

MONTEREY COUNTY PLANNING COMMISSION

Meeting: May 30, 2007 @ 10:30 AM	Agenda Item: 8
Project Description: (PLN030075–Pizano/Horn) Standard Subdivision Tentative Map for the division of two adjacent parcels of 62 acres and 89 acres, respectively, into 10 parcels ranging in size from 5.4 acres to 40.3 acres.	
Project Location: The property fronts on and is located south of Jolon Road approximately 0.45 miles west of New Pleyto Road, Lockwood Area.	APN: 423-341-010-000 & 423-341-026-000
Planning File Number: PLN030075	Name: Pizano / Horn, Owners
Plan Area: South County	Flagged and staked: No
Zoning Designation: Rural Density Residential (RDR/5.1) and Rural Grazing (RG/40)	CEQA Action: Mitigated Negative Declaration
Department: Resource Management Agency - Planning Department	

RECOMMENDATION:

- 1) Adopt the attached Mitigated Negative Declaration (**Exhibit D**).
- 2) Approve the Pizano/Horn Standard Subdivision based on Findings and Evidence (**Exhibit B**) and subject to proposed conditions and the Adoption of the Mitigation Monitoring and/or Reporting Program (**Exhibit C**)

PROJECT OVERVIEW:

Project description: This project consists of the subdivision of two legal lots of record totaling approximately 151 acres into four 5.4 acre parcels, three 13.6 acre parcels, two 40+ acre parcels, and one 7.8 acre parcel. The subject parcels are designated primarily for rural density residential (RDR/5.1 acre minimum), with an approximately 20 acre western portion of the property zoned for rural grazing (RG/40 acre minimum). Access to the lots will be from a proposed 60 foot wide road easement off Jolon Road as well as directly from Jolon Road for two of the proposed parcels. One to four Oak trees, less than 5 inches in diameter, will be removed as part of road construction.

Zoning: While no improvements are currently proposed, the subdivision could result in the development of up to three single-family dwellings accessory to agricultural use on that portion of the property that is zoned RG/40 (i.e., the Zoning Ordinance allows for up to three-single family dwellings per agricultural parcel, but only if they are related to an on-site agricultural use). The remaining parcels are zoned RDR/5.1, which allows for a single-family dwelling density of one unit per 5.1 acres, or approximately 25 units on the subject property zoned for RDR.

CEQA review: Mitigation measures have been deemed necessary to address potential impacts to the cultural resources found at the site (see Exhibit D), and the current parcel configuration accommodates these resources. No other significant issues have been identified for the project, and a Mitigated Negative Declaration (MND) was distributed to appropriate agencies in August of 2006.

Planning Commission hearing on January 31, 2007: On December 14, 2006, the County Standard Subdivision Committee recommended adoption of the attached Mitigated Negative Declaration (Exhibit D) and an earlier version of the Findings, Evidence and Conditions of Approval/Mitigations. On January 31, 2007, the Planning Commission tabled action on these items for the following reasons:

1. assurance of a long term water supply for the subdivision and greater clarity as to how that water would be distributed (mutual water system? individual wells? a combination of both?);
2. concern for the time gap between consultant reports dating in the years 2002 and 2003 and the California Environmental Quality Act (CEQA) mitigated declaration circulated in August of 2006.
3. placing review of the proposed application in the context of a possible future rural center (Pleyto Rural Center) and an adjoining approved but not finalized subdivision (Country Lakes Estates) serving as a gateway to the Lake San Antonio Reservoir recreation area.

Staff is addressing items 1 and 2 above by an Errata sheet to the draft CEQA review pursuant to Article 6, Section 15073.5 (c), (3) and (4) with a finding that the information updating the CEQA review serves to amplify water resource information and does not create any new significant environmental effects not cited by the draft MND. Item 3 is addressed in Exhibit "E" by maps to provide a general context for the development within the Pleyto Rural Center as well as proposed subdivisions in the surrounding area.

OTHER AGENCY INVOLVEMENT:

- | | |
|--------------------------------|--|
| ✓Water Resources Agency | ✓South County Fire Protection District |
| ✓Environmental Health Division | ✓California Department of Transportation, District 5 |
| ✓Public Works Department | ✓Transportation Agency for Monterey County |
| ✓Parks Department | |

All of the above have reviewed this project. Conditions are recommended by the Water Resources Agency, Environmental Health Division, Public Works Department, Parks Department, South County Fire Protection District, and the California Department of Transportation (see **Exhibit C**).

David Lutes, Senior Planner
 (831) 755-5304 or lutesd@co.monterey.ca.us
 January 10, 2007

cc: Public Works Department, Environmental Health Division, Water Resources Agency, South County Fire Protection District, Caltrans, TAMC, Mike Novo, Bob SchubertPizano and Horn, owners; File.

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|--------------|-------------|---|
| Attachments: | Exhibit "A" | Project Data Sheet |
| | Exhibit "B" | Recommended Findings and Evidence |
| | Exhibit "C" | Recommended Conditions of Approval |
| | Exhibit "D" | Initial Study and Mitigated Negative Declaration with Errata. |
| | Exhibit "E" | Pleyto & Proposed Subdivisions |
| | Exhibit "F" | Tentative Parcel Map and Air Photos |

This report reviewed by Bob Schubert, Acting Planning and Building Services Manager.

