44 - WELL LOTS</b> Submit a tentative plan 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. <b>(Environmental Health)</b>	Submit plans to the Division of Environmental Health for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final map.	

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31.		<b>EH62 – BY-LAWS AND ARTICLES OF INCORPORATION</b> Submit by-laws and articles of Incorporation for the proposed mutual water company for review and approval to the MCEHD. This document shall address priority water uses in the event of water shortage. It shall also include a tiered rate structure as an incentive for conservation. <b>(Environmental Health)</b>	Owner/applicant shall submit final draft for review and approval to MCEHD prior to filing with the appropriate state agency.	Owner/ Applicant	Prior to filing the final map.	
32.		<b>EH63 -WATER CONNECTIONS TO BE METERED</b> All water system connections shall be metered. <b>(Environmental Health)</b>	Plans for the water system shall indicate the well meter specifications for each lot within the subdivision	Owner/ Applicant	Prior to filing the final map.	
33.		<b>EH64 - PAY ALL FEES</b> Applicant shall pay all review and permit application fees to the MCEHD.	Contact MCEHD. All required fees due shall be submitted to MCEHD.	Owner/ Applicant	Prior to filing the final map.	
34.		<b>EH65 - PHASING OF SUBDIVISION AND WATER SYSTEM IMPROVEMENTS</b> Should the project improvements be phased, the wells, all necessary treatment equipment and the storage tank shall be in the first phase.	First phase improvement map shall include all water system infrastructure.	Owner/ Applicant	Prior to filing the final map.	
35.		<b>ESP01 – NON-STANDARD LANGUAGE.</b> Deed Notification to limit Commercial Lots to uses without high water use. <b>(Environmental Health)</b>  <b>(EH to define)</b>	The applicant shall record a Deed Notification for each of the commercial properties (C1-C5) concurrently with the final map, to restrict the commercial properties to uses without high water use.	Owner/ Applicant	Concurrent with the final map.	

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36.		<p><b>EHSP008 – CAPITAL IMPROVEMENT FUND FOR MUTUAL WATER COMPANY (NON-STANDARD CONDITION)</b></p> <p>The developer shall deposit an amount equal to 15% of the entire project water treatment and distribution system total costs to a capital reserve account to pay for future equipment repairs and/or replacement costs.</p> <p><b>(Environmental Health)</b></p>	Deposit the appropriate funds into a capital reserve account held in the name of the mutual water company. Provide evidence to the Division of EH that the funds have been deposited.	Owner/ Applicant	Concurrent with the incorporation of water system	
<b>Water Resources Agency</b>						
37.		<p><b>WR39 - OTHER AGENCY PERMITS</b></p> <p>The applicant shall provide certification to the Water Resources Agency that applications have been submitted for all required local, State, and Federal permits. The Agencies include but are not limited to the California Department of Fish &amp; Game, California Regional Water Quality Control Board, Division of Safety of Dams, and the Army Corps of Engineers. <b>(Water Resources Agency)</b></p>	Submit a letter and any associated permits to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	
38.		<p><b>WR47 - WASTE MANAGEMENT PLAN</b></p> <p>The applicant shall provide the Water Resources Agency a Construction Site Waste Management Plan prepared by a registered civil engineer that addresses the proper disposal of building materials and other construction site wastes including, but not limited to, discarded building materials, concrete truck washout, chemicals, litter and sanitary wastes. The Site Waste Management Plan must also address spill prevention, control and clean up of materials such as petroleum</p>	Submit the plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	

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		products, fertilizers, solvents, pesticides, paints and cleaners. <b>(Water Resources Agency)</b>				
39.		<b>WR45 - WELL INFORMATION</b> 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. <b>(Water Resources Agency)</b>	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	
40.		<b>WR6 - STORMWATER DETENTION</b> The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer addressing on-site and off-site impacts with supporting calculations and construction details. The plan shall include detention facilities to mitigate the impact of impervious surface stormwater runoff. Pond(s) shall be fenced for public safety. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. <b>(Water Resources Agency)</b>	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to filing of the final map	
41.		<b>WR36 - HOMEOWNERS ASSOCIATION CC&amp;R'S</b> A homeowner's association shall be formed for the maintenance of roads, drainage facilities, and open spaces. The Director of Public Works, the Director of Planning and Building Inspection, and the County Water	Submit the CC&R's to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing of final map	

