

MONTEREY COUNTY PLANNING COMMISSION

Meeting: June 11, 2008 Time: 9:00 a.m.	Agenda Item No.: 4
Project Description: Standard Subdivision to divide one 132-acre parcel into ten 5.1 acre parcels, one 40-acre parcel, and a 40-acre remainder parcel.	
Project Location: Approximately 2.5 miles from intersection of Murphy Road and Lockwood-Bradley Road, Lockwood	APN: 423-261-013-000
Planning File Number: PLN060014	Name Michael and Paula Kennedy, Property Owners
Plan Area: South County Area Plan	Flagged and staked: No
Zoning Designation: : RG/40 & RDR/5.1 (Rural Grazing/40 acre minimum & Rural Density Residential/5.1 acre minimum)	
CEQA Action: Mitigated Negative Declaration, per Section 15070	
Department: RMA - Planning Department	

Recommendation:

Staff recommends that the Planning Commission:

- a) Adopt the Mitigated Negative Declaration (**Exhibit F**) with the attached Mitigation Monitoring and Reporting Program (**Exhibit D**); and
- b) Approve the Standard Subdivision based on the Findings and Evidence (**Exhibit C**) and subject to recommended conditions (**Exhibit D**).

PROJECT OVERVIEW:

The proposed project consists of an application to allow the subdivision of a 132-acre parcel into ten 5.1 acre parcels, one 40-acre parcel, and a 40-acre remainder parcel. The property is located 5.5 miles southeast of the town of Lockwood, off a private road extending from Murphy Road, which connects to Bradley-Lockwood Road.

The primary project issue is the existing parcel contains two zoning designations of RG/40 and RDR/5.1. Lot 1, a 40-acre parcel, is proposed to contain area in both zoning designations. The zoning regulations contain a formula for calculating maximum allowable density for parcels containing two zoning designations. Application of this formula to the project site yields a fractional result. The zoning regulations do not specify whether the fraction is to be rounded up to the next whole number, or subtracted from the result, reducing the allowable density to the lower whole number. The Subdivision Committee deliberated on whether the zoning for Parcel 1 should be changed to create a single, 40-acre maximum density for the parcel. Ultimately, the committee voted to approve the project with no changes to the existing zoning, with one dissenting vote. This issue is discussed further below.

For complete discussion, see Exhibit "B."

OTHER AGENCY INVOLVEMENT:

- | | |
|---------------------------------|--|
| ✓ Water Resources Agency | ✓ Housing and Redevelopment Agency |
| ✓ Environmental Health Division | ✓ CDF- South County Fire Protection District |
| ✓ Public Works Department | ✓ Parks Department |
| ✓ Housing and Redevelopment | |

The above checked agencies and departments have reviewed this project. Conditions recommended by Environmental Health Division, Public Works, CDF South County Fire District, Parks Department, and the Water Resources Agency have been incorporated into the Condition Compliance and Mitigation Monitoring Reporting Plan (**Exhibit D**).

The project is not within an area subject to LUAC review.

SUBDIVISION COMMITTEE RECOMMENDATION

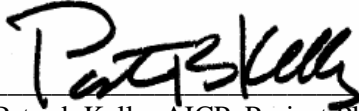
The Subdivision Committee first reviewed this subdivision on March 27, 2008. At this meeting, discussion was held on the consistency of the subdivision with the existing zoning designations for the property of Rural Density Residential (5.1 Acres per Unit) and Rural Grazing (40 Acres per Unit). The later zoning designation encompasses approximately 71.34 acres of the existing parcel. Two 40-acre parcels are proposed within this area (80 acres total). The portion of one 40-acre parcel unable to be accommodated by the 70.34-acre area is proposed to extend into the 5.1-acre minimum portion of the site. The Subdivision Committee directed staff to review whether this presented any potential issues that needed to be addressed.

Staff reviewed General Plan policies and Zoning Regulation requirements for calculating allowable density on parcels with two zoning designations, and determined the proposed density is consistent with the policies and requirements, and that there is no prohibition from creating parcels containing two zoning designations.

Staff presented these findings to the Subdivision Committee on April 24, 2008, and recommended the Committee recommend approval of the subdivision to the Planning Commission. The Committee voted 4-1 to recommend approval of the subdivision. The dissenting vote was by a committee member who disagreed with the determination of staff that a zone change was not warranted. The member's position was that the portion of the parcel designated as 40-acre minimum should be expanded to encompass the full extent of the proposed 40-acre parcel, so that the proposed density boundaries for the site aligned with the 40-acre parcel boundaries.

Additional review by staff indicated that potential exists for the parcel to be further subdivided, depending on how the density calculation is interpreted, due to a vagueness in the density calculation requirement. This issue is addressed further in the Analysis section.

Note: The final decision on this project is appealable to the Board of Supervisors.



Patrick Kelly, AICP, Project Planner
(831) 755-5304, kellyp@co.monterey.ca.us
May 14, 2008

cc: Front Counter Copy; Planning Commission; Public Works; Water Resources Agency; Environmental Health; Parks Department; CDF-South County Fire Protection District; Bob Schubert, Acting Planning Manager; Owner; Agent; Project File PLN060014

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Overview
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Recommended Conditions of Approval and Mitigation Monitoring and Reporting Program
	Exhibit E	Tentative Parcel Map and Assessor's Parcel Map
	Exhibit F	Mitigated Negative Declaration
	Exhibit G	Subdivision Committee Resolution

This report was reviewed by Bob Schubert, Acting Planning Manager

**Insert Exhibit A
here**

EXHIBIT B PROJECT OVERVIEW

Project Description and Setting

The proposed project consists of an application to allow the subdivision of a 132-acre parcel into ten 5.1 acre parcels, one 40-acre parcel, and a 40-acre remainder parcel (Exhibit A). The project site is Rural Grazing, 40 Acre Minimum on the western half of the parcel and Rural Density Residential, 5.1 Acre Minimum on the eastern section of the parcel. The proposed subdivision includes a road extension from a privately-maintained road through the parcel to allow access to each of the proposed lots.