Exhibit A
Project Data Sheet

Exhibit B

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY** - The project proposed in this application consists of a standard subdivision (PLN030075), as described in condition #1 of the attached Exhibit “C,” and as conditioned and mitigated, conforms with the plans, 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). The property fronts on and is located south of Jolon Road (Assessor's Parcel Numbers 423-341-010-000 & 423-341-026-000), approximately 0.45 miles west of New Pleyto Road, South County Plan Area.

EVIDENCE: The RMA-Planning Department staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- a) The South County Area Plan
- b) Chapters 21.16 and 21.32 of the Monterey County Zoning Ordinance regulations for development.

EVIDENCE: The proposed development has been reviewed by the Monterey County RMA-Planning Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department and the South County Fire Protection District. 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.

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

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County RMA- Building Department for the proposed development, found in the project file. The relevant reports pertaining to development on the property shall be noted on the recorded final map as required by Condition no. 3 found in Exhibit C: “PD015 – Note on Map-Studies”.

2. **FINDING:** **CEQA MITIGATED NEGATIVE DECLARATION** - The proposed project, including all permits and approvals, will not have any significant adverse impacts on the environment and a Mitigated Negative Declaration has been adopted. Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed and mitigated, may cause a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and in consideration of testimony and information received, and scientific and factual data presented in evidence during the public review process. Mitigation measures identified in the Initial Study have been incorporated into the project, and agreed to by the applicant, to reduce

any impact to an insignificant level. All applicable mitigation measures are included in the conditions of approval, which are hereby adopted as a mitigation monitoring and reporting program.

County land-use agency review: Studies, data, and reports prepared by staff from various County departments, including RMA-Planning Department, Public Works, Environmental Health, Water Resources Agency, Parks and Recreation Department and the South County Fire Protection District, and the California Environmental Quality Act (CEQA) review prepared by County-certified consultants to staff (Duffy and Associates, Inc., July of 2006) based on said studies, data and reports, support the adoption of a Negative Declaration for the project. The custodian of the documents and materials that constitute the record of proceedings upon which the adoption of the Negative Declaration is based is the Monterey County RMA - Planning Department, 168 W. Alisal St., 2nd Floor, Salinas, Ca 93901. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinions supported by facts have been submitted that refute the conclusions reached by these studies, data, and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data, and reports.

EVIDENCE:

County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on August 1st, 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 / Plans for the Pizano-Horn Standard Subdivision, RMA-Planning Department file #PLN030075.
2. Technical Reports
 - a. Cultural Resources Survey and Impact Assessment for the 140 acre Pizano-Horn Subdivision in Lockwood Valley, Monterey County, California prepared by C.A. Singer & Associates, Inc., dated February 7, 2003.
 - b. Preliminary Soils Investigation prepared by Buena Geotechnical Services, dated March 6, 2003.

- c. Percolation testing for proposed ten lot subdivision on Jolon Road, prepared by Buena Geotechnical Services, dated January 7, 2003.
 - d. Traffic Impact Study Trip Generation and Distribution Report prepared by McCarthy Engineering, Inc., dated August 29, 2003.
 - e. Kit Fox Biological Survey prepared by Sierra Delta Corporation, dated November 13, 2002.
 - f. Geological Report prepared by Sierra Delta Corporation, dated November 13, 2002.
3. Monterey County General Plan
 4. South County Land Use Plan
 5. Monterey County Zoning Code Title 21 and Zoning Map.
 6. Referral Agency Comments

In particular for the area, potential environmental effects have been studied that included the potential vicinity for both San Joaquin kit fox habitat as identified in the California Natural Diversity Database, and for high archaeological resources.

EVIDENCE: The Cultural Resources Survey and Impact Assessment of the site listed above (item 2. a.) finds that in order to avoid impacts to identified archeological resources as described and mapped in the survey, archeological easements prohibiting development within these sites shall be conveyed to the county by the property owner. This mitigation is listed in the Condition Compliance and Mitigation Monitoring Reporting Plan attached to this resolution as Condition number 58, or Mitigation Monitoring Action number 5-b.

EVIDENCE: An Errata sheet is attached to the original Initial Study has been prepared in May of 2007 in order to determine if there are any updates required for the site-specific environmental consideration of the proposed subdivision. A determination is made under Article 6 of CEQA, Section 15073.5 (c) (3) and (4), "Recirculation of a Negative Declaration Prior to Adoption," that recirculation of a Negative Declaration is not required.

EVIDENCE: File and application materials; Initial Study with mitigation measures; consultants' names and study types; and Negative Declaration contained in the project file (RMA-Planning Department file number PLN030075)

3. FINDING: PLANNING COMMISSION PUBLIC HEARING, JANUARY 31, 2007 - At their public hearing on January 31, 2007, the Planning Commission expressed concern at the timeliness of the CEQA review in July of 2006 and circulated by staff in August of 2006 given the date of some of the reports dating from the year 2002 to present and the transfer of the project assignment to planners during this period.