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		Resources Agency shall approve documents for formation of association. The covenants, conditions and restrictions (CC&R's) shall include provisions for a yearly report by a registered civil engineer and the monitoring of impacts of drainage and maintenance of drainage facilities. Report shall be approved by the County Water Resources Agency. <b>(Water Resources Agency)</b>		HOA / Registered Civil Eng.	Yearly Report	
42.		<b>WR37 - DRAINAGE &amp; FLOOD CONTROL SYSTEMS AGREEMENT</b> If the homeowners' association after notice and hearing fails to properly maintain, repair or operate the drainage and flood control facilities in the project, Monterey County Water Resources Agency shall be granted the right by the property owners to enter any and all portions of the property to perform repairs, maintenance or improvements necessary to properly operate the drainage and flood control facilities in the project. The County Water Resources Agency shall have the right to collect the cost for said repairs, maintenance or improvements from the property owners upon their property tax bills. A hearing shall be provided by the Board of Supervisors as to the appropriateness of the cost. Prior to filing the final map, a copy of a signed and notarized <i>Drainage and Flood Control Systems Agreement</i> shall be provided to the Water Resources Agency for approval. <b>(Water Resources Agency)</b>	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	The agreement shall be recorded concurrently with the final map	

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43.		<b>WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS</b> 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. <b>(Water Resources Agency)</b>	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 final map	
44.		<b>WR42 - LANDSCAPING REQUIREMENTS</b> 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. <b>(Water Resources Agency)</b>	Submit the 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 shall occur concurrently with the final map	
45.		<b>WR44 - WATER USE INFORMATION</b> The applicant shall provide the Water Resources Agency a copy of the Water Use & Nitrate Impact Questionnaire describing the pre-development and post-development water use on the property. <b>(Water Resources Agency)</b>	Submit the WUNIQ to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing the final map	
46.		<b>NON-STANDARD - ROAD DRAINAGE AND IMPROVEMENT PLAN</b> The applicant shall provide the Water Resources Agency, a <u>Road Drainage and Improvement Plan</u> , along with supporting calculations, prepared by a registered civil engineer, that includes cross-sections showing	Submit 1 copy of the road drainage and improvement plan and supporting calculations to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing of final map or approval of the	WRA

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		existing and proposed conditions. All primary-access stream crossings shall be designed to convey runoff resulting from a 100-year storm event. If the road is proposed to be overtopped, the analysis shall include a discussion of depths and velocities at the stream crossings. Plans shall be submitted to the Water Resources Agency for approval, and necessary improvements shall be constructed in accordance with approved plans. <b>(Water Resources Agency)</b>			Subdivision Improvement Agreement	
47.		<b>NON-STANDARD DRAINAGE EASEMENT NOTE</b> A note shall be recorded on the final map stating: “We also hereby dedicate for public use easements for the flow or storage of water over those strips of land designated as “Drainage Easements” as shown on said map within said subdivision; such strips of land are to be kept open and free from obstructions, including buildings and structures, except flood control structures.” The applicant shall provide the Water Resources Agency a copy of the map to be recorded.	Submit a copy of the final map to be recorded, with appropriate note, to the Water Resources Agency for review and approval. <b>(Water Resources Agency)</b>	Owner/Applicant	Prior to filing of final map	WRA
48.		<b>WR0008 COMPLETION CERTIFICATION (WR)</b> Prior to issuance of any building permits, the applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. <b>(Water Resources Agency)</b>	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/Applicant	Prior to issuance of any building permits	WRA



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<b>Public Works</b>						
49.		<b>PW0020 – PRIVATE ROADS</b> Designate all subdivision roads as private roads. <b>(Public Works)</b>	Subdivider's Surveyor shall designate private roads on final map.	Subdivider	Ongoing	
50.		<b>PW0015 – UTILITY'S COMMENTS</b> Submit the approved tentative map to impacted utility companies. Subdivider shall submit utility company recommendations, if any, to the Department of Public Works for all required easements. <b>(Public Works)</b>	Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW	Owner/ Applicant	Prior to Recordatio n of Map	
51.		<b>PW0016 – MAINTENANCE OF SUBDIVISIONS</b> Pay for all maintenance and operation of subdivision improvements from the time of installation until acceptance of the improvements for the Subdivision by the Board of Supervisors as completed in accordance with the subdivision improvement agreement and until a homeowners association or other agency with legal authorization to collect fees sufficient to support the services is formed to assume responsibility for the services. <b>(Public Works)</b>	Subdivider shall be responsible to maintain improvements until maintenance is assumed by another entity.	Subdivider	Ongoing	
52.		<b>PW0017 – NATURAL DRAINAGE EASEMENT</b> Designate all natural drainage channels on the final map by easements labeled "Natural Drainage Easement". <b>(Public Works)</b>	Subdivider's surveyor shall include labeling as described on Final Map.	Subdivider/ Surveyor	Prior to Recordatio n of Final Map	