ACCESS

A private road, Murphy Road, connects the parcel to Bradley-Lockwood Road, located in the South County Planning Area. The mostly flat site contains two hilly areas, on the eastern and central portion of the property. A dry creek bed exists on the western portion of the site. Vegetative cover on the project site predominantly consists of grasses and sparse oak trees. Historically the site has been used for cattle grazing and has been disced on multiple occasions. Site elevations range from 850 feet on the southern portion of the property to 1,020 feet above sea level on the northeastern portion. A vineyard borders the parcel to the northwest. Grazing land borders the property to the northeast, east, and south of the property. Tank Road, an existing military transport road, separates the Lake San Antonio Recreation Area from the proposed project site.

SUBDIVISION

The proposed subdivision will result in the development of ten single-family dwellings on the portion of the property that is zoned RDR/5.1 and one single-family dwelling on the 40-acre lot in the RG/40 zoning designation. The 40-acre remainder parcel is located in the RG/40 zoning designation. Future development is not planned for this remainder parcel. The subdivision's water is proposed to be supplied by on-site wells. Individual septic systems, proposed as part of project development, will accommodate wastewater needs. Building and septic envelopes are designated on the parcel map. Future building permit applications will be required for any residential development on the subject property.

A new 2,685 square foot single family residence and attached garage is currently under construction on the 40-acre parcel designated as Lot 1, and will be in compliance with the proposed building and septic envelopes.

SPLIT ZONING

The General Plan and area plan include policies for determining the allowable density for parcels. These policies include 3.2.4 (SC) addressing density calculation based on existing slopes; and policy 26.0.4 (SC) outlining the process for determining allowable density on the basis of the slope density calculation; the maximum density allowable under the Area Plan land use designation; and application of all other policies of the area and general plan. Each policy is applied to the proposed subdivision below:

Policy 3.2.4 (SC) – Slope Density

The slope density calculation applies density factors to a parcel based on slope. Densities can range from one to two building sites per acre, depending on the degree of slope, with the shallowest slopes (ranging from zero to 19 percent) allowing two building site per acre; and the steeper slopes (ranging from 19.1 percent to 29.9 percent) allowing one building site per acre. Slopes 30% or greater are not permitted any building sites, unless no other building sites are available.

The slope density calculation for the subject parcel yields 128.2 building sites. This number is not the permitted number of building sites for this parcel, however, because slope density is one of three factors

determining the final allowable density; and the factor yielding the lowest density is the determining factor.

Policy 36.0.4 (SC) – Maximum Density Calculation

This policy outlines the procedure for determining the density allowed on a parcel, applying the slope density calculation as one of three factors. This procedure is required to be applied to all proposed subdivisions.

1. Land Use Designation The first factor applicable to density is the land use designation for the parcel. This policy requires the total parcel area to be divided by the land use designation density, to arrive at the total allowable density. The subject parcel carries two land use designations, therefore, two density calculations must be performed, and the subtotals added together. This calculation yields a density of 13 dwellings for this factor, as follows:

Acres	Use Designation	Density Designation	Density Calculation
59.66	Rural Density Residential	5.1	11.70
71.34	Rural Grazing	40	1.78
131.00			13.48

This calculation procedure is also consistent with the Zoning Regulations requirement for calculating maximum density for a parcel containing more than one zoning or land use designation, as follows:

Section 21.64.180.C.4

In instances where a parcel includes more than one zoning district or plan designation, the maximum density shall be calculated for the respective zoning districts or plan designation. The sum of the calculations shall be the maximum number of units allowed by zoning or plan designation.

2. Slope Density Calculation As per above, the slope density calculation for the subject parcel yields 128.2 building sites.

3. Application of all other plan policies to the parcel. This step requires all applicable policies of the Area Plan and countywide General Plan to be applied to the project site. Any reductions in density resulting from this review are required to be tabulated, and the resulting decrease in density subtracted from the density yielded by the slope density calculation. Staff has reviewed the policies of the General Plan and South County Area Plan and has found no policies in conflict with the proposed subdivision, therefore, the density yield from the slope density calculation remains unchanged, at 128.2.

4. Comparison of densities resulting from steps 1-3, above This step requires the two density calculations resulting from steps 1 through 3 above be compared, and the lesser of the two densities be established as the maximum density allowable for the site. For the subject parcel, the lesser of the two densities is 13.48 lots.

Based on the analysis above, the maximum allowable density on the site is 13.48 lots.

Zoning and Area Plan Designations The existing parcel carries two land use designations of Rural Grazing (40-acre maximum density) and Rural Density Residential (5.1+ acre maximum density). Corresponding to the parcel land use designations are the zoning designations of Rural Grazing (40-acre maximum density); and Rural Density Residential (5.1-acre maximum density), respectively.

The land use and zoning designations of RDR 5.1+ do not establish a ceiling for maximum density, but only a minimum number of acres per unit. Under this designation, no parcel may be smaller than 5.1

acres, but may be larger than 5.1 acres with no upper size limit. Lot 1, proposed to carry the split zoning designation, is 40 acres in size, which is greater than 5.1 acres, and is therefore consistent with the area plan land use designation. No land use or zoning designation amendment is therefore required.

As outlined in paragraph 1 above, the Zoning Regulations make provision for calculating maximum density for parcels with more than one zoning designation, and there is no prohibition against creating a parcel with more than one zoning designation.

Based on the discussion above, staff has determined that no land use or zoning changes are required to make the project consistent with the density standards.

Fractional Result

The Zoning Regulations do not specify whether the fractional portion of the density calculation must be rounded up to the next whole number, or rounded down to the previous whole number. The conservative approach would be to round the fractional result down to the previous whole number, in this case, 13. The applicant proposes to divide the parcel into 12 lots, which is fewer parcels than allowed under the maximum final density. To ensure that Lot 1 is not further subdivided at a future date to a greater density based on rounding the fractional result to the next whole number, 14, staff offers the following options for the Commission to consider:

1. Apply a B-6 (no further subdivision) zoning overlay to all lots in the proposed subdivision; or
2. Re-zone the portion of Lot 1 within the RDR/5.1 designation to RDR/40. This change would not require a corresponding General Plan amendment, because the land use designation is Rural Density Residential, 5-acre+ maximum density. The 40-acre maximum zoning designation would be consistent with this land use designation, because there is no upper limit specified for the 5-acre+ designation. Under this configuration, a maximum of two 40-acre parcels would be permitted by the density calculation for this portion of the parcel (80 acres divided by 40 equals 2-40 acre parcels, as proposed)

Subdivision Review

The subdivision design is consistent with the Lot Design Standards of Section 19.10.030 of the subdivision ordinance in that minimum lot size, width, and depths have been provided.