In particular, the Planning Commission expressed the following concerns as to possible physical changes to the environment during the 3 to 5 years since the reports were written:

1. the water balance in the area and the presence of a long term water supply to sustain new development;
2. the distribution of water in the subdivision, whether by individual wells or a mutual water system. There appears to be a contradiction between evidence provided by the CEQA review that the applicant proposes individual wells to serve the project site and the Environmental Health Division conditions for a new or amended water system permit in addition to requiring the locations of new water well sites and pumping tests;
3. placing the proposed subdivision in the context of a vision for a Rural Center at the general location of the Jolon and New Pleyto Road intersection with the potential for greater densities of development.

The year 2007 Errata sheet attached as an update to the year 2006 CEQA review--made a part of this resolution herein by reference-- finds no significant changes to warrant recirculation of the Negative Declaration under ARTICLE 6, Section 15073.5 (c) (3) and (4) of CEQA.

EVIDENCE: The Planning Commission's concern regarding the water balance for the area was originally addressed by the Sierra Delta Corporation—a full service Environmental Consulting Firm (see list under Evidence above, item 2. f., Technical Reports, listing their Geological Report done in the year 2002). Said consultant states that the Paso Robles groundwater basin underlies the subject property with a usable storage capacity estimated at 1.7 million acre-feet. Water wells in this basin range in depth from approximately 50 to 250 feet, with depth to ground water on the subject property between 100 to 250 feet. The wells have an average yield of approximately 500 gallons per minute and a maximum yield of about 3,300 gallons per minute. Regarding water balance for the area, the consultant states:

Natural recharge of the aquifer occurs mainly by deep percolation from streams flowing across the valley. Most of the recharge occurs in areas of coarse sediments adjacent to the mountainous areas. Precipitation, irrigation water, and treated wastewater also contribute to the groundwater recharge. At the present time, the rate of groundwater extraction from the Paso Robles aquifer is equivalent to the rate of recharge. (Pg. 22 of report)

This water balance is qualified for this Central California Coastal Range area by the average rainfall from 9 to 30 inches. Water for agricultural irrigation is generally not available. Soils are used for dryland grains and grain hay, almond and walnut orchards, vineyard and range. For the subject site, no irrigation of crops is proposed, although any remaining undeveloped land may be utilized by the owner for cattle and horse grazing.

EVIDENCE: The Project Specific Hydrogeologic Report dated January 2006, prepared by Geomatrix Consultants, Inc. for neighboring Country Lake Estates, is recognized by the County's Environmental Health Division as evidence for a long term water supply for the subject subdivision proposal. The report includes the proposed Pizano/Horn subdivision as part of a "Pleyto Rural Center," all with wells that tap the local groundwater basin. In response to concerns expressed by the Monterey County Planning Commission at their January 31, 2007 public hearing, said Hydrogeologic Report is referenced and made a part of this report herein as evidence for a long term water supply.

EVIDENCE: Notwithstanding the Evidence presented above, the County's Water Resources Agency requires the applicant to

1. provide a water balance analysis describing the pre-development and post-development water use on the property (Condition no. 33);
2. a notice recorded for each lot that all new construction shall incorporate the use of low water use plumbing fixtures and drought tolerant landscaping (Condition no. 31);
3. the incorporation of provisions in a homeowner's association CC&Rs that all new construction use low water use plumbing fixtures and drought tolerant landscaping (Condition no. 35);

EVIDENCE: The Planning Commission's concern as to the proposed distribution of water to the individual parcels was impetus for a meeting between Environmental Health Division staff and the applicants to further specify a water distribution system for the subdivision. As the proposed subdivision is divided between two owners, one of whom wants individual wells for the parcels and the other who will accept a mutual water system, the Environmental Health Division has placed conditions for a mutual water system on parcels 6 – 10 (Condition 36) and requirements for well tests on parcels 1, 3, 4 and 5 (Conditions 38, 39, and 40).

4. **FINDING:** **FISH AND GAME DECLARATION** - Considering the record as a whole, there is evidence that the project will have potential for adverse effect either individually or cumulatively on wildlife resources as defined under Section 759.2 and 711.2 of the Fish and Game Code.

EVIDENCE: The administrative record as a whole, which must and does contain the following information, supports the above finding.

1. An Initial Study has been prepared so as to evaluate the potential for adverse environmental impact.
2. When considering the record as a whole, there is evidence that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depends.
3. Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, for the potential adverse effect on the habitat upon which wildlife depends (see Condition of Approval, number 8).

EVIDENCE: Initial Study and Negative Declaration contained in the project file.

5. **FINDING:** **CONSISTENCY WITH SUBDIVISION ORDINANCE** - That

none of the findings found in Section 19.04.025.I of the Subdivision Ordinance can be made.

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

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

EVIDENCE: The application, plans, and support materials, including the technical reports submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development as listed as evidence for Finding 2 above. Said reports concluded the proposed development is suitable for the site, subject to recommendations for construction.