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53.		<b>PW0023 – IMPROVEMENT PLANS</b> Provide improvement plans for approval by the Department of Public Works and construct subdivision roads to a minimum of two 10' travel lanes plus an asphaltic concrete dike or as approved by the Department of Public Works. Minimum structural section shall be a double seal coat on 0.34' of aggregate base. Where the road grade exceeds 8%, minimum structural section shall be increased to 0.17' of asphaltic concrete on 0.34' of aggregate base. Actual structural sections are to be determined by R-Value tests. <b>(Public Works)</b>	Subdivider shall submit improvement plans prepared by his Engineer to DPW for approval. Improvements to be bonded prior to recordation of final map.	Subdivider	Prior to Recordation of Final Map	
54.		<b>PW0021 – ROAD NAMES</b> Submit all proposed road names to the Department of Public Works for approval by County Communications. <b>(Public Works)</b>	Subdivider shall submit proposed road names to DPW. DPW will submit to County Communications for Approval.	Subdivider	Prior to Recordation of Final Map	
55.		<b>PW0027 – CUT/FILL SLOPE (2:1)</b> Cut and fill slopes shall not exceed 2 to 1 except as specifically approved in concurrence with the geotechnical report. <b>(Public Works)</b>	Engineer shall include notes on Improvement Plans	Subdivider/Engineer	Prior to Recordation of Final Map	
56.		<b>PW0028 – GEOTECHNICAL REPORT</b> A geotechnical report will be required before recording final maps. <b>(Public Works)</b>	Subdivider shall have geotechnical report prepared and to submit to DPW	Subdivider	Prior to Recordation of Final Map	

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57.		<p><b>PW0026 – PLANTING FOR GRADED AREAS</b></p> <p>Plant and maintain all graded areas of the street right-of-way as required by the Department of Public Works to control erosion. The area planted shall include all shoulder areas and all cut and fill slopes. A report and plan prepared by a qualified person shall be submitted for approval of the Department of Public Works and include the following:</p> <ol style="list-style-type: none"> <li>That the cut and fill slopes be stabilized.</li> <li>Specific method of treatment and type of planting, by area, for each soil type and slope required to satisfy item (a).</li> <li>Type and amount of maintenance required to satisfy item (a). <b>(Public Works)</b></li> </ol>	Subdivider's Engineer to include erosion control measures on improvement plans.	Subdivider / Engineer	Prior to approval of Subdivision Improvement Plan <b>or</b> prior to filing Final map.	PW
58.		<p><b>PW0030 – HOMEOWNERS ASSOCIATION</b></p> <p>Form a homeowners association for road and drainage maintenance. Prepare an operation and maintenance plan for all facilities. Implement a fee program to fund operation and maintenance, and have appropriate documentation recorded against each parcel within the subdivision. <b>(Public Works)</b></p>	Subdivider shall submit documentation to DPW and WRA for formation of homeowners association or other entity to maintain roads and drainage improvements.	Subdivider	Prior to Recordation of Final Map	
59.		<p><b>PW0032 – AS BUILT PLANS</b></p> <p>A Registered Civil Engineer shall file as built plans (originals) in the Department of Public Works with a letter certifying improvements have been made in conformance to improvement plans and local ordinance. <b>(Public Works)</b></p>	Subdivider's Engineer shall submit as built plans and stamped notice of completion letter to DPW for review and approval.	Subdivider /Engineer	Prior to Release of Bonds	

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60.		<b>PW0001 – ENCROACHMENT (COM)</b> Obtain an encroachment permit from the Department of Public Works to construct and connect Country Lake Drive to New Pleyto Road, including acceleration and deceleration tapers. The design and construction is subject to the approval of the Public Works Director. <b>(Public Works)</b>	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.	
61.		<b>NON-STANDARD CONDITION</b> That the local fire jurisdiction approve the turn-around hammerheads. <b>(Public Works)</b>		Owner / Applicant	With Improvem ent Plans Prior to Recordati on of Final map.	
62.		<b>NON-STANDARD CONDITION</b> Access to the commercial lots shall be approved by the Department of Public Works. <b>(Public Works)</b>		Owner/ Applicant	With Improvem ent Plans Prior to Recordati on of Final map.	
63.		<b>NON-STANDARD CONDITION -</b> That the Country Lake Drive right-of-way be a minimum of 50' wide. <b>(Public Works)</b>		Owner/ Applicant	Prior to Recordati on of Final map.	

