

**RECOMMENDED RESOLUTION
COMBINED DEVELOPMENT PERMIT (PLN980516)**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

MOHSIN/SAMOSKE (PLN980516)

Resolution No. 09016

Resolution of the Monterey County Planning Commission recommending to the Monterey County Board of Supervisors to approve a Combined Development Permit including a Standard Subdivision to subdivide:

- A. A 17-acre parcel (APN 167-061-029-000/Samoske) into three parcels consisting of 7.0 acres (Parcel A), 5.0 acres (Parcel B), and 5 acres (Parcel C); and
- B. A 249-acre parcel (APN 167-061-033-000/Mohsin) into 11, 5-acre parcels (LDR/5) plus one remainder parcel totaling 194 acres (PG/40)

The properties are located at 874, 884 and 870 River Road, (APN: 167-061-029-000, 167-061-033-000, and 167-061-032-000), Toro Area Plan.

A Combined Development Permit (PLN980516) came on for public hearing before the Monterey County Planning Commission on December 10, 2008, January 28, 2009 and March 11, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission forwards the following recommendation to the Board of Supervisors:

FINDINGS

- 1. **FINDING:** **CONSISTENCY** – The Project (see Attachment 1), as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) The text, policies, and regulations in the Monterey County General Plan, Toro Area Plan, Toro Area Plan Inventory and Analysis, Monterey County Subdivision Ordinance (Title 19), and the Monterey County Zoning Ordinance (Title 21) have been evaluated during the course of review of applications. To

ensure that the project is consistent with the General Plan, Toro Area Plan, and zoning, amendments have been proposed to the General Plan, Toro Area Plan, and zoning. The Planning Commission has made recommendations on these proposed amendments prior to recommending approval of this Combined Development Permit.

- b) The project involves three parcels located along the foothills west of River Road north of Chualar River Road:
 - APN: 167-061-029-000/Samoske - 17-acre parcel designated Farmland, 40 acre minimum (F/40)
 - APN: 167-061-033-000/Mohsin - 249-acre parcel designated Permanent Grazing, 40 acre minimum (PG/40).
 - APN: 167-061-032-000/Riehl - 52 parcel designated Permanent Grazing, 40 acre minimum (PG/40).
- c) Pursuant to Section 21.66.010(D) of the Monterey County Zoning Ordinance, no ridgeline development would occur as a result of the proposed project. The proposed zone change will include a visually sensitive "VS" overlay on the residential lots that will require proposed development to meet the county visual resource guidelines. No development is proposed at this time.
- d) As designed, the proposed project would not impact any slopes that are 30% or greater.
- e) The project planner conducted a site inspection on August 6, 2006 to verify that the project on the subject parcel conforms to the plans listed above as proposed to be amended.
- f) On February 15, 2005, the Monterey County Board of Supervisors adopted resolution 05-024 and 05-071 finding that the proposed project was consistent with General Plan and Toro Area Plan policies. As a result of ensuing litigation on the project, the Board of Supervisors set aside these resolutions; however, in the litigation, the court did not rule on the consistency issue. As stated in the prior resolutions, the project is consistent with the General Plan growth policies because, among other reasons, the proposed project clusters low density development around an existing nucleus of previously developed parcels. To further clarify the uses and limitations of uses on the property, the County has since proposed an additional Toro Area Policy to establish a Special Treatment Area. The project is consistent with the General Plan and Toro Area Plan as proposed to be amended concurrent with the action on the Combined Development Permit.
- g) The proposed project is consistent with the following General Plan policies:
 - 1. **Policy 26.1.2 - The County shall discourage premature and scattered development.** The proposed project includes the adoption of Policy 30.1.1.2 as part of the Toro Area Plan,

which designates the proposed project site as a Special Treatment Area (STA). Clustered, low density residential development is consistent with the proposed STA and with surrounding 5-acre lots. Therefore, the proposed project is consistent with Policy 26.1.2 of the General Plan.

2. **Policy 26.1.4 - The County shall designate growth areas only where there is provision for adequate levels of service and facilities such as water, sewage, fire and police protection, transportation, and schools. Phasing of development shall be required as necessary in growth areas in order to provide a basis for long-range services and facilities planning.** Public facilities and services required for new residential development are based on population generated by the development and include parks, police services, fire services, and school facilities. The service providers for these services review the project for compliance with their existing and future requirements and are ultimately responsible for the provision of such services. While the proposed project is being proposed in an area that is surrounded primarily by land used for agricultural purposes, the proposed project site is currently served by public services, utilities, and roads; the need for new services for the proposed subdivision is not anticipated to cause significant impacts to service providers (see Chapter IV.I, Public Services; Chapter IV.K, Utilities and Service Systems; and Chapter IV.J, Traffic and Transportation). The proposed project is, therefore, consistent with General Plan Policy 26.1.4.
3. **Policy 26.1.14 - The County shall encourage that development be annexed to existing cities where annexation will facilitate the logical and economical provision of services, if annexation is feasible.** Policy 26.1.14 is not directly applicable to the proposed project. The proposed project is not adjacent to an existing city (the City of Salinas is 12 mi away). Therefore it is neither logical nor economical to consider annexing the proposed project; annexation would create a fracture of incorporated and unincorporated designated property and could cause inconsistencies with the adopted policies applicable to the General Plan and the Toro Area.
4. **Policy 26.1.15 - Only very low density development shall be allowed outside of urban service areas, areas of development concentration designated in accordance with the County's adopted Growth Management Policy, and outside of the County's existing unincorporated communities.** The proposed project is consistent with its

growth policies because the proposed project clusters low density development around an existing nucleus of previously developed parcels. Providing services to the existing parcels and new parcels is facilitated by their location in an area that is near the Chualar River Road and has access to both Highway 101 and Highway 68 via River Road. In addition, the proposed project includes the adoption of Policy 30.1.1.2 as part of the Toro Area Plan, which designates the proposed project site as a STA. Clustered, low density residential development is consistent with the proposed STA. Therefore, the proposed project is consistent with Policy 26.1.15 of the General Plan.

5. **Policy 27.1.1 - Sufficient areas for residential use shall be designated consistent with the County's growth policies and projections.** The purpose of Policy 27.1.1 is to ensure that the County has set aside sufficient area to accommodate projected growth for different income categories. The accommodation for higher density housing has occurred in other parts of the county, but does not preclude additional housing units at lower densities in other areas. In addition, the proposed project includes the adoption of Policy 30.1.1.2 as part of the Toro Area Plan, which designates the proposed project site as a STA. Low density residential development is consistent with the proposed STA. Therefore, the proposed project is consistent with Policy 27.1.1.
6. **Policy 27.1.2 - The County shall limit residential development in areas that are unsuited for more intensive development due to the presence of physical hazards and development constraints, the necessity to protect natural resources, and/or the lack of public services and facilities.** The environmental analysis of the proposed project (see Chapters IV.A through IV.L) did not identify any potential physical hazards associated with the proposed project or the site of the proposed project other than those common to all parts of Monterey County, such as seismic hazards. For example: (1) The Geotechnical Soils-Foundation and Geologic Hazards Report concluded that the project was suitable for construction of single-family dwellings, subject to common earthquake-resistant construction techniques as referenced in the report; (2) the Hydrogeologic Report determined that the specific yield of the aquifer would not be exceeded by the project; and (3) the analyses of public services, utilities, and service systems did not identify the lack of any public services or facilities associated with the proposed project. Therefore, the proposed project is consistent with Policy 27.1.2.

7. **Policy 27.1.3 - Residential development should be concentrated in growth areas.** Policy 27.1.3 indicates that higher density development should be centered around growth areas as designated in the General Plan. However, Policy 27.1.3 does not preclude lower density development outside of the designated growth areas. Under the 1982 General Plan, the county has residential enclaves around the county that are supplemental to the concentrated and planned high density growth areas. For example, portions of the River Road corridor are designated for residential growth, but are not considered to be located in “growth areas”. The proposed project will expand the residential area that is adjacent to the project site, which is part of the River Road corridor. In addition, the proposed project includes the adoption of Policy 30.1.1.2 as part of the Toro Area Plan, which designates the proposed project site as a STA. Low density residential development is consistent with the proposed STA. Therefore, the proposed project is consistent with Policy 27.1.3.
8. **Policy 27.2.1 - Residential areas shall be located with convenient access to employment, shopping, recreation, and transportation.** The project area is approximately 12 miles from Salinas, the nearest urban center. However, the distance between the proposed project and access to employment, shopping, recreation and transportation is not unique in that many of the residents who live in the Toro Area either work in Salinas or the Monterey Peninsula. The Monterey Peninsula is approximately 20 mi from the project site. Furthermore, employment in the Toro Area occurs throughout the Area and not just in urban centers. In designating the residential areas in the Toro Plan, the Board of Supervisors found that the residential areas were consistent with the General Plan and Toro Area Plan policies. Therefore, the proposed project is consistent with Policy 27.2.1.
9. **Policy 30.0.3 - The County shall allow division of viable farmland designated as prime, of statewide importance, unique, or of local importance only for exclusive agricultural purposes when demonstrated not to be detrimental to the agricultural viability of adjoining parcels.** The proposed project would be located on lands that, according to the most recent map (2004) prepared by the California Department of Conservation’s Farmlands Mapping and Monitoring Program, are classified as “Other Lands” and “Grazing Lands” (see the Project Impacts discussion in Chapter IV.B, Agricultural Resources). The proposed project area does not contain any Prime Farmland,

Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. Therefore, the proposed project would not result in the division of viable farmland that is designated as prime, unique, or of State or local importance. Furthermore, low-density rural development is considered a typical use for land that is categorized as "Other Land." On February 26, 2009, the AAC voted 8-0 to reaffirm their action regarding the agricultural viability of the parcels. That action determined that the parcels could generally be considered suitable for vineyards/orchard and grazing but not row crops. Therefore, the proposed project is consistent with Policy 30.0.3.