EVIDENCE: The addition of the “Project Specific Hydrogeologic Report, Country Lake Estates, New Pleyto Road, Bradley, California”, prepared by Geomatrix Consultants, Inc., January 2006. Said report includes the analysis of the water supply for both the Pizano / Horn proposed subdivision and the neighboring Country Lake Estates subdivision as part of a “Pleyto Rural Center,” all with wells that tap local groundwater basin.

EVIDENCE: In addition to the recommendations for construction provided by the above technical reports, each County agency has recommended conditions of approval for subdivision improvements found in the attached Condition Compliance and Mitigation Monitoring Reporting Program Plan.

EVIDENCE: In order to mitigate impacts to archaeological resources found on the site as described in the “Cultural Resources Survey and Impact Assessment for the Pizano-Horn Subdivision in Lockwood Valley, Monterey County, California” prepared by C.A. Singer & Associates, Inc., dated February 7, 2003, conservation easements prohibiting development within the easement is conveyed to the county by the property owner (see Mitigation 5-b, or Condition of Approval number 58).

EVIDENCE: Maps and application contained in the project file.

6. **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: The project as described in the application and accompanying materials was reviewed by the Resource Management Agency—Planning Department, Environmental Health Division, Public Works Department, Water resources Agency, Parks Department and South County Fire Protection District. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the County in general.

EVIDENCE: Adoption of the Negative Declaration addresses potential impacts to aesthetics, biological resources, hydrology/water quality, air quality, and geology/soils. The primary mitigation required is for protection of the archaeological resources on the site based on the Cultural Resources Survey and Impact Assessment listed under Evidence for Finding 2 above.

EVIDENCE: In addition to the recommendations for construction provided by the technical reports listed under Finding 2 above, each County agency has recommended conditions of approval for subdivision improvements found in the attached Condition Compliance and Mitigation Monitoring Reporting Program Plan under each agency title.

EVIDENCE: File and application materials, Initial Study with mitigation measures, and Negative Declaration contained in the project file.

7. FINDING: INCLUSIONARY HOUSING ORDINANCE - The project application is subject to the County's Inclusionary Housing Ordinance (#04185), as codified in Chapter 18.40 of the County Code. The subject project creates ten lots that could accommodate new housing units. Ordinance 04185 requires that projects creating five or more new lots/units provide a minimum Inclusionary contribution equal to 20% of the total number of new lots/units in the application. Therefore, this project is required to provide 2 Inclusionary units. Further, the Ordinance requires that the units be provided on the project site unless an alternative form of compliance is specifically approved as part of the project with appropriate findings. The project will be conditioned to provide one moderate-income and one low-income inclusionary unit on the project site. The inclusionary units can be either for sale or rentals.

EVIDENCE: County's Inclusionary Housing Ordinance #04185.

EVIDENCE: Condition no. 43.

8. FINDING: NO VIOLATIONS - The subject property is in compliance with all the rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of this Title and any zoning violation abatement costs have been paid.

EVIDENCE: The subject property is currently vacant and undeveloped and there are no zoning violations recorded or pending to be resolved.

9. **FINDING: APPEALABILITY** - The project is appealable to the Board of Supervisors.

EVIDENCE: The Monterey County Subdivision Ordinance (Title 19), Section 19.16.020. C.

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Exhibit C
Monterey County RMA - Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: *Pizano / Horn Standard Subdivision*