Section 19.03.025.F of the Monterey County Subdivision Ordinance requires that the subdivision be denied if any one of the findings is made. Planning staff has analyzed the project against the findings for denial outlined in this section.

1. *The proposed map is not consistent with the general plan, area plan, coastal land use plan, or specific plan.* The proposed development is designed to accommodate residential uses permitted within this zoning designation. The project is not located within an environmentally sensitive area, as defined by the South County Area Plan resource maps. Potential environmental impacts have been identified and addressed through mitigation measures, as discussed in the Environmental Review section below, therefore, Finding 1 cannot be made.
2. *That the design or improvements of the proposed subdivision are not consistent with the applicable general plan, area plan, coastal land use plan, master Plan or specific plan.* The project site carries two land use designations of Rural Grazing, 40-Acre maximum density and Rural Density Residential, 5-Acre+ maximum density, and corresponding zoning designations of RG/40 and RDR/5.1. The number of proposed lots (12) is consistent with the maximum density calculation of 13.48, as yielded by the density calculation method required by Policy 36.0.4 (SC). Roadways are conditioned to be designed and constructed to meet fire department access requirements, consistent with Policy 17.3.7(SC). Because the project is consistent with the above area plan policies, Finding 2 cannot be made.
3. *That the site is not physically suitable for the type of development.* The project geotechnical report indicates on-site soils are suitable for development of the site. The site consists of gently

rolling topography, and of adequate size and dimension to accommodate the proposed lots, including building and septic envelopes. The subdivision will be served by a road of adequate width and construction to carry vehicles anticipated to access the site. Project technical reports indicate the project is suitable for septic systems, and for well water extraction. For above reasons, Finding 3 cannot be made.

4. *That the site is not physically suitable for the proposed density of development.* Project reports and county review have found the project is suitable for use of septic systems and well water extraction for the density proposed. The Public Works Department has reviewed road access to the project site, and has not indicated existing roads are inadequate to accommodate the amount of traffic anticipated to be generated by the subdivision at the density proposed. For the reasons above, Finding 4 cannot be made.
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.* The project is not located within an environmentally sensitive area, as defined by the South County Area Plan resource maps. Potential environmental impacts have been identified and addressed through mitigation measures. Mitigation Measure 1 will ensure that there will be no potential adverse environmental impacts to biological resources in the future when development may occur. This measure requires preconstruction surveys for sensitive, special status or protected species including nesting raptors, as well as other nesting birds. Mitigation Measure 2 requires the payment of traffic mitigation fees for potential traffic impacts of the project. For the reasons above, Finding 5 cannot be made.
6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems.* The project has been reviewed by the Environmental Health Division. Environmental Health has included conditions of approval for the project addressing potential public health issues, including requirements addressing water quality and septic system design, therefore Finding 6 cannot be made.
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.* No easements occur on the site, therefore, Finding 7 cannot be made.
8. *That the subdivision fails to meet any of the requirements or conditions imposed by the Subdivision Map Act or this Title (Title 19).* The project has been reviewed by County departments for conformance to Subdivision Map Act requirements. As conditioned, the project will conform to all applicable requirements; therefore, Finding 8 cannot be made.

As none of these findings requiring denial can be made, the project is consistent with Monterey County Subdivision Ordinance.

Environmental Review

An Initial Study/Mitigated Negative Declaration was completed for the project. The primary CEQA issues included: aesthetics, air quality, biological resources, geology/soils, hydrology/water quality and transportation/traffic. Evidence supports the conclusion that impacts will be less than significant for aesthetics, air quality, geology/soils, and hydrology/water quality. Impacts upon biological resources and transportation/traffic will be reduced to less than significant levels with successful implementation of recommended mitigations, incorporated as conditions of approval for the project.

Mitigation Measure 1 will ensure that there will be no potential adverse environmental impacts to biological resources in the future when development may occur. This measure requires preconstruction surveys for sensitive, special status or protected species including nesting raptors, as well as other nesting birds. Mitigation Measure 2 requires the payment of traffic mitigation fees for potential traffic impacts of the project.

Conclusion

This report concludes the property is adequate to accommodate the proposed subdivision. The subdivision is consistent with the General Plan and applicable Zoning designations. Mitigation measures

will be implemented to protect any potential environmentally sensitive biological resources and to mitigate impacts to traffic resulting from the creation of new lots.

EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY** – The subject Standard Subdivision (PLN060014), as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, South County Area Plan, South County Area Plan Inventory and Analysis, Monterey County Subdivision Ordinance (Title 19), and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for residential development.

EVIDENCE:

- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
- (b) The project planner conducted a site in December, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
- (c) The parcel is designated “Rural Grazing/40 acre minimum & Rural Density Residential/5.1 acre minimum” The project will result in a subdivision of a 132-acre parcel into ten 5.1 acre parcels, one 40-acre parcel, and a 40-acre remainder parcel consistent with the minimum 5.1 acres per dwelling unit density.
- (d) The project is consistent with Title 19, Section 19.10.030, Design Standards. The project will result in a subdivision of a 132-acre parcel into ten 5.1 acre parcels, one 40-acre parcel, and a 40-acre remainder parcel consistent with the minimum 5.1 acres per dwelling unit. The lots are regular in shape, wider than 60 feet, deeper than 85 feet, are accessed by a private driveway and do not front on an existing street. No riparian corridors or waterways are located on or adjacent to the site.
- (e) The lot is a legal lot, filed for record on December 29, 1966, In Volume 8 of Surveys, page 18, Records of Monterey County, California.
- (f) The project was not referred to the Land Use Advisory Committee (LUAC) for review as there is no LUAC for this area in the County.
- (g) The project is consistent with General Plan and South County Area Plan policies including the following policies: It is consistent with Environmental Constraints, drainage setback policy 16.2.1.1 (SC), future construction will be conditioned to be in accordance with drainage plans prepared by a registered civil engineer. It is consistent with Area Development, tank road setback policy 26.1.5.2 (SC), because a 500-foot setback line from the tank road is included on the subdivision map. It is consistent with Area Development, holding capacity policy 36.0.4 (SC) no parcels cause the maximum density of one residential unit per five acres to be exceeded.
- (h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency – Planning Department for the proposed development found in Project File PLN060014.