10. **Policy 30.0.4 - The County shall make every effort to preserve, enhance, and expand viable agricultural land uses on farmland designated as prime, of statewide importance, unique, or of local importance through application of the "agricultural" land use designation and encouragement of large-lot agricultural zoning.** The proposed project would be located on lands that, according to the most recent map (2004) prepared by the California Department of Conservation's Farmlands Mapping and Monitoring Program, are classified as "Other Lands" and "Grazing Lands." The proposed project area does not contain any Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. Implementation of the proposed project would not convert Prime or Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance to non-agricultural uses. Furthermore, while the lands proposed for development are zoned for agricultural purposes, according to the Agricultural Suitability and Land Capability Assessment prepared for the proposed project, the property has a low suitability for farming use. On February 26, 2009, the AAC voted 8-0 to reaffirm their action regarding the agricultural viability of the parcels. That action determined that the parcels could generally be considered suitable for vineyards/orchard and grazing but not row crops. Therefore, implementation of the proposed project would not have a significant impact on the County's goal of preserving, enhancing, and expanding viable agricultural land uses on farmland designated as prime, of statewide-importance, unique, or of local importance. Therefore, the proposed project is consistent with Policy 30.0.4.

- h) The proposed project is consistent with the following Toro Area Plan policies:
1. **To preserve the essential rural quality of life.**

Development will be limited to the creation of a clustered, rural density, residential subdivision consistent with the surrounding residential development. No more than 13 new residential lots may be created and shall be clustered on the lower 72 acres of land closest to River Road. The lots shall be a minimum of 5 acres. Under the proposed Special Treatment Area policy to be added to the Toro Area Plan, agricultural buffers shall be established where applicable taking into account conditions such as the type of adjacent agriculture use, topography, and climate with the intent to protect agricultural operations from impacts of non-agricultural uses. An Agricultural Buffer Plan, to be approved by the Agricultural Commissioner, shall be required for any proposed subdivision within the Special Treatment Area. A revised 200 foot/50 foot buffer plan was presented to the AAC on February 26, 2009. The AAC voted 5-3 to recommend approval of the revised buffer.

Development of the residential properties shall be required to comply with visual sensitivity policies of the Toro Area Plan. The upper 194 acres shall remain as permanent grazing with a habitat and scenic conservation easement over at least 150 acres, including areas where slopes exceed 30%. Therefore, the proposed project is consistent with this goal.

2. **To preserve important visual elements that give the Toro Area its identity.** The proposed land-use change from agriculture to low-density residential could have an adverse impact on the scenic quality of the River Road corridor, including views from US 101 and Chualar River Road by dividing the open agricultural areas into a suburban pattern of development with 5-acre (ac) residential lots (LDR/5) served by paved roads and cul-de-sacs. The resulting residential uses have the potential to further break up and degrade the existing pastoral vista by the use of property line fences, the introduction of nonnative plant species, and outdoor storage areas. To mitigate potential visual impacts, all property proposed for the LDR/5 zoning designation would also be rezoned to the Visual Sensitivity Zoning District. The Visual Sensitivity Zone designation means that if development were proposed, the development would need to be designed so that it would not adversely affect the natural scenic beauty because, to approve development in a VS district, the County must find that the proposed development would not adversely affect the natural scenic beauty of the area (See Title 21, Chapter 21.46). With strict adherence to the regulations provided in Chapter 21.46 of the Monterey Zoning Ordinance, which are geared towards

protecting the scenic resources of Monterey County, the proposed project would not have a substantial adverse impact on scenic vistas. Therefore, the proposed project is consistent with this goal.

3. **Native trees, ridgeline, frontal slopes, and scenic road corridors are especially critical.** Approximately 27 percent of the project site would be developed with up to 13 single-family homes. [or 14, counting the home there now?] The homesites would be developed on the lowest elevations of the project site with the majority of the property at higher elevations protected by a scenic easement. Because the area proposed for development is lower in elevation and less visible than the surrounding hills and the open hillsides would be retained as open space, the construction of homes on the project site would not significantly block existing distant views and vistas. The Monterey County General Plan currently allows a primary single-family residence to be built up to 30 ft in height and an accessory structure to be built up to 15 ft in height. The proposed project would therefore be visible from nearby public roads, such as US 101 and River Road, and would have an adverse impact on scenic views and vistas from these public roads; however, though the use of the Visual Sensitivity Zoning designation to ensure that homesites are sensitive to the surrounding natural and scenic environment, the proposed project would have a less than significant effect on scenic views and vistas. The proposed project would not affect significant visual resources in the proposed project area such as rock outcroppings or historic buildings; therefore, impacts to significant visual resources would be less than significant and the proposed project is not inconsistent with this goal.
4. **Road improvements should enhance scenic corridors and promote pedestrian circulation and safety.** The road improvements would be developed on the lowest elevations of the project site and the majority of the property at higher elevations protected by a scenic easement. A mitigation measure would require the removal or trimming of brush at the project driveway off River Road which will increase the sight distance and promote pedestrian safety. Therefore, the proposed project is consistent with this goal.
5. **Where relatively large undeveloped areas still predominate, the plan does not encourage higher density growth.** Development will be limited to the creation of a clustered, rural density, residential subdivision consistent with the surrounding residential development. The majority of the property at higher elevations protected by a scenic

easement. Therefore, the proposed project is consistent with this goal.

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, Salinas Rural Fire Protection District, Sheriff, Parks Department, Public Works, Environmental Health Division, Water Resources Agency, Housing & Redevelopment and Agricultural Commissioner. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated as conditions of project approval.

b) Monterey County Geographic Information System which shows that the property is outside of any 100 year flood zone as mapped by the Federal Emergency Management Agency (FEMA).

c) Technical reports by consultants and subject matter experts indicate that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:

- Agricultural Suitability and Land Capability Assessment, Avila, Pisoni and Samoske Properties, Rush, Macroft and Associates, 1997-1998.
- Memorandum from Bob Roach, Agricultural Commissioner's Office regarding the Agricultural Suitability and Land Capability Assessment dated February 12, 2009.
- Geotechnical Soils-Foundation and Geologic Hazards Report for the Avila, Pisoni and Samoske Subdivisions, Grice Engineering, Inc., June 1998.
- Stormwater and Ground Water Impacts for the Avila, Pisoni and Samoske Subdivisions, Grice Engineering Inc., June 1998.
- Project Application File PLN980516 slope density map.
- An archeological survey entitled "Preliminary Archaeological Reconnaissance of Assessor's Parcel Number 167-061-025 and 167-061-029 River Road, Monterey County, California by Mary Doane and Trudy

Haversat, SOPA, June 18, 1997 which found that no archaeological resources existed on this site.

- d) Staff conducted a site visit on August 6, 2006 to verify that the site is suitable for this use.
- e) 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 PLN980516.

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

- EVIDENCE:**
- a) The project has been reviewed by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Sheriff, Parks Department, Public Works, Environmental Health Division, Water Resources Agency, Housing & Redevelopment and Agricultural Commissioner. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Preceding findings and supporting evidence for PLN980516.

4. **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.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
 - b) Staff conducted numerous site visits to verify that there are no violations on the subject parcel.
 - c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project Files PLN980516.

5. **FINDING:** **SUBDIVISION** – Section 66474 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the Monterey County Code requires that a request for subdivision be denied if any of the following findings are made:

- 1. That the proposed map is not consistent with the applicable general plan, area plan, coastal land use plan or specific plan.

2. That the design or improvement of the proposed subdivision is not consistent with general plan, area plan, coastal land use plan or specific plan.
3. That the site is not physically suitable for the type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

None of the above findings are proposed to be made, for the reasons set out below.

- EVIDENCE:**
- a) Lots, building sites and improvements have been designed to meet the standards and requirements of the Subdivision Ordinance (Title 19).
 - b) The project is consistent with the Lot Design Standards of Section 19.10.030. The design and improvement of the subdivision complies with applicable provisions of the Subdivision Ordinance (Title 19), Zoning Ordinance, General Plan, as amended and Toro Area Plan, as amended.
 - c) **The proposed tentative map is consistent with the applicable general plan, area plan, coastal land use plan or specific plan.** The application includes a proposed amendment to the General Plan and Toro Area land use plan Figures 13a and 10 and a new Toro Area Plan policy to establish a Special Treatment area. With these amendments, the proposed subdivision is consistent with the General Plan and area plan.. The proposed subdivision and design are consistent with the land use designation of Low Density Residential/5 acre minimum parcel size in the Monterey County General Plan and the Toro Area Plan. The Tentative Subdivision Map contained in Planning File PLN980516 indicated that all lots will be at least 5.0 acres in size or larger. *See Finding 1.*
 - d) **The design or improvement of the proposed subdivision is consistent with general plan, area plan, coastal plan or specific plan.** The application includes proposed Zone Changes to amend the zoning of the proposed subdivision to: LDR/5-VS (Low Density Residential-5 acre minimum parcel size with Visual Sensitivity zoning. The proposed Standard Subdivision

meets the requirements of and conforms to the standards for the LDR/5-VS "Low Density Residential zoning with 5.0 acre minimum parcel sizes and Visual sensitivity" zoning district applied to the property. Title 21.46.010 of Monterey County Code explaining the purpose of the "VS" or Visual Sensitivity District as being: "The purpose of this Chapter is to provide district regulations for the review of development in those areas of the County of Monterey in which such development could potentially create adverse visual impacts when viewed from a common public viewing area." *See Finding 1.*

- e) **The site is physically suitable for the type of development.** The lands proposed have existing natural slopes from 2% to 6% and are therefore relatively flat. The project provides home sites requiring little or no grading. Monterey County Geographic information System shows that the property is outside of any 100 year flood zone as mapped by the Federal Emergency Management Agency (FEMA). An archaeological survey entitled "Preliminary Archaeological Reconnaissance of Assessor's Parcel Number 167-061-025 and 167-061-029 River Road, Monterey County, California by Mary Doane and Trudy Haversat, SOPA, June 18, 1997 which found that no archaeological resources existing on this site. Stormwater Drainage and Ground Water Impacts for the Avila, Pisoni and Samoske Subdivision, Grice Engineering Inc., June 1998 indicates adequate safe leach field and percolation rates for septic effluent. Geotechnical Soils-Foundation and Geologic Hazards Report for the Avila, Pisoni and Samoske Subdivisions, Grice Engineering Inc., June 1998 contains recommendations for the foundations and construction to withstand expected seismic events. *See Finding 2.*
- f) **The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** The Draft EIR (page IV-80) states that potential impacts to biological resources from the proposed project will be mitigated to levels that are less than significant with implementation of the proposed mitigation measures. Therefore, no significant impacts associated with biological resources will remain after implementation of all standard conditions and mitigation measures.
- g) **The design of the subdivision or type of improvements is not likely to cause serious public health problems.** The land is at sufficient elevation that it is not subject to inundation or flood hazard from the Salinas River. The Geotechnical report prepared for the subdivision indicated that the land is an old alluvial fan, but that the water table is sufficiently low that the

hazard from liquefaction is low and that problems from seismically induced ground shaking are moderate. The subdivision source capacity and water quality of the water supply as reviewed and conditioned by the Health Officer pursuant to Title 19.03.015 of the Monterey County Code meets the requirements of all applicable health and safety regulations. The project hydrogeologic report states water quality test results indicate the supply well has high water quality and recent testing found all Title 22 parameters to be below the State's Maximum Contaminate Levels (MCLs). Further, Nitrogen loading estimates indicate the total nitrogen loads are substantially lower than the maximum allowable loading rates established by the County of Monterey and the Regional Water Quality Control Board, and the project will result in only a minor increase existing levels, and remain below allowable loading rates ("Hydrogeologic Report for the Mohsin and Samoske Subdivision, Grice Engineering Inc., September 2003"). As stated above, water is presently consumed for residential and pasture uses, and is estimated by the hydrogeologic report to be 64.80 AFA. The report estimates project water use to diminish to 35.62 AFA, and potentially to 12.45 AFA if xeriscape landscaping methods are used. The reason for the reduction is grazing uses on the property would cease, and be replaced with residential uses which use less water.