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64.		<b>NON-STANDARD CONDITION</b> Applicant shall pay the Transportation Agency Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. <b>(Public Works)</b>	Concurrent with Final Map Recordation, the applicant shall prepare a Notice to be recorded on each newly created parcel stating that TAMC Fees are due and payable, prior to issuance of Building Permits for each subject parcel.	Owner/ Applicant	Prior to Recordation of Final map.	
			Property owners shall pay their fair share of regional traffic mitigation fees as identified in the TAMC nexus study.	Each Property owner	Prior to issuance of Building Permit for each and every SFD.	
Redevelopment and Housing Division						
65.		<b>NON-STANDARD CONDITION</b> Prior to the recordation of the Final Map, the applicant shall comply with the County’s Inclusionary Housing Ordinance #04183 by paying, or securing, to the satisfaction of the Housing Office Program Manager, an in-lieu fee consistent with the adopted Inclusionary Housing Administrative Manual.	Note: This is the present estimate. Applicant may receive credit for one or as many as four of the existing residences on the subject property, thereby reducing the applicant’s financial obligation.  <u>Lot Pattern #1 (estimate)</u> 52 lots x .20 = 10.4 Inclusionary Units Fee for each Inclusionary Unit required = \$22,950. \$22,950 x 10.4 = <b>\$238,680</b>  <u>Lot Pattern #2 (estimate)</u>	Subdivider / owner	Prior to the recordation of the Final Map	

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			45 lots x .20 = 9.0 Inclusionary Units Fee for each Inclusionary Unit required = \$22,950. \$22,950 x 9.0 = <b>\$206,550</b>			
<b>Parks Department</b>						
66.		<b>RECREATION REQUIREMENTS / LAND DEDICATION NON-STANDARD</b> The Applicant shall comply with Section 19.12.010 - Recreation Requirements, of the County Subdivision Ordinance, Title 19, Monterey County Code, by dedicating land and recreation improvements as follows: Prior to recordation of the first Final Map, the Applicant shall dedicate land or an easement on Lot 38 to the homeowners association or other maintenance entity acceptable to the County for park and recreation purposes, of a sufficient size to reasonably accommodate a slide, swing set and jungle gym to serve the residents of the subdivision. The standard parkland dedication requirement is .47 acres for this project; however, taking into account a credit for the cost of recreation improvements, this park acreage shall be reduced to a size sufficient to accommodate the improvements specifically listed above. <b>(Parks Department)</b>	As Described	Applicant	Prior to Recordation of the First Final map.	
67.		<b>NON-STANDARD</b> Prior to occupancy of the first residence within the subdivision, the Applicant shall complete the construction of the recreation improvements on the dedicated park land or easement, including a slide,	As Described	Applicant / Subdivider	Prior to occupancy of the first residence	

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		swing set and jungle gym, and the Parks Department shall review and approve the improvements. <b>(Parks Department)</b>				
68.		<b>NON-STANDARD</b> Prior to recordation of the first Final Map, the Applicant shall provide the Parks Department for review and approval with a recreation plan and cost estimate for the improvements to be made on the dedicated park land or easement. The plan shall delineate park and recreation structures, park improvements and landscaping components. <b>(Parks Department)</b>	As Described	Applicant / Subdivider	Prior to recordation of the first Final Map	
69.		<b>NON-STANDARD</b> Prior to recordation of the first Final Map, the Applicant shall provide the County with adequate security in the form of a performance bond or other suitable security acceptable to the County of Monterey in the amount of one hundred percent (100%) of the costs for the park and recreation improvements shown on the approved recreation plan. <b>(Parks Department)</b>	As Described	Applicant / Subdivider	Prior to recordation of the first Final Map	
70.		<b>NON-STANDARD</b> Prior to recordation of the first Final Map, the Applicant shall provide the Parks Department for review and approval a recreation facilities maintenance and operation plan. The purpose of this plan is to assure the County that the park and recreational facilities will be maintained and operated in perpetuity for the enjoyment, health and safety of the residents of the subdivision with an appropriate funding source and maintenance entity. <b>(Parks Department)</b>	As Described	Applicant / Subdivider	Prior to recordation of the first Final Map	