File No: PLN030075 **APNs:** 423-341-010-000 & 423-341-026-000

Approval by: *Planning Commission* **Date:** *May 30, 2007*

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

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<p>PBD029 - SPECIFIC USES ONLY This Standard Subdivision Permit (PLN030551) allows for the Subdivision Tentative Map for the division of two adjacent parcels of 62 acres and 89 acres, respectively, into 10 parcels into four 5.4 acre parcels, three 13.6 acre parcels, two 40+ acre parcels, and one 7.8 acre parcel. No improvements are currently proposed. Access to the lots will be from a proposed 60 foot wide road easement and from Jolon Road. One to four Oak trees, less than 5 inches in diameter, will be removed as part of road construction.. The subdivision could result in the development of up to six single-family dwellings accessory to agricultural use on the portion of the property that is zoned RG/40 (i.e., the Zoning Ordinance allows for up to three-single family dwellings per agricultural parcel, but only if they are related to an on-site agricultural use). The remaining parcels are zoned rural density residential, which allows one single-family dwelling per lot. Future building permit applications will be required for the agricultural parcels and residential parcels. The site fronts on and is located south of Jolon Road (Assessor's Parcel Numbers 423-341-010-000 & 423-341-026-000), approximately 0.45 miles west of New Pleyto Road, South County Plan Area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the RMA - Director of</p>	Adhere to conditions and uses specified in the permit.	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>
		Planning. 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. (RMA-Planning Dept.)				
RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT CONDITIONS OF APPROVAL <i>(Also see mitigation below: Condition # 52, Mitigation #5-b)</i>						
2.		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 030075) was approved by the Standard Subdivision Committee for Assessor's Parcel Number 423-341-010-000 & 423-341-026-000 on December 14,2006. The permit was granted subject to 58 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA – Planning Department." Proof of recordation of this notice shall be furnished to the Director of RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Dpt.)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Subdivider/ Applicant	Prior to recordation of final map	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
3.		<p>PD015 - NOTE ON MAP-STUDIES</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 are on file in the Monterey County RMA-Planning Department:</p> <ul style="list-style-type: none"> a. Cultural Resources Survey and Impact Assessment for the 140 acre Pizano-Horn Subdivision in Lockwood Valley, Monterey County, California prepared by C.A. Singer & Associates, Inc., dated February 7, 2003; b. Preliminary Soils Investigation prepared by Buena Geotechnical Services, dated March 6, 2003; c. Percolation testing for proposed ten lot subdivision on Jolon Road, prepared by Buena Geotechnical Services, dated January 7, 2003; d. Traffic Impact Study Trip Generation and Distribution Report prepared by McCarthy Engineering, Inc., dated August 29, 2003; e. Kit Fox Biological Survey prepared by Sierra Delta Corporation, dated November 13, 2002; f. Geological Report prepared by Sierra Delta Corporation, dated November 13, 2002. <p>The recommendations contained in said reports shall be followed in all further development of this property." The notes shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA – Planning Dept.)</p>	Final recorded map with notes shall be submitted to the RMA - Planning Department and Public Works for review and approval.	Owner/ Applicant	Prior to recordation of final map	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
4.		<p>PDSP001 (NON-STANDARD CONDITION) A note shall be placed on the final map or a separate sheet to be recorded with the final map stating that: "The following conditions shall be included as notes on the final map:</p> <ul style="list-style-type: none"> a) STOP WORK – RESOURCES FOUND [see wording for condition no. 5; PBD030] b) GATE ENTRANCES-WIDTH-FIRE [see wording for condition no. 56 ; WP0019] c) GATE ENTRANCES-LOCATION-FIRE [see wording for condition no. 57; WP020] d) VERTICAL CLEARANCE-FIRE [see wording for condition no. 58; WP0023] e) NON-STANDARD CONDITION [see wording for Archeological Easements, condition no. 59; PBD100] 				
5.		<p>PBD030 - STOP WORK - RESOURCES FOUND If cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist. 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. If the find is determined to be a unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be available. Work can continue on other parts of the site while resource mitigation takes place. The mitigation measures shall include</p>	<p>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 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.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</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>
		<p>the following steps if human remains are discovered:</p> <p>a) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <ol style="list-style-type: none"> 1) The coroner of the county must be contacted to determine that no investigation of the cause of death is required, and 2) If the coroner determines the remains to be Native American: <ol style="list-style-type: none"> i) The coroner shall contact the Native American Heritage Commission within 24 hours. ii) The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased native American. iii) The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, <u>OR</u> <p>b) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:</p> <ol style="list-style-type: none"> 1) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission. 2) The descendent identified fails to make a recommendation, or <p>The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the</p>				

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		Native American Heritage Commission fails to provide measures acceptable to the landowner. (RMA-Planning Dpt.)				
6.		<p>PBD016 - INDEMNIFICATION AGREEMENT</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. (RMA-Planning Dpt.)</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, whichever occurs first and as applicable	

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7.		<p>PBD022 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA-Planning Dept.)</p>	<ol style="list-style-type: none"> 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 after project approval or prior to issuance of grading and building permits, whichever occurs first.	
8.		<p>PBD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 753.5, 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 Notice of Determination 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. (RMA - Planning Department)</p>	<p>If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p> <p>If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p>	Owner/ Applicant	<p>Within 5 working days of project approval.</p> <p>Prior to the recordation of the final map, the start of use or the issuance of building or grading permits</p>	

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9.		<p>PD004 - INDEMNIFICATION AGREEMENT</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. (RMA - Planning Department)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

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PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL						
10.		PW0001 – ENCROACHMENT (COM) Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to Jolon Road including acceleration and deceleration tapers. The design and construction is subject to the approval of the Public Works Director. (Public Works)	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permit Issuance.	
11.		PW0015 – UTILITY’S COMMENTS 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. (Public Works)	Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW	Owner/ Applicant	Prior to Recordation of Map	
12.		PW0016 – MAINTENANCE OF SUBDIVISIONS 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. (Public Works)	Subdivider shall be responsible to maintain improvements until maintenance is assumed by another entity.	Subdivider	Ongoing	
13.		PW0017 – NATURAL DRAINAGE EASEMENT Designate all natural drainage channels on the final map by easements labeled “Natural Drainage Easement”. (Public Works)	Subdivider’s surveyor shall include labeling as described on Final Map.	Subdivider/ Surveyor	Prior to Recordation of Final Map	