2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.
- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Fire Protection District, Parks Department, RMA-Public Works, Environmental Health Division, Water Resources Agency and Housing & Redevelopment Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) Conditions of Approval and Mitigation Measures are incorporated to ensure that the project is suitable as conditioned in an area designated as containing high archaeological resources, and has potential habitat for biological resources. There is no development on slopes greater than 30% and no protected tree removal is part of the project.
 - (c) Technical reports by outside consultants indicated that there are no physical or environmental constraints that will indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
 - 1. “Preliminary Archaeological Reconnaissance of APN: 423-261-013, Lockwood Monterey County, California” prepared by Archaeological Consulting, dated November 15, 2005.
 - 2. “Geologic Hazards Report for Lands of Kennedy (APN 423-261-013) Lockwood Bradley Road, Monterey County, California” by LandSet Engineers, Inc., dated November 2005.
 - 3. “Preliminary Geotechnical Engineering Report for Proposed 10 Parcel Residential Subdivision APN: 423-261-013, Lockwood vicinity of Monterey County” by Mid-Coast Geotechnical, Inc., dated December 22, 2005.
 - 4. “Percolation Data Report for Proposed Eleven Lot Subdivision located at APN: 423-261-013 Lockwood vicinity of Monterey County, California.” by Mid-Coast Geotechnical, Inc., dated January 8, 2006.
 - 5. Percolation Data Report for Tentative Parcels 7, 8 and 9, APN: 423-262-013, Lockwood vicinity of Monterey County prepared by Mid-Coast Geotechnical, Inc., dated June 8, 2006.
 - (d) The Standard Subdivision located approximately 2.5 miles from intersection of Murphy Road and Lockwood-Bradley Road, Lockwood (Assessor's Parcel Number 423-261-013-000) South County Area, is consistent with the residential zoning “RG/40 & RDR/5.1 (Rural Grazing/40 acre minimum & Rural Density Residential/5.1 acre minimum building site).
 - (e) Staff conducted a site visit in December, 2007 to verify that the site is suitable for this use.
 - (f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency – Planning Department for the proposed development found in Project File PLN060014.
3. **FINDING: CEQA** – On the basis of the whole record before the Monterey County Standard Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned, and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.
- EVIDENCE:**
- (a) The proposed project is subject to environmental review due to the potential for significant environmental effects pursuant to CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration).
 - (b) Potentially adverse environmental effects were identified during staff review of the development application.
 - (c) Monterey County prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the office of the RMA – Planning Department and is hereby

incorporated by reference (File No. PLN060014). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. The Initial Study identified potentially significant effects relative to aesthetics, air quality, biological resources, geology/soils, hydrology/water quality and transportation/traffic. Substantial evidence supports the conclusion that impacts will be less than significant with mitigation incorporated for these issues.

- (d) The Mitigated Negative Declaration was circulated for public review from February 20, 2008 to March 13, 2008.
- (e) The Monterey County Resource Management Agency – Planning Department, (located at 168 W. Alisal Street, 2nd Floor, Salinas, CA, 93901) is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.
- (f) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is designed to ensure compliance with conditions and that mitigation measures are monitored and reported during project implementation. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and Reporting Program” as a condition of project approval.
- (g) For purposes of implementing Section 753.5 of Title 14, California Code of Regulations, the project may cause changes to the resources listed under Section 753.5. Therefore, payment of the Fish and Game fee is required.
- (h) Evidence that has been received and considered includes the application, plans, materials, and technical reports, which are listed under Section IX (References) of the Initial Study and contained in project file PLN060014.
- (i) To mitigate the physical impacts of the project, the following is a summary of the mitigation measures proposed:
 - Mitigation Measure 1 will ensure that there will be no potential adverse environmental impacts to biological resources in the future when development may occur. This measure requires preconstruction surveys for sensitive, special status or protected species including nesting raptors, as well as other nesting birds (Condition of Approval No. 48 and Mitigation Measures No. 1).
 - Mitigation Measure 2 requires the payment of traffic mitigation fees for potential traffic impacts of the project.

4. **SUBDIVISION ORDINANCE (TITLE 19)** – None of the findings found in Section 19.04.025.I of the Subdivision Ordinance can be made.

EVIDENCE: (a) Findings cannot be made, as indicated below:

Finding 1. *The proposed map is not consistent with the general plan, area plan, coastal land use plan, or specific plan.* The proposed development is designed to accommodate residential uses permitted within this zoning designation. The project is not located within an environmentally sensitive area, as defined by the South County Area Plan resource maps. Potential environmental impacts have been identified and addressed through mitigation measures, as discussed in the Environmental Review section below, therefore, **Finding 1 cannot be made.**

Finding 2. *That the design or improvements of the proposed subdivision are not consistent the applicable general plan, area plan, coastal land use plan, master Plan or specific plan.* The project site carries two land use designations of Rural Grazing, 40-Acre maximum density and Rural Density Residential, 5-Acre+ maximum density, and corresponding zoning designations of RG/40 and RDR/5.1. The number of proposed lots (12) is consistent with the maximum density calculation of 13.48, as yielded by the density calculation method required by Policy 36.0.4 (SC). Roadways are conditioned to be designed and constructed to meet fire department access requirements, consistent

with Policy 17.3.7(SC). Because the project is consistent with the above area plan policies, Finding 2 cannot be made.