- h) **The design of the subdivision or the type of improvements will not conflict with an easement acquired by the public at large, for access through or use of, property within the proposed subdivision.** The Tentative Map contained in PLN980516 shows all easements. The Preliminary Title Report describes easements pertaining to pole lines, access and utilities which are shown on and maintained in the Tentative Map. The conditions of approval require easements for all public utilities serving the site. There is a 25-foot wide cattle drive easement across the remainder parcel reserved in favor of the Pedrazzi family cattle drive to pass through the Mohsin property.
- i) **The subdivision meets the requirements or conditions of the Subdivision Map Act and the Subdivision Ordinance (Title 19).** Government Code §66426 "A Tentative and Final Map shall be required for all subdivisions creating five or more parcels..." This project creates 14 new parcels and a remainder, Parcel "A". Government Code §66426 Local Agencies to regulate and Control the Design of subdivisions. Title 19 of Monterey County Code requires the information and Provisions in accord with Government Code §66411.
- j) Conditions of approval require the applicants to assure long-term maintenance of the improvements by use of a homeowners

association (see **Attachment 1**).

- k) 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. The project consists of the subdivision of a 55-acre site into 11 five-acre residential parcels and a subdivision of a 17-acre parcel into two parcels of five acres and one parcel of seven acres. Two existing residences are currently located on the project site. The project site is located on River Road, in the Toro Planning Area. The project application was deemed complete in November of 1999, which was prior to the effective date of the County's current Inclusionary Ordinance (#04185) and is therefore subject to the prior Ordinance #3419. Ordinance #3419, requires that all development resulting in residential units or lots contribute to the Inclusionary Housing Program, in an amount equal to 15% of the total number of lots/units being created, (that are not determined to be exempt). The Ordinance further allows the developer to select the form of compliance including the payment of an in-lieu fee instead of supplying Inclusionary units. The in-lieu fee is based on the adopted Inclusionary In-Lieu Fee Schedule in effect at the time that the project application was deemed complete by the County. This project will result in total of 14 lots, however the two existing residences are exempt. The project is therefore subject to compliance for 12 lots/units, which equals 1.8 Inclusionary units. The project application indicates that the applicant is electing to pay an In-Lieu fee for compliance. The In-Lieu fee is calculated based on the fee schedule that was in effect at the time that the application was deemed complete (1994 In-Lieu Fee Schedule). Memorandum from the County's Housing and Redevelopment Office, dated October 2, 2008.
- l) Section 19.12.010 - Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, requires the applicant to pay a fee in lieu of land dedication. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D).
- m) The proposed project has the potential to site distances and traffic safety along River Road as well as certain road segments and contribute to regional traffic for the area. Mitigation Measures TRA1 –TRA4 apply fair share contribution requirements for this project. [Also refer to the condition that requires applicant to clear the brush to help with site distances)

3. **FINDING:** **REVIEW PROCESS** – The project was submitted to the Toro Area Land Use Committee, Subdivision Committee,

Agricultural Advisory Committee and Planning Commission for review.

- EVIDENCE:**
- a) The project, and changes thereto, has been referred to the Toro Land Use Advisory Committee (LUAC) on three occasions: October 13, 1998: voted 3-1-1-0 opposing the proposed project. July 8, 2002: voted 3-2 supporting a proposed change of the General Plan land use designation and rezoning from agricultural to low density residential designations. November 10, 2008: voted 7-1 supporting the Lot Line Adjustment and 8-0 opposing the General Plan Amendment, Rezoning, and Combined Development Permit.
 - b) On October 30, 2008, the Standard Subdivision Committee held a duly noticed public hearing and considered the Draft EIR and the Recirculated Portion of the Draft EIR with the Mitigation Monitoring and Reporting Program. The Committee voted 5-1-0 to recommend that the Planning Commission adopt Findings and Evidence approving the Lot Line Adjustment subject to conditions of approval.
 - c) The proposed project was presented to the Agricultural Advisory Committee (AAC) to address agriculturally related issues such as agricultural buffers and conversion of agricultural lands. The AAC held a hearing on December 4, 2008 and continued the matter to January 22, 2009 following a site visit on December 11, 2008. On January 22, 2009, the AAC took the following actions:

Agricultural Viability Report: The AAC noted that the report concluded that the viability for the project was an “8” for the lower (Samoske) property and a “6” for the Mohsin property, and that this is based on science by a reputable consultant. These ratings are out of a possible 30 with higher numbers being better suited for farming. Having also visited the site, the AAC acknowledged that the lands could be used for grapes and grazing, but not for row crops. The AAC voted 9-0 finding that the Ag Viability Report is adequate.

Conversion of Agricultural Lands: Public testimony raised issue for potential impact on nearby Williamson Act lands and growth pressure in general to continue conversion of Ag lands in this area. The proposed project is designed with 5-acre lots that could allow limited agriculturally-related uses such as limited equestrian/livestock or small vineyards. This is consistent with the existing 5-acre lots abutting the 55-acre portion of the Mohsin property. In addition, approximately 200 acres would remain PG with $\frac{3}{4}$ (150 acres) of that land being placed in a permanent agricultural conservation easement. The

AAC voted 8-1 to support the proposed conversion as designed.

Agricultural Buffers: The AAC had generally supported honoring the 200 foot standard. However, the Committee recognized that different conditions warrant reducing the required set back:

Mohsin Property: To the north, there is a ravine that provides a natural buffer from Riehl property (PG/40). Part of this property abuts existing residential 5-acre properties and vineyards are located south of the site (Knott property). On a 7-2 vote, the AAC found that based on the topography, climate (e.g. prevailing wind), and surrounding conditions, the proposed 100 foot buffers were adequate. The AAC further recommended that building envelopes be situated toward the north (e.g. toward the existing 5-acre parcels) to effectively create a larger buffer from the vineyards to the south.

Samoske Property: The AAC raised concern on reducing this set back matter due to active major Ag operations located to the north (Pedrazzi property). On a 7-2 vote, the AAC recommended denial of the proposed 75-foot buffers/mitigation. Upon further discussion, they felt that a full 200 feet was required from the Pedrazzi property due to the active cattle operation there.

- d) A revised 200 foot/50 foot buffer plan and agricultural viability assessment memorandum from the Deputy Agricultural Commissioner was presented to the AAC on February 26, 2009. The AAC voted 5-3 to recommend approval of the revised buffer plan and voted 8-0 to reaffirm their action regarding the agricultural viability of the parcels. That action determined that the parcels could generally be considered suitable for vineyards/orchard and grazing but not row crops.
- e) On December 10, 2008, January 28, 2009 and March 11, 2009 the Planning Commission held duly noticed public hearings on the Combined Development Permit. On January 28, 2009, the Planning Commission passed a motion of intent to recommend approval of the project to the Board of Supervisors contingent upon the AAC's consideration and recommendation to the Planning Commission as to whether the AAC approves the applicant's revised 200 foot/50 foot buffer plan for the Samoske lot.
- f) On March 11, 2009, the Planning Commission adopted Resolution 09012 recommending that the Board of Supervisors certify the EIR for the project, approve a mitigation monitoring

and reporting plan and adopt a statement of overriding considerations.

- g) On March 11, 2009, the Planning Commission adopted Resolution 09014 recommending that the Board of Supervisors amend the Monterey County General Plan/Toro Area Plan to designate 266 acres of land from Farmlands (Samoske, 17 acres) and Permanent Grazing (Mohsin, 249 acres) as a Special Treatment Area (“STA”) and adopt Policy 30.1.1.2(T), a new Toro Area Plan policy that would generally allow a maximum of 14 new single-family residential lots on the lower 72 acres with agricultural buffers and the upper 249 acres would remain Permanent Grazing.
- h) On March 11, 2009, the Planning Commission adopted Resolution 09015 recommending that the Board of Supervisors amend the sectional district maps of Section 21.08.060 of Title 21 (zoning) of the Monterey County Code as follows:
Section 21-19: Change the zoning of a 17 acre parcel (APN 167-061-029-000/Samoske) from F/40-D to LDR/5-VS; and
Section 21-19: Change 55 acres of a 249-acre parcel (APN 167-061-033-000/Mohsin) from PG/40-D to LDR/5-VS with 194 acres remaining PG/40.