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<b>California Department of Forestry, South County</b> <b>Carmel Fire Protection Associates</b>						
71.		<p>EMERGENCY ACCESS: Road and street networks, whether public or private, shall provide for safe access for emergency equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during emergencies. To achieve these goals, the following emergency access conditions are imposed:</p> <p><b>FIRE001 - ROAD ACCESS NON-STANDARD</b></p> <p>Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two ten-foot traffic lanes providing two-way traffic flow. The surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces shall be capable of supporting the imposed load of fire apparatus. The grade for all roads, streets, private lanes and driveways shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface thickness of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. The length of vertical curves in roadways, exclusive of gutters,</p>	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 for each phase of development.	Applicant or owner	Prior to final building inspection	



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		ditches, and drainage structures designed to hold or divert water, shall not be less than 100 feet. Turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. 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 50 feet in length. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25 foot taper on each end. Vertical Clearance: Unobstructed vertical clearance shall not be less than 15 feet for all access roads. <b>(California Department of Forestry, South County)</b>				
72.		<b>FIRE009 - BRIDGES</b> All new and reconstructed bridges shall be at least the width of the roadbed and berms, but in no case less than 12 feet wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS15-44 loading and have guardrails. Appropriate signage, including but not limited to, weight ratings or vertical clearance limitations, and one-way road or single-lane road conditions, shall be provided at both entrances to any bridge. One-lane bridges may be permitted if there is unobstructed visibility across the entire bridge, and turnouts are provided at both bridge ends. The fire authority may impose more stringent requirements for bridges. <b>(California Department of Forestry, South County)</b>	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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73.		<b>FIRE008 - GATES</b> All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (California Department of Forestry, South County)	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	
74.		<b>FIRE010 - ROAD SIGNS</b> All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum 4-inch letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on improvement plans.	Applicant or owner	Prior to filing of final map.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to issuance of building permit(s) for development on individual lots within	

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		access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. <b>(California Department of Forestry, South County)</b>			the phase of the subdivision.	
75.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

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		signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(California Department of Forestry, South County)</b>				
76.		<b>FIRE012 - EMERGENCY WATER STANDARDS - WATER SYSTEMS</b> The provisions of this condition 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. Approved water systems shall be installed and made serviceable prior to the time of construction. 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, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available <b>(California Department of Forestry, South County)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	

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77.		<b>EMERGENCY WATER STANDARDS:</b> Submittal of Water Utility Plan. A water utility plan shall be submitted to the Fire Authority for Review and approval prior to the beginning of construction. The water utility plan shall show the proposed locations of fire hydrants in the subdivision as well as the size and capacity of all water mains. <b>(California Department of Forestry, South County)</b>	As Described. Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to the beginning of construction.	
78.		<b>FIRE PROTECTION SYSTEMS AND BUILDING FEATURES</b> All buildings shall be fully protected with automatic fire sprinkler system(s) meeting national standards applicable to the building and/or occupancy. <b>(California Department of Forestry, South County)</b>	As Described. Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Ongoing	
79.		<b>FIRE PROTECTION SYSTEMS AND BUILDING FEATURES.</b> All commercial buildings shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by National Fire Protection Association 72 – 1999 Edition for the monitoring of water flow and valve tamper conditions. <b>(California Department of Forestry, South County)</b>	As Described. Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Ongoing	
80.		<b>FIRE PROTECTION SYSTEMS AND BUILDING FEATURES</b> Roof Construction. Roof construction shall be Class A. <b>(California Department of Forestry, South County)</b>	As Described. Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Ongoing	

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<b>Mitigation Measures</b>						
81.	1.	<p><b>MITIGATION MEASURE #1 (BIOLOGICAL RESOURCES: NESTING BIRDS):</b></p> <p>Should trees be proposed for removal, the following mitigation is required in order to minimize potential adverse impacts to native resident special-status nesting avian species:</p> <ul style="list-style-type: none"> <li>• A pre-construction survey for special-status nesting avian species (and other species protected under the Migratory Bird Act) shall be conducted by a qualified biologist at least 30 days prior to tree removal or initiation of construction activities that occur during the nesting/breeding season of native bird species (typically February through August).</li> <li>• If nesting birds are not found, no further action would be necessary.</li> <li>• If a bird were found, construction within 100 feet of the nest site should be postponed until after the bird has fledged, or an appropriate construction buffer has been established in consultation with the California Department of Fish and Game.</li> </ul> <p><b>(Planning)</b></p>	As Described	Applicant	(If trees are to be removed)	