Finding 3. *That the site is not physically suitable for the type of development.* The project geotechnical report indicates on-site soils are suitable for development of the site. The site consists of gently rolling topography, and of adequate size and dimension to accommodate the proposed lots, including building and septic envelopes. The subdivision will be served by a road of adequate width and construction to carry vehicles anticipated to access the site. Project technical reports indicate the project is suitable for septic systems, and for well water extraction. For above reasons, **Finding 3 cannot be made.**

Finding 4. *That the site is not physically suitable for the proposed density of development.* Project reports and county review have found the project is suitable for use of septic systems and well water extraction for the density proposed. The Public Works Department has reviewed road access to the project site, and has not indicated existing roads are inadequate to accommodate the amount of traffic anticipated to be generated by the subdivision at the density proposed. For the reasons above, **Finding 4 cannot be made.**

Finding 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.* The project is not located within an environmentally sensitive area, as defined by the South County Area Plan resource maps. Potential environmental impacts have been identified and addressed through mitigation measures. Mitigation Measure 1 will ensure that there will be no potential adverse environmental impacts to biological resources in the future when development may occur. This measure requires preconstruction surveys for sensitive, special status or protected species including nesting raptors, as well as other nesting birds. Mitigation Measure 2 requires the payment of traffic mitigation fees for potential traffic impacts of the project. For the reasons above, **Finding 5 cannot be made.**

Finding 6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems.* The project has been reviewed by the Environmental Health Division. Environmental Health has included conditions of approval for the project addressing potential public health issues, including requirements addressing water quality and septic system design, therefore **Finding 6 cannot be made.**

Finding 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.* No easements occur on the site, therefore, **Finding 7 cannot be made.**

Finding 8. *That the subdivision fails to meet any of the requirements or conditions imposed by the Subdivision Map Act or this Title (Title 19).* The project has been reviewed by County departments for conformance to Subdivision Map Act requirements. As conditioned, the project will conform to all applicable requirements; therefore, Finding 8 cannot be made.

- (b) The project is consistent with Title 19, Section 19.10.030, Design Standards. The project will result in a subdivision of a 132-acre parcel into ten 5.1 acre parcels, one 40-acre parcel, and a 40-acre remainder parcel consistent with the minimum 5.1 acres per dwelling unit. The lots are regular in shape, wider than 60 feet, deeper than 85 feet, are accessed by a private driveway and do not front on an existing street. No riparian corridors or waterways are located on or adjacent to the site.
- (c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency – Planning Department for the proposed development found in Project File PLN060014.
- (d) See above Findings and Evidence.

5. **FINDING:** **INCLUSIONARY HOUSING REQUIREMENT** – Subdivisions in Monterey County are subject to review by the Resource Management Agency – Housing and Redevelopment Office for conformance to the Inclusionary Housing Ordinance as codified in Chapter 18.40 of the Monterey County Code. .
- EVIDENCE:** (a) The project is subject to the County’s Inclusionary Housing Ordinance (#04185) codified in Section 18.40 of the County Code. Ordinance #04185 requires that residential projects provide a contribution to the Inclusionary Housing Program equal to 20% of the total number of residential units or lots proposed (remainder lots are exempt). In addition, the Ordinance requires that Inclusionary units be provided on the project site unless an alternative is specifically approved as part of the approval of the project with appropriate findings made part thereof.
- (b) The proposed project results in 11 new lots is therefore required to contribute 2.2 inclusionary units. A minimum of two inclusionary units will need to be constructed on-site, with one being a moderate income-level unit and the other being a low-income level unit. The remaining .2 fraction may be paid as an in-lieu fee. An Inclusionary Housing Agreement must be executed by the applicant prior to the recording of the Final Map. This agreement will set forth the specific requirements related to providing the inclusionary units, selling or renting those units and the payment of the in-lieu fee. The Agreement will be recorded on the entire subdivision
- (c) Memorandum from the County’s Housing and Redevelopment Office, dated January 26, 2006.
- (d) Materials in project file PLN060014.
6. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.
- EVIDENCE:** (a) Staff reviewed Monterey County RMA – Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
7. **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:** Preceding findings and supporting evidence.
8. **FINDING:** **APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.
- EVIDENCE:** Section 19.16.020.B of Title 19, Monterey County Subdivision Ordinance.

EXHIBIT D Monterey County Resources Management Agency Planning Department Condition Compliance and Mitigation Monitoring and Reporting Plan	Project Name: Kennedy File No: PLN060014 APN: 423-261-013 Approved by: Planning Commission Date: May 28, 2008
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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.		PD001 - SPECIFIC USES ONLY The project is a Standard Subdivision to divide one 132-acre parcel into ten 5.1 acre parcels, one 40-acre parcel, and a 40-acre remainder parcel. The property is located approximately 2.5 miles from intersection of Murphy Road and Lockwood-Bradley Road, Lockwood (Assessor's Parcel Number 423-261-013-000) South County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A Standard Subdivision (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 423-261-013-000 on May 28, 2008. The Standard Subdivision was granted subject to 59 conditions of approval which run with the land. A copy of the Standard Subdivision is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to recordation of the final map. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to recordation of the final map	
3.		PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning 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. (RMA - Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

<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>
4.		<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	

<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>
5.		PD005 - 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)	The applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.	Owner/ Applicant	Within 5 working days of project approval.	
			If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.	Owner/ Applicant	Prior to the recordation of the final map, the start of use or the issuance of building or grading permits	
6.		PD006 - 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 Department)	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	Immediately after recordation of the Final map so it will be recorded on each new parcel and prior to the issuance of any grading and building permits	
7.		PD015 - NOTE ON MAP-STUDIES A note shall be placed on the final map or a separate sheet to be recorded with the Final map stating that:	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	