DECISION

NOW, THEREFORE, based on the above findings and evidence, and also subject to approval of a lot line adjustment (Resolution 09013), certification of environmental impact report #06-01 (Resolution 09012), approval of a general plan amendment to create a Special Treatment Area and amend the land use designations of the subject property (Resolution 09014), and approval of proposed zone changes (Resolution 09015), the Planning Commission does hereby:

- A. Recommend that the Board of Supervisors approve a Combined Development Permit (PLN980516) including a Standard Subdivision to subdivide: A 17-acre parcel (APN 167-061-029-000/Samoske) into three parcels consisting of 7.0 acres (Parcel A), 5.0 acres (Parcel B), and 5 acres (Parcel C); and a 249-acre parcel (APN 167-061-033-000/Mohsin) into 11, 5-acre parcels (LDR/5) plus one remainder parcel totaling 194 acres (PG/40), in general conformance with the attached sketch (**Attachment 2**) incorporated herein by reference.
- B. Recommend that the Board of Supervisors ADOPT the Condition Compliance and Mitigation Monitoring and Reporting Program (**Attachment 1**) attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this eleventh day of March, 2009, upon motion of Commissioner Brown, seconded by Commissioner Rochester, by the following vote, to-wit:

AYES: Pessagno, Brown, Rochester, Salazar, Padilla
NOES: Vandevere, Diehl
ABSENT: Isakson, Sanchez
ABSTAIN: Ottone

By  _____
MIKE NOVO, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANTS ON: APR 17 2009

Attachment 1: Condition Compliance and Mitigation Monitoring Reporting Plan
Attachment 2: Subdivision Map

ATTACHMENT 1
Monterey County Resources Management Agency
Planning Department
Condition Compliance and Mitigation Monitoring
Reporting Plan

Project Name: Mohsin-Samoske

File No: PLN980516

APN: 167-061-029-000, 167-061-032-000 & 167-061-033-000

Approved by: Planning Commission

Date: March 11, 2009

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

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<p>PD001 - SPECIFIC USES ONLY The project consists of: 1) Lot Line Adjustment of 3.47 acres between two parcels reducing APN167-061-032-000 (Riehl) from 52.0 acres to 48.53 acres and increasing APN167-061-033-000 (Mohsin) from 245.51 acres to 249.0 acres; 2) amend General Plan and Toro Area Plan land use maps for two parcels: a) change 17-acre parcel (APN 167-061-029-000/Samoske) from Farmland/40 acre minimum (F/40) to Low Density Residential with a Special Treatment Area (STA) Overlay; and b) change a 55-acre portion of a 249-acre parcel (APN 167-061-033-000/Mohsin) from Permanent Grazing/40 acre minimum (PG/40) to Single Family Residential with a STA Overlay. The STA would allow 14 single-family residential lots and a Permanent Grazing remainder parcel and would require an agricultural buffer as part of any subdivision within the STA. 3) Zone Change for two parcels: a) change 17 acre parcel (APN 167-</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		<p>061-029-000/Samoske) from F/40-D to LDR/5-VS; and b) change 55 acres of a 249-acre parcel (APN 167-061-033-000/Mohsin) from PG/40-D to LDR/5-VS with 194 acres remaining PG/40-D; 4) Combined Development Permit consisting of: a) Standard Subdivision to subdivide one 17-acre parcel (APN 167-061-029-000/Samoske into three parcels consisting of 7.0 acres (Parcel A), 5.0 acres (Parcel B) and 5 acres (Parcel C) and subdivide one 249.0 acre parcel (APN 167-061-033-000/Mohsin) into 11, 5-acre parcels (LDR/5-VS) plus one remainder parcel totaling 194 acres (PG/40-D). The proposed subdivision will require agricultural buffer plans for a buffer of 200 feet from the Pedrazzi property on the north, except at the southeast corner of the Pedrazzi property where the buffer varies from 75 feet to 200 feet; 75 feet from the Pizoni property on the north; 50 feet from the Jardini property on the south and 200 feet from River Road; and a buffer of at least 100 feet for 11 residential parcels on the Mohsin portion of the subdivision. b) Administrative Permit pursuant to Section 21.14.040.G to allow a small water system with 14 connections. The property is located at 874, 884 & 870 River Road (Assessor's Parcel Number 167-061-029-000, 167-061-032-000 & 167-061-033-000), Toro Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction</p>				

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		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 conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)				
2.		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 <i>County of Monterey</i> , 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 <i>County of Monterey</i> , 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	

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

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		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)				
4.		PD013 – LIGHTING - STREET LIGHTS All street lights in the development shall be approved by the Director of the RMA - Planning Department. (RMA – Planning Department)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of grading or building permits for street lights.	
			The lighting shall be installed and maintained in accordance with the approved plan	Owner/ Applicant	Prior to occupancy/ ongoing	
5.		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	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	

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6.		<p>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: "A Geotechnical Soils-Foundation (June 1998); Stormwater, Drainage and Groundwater Impact Report (June 1998); and Septic Report (June 1998), have been prepared on this property and are on file in the Monterey County RMA - Planning Department. 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>	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	
7.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 09016) was approved by the Planning Commission for Assessor's Parcel Numbers 167-061-029-000, 167-061-032-000 & 167-061-033-000 on March 11, 2009. The permit was granted subject to 73 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)</p>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	

<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>
8.		PD036 – UTILITIES – SUBDIVISION A note shall be placed on the final map or a separate sheet to be recorded with the final map indicating that "Underground utilities are required in this subdivision in accordance with Chapter 19.10.095, Title 19 of the Monterey County Code." Such facilities shall be installed or bonded prior to filing the final map. The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works. (RMA – Planning Department)	Place note on map or a separate sheet and submit to the RMA - Planning Department for review and approval. Install or bond for the underground utility facilities.	Owner/ Applicant	Prior to the recordation of final map.	
9.		PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
10.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant Geotech-nical Consul-tant	Prior to final inspection	
11.		PD042 – GRADING/EASEMENT STAKING The conservation and scenic easement(s) and proposed grading shall be staked with 18” stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department. The staking shall be verified at the grading pre-site inspection by the	The easement(s) and proposed grading shall be staked with 18” stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building	Owner/ Applicant	At pre-site inspection by the grading inspector	

<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>
		grading inspector. (RMA – Planning Department and Building Services Department)	Services Department.			
12.		PD045 – CERTIFICATES OF COMPLIANCE (LOT LINE ADJUSTMENT) The applicant shall request unconditional certificates of compliance for the newly configured parcels. (RMA – Planning Department)	The Surveyor shall prepare legal descriptions for each newly configured parcel. The legal descriptions shall be entitled “Exhibit A”. The legal description shall comply with the Monterey County Recorder’s guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the <i>Monterey County Recorder</i> , for the appropriate fees to record the certificates.	Owner/ Applicant/ Surveyor	Concurrent with recording the Record of Survey	
13.		PW0023 – IMPROVEMENT PLANS Provide improvement plans for approval of the Department of Public Works and that the roads be constructed in accordance with the typical section shown on the tentative map. (Public Works)	Subdivider shall submit improvement plans prepared by his Engineer to DPW for approval. Improvements to be bonded prior to recordation of final map.	Subdivider	Prior to Recordation of Final Map	
14.		PW0014 – DRAINAGE IMPROVEMENT STUDY Provide an on-site/off-site drainage improvement study prepared by a registered Civil Engineer. Study to be approved by Public Works Department and the Water Resources Agency and shall be incorporated in the improvement plans. (Public Works)	Applicant’s Engineer shall prepare drainage study and improvement plans for review and approval by DPW.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance or Recordation of Final Map	

<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>
15.		PW0015 – UTILITY’S COMMENTS Submit the approved tentative map to impacted utility companies. Subdivider shall submit utility company recommendations, if any, to the Department of Public Works for all required easements. (Public Works)	Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW	Owner/ Applicant	Prior to Recordation of Map	
16.		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	
17.		PW0017 – NATURAL DRAINAGE EASEMENT Designate all natural drainage channels on the final map by easements labeled “Natural Drainage Easement”. (Public Works)	Subdivider’s surveyor shall include labeling as described on Final Map.	Subdivider/ Surveyor	Prior to Recordation of Final Map	
18.		PW0018 – ROUGH GRADING FOR SLOPE Where cut or fills at property line exceed 5’ driveways shall be rough graded when streets are rough graded. Positive drainage and erosion control shall be provided. (Public Works)	Subdivider’s Engineer shall include notes on improvement plans.	Subdivider/ Engineer	Prior to Recordation of Final Map	

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19.		PW0020 – PRIVATE ROADS Designate all subdivision roads as private roads. (Public Works)	Subdivider's Surveyor shall designate private roads on final map.	Subdivider	Ongoing	
20.		PW0021 – ROAD NAMES Submit all proposed road names to the Department of Public Works for approval by County Communications. (Public Works)	Subdivider shall submit proposed road names to DPW. DPW will submit to County Communications for Approval.	Subdivider	Prior to Recordation of Final Map	
21.		PW0025 – GRADING PERMIT A grading permit shall be obtained from the Planning and Building Inspection Department if required. (Public Works)	Subdivider to make application for Grading Permit.	Subdivider	Prior to Commencement of Grading	
22.		PW0026 – PLANTING FOR GRADED AREAS Plant and maintain all graded areas of the street right-of-way as required by the Department of Public Works to control erosion. The area planted shall include all shoulder areas and all cut and fill slopes. A report and plan prepared by a qualified person shall be submitted for approval of the Department of Public Works and include the following: a. That the cut and fill slopes be stabilized. b. Specific method of treatment and type of planting, by area, for each soil type and slope required to satisfy item (a). c. Type and amount of maintenance required to satisfy item (a). (Public Works)	Subdivider's Engineer to include erosion control measures on improvement plans.	Subdivider/Engineer	Prior to Recordation of Final Map	

<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>
23.		PW0024 – STOP SIGN Install and maintain a stop sign on the subdivision access at River Road. (Public Works)	Subdivider/Applicant shall install and maintain stop sign.	Subdivider/ Applicant	Ongoing	
24.		WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS A notice shall be recorded on the deed for each lot stating: "All new construction shall incorporate the use of low water use plumbing fixtures and drought tolerant landscaping, in accordance with County Water Resources Agency Ordinance No. 3932." Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency)	Submit a recorded notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Recordation of the notice shall occur concurrent-ly with the final map	
25.		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	Recordation of the notice shall occur concur-rently with the final map	
26.		COMPLETION CERTIFICATION (NON-STANDARD WORDING) The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved	Owner/ Applicant	Prior to issuance of any 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>
		detention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	drainage plan.			
27.		EH1 - WATER SYSTEM PERMIT Obtain a new or amended water system permit from the Division of Environmental Health. (Environmental Health)	Submit necessary application, reports and testing results to EH for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/ building permits or prior to filing final map	
28.		EH2 - WATER SYSTEM IMPROVEMENTS (CO. PERMITTED SYSTEM) Design the water system improvements to meet the standards as found in Chapter 15.04 of the Monterey County Code, Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to the Director of Environmental Health for review and approval prior to installing (or bonding) the improvements. (Environmental Health)	Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to EH for review and approval prior to installing (or bonding) the improvements.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/ building permit or Prior to filing final map	
29.		EH4 - FIRE FLOW STANDARDS Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. (Environmental Health)	Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency.	CA Licensed Engineer /Owner/ Applicant	Prior to installing or bonding water system improvements	