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82.	2.	<p><b>MITIGATION MEASURE #2 (GEOLOGY AND SOILS: GEOTECHNICAL STUDY):</b></p> <p>In order to reduce potential adverse impacts from strong seismic ground shaking to a less than significant level, a geotechnical report shall be prepared for each proposed structure prior to its construction (commercial and residential). <b>(Planning)</b></p>	<p>In conjunction with future development on the subdivision site, a geotechnical study shall be prepared by a registered civil or geotechnical engineer. This report shall include a soils report and an analysis of the liquefaction potential of the underlying materials. If a particular development site is confirmed to be in an area prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented.</p> <p>Suitable measures to reduce liquefaction impacts could include: specialized design of foundations by a structural engineer; removal or treatment of liquefiable soils to reduce the potential for liquefaction; drainage to lower the groundwater table to below the level of liquefiable soils, in-situ compaction of soils; or other alterations to the ground characteristics.</p>	Individual property owners	Prior to issuance of building permits for new structures	

<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>
83.	3.	<p><b>MITIGATION MEASURE #3 (GEOLOGY AND SOILS: SITE -SPECIFIC INVESTIGATIONS):</b></p> <p>In order to reduce potential adverse exposure of people or structures to landslides to less than significant levels, site specific investigations shall be performed by a County approved geologist for areas of moderate landslide hazard. Lots 4, 7, 9, 18-25, 29, 30, 35-37 are determined to have moderate landslide potential.</p>	<p>a) Prior to issuance of any building permits for lots 4, 7, 9, 18-25, 29, 30, 35-37, a qualified geotechnical engineer and/or engineering geologist shall prepare a thorough site-specific geologic/geotechnical studies, and a slope stability analysis which shall incorporate site specific recommendations. The slope stability analysis is to meet the requirements of CDMG 1997 (Guidelines for Evaluating and Mitigating Seismic Hazards in California, Special Publication 117).</p> <p>b) During construction, engineering geologists and geotechnical engineers shall confirm preliminary findings reported in the preliminary studies.</p> <p>c) All applicable recommendations of final geologic and geotechnical investigations prepared for the project shall be implemented. These recommendations may include: avoidance of or setbacks from areas susceptible to landslides; grading restriction areas; drainage improvements to ensure potential landslide areas do not become saturated; excavating standard keyways and benches in a</p>	Individual property owners	Prior to issuance of building permits for new structures	



<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>
			<p>stair-step configuration; water addition or drying-out as needed to bring soils close to their optimum moisture content; limitations on cut and fill slope gradients; and/or removal and backfilling or potential landslide areas.</p> <p>d) During construction grading, close coordination shall occur between the civil engineer and the project engineering geologist and geotechnical engineer to ensure that the recommendations of the geologic and geotechnical investigations are properly implemented.</p>			
84.	4.	<p><b>MITIGATION MEASURE #4 (GEOLOGY AND SOILS: SOILS/FOUNDATION REPORT):</b></p> <p>Future applicants proposing development within the areas determined to have a moderate landslide hazard shall submit a site-specific soils/foundation report as part of the application for any proposed Building Permit(s). To reduce the potential for foundation cracking, one or more of the following could be implemented and/or as recommended by a qualified engineer, based on the conclusions of the soils report:</p> <p>a) Use continuous deep footings (i.e., embedment depth of 3 feet or more) and concrete slabs on grade with increased steel reinforcement together with a pre-wetting and long-term moisture control program within the active zone.</p>		Individual property owners	Prior to issuance of building permits for new structures	

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		<ul style="list-style-type: none"> <li>b) Removal of highly expansive material and replacement with non-expansive import fill material.</li> <li>c) The use of specifically designed drilled pier and grade beam system incorporating a structural concrete slab on grade supported approximately 6 inches above the expansive soils.</li> <li>d) Chemical treatment with hydrated lime to reduce the expansion characteristics of the soils.</li> </ul>				
85.	5.	<p><b>MITIGATION MEASURE #5 (GEOLOGY AND SOILS: GRADING &amp; EROSION CONTROL PLAN):</b></p> <p>A grading and erosion control plan that minimizes erosion, sedimentation, and unstable slopes shall be submitted and approved for development proposed in areas containing moderate or high erosion hazard.</p>	<ul style="list-style-type: none"> <li>a) Methods such as retention basins, drainage diversion structures, grading reduction, silt fencing/coordinated sediment trapping, straw bales, and sand bags. These methods shall be used to minimize erosion on slopes and siltation into drainage facilities.</li> <li>b) Graded areas shall be revegetated within two weeks of grading activities with deep-rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.</li> <li>c) After construction of tract improvements and until</li> </ul>	Individual property owners	Prior to issuance of Grading Permits	