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		<p>1. "Preliminary Geotechnical Engineering Report for Proposed 10 Parcel Residential Subdivision APN: 423-261-013, Lockwood vicinity of Monterey County" by Mid-Coast Geotechnical, Inc., dated December 22, 2005., and is on file in the Monterey County RMA - Planning Department.</p> <p>2. "Percolation Data Report for Proposed Eleven Lot Subdivision located at APN: 423-261-013 Lockwood vicinity of Monterey County, California." by Mid-Coast Geotechnical, Inc., dated January 8, 2006.</p> <p>3. Percolation Data Report for Tentative Parcels 7, 8 and 9, APN: 423-262-013, Lockwood vicinity of Monterey County prepared by Mid-Coast Geotechnical, Inc., dated June 8, 2006, and is on file in the Monterey County RMA - Planning Department.</p> <p>The recommendations contained in said 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. (RMA – Planning Department)</p>				
8.		<p>PD016 – NOTICE OF REPORTS</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder, which states:</p> <p>Preliminary Archaeological Reconnaissance of APN: 423-261-013, Lockwood Monterey County, California" prepared by Archaeological Consulting, dated November 15, 2005, and is on file in the Monterey County RMA - Planning Department.</p> <p>"Preliminary Geotechnical Engineering Report for Proposed 10 Parcel Residential Subdivision APN: 423-261-013, Lockwood vicinity of Monterey County" by Mid-Coast Geotechnical, Inc., dated December 22, 2005., and is on file in the Monterey County RMA - Planning</p>	Proof of recordation of this notice shall be furnished to RMA – Planning Department.	Owner/ Applicant	Immediately after recordation of the Final map so it will be recorded on each new parcel and prior to the issuance of any grading and building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>Department.</p> <p>“Percolation Data Report for Proposed Eleven Lot Subdivision located at APN: 423-261-013 Lockwood vicinity of Monterey County, California.” by Mid-Coast Geotechnical, Inc., dated January 8, 2006.</p> <p>Percolation Data Report for Tentative Parcels 7, 8 and 9, APN: 423-262-013, Lockwood vicinity of Monterey County prepared by Mid-Coast Geotechnical, Inc., dated June 8, 2006, and is on file in the Monterey County RMA - Planning Department.</p> <p>All development shall be in accordance with this report.”</p> <p>(RMA - Planning Department)</p>				
9.		<p>PDSP005 - DEED RESTRICTION – BEST MANAGEMENT PRACTICES</p> <p>Prior to the recording the final map the applicant shall record a deed restriction as a condition of project approval stating that:</p> <p>“Prior to any grading and construction and issuance of grading and building permits, throughout construction and ongoing, the owner/applicant and contractor and qualified biologist shall be adhere to following Best Management Practices (BMP’s) throughout construction activities to avoid impacts to the Central Coast Live Oak Riparian Forest habitat.</p> <ul style="list-style-type: none"> • No fill, soil dislodged through construction activities or 	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner/ Applicant	Immediately after recordation of the Final map so it will be recorded on each new parcel and prior to the issuance of any grading and building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>any other debris will enter areas of Central Coast Live Oak Riparian Forest habitat on the project site.</p> <ul style="list-style-type: none"> • Plastic sheet barrier fencing (silt fencing) shall be erected before the start of construction between the area of construction and the riparian corridor. • The area of riparian habitat along Pine Canyon Creek and the area immediately around it shall not be used as storage or staging areas for construction. • The area between the development envelope and the septic envelope and the riparian corridor shall be left in a natural state and vegetated with native plants of local origin. • Curbs, if present at the edges of roads, parking areas, or driveways, will be rolled. They should be at a low angle, 40° to 50° or less and have S-shaped rounded contours, to allow amphibians, reptiles, invertebrates and other small animals to cross them easily. <ol style="list-style-type: none"> 1. Prior to commencement of project construction issuance of grading or building permits, throughout construction and ongoing, the applicant and their designated contractor shall be responsible for implementing Best Management Practice's. 2. This mitigation monitoring measure shall be shown as a note on the plans. 3. A monitoring inspection shall occur prior to issuance of grading and/or building permits. Submit a report of inspection to the RMA – Planning Director for review and approval. 4. A monitoring inspection shall occur prior to occupancy or final permit. Submit a report of inspection to the RMA – Planning Director for review and approval.” <p>(RMA – Planning Department)</p>	<p>Proof of recordation of the document shall be submitted to the RMA – Planning Department. A note shall be shown on the plans.</p>	<p>Owner/ Applicant</p>	<p>Prior to issuance of grading and building permits</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>
10.		AFFORDABLE HOUSING - The project is subject to the County's Inclusionary Housing Ordinance, #04185, which requires that the project contribute 2.2 Inclusionary Housing Units. Prior to the recordation of the Final Map the project applicants/property owners 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 with one being at a moderate-income level and one being at a low-income level. The fractional .2 unit may be paid as an in-lieu fee. The Agreement shall address, but not limited to, the type and size of the units, the location of the units, 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 Agency)	An Inclusionary Housing Agreement must be executed by the applicant	Owner/ Applicant	Prior to the recording of the Final Map	
11.		WELL INSTALLATION / WATER SYSTEM PERMIT The applicant shall install wells on each parcel that meet quantity and quality requirements of Chapter 15.04 of the Monterey County Code. OR Obtain a new water system permit from the Division of Environmental Health to serve all parcels in this subdivision. (Environmental Health)	Submit necessary application, reports and testing results (quantity and quality per Chapter 15.04 of the Monterey County Code to the Environmental Health Division for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of building permit.	
12.		DEED NOTIFICATION – PERC REPORT A deed notification shall be recorded concurrently with the final/parcel map for all lots with the Monterey County Recorder which states: "Septic systems shall be installed per Percolation results done by Mid-Coast Geotechnical, Inc. dated June 8, 2006. (Environmental Health)	Submit proposed wording and forms to be recorded to EH and P&BI for review and approval. Record deed notification. Provide proof of recordation. Include deed notification language on final map.	Owner/ Applicant	Concurrentl y with filing of final map.	