<i>Permit Cond. Number</i>	<i>Mittig. 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>
30.		<p>EH5 - INSTALL/BOND WATER SYSTEM IMPROVEMENTS</p> <p>The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement. (Environmental Health)</p>	The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement.	CA Licensed Engineer /Owner/ Applicant	Prior to filing final map	
31.		<p>EH9 - NEW WELL PUMP TESTS</p> <p>All new or rehabilitated wells to be added to the potable water distribution system shall first undergo a minimum of a 72-hour continuous pump test to determine the yield of the well. Unless otherwise approved by the Director of Environmental Health, the yield of the well shall be calculated by multiplying the 24-hour specific capacity by the available drawdown. If the apparent transmissivity decreases between the first 24 hours of the test and the end of the test, the 24-hour specific capacity shall be adjusted by multiplying the ratio of late-time transmissivity to early-time transmissivity. For the purposes of this condition, available drawdown is defined as two-thirds of the vertical distance from the static water level to the lowest perforations of the well. The pump tests shall be made no earlier than June 1 of each year and no later than the first significant rainfall event of the wet season. The pump test</p>	Submit a report to EH for review and approval	CA Licensed Engineer /Owner/ Applicant	Prior to the issuance of a building permit	

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		results shall be presented in a form for direct comparison to the criteria set forth in this condition. A representative of the Division of Environmental Health shall witness the pump tests. The applicant shall pay all associated fees to the Division of Environmental Health. (Environmental Health)				
32		EHSP01 – SEPTIC SYSTEM FLOWS The septic system design for all lots in this subdivision shall be designed to comply with Chapter 15.20 of the Monterey County Code (Septic Ordinance) and “Prohibitions,” Central Basin Plan, RWQCB. Maximum five (5) foot effective flows shall be required per MCC 15.20. (Environmental Health)	Submit plans for review and approval to the Division of Environmental Health.	CA Licensed Engineer/Owner/Applicant	Prior to issuance of building permit.	
33.		EH22 – DEED NOTIFICATION – PERC REPORT A deed notification shall be recorded concurrently with the final map with the Monterey County Recorder which states: “A soils and percolation report has been prepared for the parcels APN 167-067-029-000 and 167-061-033-000 that are included in file number PLN980516 by Grice Engineering, dated June 31, 1998 and is on record at the Division of Environmental Health, Monterey County, File No. PLN980516. All proposed development shall be in compliance with this report and the recommendations therein. (Environmental Health)	Submit proposed wording and forms to be recorded to EH and RMA-Planning for review and approval. Record deed notification.	Owner/Applicant	Concurrently with filing of final map.	

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34.		EH44 –WELL LOTS Submit a tentative map indicating proposed well lots, water distribution, and access easements for the water system to the Director of Environmental Health for review and approval. Once approved, well lots and easements shall appear as part of the final map. (Environmental Health)	Submit plans to the Division of Environmental Health for review and approval	CA Licensed Engineer/ Owner/ Applicant	Prior to filing the final map.	
35.		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 (Salinas Rural 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	
36.		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	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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		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. (Salinas Rural Fire District)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
37.		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 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. (Salinas Rural 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.	

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38.		FIRE009 - BRIDGES All new and reconstructed bridges shall be at least the width of the roadbed and berms, but in no case less than 12 feet wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS15-44 loading and have guardrails. Appropriate signage, including but not limited to, weight ratings or vertical clearance limitations, and one-way road or single-lane road conditions, shall be provided at both entrances to any bridge. One-lane bridges may be permitted if there is unobstructed visibility across the entire bridge, and turnouts are provided at both bridge ends. The fire authority may impose more stringent requirements for bridges. (Salinas Rural 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.	
39.		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	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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		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 be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. (Salinas Rural Fire District)				
40.		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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

<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>
		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. (Salinas Rural Fire District)				
41.		FIRE012 - EMERGENCY WATER STANDARDS - WATER SYSTEMS The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development	Applicant or owner	Prior to final building inspection	

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		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. (Salinas Rural Fire District)				
42.		FIRE015 - FIRE HYDRANTS/FIRE VALVES 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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner		
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner		

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		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. (Salinas Rural Fire District)				
43.		FIRE016 - SETBACKS 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 standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (Salinas Rural Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner		
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner		
44.		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. (Salinas Rural Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner		

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45.		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 issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Salinas Rural Fire District)	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	
46.		FIRE026 - ROOF CONSTRUCTION (STANDARD) 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 B roof construction. (Salinas Rural Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
MITIGATION MEASURES						
47.	AES-1	PD022(A) – EASEMENT – CONSERVATION AND SCENIC A conservation and scenic easement shall be conveyed to the County over those portions of the	Submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement	Owner/ Applicant		Prior to issuance of grading and building

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		property not proposed for five-acre lots, excluding the existing home site on the remainder parcel. The easement shall be developed in consultation with certified professional. An easement deed shall be submitted to, reviewed and approved by, the Director of the RMA - Planning Department prior to issuance of grading and building permits. (RMA – Planning Department)	on the property along with the metes and bound description developed in consultation with a certified professional, to the RMA - Planning Department for review and approval.			permits
			Record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to the RMA – Planning Department.	Owner/ Applicant		Prior to final map, final inspection or commencement use
48.	AES-2	PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, downlit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting elements. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	

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		building permits. (RMA – Planning Department)				
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy/ Ongoing	
49.	AG-1	Prior to recordation of a final map, the applicant shall submit Agricultural Buffer Mitigation Plans for the Mohsin and Samoske properties to the Planning Department and Agricultural Commissioner for review and approval. The plans shall establish agricultural buffers of at least 75 feet for Parcels B and C of the Samoske portion of the subdivision and buffers of at least 100 feet for the 11 residential parcels on the Mohsin portion of the subdivision. The buffers shall take into account conditions such as the type of adjacent agricultural use, topography and climate (e.g., prevailing winds) with the intent to protect agricultural operations from impacts of non-agricultural uses. Said setback areas shall be labeled on the final map as “agricultural buffer easement. The easement deed shall describe the easement on each parcel containing an agricultural buffer to exclude habitable structures. (Agricultural Commissioner and RMA-Planning Department)	<p>The applicant shall submit Agricultural Buffer Mitigation Plans and cost estimates to the Planning Department and Agricultural Commissioner for review and approval.</p> <p>The applicant’s engineer shall prepare Final Map with agricultural buffer easements.</p> <p>Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the RMA – Planning Department.</p> <p>All landscaping and fences shall be continuously maintained by the property owner; all plant material shall be continuously</p>	<p>Applicant</p> <p>Applicant’s engineer</p> <p>Property owner</p> <p>Property owner</p>	<p>Prior to approval of Final Map</p> <p>Prior to approval of Final Map</p> <p>Prior to occupancy</p> <p>Ongoing</p>	

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			maintained in a litter-free, healthy growing condition.			
50.	BR-1	<p>Prior to the issuance of a grading or building permit for Lot 6 of the Mohsin portion of the subdivision, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. The landscape plan shall include the following oak tree protective measures:</p> <ol style="list-style-type: none"> 1) Protection of the 54-inch dbh coast live oak tree growing on the Mohsin property; 2) A protective buffer no less than 20 feet away from the dripline of the oak tree canopy. 3) The provision of orange construction fencing defining the boundary of the oak tree protection zone prior to and during construction; and 4) A provision prohibiting grading, deposition of fill, or irrigation within the oak tree protection zone. <p>A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be</p>	Submit three copies of landscape plan to the RMA - Planning Department for review and approval.	Applicant/Owner	Prior to issuance of a grading or building permit for Lot 6 of the Mohsin portion of the subdivision	

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		either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)				
51.	BR-2	<p>The following measures shall be implemented to mitigate for potential impacts to nesting birds:</p> <p>1. If possible, all trees, brush, and other potential nesting habitat that will be impacted by project construction shall be removed during the non-nesting season (September 1 through February 15).</p> <p>2. If suitable nesting habitat cannot be removed during the non-nesting season and project construction is to begin during the nesting season (February 16 through August 31), all suitable nesting habitat within the limits of work and a 500-foot buffer shall be surveyed by a qualified biologist prior to issuance of a grading or building permit. Surveys shall be conducted no more than 14 days prior to the start of work. If an active nest is discovered, a buffer shall be established on the project site around the nest and delineated using orange construction fence or equivalent. Buffers for raptor nests shall be 500 feet; buffers for non-raptor nests shall be 100 feet. The buffer shall be maintained in place until the end of the breeding season or until the</p>		Qualified Biologist	Prior to issuance of grading or building permit	

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		<p>young have fledged, as determined by a qualified biologist.</p> <p>If no nesting is discovered, construction may begin as planned. Construction beginning during the non-nesting season and continuing into the nesting season shall not be subject to these measures.</p> <p>Alternatively, the California Department of Fish and Game (CDFG) may be consulted to determine if it is appropriate to decrease the specified buffers with or without implementation of other avoidance and minimization measures (e.g., having a qualified biologist on-site during construction activities during the nesting season to monitor nesting activity). (RMA – Planning Department)</p>				
52.	BR-3	<p>The following measures shall be implemented to mitigate for potential impacts to burrowing owls:</p> <p>1) Presence/absence surveys shall be conducted for burrowing owls within the work limits in accordance with CDFG’s Staff Report on Burrowing Owls (CDFG, 1995). The protocol requires 4 surveys during the nesting season (April 15 through July 15) and 4 surveys during the winter season (December 1 through January 31). If the survey results are negative, measures 2 and 3 are not required.</p> <p>2) If burrowing owls are found to be occupying the site in either season,</p>	<p>The applicant shall have presence/absence surveys conducted by a qualified biologist for burrowing owls and preconstruction surveys 30 days prior to any ground disturbing activities.</p>	Qualified Biologist	Prior to issuance of grading or building permit	

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		<p>compensation for loss of foraging habitat shall be required in accordance with the CDFG Staff Report on Burrowing Owls (CDFG, 1995). Compensation shall consist of preservation of 6.5 acres of suitable foraging habitat for each breeding pair or unpaired winter resident. Preservation of this habitat shall be accomplished through:</p> <ul style="list-style-type: none"> a) Acquisition of suitable habitat and recording a conservation easement over the property; b) Purchasing sufficient credits at an approved conservation bank; c) A combination of the above methods; or d) Another method acceptable to CDFG. <p>3) Prior to issuance of a grading or building permit, the project proponent shall provide evidence that adequate mitigation has been provided for the loss of burrowing owl foraging habitat, as described above.</p> <p>4) No more than 30 days prior to any ground disturbing activities, a qualified biologist shall conduct a preconstruction survey for burrowing owls. A preconstruction survey is not necessary if the last presence/absence survey was conducted within 30 days of the start of ground disturbing activities. If ground disturbing activities are delayed or suspended for more than 30 days after the initial preconstruction surveys, the site shall be</p>				