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			<p>construction of individual homes, exposed areas shall be stabilized to prevent wind and water erosion, using methods approved by APCD. These methods may include importing topsoil and/or the mixing of the highly erosive sand with finer-grained materials (silt or clay) in sufficient quantities to prevent its ability to be transported by wind. The topsoil or silt/clay mixture is to be used to stabilize the existing soil. At a minimum, six inches of topsoil or silt/clay/sand mixture is to be used to stabilize the wind-erodable soils.</p> <p>d) Where necessary, site preparation shall include the removal of all or a portion of the expansive soils at building sites and replacement with compacted fill.</p> <p>e) Where necessary, construction on transitional lots shall include over-excavation to expose firm subgrade, use of post tension slabs in future structures, or other geologically acceptable method.</p> <p>f) Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.</p> <p>g) Irrigation shall be controlled so that over-watering does not occur.</p>			

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86.	6.	<b>MITIGATION MEASURE #6 (HAZARDS AND HAZARDOUS MATERIALS - LANDSCAPE PLAN):</b> In order to reduce exposure to people or structures to a significant risk of loss, injury or death involving wildland fires, where residences are intermixed with wildlands, individual property owners shall develop Landscape Plans that incorporate native non-flammable landscape plant species.  Should this native non-flammable landscape not be maintained, an Exterior Sprinkler System for any new structure will be required on demand of the County of Monterey, per Mitigation Measure #7 below.	Concurrent with Map Recordation, Notices shall be recorded on new parcels restricting high fuel-load non-native plant species from being planted.	Applicant / Subdivider	Concurrent with Map Recordation	
			Prior to occupancy of new residential or commercial structures, owner/applicants shall prepare Landscape Plans, per county practice that draws from list of plant materials attached to this document as Landscape Exhibit D-1.	Individual property owners	Prior to occupancy of new structures	
87.	7.	<b>MITIGATION MEASURE #7 (HAZARDS AND HAZARDOUS MATERIALS: STRUCTURAL FIRE PROTECTION):</b> In order to reduce exposure to people or structures to a significant risk of loss, injury or death involving	Concurrent with Map Recordation, Notices shall be recorded on new parcels acknowledging the structural Fire Protection Measures required of this development, as described.	Applicant / Subdivider	Concurrent with Map Recordation	

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		wildland fires, where residences are intermixed with wildlands, individual property owners shall provide stringent structural safeguards that would reduce the need for rapid response of first alarm fire resources. This would include the installation of fire sprinklers throughout every structure, including garages, attics, enclosed patios and overhanging patios.	<p>The following features are required:</p> <ul style="list-style-type: none"> <li>• Exterior Sprinkler Systems. If adequate vegetation management zones are not employed, structures must have exterior exposure sprinkler systems separately applied, per NFPA 13. (Successful design and implementation of Mitigation Measure #6 above shall negate the need to implement Exterior Sprinkler Systems.)</li> <li>• Class A Roofs. All structures in the development area shall have non-wood Class A roofs, with the ends of tile blocked, spark arresters visible from the street, proper vent screens, and non-combustible gutters and down spouts. No combustible paper in or on attic insulation shall be allowed.</li> <li>• Design of Accessory Features. Decks, gazebos, patio covers, fences, etc. must not overhang slopes and must be one-hour fire retardant construction. Front doors should be solid core, minimally 1 ¾ inch thick. Garage doors should be noncombustible.</li> <li>• Yard Characteristics. There should be no exterior piles of hay on the property and wooden or plastic fences or vegetation growing on</li> </ul>	Individual property owners	Ongoing	

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			<p>fences should be prevented.</p> <ul style="list-style-type: none"> <li>• Utility Lines. All new power lines will be installed underground in order to prevent fires caused by arcing wires.</li> </ul>			
88.	8.	<p><b>MITIGATION MEASURE #8 (AIR QUALITY – CONSTRUCTION-RELATED IMPACTS)</b></p> <p>In order to mitigate potentially significant construction related air quality impacts (as identified by MBUAPC in the July 24, 2006 response to the Notice of Intent to Adopt a Mitigated Negative Declaration) the applicant shall implement the following mitigation measures to assure less than significant impacts to air quality.</p> <p><u>Mitigation Measures for Fugitive Dust from Construction</u></p> <ul style="list-style-type: none"> <li>♦ Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day.</li> <li>♦ Water graded / excavated areas at least twice daily. Frequency should be based on the type of operations, soil and wind exposure.</li> <li>♦ Prohibit all grading activities during periods of high wind (over 15 mph)</li> <li>♦ Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days)</li> <li>♦ Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations, and hydro-seed area.</li> </ul>	As Described	Applicant /Subdivider	Concurrent with road construction and subdivision improvements.	