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13.		DEED NOTIFICATION – PERC REPORT LOT 1 A deed notification shall be recorded concurrently with the final/parcel map for Lot 1 with the Monterey County Recorder which states: The percolation test done on Lot 1 was not within the proposed septic envelope. If the septic envelope is to be utilized a new percolation study must be done within the proposed septic envelope. An Environmental Health Specialist must witness this percolation test. Submit a new percolation report to the Director of Environmental Health for review and approval meeting the regulations found in Chapter 15.20 of the Monterey County Code. (Environmental Health)	Submit report to the Director of Environmental Health for review and approval. Include deed notification language on final map.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of building permits for Lot 1.	
14.		DEED NOTIFICATION – PERC REPORT LOTS 6, 7, AND 8 A deed notification shall be recorded concurrently with the final/parcel map for lots 6, 7 and 8 with the Monterey County Recorder which states: This lot will require a shallow septic system (no more than 5 feet deep) due to proximity of fault lines.” (Environmental Health)	Submit proposed wording and forms to be recorded to EH and P&BI for review and approval. Record deed notification. Provide proof of recordation. Include deed notification language on final map	Owner/ Applicant	Concurrentl y with filing of final map.	
15.		SEPTIC ENVELOPES Proposed septic envelopes for all parcels shall appear as part of the final/parcel map. Submit map to the Environmental Health Division for review and approval. Once approved the septic envelopes shall appear as part of the final/parcel map. (Environmental Health)	Submit map to EHD for review and approval. Once approved the septic envelopes shall appear as part of the final/parcel map.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final/parcel map.	
16.		WELLS All existing wells and proposed well sites shall appear as part of the final/parcel map. Submit map to the Environmental Health Division for review and approval. (Environmental Health)	Submit map to EHD for review and approval. Once approved all wells shall appear as part of the final/parcel map.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final/parcel map.	

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17.		WELL INFORMATION (NON-STANDARD) The applicant shall provide the Water Resources Agency information on the wells to serve each parcel of the project including a map showing the well locations and any available well logs/e-logs. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to the filing of the Final map	
18.		WELL EASEMENT The applicant shall provide an easement necessary to construct, maintain and access a dedicated groundwater monitoring well. Prior to recordation of the final map, the location of the easement and all applicable notes shall be approved by the Water Resources Agency. The approved easement and notes shall be recorded on the final map. (Water Resources Agency)	Submit a copy of the final map, to be recorded, that includes the location of the proposed easement and applicable notes. The approved easement and notes shall be recorded on the final map.	Applicant	Prior to recordation of the final map	
19.		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. (RMA-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 Final map	
20.		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	
21.		PW0017 – NATURAL DRAINAGE EASEMENT Designate all natural drainage channels on the final map by easements labeled “Natural Drainage Easement.” (RMA- Public Works)	Subdivider shall submit proposed final map to the Public Works Department prior to recordation to verify compliance	Subdivider	Prior to Recordation of Final map	

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22.		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 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	
23.		PW0020 – PRIVATE ROADS Designate all subdivision roads as private roads. (Public Works)	Subdivider’s Surveyor shall designate private roads on final map.	Subdivider	Ongoing	
24.		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	
25.		PW0022 – FIRE REQUIREMENTS FOR ROADS Improve roads in accordance with requirements of the local fire jurisdiction. (RMA- Public Works)	Subdivider shall submit improvement plans prepared by his Engineer to local fire jurisdiction and to DPW for approval. Roads to be constructed in accordance with approved plans.	Subdivider	Prior to Recordation of Final map	
26.		NON-STANDARD – TRAFFIC MITIGATION Prior to recordation of the final map, applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. (RMA- Public Works)	Pay the fee payable to Department of Public Works.	Owner/ Applicant	Prior to recordation of Final map	
27.		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	The Applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County	Owner/ Applicant	Prior to the Record-ation of the Final Map	

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		of land dedication. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D) (Parks Department)	Code.			
28		WELL INFORMATION (NON-STANDARD) The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to the filing of the Final map	
29.		WR7 - DRAINAGE NOTE A note shall be recorded on the final map stating: “Any future development requiring grading or building permits on these parcels will require a drainage plan to be prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall be submitted to the Water Resources Agency for approval.” The applicant shall provide the Water Resources Agency a copy of the map to be recorded. (Water Resources Agency)	Submit a copy of the final map to be recorded, with appropriate note, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to recordation of the final map	
30.		WR38 - ROAD AND DRAINAGE MAINTENANCE AGREEMENT Developer shall have the sole responsibility for the care, maintenance, and repair of road and drainage improvements installed as a condition of approval of the subdivision. Upon each conveyance of each lot in the subdivision, developer shall be jointly obligated with the succeeding owners to perform such obligation pro rated on the basis of the remaining number of lots still owned by the developer. Developer’s obligation shall cease upon the conveyance of the last lot in the subdivision. Prior to filing the final map, a copy of a signed and notarized Road and Drainage Maintenance Agreement shall be provided to the Water Resources Agency for	Submit the signed and notarized original Agreement to the Water Resources Agency for review and approval prior to recordation. (A copy of the County’s standard agreement can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to filing the final map.	

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		approval. The agreement shall be recorded concurrently with the final map. (Water Resources Agency)				
31.		<p>WR40 - WATER CONSERVATION MEASURES</p> <p>The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices.</p> <p>(Water Resources Agency)</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
32.		<p>WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS</p> <p>A notice shall be recorded on the deed for each lot stating: "All new construction shall incorporate the use of low water use plumbing fixtures and drought tolerant landscaping, in accordance with County Water Resources Agency Ordinance No. 3932." Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency)</p>	<p>Submit a recorded notice to the Water Resources Agency for review and approval.</p> <p>(A copy of the County's standard notice can be obtained at the Water Resources Agency.)</p>	Owner/ Applicant	Recordation of the notice shall occur concurrently with the final map	

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33.		WR42 - LANDSCAPING REQUIREMENTS A notice shall be recorded on the deed for each lot stating: “The front yards of all homes shall be landscaped at the time of construction. Low water use or drought tolerant plants shall be used together with water efficient irrigation systems.” Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency)	Submit the 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		
34.		WR44 - WATER USE INFORMATION 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. (Water Resources Agency)	Submit the WUNIQ to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing the final map	
35.		WR36 - HOMEOWNERS ASSOCIATION CC&R’S 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 the County Water 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. (Water Resources Agency)	Submit the CC&R’s to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing of final map	
36.		WR37 - DRAINAGE & FLOOD CONTROL SYSTEMS AGREEMENT 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	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	Owner/ Applicant	The agree-ment shall be recorded concur-rently with the final map	