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14.		PW0019 – EROSION, ETC CONTROL SCHEDULE Submit the improvement and grading plans that include 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. The Director of Planning and Building Inspection and Department of Public Works shall approve this program. (Public Works)	Subdivider’s Engineer shall include notes on improvement and grading plans.	Subdivider/ Engineer	Prior to Recordation of Final Map	
15.		PW0020 – PRIVATE ROADS Designate all subdivision roads as private roads. (Public Works)	Subdivider’s Surveyor shall designate private roads on final map.	Subdivider	Ongoing	
16.		PW0021 – ROAD NAMES Submit all proposed road names to the Department of Public Works for approval by County Communications. (Public Works)	Subdivider shall submit proposed road names to DPW. DPW will submit to County Communications for Approval.	Subdivider	Prior to Recordation of Final Map	
17.		PW0023 – IMPROVEMENT PLANS Provide improvement plans for approval of the Department of Public Works and that the roads be constructed in accordance with the typical section shown on the tentative map. (Public Works)	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	
18.		PW0024 – STOP SIGN Install and maintain a stop sign on the proposed access road from Lots 2, 3, 4, 5, 6, 7, 8, and 9 at Jolon Road. (Public Works)	Subdivider/Applicant shall install and maintain stop sign.	Subdivider/ Applicant	Ongoing	
19.		PW0026 – PLANTING FOR GRADED AREAS 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: a. That the cut and fill slopes be stabilized. b. Specific method of treatment and type of planting, by	Subdivider’s Engineer to include erosion control measures on improvement plans.	Subdivider/ Engineer	Prior to Recordation of Final Map	

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		area, for each soil type and slope required to satisfy item (a). c. Type and amount of maintenance required to satisfy item (a). (Public Works)				
20.		PW0027 – CUT/FILL SLOPE (2:1) Cut and fill slopes shall not exceed 2 to 1 except as specifically approved in concurrence with the geo-technical report. (Public Works)	Engineer shall include notes on Improvement Plans	Subdivider/ Engineer	Prior to recordation of Final Map	
21.		PW0028 – GEOTECHNICAL REPORT A geotechnical report will be required before recording final maps. (Public Works)	Subdivider shall have geotechnical report prepared and to submit to DPW	Subdivider	Prior to recordation of Final Map	
22.		PW0030 – HOMEOWNERS ASSOCIATION 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. (Public Works)	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	
23.		PW0032 – AS BUILT PLANS 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. (Public Works)	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	
24.		PWSP001 NON-STANDARD CONDITION Applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. (Public Works)	Subdivider shall submit payment to DPW.	Subdivider	Prior to issuance of building permit	

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PARKS AND RECREATION DEPARTMENT CONDITION OF APPROVAL						
25.		PKS002 – RECREATION REQUIREMENTS/FEES The Applicant shall comply with Section 19.12.010 - Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D) (Parks Department)	The Applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County Code.	Owner/ Applicant	Prior to the recordation of the Final Map	
WATER RESOURCES AGENCY CONDITIONS OF APPROVAL						
26.		WRSP001 COMPLETION CERTIFICATION (NON-STANDARD CONDITION) Certification that stormwater detention facility has been constructed in accordance with approved plans shall be provided to the County Water Resources Agency by a registered civil engineer or licensed contractor who constructed the facility. (Water Resources Agency)	Provide civil engineer or licensed contractor certification of stormwater detention facility construction to the Water Resources Agency.	Civil Engineer/ Licensed Contractor/ Subdivider	Prior to the grading permit final	
27.		WRSP002 DRAINAGE NOTE (NON-STANDARD CONDITION) A note shall be recorded on the final map stating that stormwater runoff from any future development on these parcels shall be conveyed to the subdivision drainage improvements in a way that mitigates impacts to adjacent properties. (Water Resources Agency)	Submit final map showing the stated note to the Water Resources Agency for review and approval.	Civil Engineer/ Licensed Contractor/ Subdivider	Prior to the recordation of the final map	

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28.		WRSP003 - DRAINAGE PLAN A drainage plan shall be prepared by a registered civil engineer addressing on-site and off-site impacts. The plan shall include road improvements and subdivision detention facilities to mitigate the impact of impervious surface stormwater runoff. The detention pond(s) shall be fenced for public safety. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	
29.		WRSP004 HOMEOWNERS ASSOCIATION (NON-STANDARD CONDITION) If a homeowners association is formed for the maintenance of roads, drainage facilities, and open spaces, the documents for formation of association shall be approved by the Director of Public Works, the RMA-Director of Planning, and the County Water Resources Agency, prior to filing of final map. C.C. & 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. (Water Resources Agency)	Submit documents for Homeowners Association maintenance program of the Director of Public Works, the RMA-Director of Planning and the County Water Resources Agency. Submit yearly report on the monitoring of drainage facilities to the County's Water Resources Agency.	Subdivider/ Owner/ Civil Engineer	Prior to recordation of the final map.	
30.		WRSP005 MCWRA AGREEMENT (NON-STANDARD CONDITION) If a homeowners' association is formed, and 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. An agreement to this effect shall be entered into concurrent with the filing of the final map of the first phase of the subdivision. (Water Resources Agency)	Meet with the County's Water Resources Agency to develop an agreement that allows the Agency's right 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 and to collect the cost for such repairs, maintenance or improvements.	Subdivider/ Owner/ Civil Engineer	Prior to recordation of the final map	