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		<p>resurveyed. All surveys shall be conducted in accordance with CDFG's Staff Report on Burrowing Owls (CDFG, 1995). If no burrowing owls are present, construction can begin as planned. Construction beginning during the non-nesting season and continuing into the nesting season shall not be subject to these measures.</p> <p>5) If the preconstruction surveys identify burrowing owls on the site during the non-breeding season (September 1 through January 31), burrowing owls occupying the project site shall be evicted from the project site by passive relocation as described in the CDFG's Staff Report on Burrowing Owls (CDFG 1995).</p> <p>If the preconstruction surveys identify burrowing owls nesting on the site during the breeding season (February 1 through August 31), a 250-foot buffer shall be established on the project site around the nest burrow and delineated using orange construction fence or equivalent. The buffer shall be maintained in place until the end of the breeding season or until a qualified biologist determines through non-invasive methods that: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow(s) can be destroyed. (RMA – Planning Department)</p>				

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53.	BR-4	<p>Per discussions with the USFWS (Diel, Christopher, November 1, 2007), California Tiger Salamander (CTS) are assumed to be present on the project site based on the presence of suitable habitat. The following measures shall be implemented to mitigate potential impacts to CTS. Western spadefoot could also be present on the project site; the following measures for CTS will also mitigate potential impacts to western spadefoot.</p> <p>It should be noted that the wetlands/water features on the project site are expected to be non-jurisdictional under the CWA. As a result, it is expected that no authorization will be required from the Corps of Engineers to fill the subject features and the project will not have a federal nexus with which to consult with the USFWS. Measure 1 reflects this approach. In the event the wetlands/water features are determined to be jurisdictional under the CWA, authorization will be required from the Corps of Engineers to fill the subject features, thus creating a federal nexus with which to consult with the USFWS. Measure 2 reflects this approach.</p> <p>1) The project proponent shall prepare a Habitat Conservation Plan (HCP) in accordance with Section 10 of the FESA to support issuance of an incidental take permit from the USFWS. The HCP shall include the following information:</p>	<p>CTS and western spadefoot site assessment shall be conducted by the applicant and submitted to USFWS for review and concurrence. If necessary, the applicant must prepare a mitigation plan and complete necessary USFWS requirements, obtain required permits, and provide documentation to the RMA-Planning Department.</p>	Applicant/Owner	Prior to issuance of grading or building permit	

<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>a) Impacts likely to result from the proposed taking of the species for which permit coverage is requested;</p> <p>b) Measures that will be implemented to monitor, minimize, and mitigate impacts; funding that will be made available to undertake such measures; and procedures to deal with unforeseen circumstances;</p> <p>c) Alternative actions considered that would not result in take; and</p> <p>d) Additional measures the USFWS may require as necessary or appropriate for purposes of the plan.</p> <p>OR</p> <p>1) The project proponent shall prepare a Biological Assessment (BA) to facilitate consultation with the USFWS under Section 7 of the FESA. The BA shall provide an evaluation of project impacts to CTS and include proposed avoidance and minimization measures. Section 7 consultation shall be initiated as part of the Corps permit process.</p> <p>2) Depending on the approach (i.e., measure 1 or 2), the HCP or BA shall describe proposed compensatory mitigation to offset the loss of approximately 45.7 acres of CTS habitat resulting from project implementation. Compensatory mitigation for CTS habitat typically consists of habitat preservation at a</p>				

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		<p>minimum 2:1 ratio. Preservation of this habitat shall be accomplished through one or more of the following methods contingent upon approval from the USFWS:</p> <p>a) Acquisition of suitable habitat and recording a conservation easement over the property;</p> <p>b) Purchasing sufficient credits at an approved conservation bank;</p> <p>c) Another method acceptable to USFWS;</p> <p>Prior to issuance of a grading or building permit, the project proponent shall complete any consultation requirements with USFWS pursuant to FESA and obtain any required permits and provide documentation to the County. (RMA – Planning Department)</p>				
54.	BR-5	<p>The following measures shall be implemented to mitigate for potential impacts to Congdon's tarplant.</p> <p>1) Prior to the issuance of a grading or building permit, a qualified biologist or botanist shall conduct focused surveys for Congdon's tarplant in the proposed work area. Surveys shall be conducted during the normal blooming period for this species, which is normally September through November. If survey results are negative, no additional mitigation is required.</p> <p>2) If Congdon's tarplant is identified in the</p>	<p>The applicant shall have a qualified biologist or botanist shall conduct focused surveys for Congdon's tarplant in the proposed work area and take appropriate action as necessary.</p>	<p>Qualified Biologist or Botanist</p>	<p>Prior to issuance of grading or building permit</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>work area, seed shall be salvaged from the plants present and relocated to one or more appropriate locations on the southern part of the project site. The relocations area(s) shall be within the dedicated open space portion of the site. Seed shall be salvaged after the plants are done flowering and the seed has set. The salvaged seed shall be relocated and spread immediately following salvage activities, so that the timing is as close to the natural cycle as possible.</p> <p>3) Prior to issuance of a grading permit or other authorization to proceed with project construction, the project proponent shall provide documentation to the County of Monterey that (RMA – Planning Department)</p>				
55.	BR-6	<p>As noted in Section D.2 of the Draft EIR, in the event the Corps of Engineers determines the wetlands on the northern part of the project site are non-jurisdictional under Section 404 of the CWA, it is likely the RWQCB will regulate these features as waters of the State under PCWQCA.</p> <p>The following measures shall be implemented to mitigate for potential impacts to jurisdictional waters under Section 404 of the CWA and/or PCWQCA, depending on the jurisdiction determination made by the Corps.</p> <p>1) Waters of the United States (waters of the U.S.) permanently impacted during construction</p>	<p>The applicant shall consult with the Corps of Engineers and shall comply with all federal and State requirements pertaining to jurisdictional and nonjurisdictional waters as appropriate, obtain any necessary permits, and purchase credits at an approved mitigation bank.</p>	Applicant/Owner	Prior to issuance of grading or building permit	

<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>shall be mitigated by one of the following methods, or by using a combination of the methods, contingent upon approval by the Corps and/or RWQCB:</p> <p>a) Preservation, creation, and/or restoration of the impacted resources at a minimum ratio of 2:1. If this method is utilized, a Mitigation and Monitoring Proposal (MMP) shall be prepared and submitted to the Corps and/or RWQCB for approval. The MMP shall be prepared in accordance with the Corps 2004 Mitigation and Monitoring Proposal Guidelines. The MMP shall address the following: Responsible Parties; Project Description; Site Characteristics; Mitigation Design; Success Criteria and Monitoring; Implementation Plan; Maintenance; Monitoring Reports; Contingency Measures; Completion of Mitigation; and Long-Term Management.</p> <p>b) Purchase of credits at an approved mitigation bank at a minimum 1:1 mitigation ratio.</p> <p>2) Prior to issuance of a grading permit or other authorization to proceed with project construction, the project proponent shall obtain any necessary permits (e.g., from the Corps, RWQCB) and provide documentation to the County of Monterey. (RMA – Planning Department)</p>				

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56.	GEO-1	Project design shall assume that project facilities would be exposed to ground shaking commensurate with a maximum credible earthquake. Project design specifications, in accordance with the requirements of the Uniform Building Code's current edition for Seismic Zone IV that requires all buildings to be founded on undisturbed native soils and/or accepted engineering fill to prevent resonance amplification between soils and the structure, shall be prepared by the project engineer and submitted to the County of Monterey for approval prior to issuance of a building permit. (RMA – Building Department)	Project design specifications shall be prepared in accordance with the Uniform Building Code by the project engineer and submitted to the RMA – Building Department for review and approval prior to issuance of a building permit.	Project Engineer	Prior to issuance of building permit	
57.	HYD-1	Prior to issuance of a grading or building permit, the applicant shall submit construction plans for the project that include features meeting the applicable construction activity Best Management Practices (BMPs) and erosion and sediment control BMPs published in the California Stormwater BMP Handbook— Construction Activity or equivalent for review and approval by the RMA- Planning Department. The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the County that includes the BMP types listed in the handbook or equivalent. The SWPPP shall be prepared by a civil or environmental engineer and would be reviewed and approved by the County Building Official prior to the issuance of any grading or building permits. The SWPPP shall reduce the discharge of pollutants to the	The applicant shall ensure that construction plans for the project include features meeting the applicable construction activity BMPs and erosion and sediment control BMPs and shall submit construction plans and a SWPP for the project to the RMA-Planning Department	Applicant/Owner		

<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>
		maximum extent practicable using BMPs, control techniques and systems, design and engineering methods, and such other provisions as appropriate. A copy of the SWPPP shall be kept at the project site. (RMA – Planning Department)				
58.	HYD-2	Prior to issuance of grading permits, the applicant shall demonstrate to Monterey County RMA- Planning Department that coverage has been obtained under the State General Construction Activity National Pollutant Discharge Elimination System (NPDES) Permit by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board (SWRCB). During grading and construction, the applicant shall ensure that the project complies with the requirements of the State General Construction Activity NPDES Permit. (RMA – Planning Department)	The applicant shall provide a copy of the NOI submitted to the SWRCB to demonstrate that coverage has been obtained under the State General Construction Activity NPDES Permit The applicant shall ensure that the project complies with the requirements of the State General Construction Activity NPDES Permit.	Applicant Applicant	Prior to issuance of grading permits During grading and construction	
59.	HYD-3	The applicant shall comply with the provisions of the NPDES General Permit and Waste Discharge Requirements for the Storm Water Discharges from Small Municipal Separate Storm Sewer Systems Order No. 2003-0005-DWQ NPDES No. CAS000004 as they relate to construction activities for the project. This shall include a Notification of Construction to the Central Coast Regional Water Quality Control Board (RWQCB) at least 30 days prior to the start of construction, preparation and	The project applicant shall obtain a Notification of Construction from the Central Coast RWQCB at least 30 days prior to the start of construction, prepare and implement a SWPPP, and shall obtain a Notice of Completion upon completion of construction and stabilization of the site.	Applicant	At least 30 days prior to start of construction, preparation and implementation of a SWPPP and Notice of Completion to the Central Coast RWQCB upon completion of	