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		<ul style="list-style-type: none"> <li>♦Haul trucks shall maintain at least 2'0" of freeboard.</li> <li>♦Cover all trucks hauling dirt, sand, or loose materials.</li> <li>♦Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.</li> <li>♦Plant vegetative ground cover in disturbed areas as soon as possible.</li> <li>♦Cover inactive storage piles.</li> <li>♦Install wheel washers at the entrance to construction sites for all exiting trucks.</li> <li>♦Pave all roads at construction sites.</li> </ul>				
89.	9.	<p><b>MITIGATION MEASURE #9 (CUMULATIVE IMPACTS – REGIONAL TRAFFIC FEE)</b></p> <p>In order to mitigate regional traffic impacts that are individually limited but cumulatively considerable (as identified by CALTRANS in the July 19, 2006 response to the Notice of Intent to Adopt a Mitigated Negative Declaration) the applicant shall implement the following mitigation measures to assure less than significant cumulative impacts to the regional transportation system:</p> <ul style="list-style-type: none"> <li>• The Transportation Agency of Monterey County (TAMC) has prepared a Nexus Study, dated September 2005, for a proposed Regional Development Impact Fee Program which identifies proposed regional transportation improvements. Based on the Proposed TAMC program, this project shall contribute a “fair share” contribution as mitigation for its’ cumulative impacts to the regional transportation system.</li> </ul>	<p>Concurrent with Map Recordation, Notices shall be recorded on new parcels acknowledging to future property owners their responsibility to contribute in-lieu fees, as described herein, to mitigate regional traffic impacts.</p> <p>The Traffic analysis shall be recomputed using the updated and current addition of the ITE Trip Generation handbook (7<sup>th</sup> edition). Vehicle trips generated from the updated revision shall be used to identify the appropriate pro-rata “fair share” contribution for each commercial and residential lot of the subdivision project.</p> <p>The fair share fee per commercial activity _____.</p>	<p>Applicant / Subdivider</p> <p>Homeowner s and commercial property owners.</p>	<p>Concurrent with Map Recordation</p> <p>Prior to Building permits being issued for new structures , <u>or</u> prior to commencement of commercial activities</p>	

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		<ul style="list-style-type: none"> <li>Stipulation: If the TAMC program is not implemented by December 2006, the fees identified for these developments will be transferred to Caltrans to help fund improvements, including, but not limited to U.S. 101 corridor improvements.</li> </ul>	The fair share fee for each residential lot _____.		on propertie s without structures .	

END



**Landscape Exhibit D-1**  
**Implementation of Mitigation Measure #6 (Landscape Plan):**  
Country Lake Estates Subdivision  
County File #PLN040103

Low groundcovers

*Artemisia douglasiana* Douglas' sage  
*Epilobium* (= *zauschneria*. ) California fuchsia, hummingbird plant  
*Eriogonum* spp., very low Buckwheat: lot for individuals with a flat growth habit  
*Solidago californica* California Goldenrod

Succulents

*Agave* species Several in different areas of the county  
*Abronia* species two species of sand Verbena in the county  
*Opuntia littoralis*, *O. prolifera* Coastal Prickly-pear, Cholla, and other Cactus species  
*Dudleya* species e.g., Ladies' Fingers, Chalk-Lettuce, Live-Forever  
*Nolina parryi* Parry's Nolina  
*Yucca* species Mohave Yucca and Our Lord's Candle

Wildflowers

*Clarkia* species Wine Cup, Summer's Darling, and others  
*Eschscholzia* species California and other Poppies  
*Layia*, *Madia*, etc. Annual daisy-type species  
*Lupinus* species many kinds of Lupines  
*Phacelia* species many kinds of blue-bells

Trees or tree-like shrubs

*Heteromeles arbutifolia* Toyon  
*Quercus dumosa* Scrub Oak  
*Quercus agrifolia* Coast Live Oak  
*Quercus engelmannii* Engelmann Oak  
*Rhus integrifolia* Lemonadeberry

Broad-leaf shrubs

*Ceanothus* sp. California Lilac  
*Isomeris arborea* Bladderpod  
*Lonicera subspicata* Chaparral Honeysuckle  
*Malacothamus fasciculatus* Chaparral Mallow  
*Malosma laurina* Laurel Sumac  
*Prunus illicifolia* ssp. *Illicifolia* Hollyleaf Cherry  
*Rhamnus californica* Coffeeberry  
*Rhamnus crocea* Redberry  
*Ribes speciosum* Fuschia-flowered Gooseberry