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31.		WR0032 NOTICE OF WATER CONSERVATION REQUIREMENTS A notice shall be recorded on the deed for each lot that 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 #3932, or as subsequently amended. (Water Resources Agency)	Submit a recorded notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Recordation of the notice shall occur concurrently with the final map	
32.		WR0033 LANDSCAPING REQUIREMENTS 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. This shall be the responsibility of the developer if the developer is also the builder. If not, a notice shall be recorded on the deed for each lot to inform future builders of this requirement. (Water Resources Agency)	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 of the notice shall occur concurrently with the final map	
33.		WR0035 WATER USE INFORMATION The applicant shall provide to the Water Resources Agency a water balance analysis describing the pre-development and post-development water use on the property. (Water Resources Agency)	Submit the analysis to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to the filing of the final map	
34.		WR0036 WELL INFORMATION The applicant shall provide to the Water Resources Agency information on the water system to serve the project, including the location of all water wells on the property, and well logs available, and the number of current hookups. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing of the final map	
35.		WRSP006 C.C. & R. WATER CONSERVATION PROVISIONS (NON-STANDARD CONDITION) If a homeowner's association is formed, the C.C.&R.'s shall contain provisions that : al new construction incorporate the use of low water use plumbing fixtures including, where applicable, hot water recirculation systems; the front yards of	Submit the CC&R's to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing the final map	

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		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; leak repair is the property owner's responsibility; vehicle and building washing shall use hoses equipped with shut off nozzles; no potable water to be used for side walk washing; no water spillage into streets, curbs, and gutters; no emptying or refilling of swimming pools except for structural repairs or if required for public health regulations; no fountains unless water is recycled within the fountain in accordance with Monterey County Water Resources Agency Water Conservation Ordinance No. 3932, or as subsequently amended. (Water Resources Agency)				
ENVIRONMENTAL HEALTH DIVISION CONDITIONS OF APPROVAL						
36.		EH1 - WATER SYSTEM PERMIT – LOTS 6 - 10 Obtain a new or amended water system permit from the Division of Environmental Health. (Environmental Health)	Submit necessary application, reports and testing results to EH for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/ building permits or prior to filing final map	
37.		EH2 - WATER SYSTEM IMPROVEMENTS (CO. PERMITTED SYSTEM) – LOTS 6 - 10 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) the improvements.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/ building permit	

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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. (Environmental Health)			or Prior to filing final map	
38.		EH4 - FIRE FLOW STANDARDS Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. (Environmental Health)	Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency.	CA Licensed Engineer /Owner/ Applicant	Prior to installing or bonding water system improvements.	
39.		EH8 - WELL CONSTRUCTION PERMIT – LOTS 1, 3 – 5 and HORN PROPERTY Obtain a water well drilling permit from the Division of Environmental Health and construct the well. (Environmental Health)	Submit the Well Completion Report to the Division of Environmental Health.	CA Licensed Engineer /Owner/ Applicant	Prior to the issuance of a building permit	
40.		EH9 - NEW WELL PUMP TESTS – LOTS 1, 3-5 and HORN PROPERTY All new or rehabilitated wells to be added to the potable water distribution system shall first undergo a minimum of a 72-hour continuous pump test to determine the yield of the well. Unless otherwise approved by the Director of Environmental Health, the yield of the well shall be calculated by multiplying the 24-hour specific capacity by the available drawdown. If the apparent transmissivity decreases between the first 24 hours of the test and the end of the test, the 24-hour specific capacity shall be adjusted by multiplying the ratio of late-time transmissivity to early-time transmissivity.	Submit a report to EH for review and approval	CA Licensed Engineer /Owner/ Applicant	Prior to the issuance of a building permit	

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		For the purposes of this condition, available drawdown is defined as two-thirds of the vertical distance from the static water level to the lowest perforations of the well. The pump tests shall be made no earlier than June 1 of each year and no later than the first significant rainfall event of the wet season. The pump test results shall be presented in a form for direct comparison to the criteria set forth in this condition. A representative of the Division of Environmental Health shall witness the pump tests. The applicant shall pay all associated fees to the Division of Environmental Health. (Environmental Health)				
41.		EH44 - WELL LOTS Submit a tentative map indicating the proposed well lots, water distribution, and access easements for the water system to the Director of Environmental Health for review and approval. Once approved, well lots and easements shall appear as part of the final map. (Environmental Health)	Submit plans to the Division of Environmental Health for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final parcel map.	
42.		EHSP01 NON-STANDARD CONDITION The applicant shall record a deed notification with the Monterey County Recorder for lots 1 through lot 10, indicating that: "Prior to the issuance of any building permits for development that would generate wastewater, submit plans showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey Country Code (Sewage Disposal Ordinance) and "Prohibitions," Central Coast Basin Plan, RWQCB to the Division of environmental Health for review and approval. The septic system layout and design shall be for the gravity flow of wastewater from the building structure to the septic tank and from the septic tank to	Submit proposed wording and forms to be recorded to the Environmental Health Division and the RMA – Planning Department.	Owner/ Applicant	Concurrently with the filing of the final map	