<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>
		implementation of a SWPPP and Notice of Completion to the Central Coast RWQCB upon completion of construction and stabilization of the site. (RMA – Planning Department)			construction and stabilization of the site	
60.	HYD-4	Prior to issuance of any grading permits, the applicant shall provide the County Water Resources Agency a road improvement plan prepared by a registered civil engineer that includes dispersing storm water runoff onto a non-erodible surface. Improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (RMA – Planning Department)	The applicant shall provide the County Water Resources Agency a road improvement plan (prepared by a registered civil engineer) including the methods of dispersing storm water runoff onto a non-erodible surface.	Registered civil engineer	Prior to issuance of any grading permits	
61.	HYD-5	Prior to recordation of the final map, the applicant shall provide the County Water Resources Agency a drainage report that includes calculations certifying storm water detention facilities will be sized to store the difference between the 100-year post-development runoff and the 10-year pre-development runoff, while limiting discharge to the 10-year pre-development rate. The location of the detention facilities shall be shown on the final map. (Water Resources Agency)	The project applicant shall provide the County Water Resources Agency a drainage report that includes a map of the location of the detention facilities and calculations certifying that the storm water detention facilities are sized sufficiently.	Applicant/Owner	Prior to recordation of the final map	
62.	HYD-6	DRAINAGE NOTE A note shall be recorded on the final map stating: “A <u>detailed</u> drainage plan shall be prepared for each lot, <u>consistent with the preliminary drainage shown on the tentative map as reviewed by the Water Resources</u>	The project applicant shall provide the County Water Resources Agency a drainage plan including construction details for the detention ponds and retention/infiltration	Owner/ Applicant	Prior to filing of the final map	

<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>
		Agency, by a registered civil engineer or architect prior to issuance of any grading or building permits. Impervious surface stormwater runoff shall be directed to the stormwater drainage system for the subdivision. If runoff cannot be directed to the subdivision drainage improvements, on-site retention/detention facilities shall be constructed in accordance with plans approved by the Water Resources Agency.” Prior to recordation of the final map, the applicant shall provide the Water Resources Agency a copy of the map to be recorded. (Water Resources Agency)	systems.			
63.	HYD-7	A Homeowner’s Association shall be formed for the maintenance of roads, drainage facilities, and open spaces. Prior to filing of the final map, the Director of Public Works, the RMA-Planning Director and the County Water Resources Agency shall approve the documents forming the Homeowner’s Association. Applicant shall prepare an operation and maintenance plan for all facilities and shall implement a fee program to fund operation and maintenance, and have appropriate documentation recorded against each parcel within the subdivision. The covenants, conditions and restrictions shall include provisions for a yearly report by a registered civil engineer, for maintaining the drainage facilities, and for monitoring impacts associated with the drainage facilities. The annual drainage report shall be submitted to the Water Resources	The 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	

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		Agency by August 15 for review and approval. (Public Works, RMA – Planning Department and Water Resources Agency)				
64.	HYD-8	Prior to recordation of the final map, a signed and notarized Drainage and Flood Control Systems Agreement shall be provided to the Water Resources Agency for review and approval. The agreement shall include a summary of required annual maintenance activities and provisions for the preparation of an annual drainage report. The annual report shall be prepared by a registered civil engineer and submitted to the Water Resources Agency by August 15 for review and approval. If the Homeowner's Association, after notice and hearing, fails to properly maintain, repair, or operate the subdivision drainage and flood control facilities, the Monterey County Water Resources Agency shall be granted the right by the property owners to enter any and all portions of the property to perform repairs, maintenance or improvements necessary to properly operate the drainage and flood control facilities at the project site. 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 costs. The Drainage and Flood Control Systems Agreement shall be recorded concurrently with the final map. (Water Resources Agency)	<p>The applicant shall submit a signed and notarized Drainage and Flood Control Systems Agreement to the Water Resources Agency for review and approval.</p> <p>The applicant shall submit annual report to the Water Resources Agency by August 15 for review and approval.</p> <p>The Drainage and Flood Control Systems Agreement shall be recorded.</p>	<p>Applicant</p> <p>Registered civil engineer</p> <p>Applicant</p>	<p>Prior to recordation of the final map</p> <p>By August 15th</p> <p>Concurrently with the recordation of the final map</p>	
65.	HYD-9	Prior to the issuance of any grading or building permits, the applicant shall provide the Monterey County RMA- Planning Department	The applicant shall provide the Monterey County RMA- Planning Department with three	Licensed landscape architect	Prior to the issuance of grading or building	

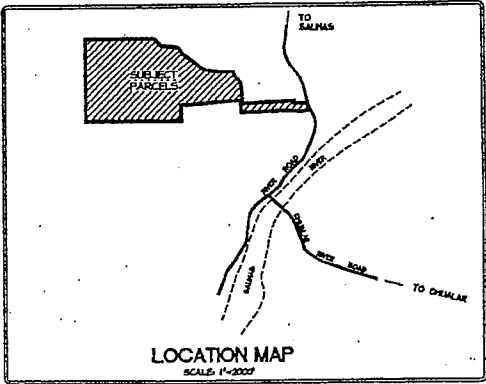
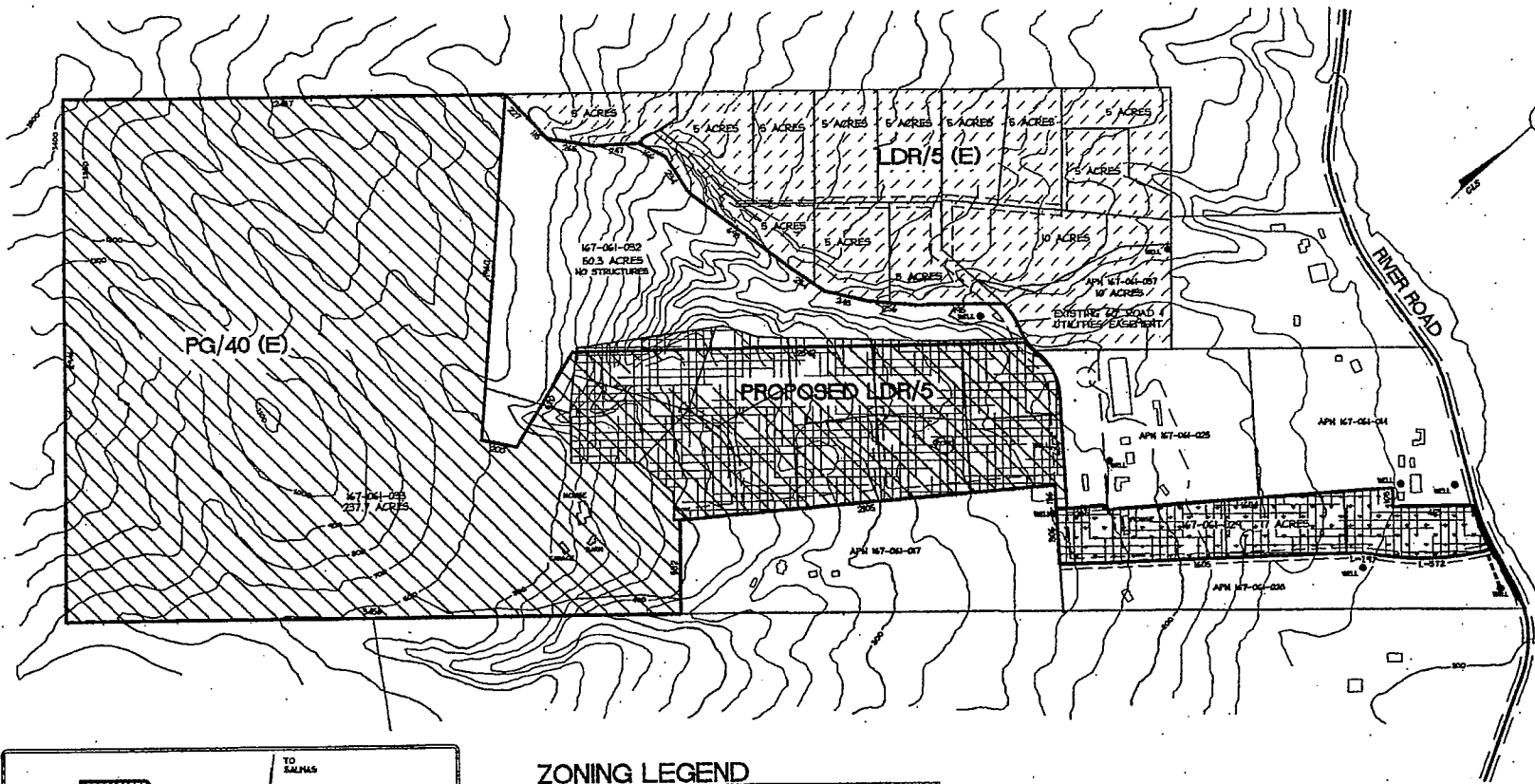
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		with three copies of a landscaping plan prepared by a licensed landscape architect utilizing xeriscape and/or native drought tolerant plantings to minimize the amount of groundwater needed to irrigate the rural residential parcels. (RMA – Planning Department)	copies of a landscaping plan utilizing xeriscape and/or native drought tolerant plantings.		permit	
66.	LU-1	INCLUSIONARY HOUSING Prior to recordation of the final map, the applicant shall comply with the County's Inclusionary Housing Ordinance #3419 by paying, or securing, to the satisfaction of the Redevelopment and Housing Director, an in-lieu fee of \$164,313. (Housing and Redevelopment)	The applicant shall pay the in-lieu fee to the Redevelopment and Housing Director.	Applicant	Prior to recordation of final map	
67.	PS-1	PKS002 – RECREATION REQUIREMENTS/FEES The Applicant shall comply with Section 19.12.010 - Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D) (Parks Department)	The Applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County Code.	Owner/ Applicant	Prior to Recordation of the Final Map	
68.	TRA-1	NON-STANDARD – SIGHT DISTANCE Any brush located within the project R.O.W. shall be cleaned and maintained by the project applicant so adequate sight distance at the project driveway is provided. Brush is growing on the west side of River Road, remove or trim	The subdivider and Public Works Department shall clean and maintain any brush growing on the west side of River Road to meet the minimum required sight distance of 512 feet.	Subdivider and Public Works Department	Ongoing	