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		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 Drainage and Flood Control Systems Agreement shall be provided to the Water Resources Agency for approval. (Water Resources Agency)	Water Resources Agency.)			
37.		WR46 - C.C.&R. WATER CONSERVATION PROVISIONS The applicant shall provide the Water Resources Agency with a copy of the subdivision Covenants, Conditions and Restrictions containing the following provisions from Monterey County Ordinance No. 3932: “All new construction incorporate the use of low water use plumbing fixtures including, where applicable, hot water recirculation systems; 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; leak repair is the property owner’s responsibility; vehicle and building washing shall use hoses equipped with shutoff nozzles; no potable water to be used for sidewalk 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.” (Water Resources Agency)	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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38.		ROAD IMPROVEMENT PLAN The applicant shall provide the Water Resources Agency a road improvement plan with supporting drainage calculations prepared by a registered civil engineer. The plan shall include cross-sections showing existing and proposed conditions. At stream crossings, road drainage facilities shall be designed to convey runoff resulting from a 100-year storm event. Plans shall be submitted to the Water Resources Agency for approval, and necessary improvements shall be constructed in accordance with approved plans. (Water Resources Agency)	Submit 3 copies of the road improvement plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading permits	
39.		WELL INFORMATION The applicant shall provide the Water Resources Agency information on the well(s) to serve the project including a map showing well location and any available well logs/e-logs. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing the final map	
40.		WASTE MANAGEMENT PLAN 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 products, fertilizers, solvents, pesticides, paints and cleaners. (Water Resources Agency)	Submit the plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing the final map	
41.		FIRE 030-OTHER NON-STANDARD CONDITIONS- All future improvements or building must meet the most current adopted fire code at that time. (CDF -South County Fire District)	Contact the fire Department to obtain fire requirements.	Owner/ Applicant	Prior to issuance of a grading and building permit	

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42.		FIRE001 - ROAD ACCESS 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 nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (CDF -South County Fire District)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
43.		FIRE002 - ROADWAY ENGINEERING The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. 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. Roadway 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 60 feet in length. (CDF - South County Fire District)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
44.		FIRE005 - DEAD-END ROADS (3) For parcels greater than 5 acres and not exceeding 20 acres, the maximum length of a dead-end road, including	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on	Applicant or owner	Prior to issuance of grading	

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		all dead-end roads accessed from that dead-end road, shall not exceed 2640 feet. 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 furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than 1320-foot intervals. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the “T” shall be a minimum of 60 feet in length. (CDF -South County Fire District)	plans. Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	and/or building permit. Prior to final building inspection	
45.		FIRE006 - DEAD-END ROADS (4) For parcels greater than 20 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 5280 feet. 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 furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than 1320-foot intervals. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the “T” shall be a minimum of 60 feet in length. (CDF - South County Fire District).	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans. Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to final building inspection	
46.		FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8	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.	

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		percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For 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 curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the “T” shall be a minimum of 60 feet in length (CDF -South County Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
47.		FIRE008 - GATES 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	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.	

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		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. (CDF -South County Fire District).	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
48.		FIRE010 -ROAD SIGNS 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 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	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 the phase of the subdivision.	

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		be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. (CDF - South County Fire District)				
49.		FIRE011 - ADDRESSES FOR BUILDINGS 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 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. (CDF -South County Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of building permit. Prior to final building inspection	
50.		FIRE012 - EMERGENCY WATER STANDARDS - WATER SYSTEMS The provisions of this condition shall apply when new	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of permit.	

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		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 (CDF -South County Fire District)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
51.		FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL) For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and	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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		immediately available. (CDF -South County Fire District)				
52.		<p>FIRE015 - FIRE HYDRANTS/FIRE VALVES</p> <p>A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (CDF -South County Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	
53.		<p>FIRE016 - SETBACKS</p> <p>All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	

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		standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (CDF -South County Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
54.		FIRE017 - DISPOSAL OF VEGETATION AND FUELS Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit. (CDF -South County Fire District).	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
55.		FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Remove combustible vegetation from within a minimum of ____ feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning. (CDF -South County Fire District).	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
56.		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	

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		issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. Responsible Land Use Department: CDF South County.				
57.		FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (CDF -South County Fire District)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
MITIGATION MEASURES						
58.	MM-1	A note shall be placed on the final map or a separate sheet to be recorded with the Final map, and a deed restriction simultaneously recorded on each new parcel, stating that: No more than 30 days prior to start of any grading and construction, and issuance of any grading and building permits, pre-construction surveys shall be conducted for nesting birds within 300 feet of proposed construction activities if construction is to be initiated between February 15 and August 1. If nesting raptors (or any other nesting birds) are identified during the pre-construction surveys, CDFG shall be contacted for an appropriate buffer that will be imposed within which no construction activities or disturbance can take place (generally 300 feet in all directions for raptors; other avian species may have species specific requirements) until the young of the year have fledged, as determined by a qualified biologist. Alternatively, construction activities that may affect nesting raptors or other	No more than thirty days prior to start of any grading or construction and prior to the issuance of a grading or building permitS, a qualified biologist listed on the Monterey County Resource Management – Planning consultant list, shall conduct a visual survey of the project site. The biologist shall attach a letter to the survey which states that the survey follows Department of Fish and Game survey protocol. Applicant shall submit the survey to the Director of Planning for review and approval.	Applicant or owner and Qualified Biologist listed on the Monterey County RMA – Planning consultant list	No more than thirty days prior to start of any grading and construction, and issuance of any grading and building permits	

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		protected avian species can be timed to avoid the nesting season. The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA – Planning Department)				
59.	MM-2	Prior to the recordation of the final map, the applicant shall pay the project's share for the Transportation Agency of Monterey County's (TAMC) regional traffic mitigation fee for improvements to the regional circulation network. (RMA- Public Works)	Submit payment to the Public Works Department for the Transportation Agency of Monterey County for review and approval.	Owner/ Applicant	Prior to the recordation of the final map	