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		the leachfields, which are to be sized at design rate of 0.24 gpd / sq. ft., and with dual fields to be installed at the time of initial construction, unless otherwise approved by the Director of Environmental Health.” (Environmental Health Division)				
HOUSING AND REDEVELOPMENT CONDITION OF APPROVAL						
43.		The project is subject to the County’s Inclusionary Housing Ordinance, #04185, which requires that the project contribute 2 Inclusionary Housing Units. Prior to the recordation of the Final Map the project applicants shall execute an Inclusionary Housing Agreement with the County, in a form acceptable to the County, that specifies that at least two Inclusionary Housing Units shall be provided on the project site, one at a moderate-income level and one at a low-income level. The Agreement shall address, but not limited to, the type and size of the unit, the location of the unit, pricing, selection of buyers and/or tenants, and the phasing of the inclusionary unit construction related to the release of building permits for the market rate units. (Housing and Redevelopment)	Execute an Inclusionary Housing Agreement with County	Applicant/ Owner	Prior to recordation of final map	

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CALIFORNIA DEPARTMENT OF FORESTRY CONDITIONS OF APPROVAL						
44.		WP0002 - ROAD WIDTH-FIRE All roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow, unless other standards or additional requirements are mandated by local jurisdictions or local subdivision requirements. (CDF – 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.	
45.		WP0004 - ROADWAY GRADES-FIRE The grade for all roads, streets, private lanes and driveways shall not exceed 15 percent. (CDF – 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 department clearance inspection for each phase of development	Applicant or owner	Prior to issuance of grading and/or building permit.	
46.		WP0005 - ROADWAY RADIUS-DRIVEWAYS-FIRE For residential driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius of curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. (CDF – 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 district	Applicant	Prior to	

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			clearance inspection	or owner	issuance of grading and/or building permit.	
47.		WP0008 - ROADWAY TURNAROUNDS-FIRE Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be minimum of 60 feet in length. (CDF – South County)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. Applicant shall schedule fire district clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to issuance of grading and/or building permit.	
48.		WP0009 - ROADWAY TURNOUTS-FIRE Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper on each end. (CDF-South County)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. Applicant shall schedule fire district clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to issuance of grading and/or building permit.	
49.		WP0010 - BRIDGE WIDTH-FIRE All new and reconstructed bridges shall be at least the width of the existing roadbed and berms but in no case less than 12 feet	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of	

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		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 HS 15-44 loading (standard specification for highway bridges) and have guardrails. (CDF – South County)	Applicant shall schedule fire district clearance inspection	Applicant or owner	grading and/or building permit. Prior to issuance of grading and/or building permit.	
50.		WP0011 - BRIDGE SIGNS-FIRE Appropriate signing, including but not limited to, weight or vertical clearance limitations, and one-way road or single lane road conditions, shall be provided at both entrances to any bridges. (CDF – South County)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. Applicant shall schedule fire district clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to issuance of grading and/or building permit.	
51.		WP0014 - DEAD-END ROAD LENGTH-FIRE The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served: Parcels designated in the Area or Implementation Plan for 5 to 19.99 acres: 2640 feet. Parcels designated in the Area Plan zoned for 20 acres or larger: 5280 feet. (CDF – South County)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. Applicant shall schedule fire district clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to issuance of grading and/or building permit.	

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					building permit.	
52.		WP0015 – DEAD-END ROADS (LENGTHS MEASURED) All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring different length limits, the shortest allowable length shall apply. (CDF- 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 district clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit.	
53.		WP0016 - DEAD-END ROADS-T/A INTERVAL-FIRE Where parcels are zoned 5 acres or larger, turnarounds shall be provided at a maximum of 1320 foot intervals. (CDF – 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 district clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit.	
54.		WP0017 - DEAD-END ROADS-T/A TERMINUS-FIRE Each dead-end road shall have a turnaround constructed at its terminus. (CDF – 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	

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			Applicant shall schedule fire district clearance inspection	Applicant or owner	permit. Prior to issuance of grading and/or building permit.	
55.		WP0019 - GATE ENTRANCES-WIDTH-FIRE Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. (CDF – 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 district clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit.	
56.		WP0020 - GATE ENTRANCES-LOCATION-FIRE 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 that road. (CDF – 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 district clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit.	

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57.		WP0023 - VERTICAL CLEARANCE-FIRE Unobstructed vertical clearance shall not be less than 15 feet for all access roads. (CDF- 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 district clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit.	
CULTURAL RESOURCE MITIGATION PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT REVIEW FILED AUGUST 1, 2006 IN MONTEREY COUNTY CLERK'S OFFICE						
58.	5-b	PBD100 – NON-STANDARD CONDITION Archeological Easements, with an attached map prepared by a licensed land surveyor or civil engineer in conjunction with a County-approved archeologist identifying the restricted areas, shall be submitted to the RMA – Director of Planning Department for review and approval, and shall subsequently be recorded, prior to issuance of grading and building permits. (RMA – Planning Department)	Submit surveyed Easement with an attached map to the RMA – Director of Planning Department for review and approval. Any construction proposed for those parcels with identified archaeologically restricted areas, Parcels 1 and 10, shall require the archaeologist to be on site to assure construction activities avoid said restricted areas.	Applicant/ Surveyor/ Civil Engineer/ Archeologist	Prior to recordation of final map	