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		brush to increase sight distance from 430 ft to 550 ft, meeting the minimum required sight distance of 512 ft. (Public Works)				
69.	TRA-2	NON-STANDARD – TRAFFIC FEES (RIVER ROAD) Prior to recordation of the final map, applicant shall contribute \$2,533 to the County as the project's fair share contribution toward future improvements to the Highway 68 westbound ramps/Reservation Road intersection. (Public Works)	The applicant shall pay the fee to Public Works.	Subdivider	Prior to recordation of final map	
70.	TRA-3	NON-STANDARD – TRAFFIC FEES (CHUALAR) Prior to recordation of the final map, applicant shall contribute \$5,266 to the County as the project's fair share contribution toward future improvements to the northbound on and off ramps in Chualar. (Public Works)	The subdivider shall pay the fee to Public Works.	Subdivider	Prior to recordation of final map	
71.	TRA-4	NON-STANDARD – TAMC Prior to issuance of building permits, applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee (currently \$4,113.00 per dwelling unit). The fee required by TAMC shall be reduced by \$2,523.77 per lot to account for traffic mitigation fees previously paid by the subdivider. (Public Works)	The applicant shall pay the fee to the RMA-Building Department.	Subdivider	Prior to issuance of building permits	
72.	CR-1	PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and	Owner/ Applicant/ Archaeologist	Ongoing	





Permit Cond. Number	Mittig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		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)	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.			
73.		<p>NOTICE-RIGHT TO FARM NOTIFICATION (NON STANDARD)</p> <p>The applicant shall record a notice on each lot created by this subdivision which states: <i>“As a property owner, you should be aware that Monterey County has an adopted Right-to-Farm Ordinance (Monterey County Chapter 16.40, Ord. 3728, 1993), and you should be prepared to accept agricultural practices that are operated in full compliance with applicable state and county laws and regulations and consistent with accepted customs and standards. Accepted agricultural practices that may cause inconveniences to property owners at any time include, but are not limited to, noise, odors, fumes, dust, smoke, pests, operation of farm equipment, storage, application and disposal of manure and the application of</i></p>	Proof of recordation of this notice on each lot created by this subdivision shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	

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		pesticides, herbicides, fertilizers and other chemicals by ground or air.” Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)				

ATTACHMENT 2



ZONING LEGEND

-  LDR/5 (E)
-  PROPOSED LDR/5
-  PG/40 (E)
-  F/40 (E)

DEVELOPMENT PLAN
GENERAL PLAN AMENDMENT MAP

OF PARCEL 2, VOL. 14 SURVEYS 76, AND THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DOCUMENT NOS. 2000043136 AND 2004083216, IN RANCHO GUADALUPE Y LLANITOS DE LOS CORREOS, IN MONTEREY COUNTY, CALIFORNIA

PREPARED FOR
167-061-024 SANDRA F. RADFORD 1172 S. MAIN STREET, #575 SALINAS, CA 95401
167-061-033 FUSED MOHAM 870 RIVER ROAD SALINAS, CA 95408

SEPTEMBER 15, 1998
REVISED OCTOBER 29, 2005
JOB NO. 22-47

GLS COETZ LAND SURVEYORS
111 ALBION STREET (33)34-1114
SALINAS, CALIFORNIA 95301

SHEET ONE OF THREE



DEVELOPMENT PLAN TENTATIVE MAP

OF
AVILA RANCH

OF PARCEL 2, VOL. 14 SURVEYS 76 AND THOSE CERTAIN
PARCELS OF LAND DESCRIBED IN DOCUMENT NOS. 2000403186
AND 2000403216, IN RANCHO GUADALUPE Y LLANITOS DE LOS
CORREOS, IN MONTEREY COUNTY, CALIFORNIA

PREPARED FOR:
187-061-032
SANDRA F. BUCKROD
172 S. MAIN STREET, #275
SALINAS, CA 95468

PREPARED BY:
GLEBA
CONVEY LAND SURVEYORS
211 MAIN STREET, SUITE 111
SALINAS, CALIFORNIA 95401

SEPTEMBER 16, 1999
REVISED OCTOBER 24, 2003
JOB NO. 72-77

SCALE: 1"=100'

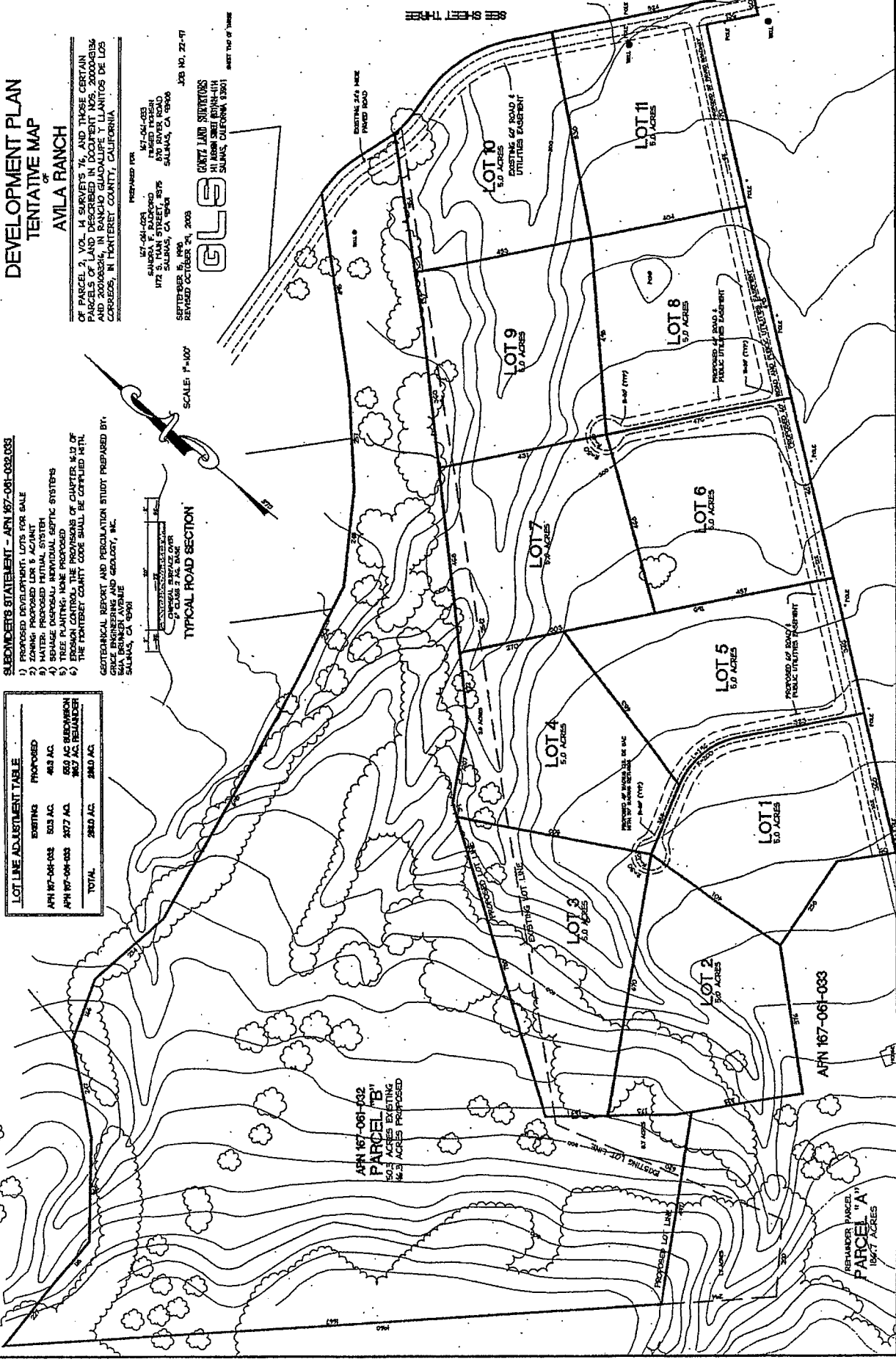
TYPICAL ROAD SECTION

SUBMITTERS STATEMENT - APN 187-061-032-033

- 1) PROPOSED DEVELOPMENT, LOTS FOR SALE
- 2) ZONING: PROPOSED LDR 8 ACQUINT
- 3) WATER: PROPOSED MITRAL SYSTEM
- 4) SEWER: DISPOSAL: INDIVIDUAL SEPTIC SYSTEMS
- 5) TREE PLANTING: NONE PROPOSED
- 6) EROSION CONTROL: THE EROSION CONTROL MEASURES OF CHAPTER 14.10 OF THE MONTEREY COUNTY CODE SHALL BE OBTAINED WITHIN 60 DAYS OF THE COMMENCEMENT OF CONSTRUCTION.

GEOTECHNICAL REPORT AND PRECIPITATION STUDY PREPARED BY:
GRACE ENGINEERING AND GEOLOGY, INC.
354 BRANCH AVENUE
SALINAS, CA 95401

LOT LINE ADJUSTMENT TABLE	
EXISTING	PROPOSED
APN 187-061-032	503 AC.
APN 187-061-033	377 AC.
TOTAL	880 AC.
	280 AC.
	600 AC. REMAINDER



DEVELOPMENT PLAN TENTATIVE PARCEL MAP

GEOTECHNICAL REPORT AND PERCOLATION STUDY PREPARED BY:
GRICE ENGINEERING AND GEOLOGY, INC.
5541 BRUNER AVENUE
SALINAS, CA 95001

OF PARCEL 2, VOL. 14 SURVEYS 76, AND THOSE CERTAIN
PARCELS OF LAND DESCRIBED IN DOCUMENT NOS: 200004836
AND 2001063216, IN RANCHO GUADALUPE Y LLANITOS DE LOS
CORREOS, IN MONTEREY COUNTY, CALIFORNIA

PREPARED FOR:
167-061-029 SANDRA F. RADFORD 167-061-033 FUSED MOHAM
172 S. MAIN STREET, #375 570 RIVER ROAD
SALINAS, CA 95001 SALINAS, CA 95005

SEPTEMBER 15, 1978 JOB NO. 22-97
REVISED OCTOBER 21, 2008

GLS COREY LAND SURVEYORS
141 NORTH STREET BOX 24-414
SALINAS, CALIFORNIA 95001

SCALE: 1"=100'

