

Attachment A

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**Before the Minor Subdivision Committee in and for the
County of Monterey, State of California**

In the matter of the application of:

PIPER LEO B & MARY JO TRS (PLN040757)

RESOLUTION NO. 09013

Resolution by the Monterey County Minor
Subdivision Committee:

- 1) Adopting the Amended Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan; and
- 2) Approving PLN040757, based on findings and evidence and subject to conditions of approval.

(PLN040757, Piper, 662 Harrison Road, Salinas, Greater Salinas Area Plan (APN: 113-271-163-000)

The Piper application (PLN040757) came on for public hearing before the Monterey County Minor Subdivision Committee on September 10, 2009, October 8, 2009 and October 29, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Minor Subdivision Committee finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the Monterey County General Plan,
 - Greater Salinas Area Plan,
 - Greater Salinas Area Plan, Inventory and Analysis,
 - Monterey County Zoning Ordinance (Title 20), and
 - Monterey County Subdivision Ordinance (Title 19).No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - b) The property is located at 662 Harrison Road (Assessor's Parcel Number 113-271-163-000. The parcel is zoned LDR/5 (Low Density Residential, 5 acres/unit, which allows for residential development. Therefore, the project is an allowed land use for this site.
 - c) The Combined Development Permit consists of a Minor Subdivision to divide a 10 acre parcel into two lots (2.72 acres and 7.28 acres). Water will be served by a mutual water system, wastewater will be disposed of by septic systems.
 - d) The project planner conducted a site inspection on April 2, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
 - e) The project site is designated Low Density Residential, 5-1 acres/unit in the General Plan and Greater Salinas Area Plan. The project will not physically divide an established community, conflict with any

applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect, or conflict with any applicable habitat or natural community conservation plan. The project, as designed, conditions and mitigated, would not conflict with the General Plan, Greater Salinas Area Plan or the Zoning Ordinance.

- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN040757.

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, North County Fire Protection District, Parks, Public Works, Environmental Health Division, Water Resources Agency and the California Department of Fish and Game. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- b) Staff identified potential impacts to Biological Resources, Geology/Soils and Hydrology/Water Quality. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:

- Geologic and Soil Engineering and Percolation Testing Report prepared by Landset Engineers, Inc. dated August 2005.

- Biological Assessment for Piper Property prepared by Regan Biological and Horticultural Consulting dated April 21, 2009.

- Biological Assessment for Piper Property prepared by Regan Biological and Horticultural Consulting dated June 3, 2009.

- c) Staff conducted a site inspection on April 2, 2009 to verify that the site is suitable for this use.

- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN040757.

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 was reviewed by RMA - Planning Department, North County Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. 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) Necessary public facilities will be provided. The lots will be served by a mutual water system and wastewater will be disposed of by septic systems.
- c) Preceding findings and supporting evidence for PLN040757.

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 records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on April 2, 2009 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) 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 File PLN040757.

5. **FINDING:** **CEQA (Amended Mitigated Negative Declaration)** - On the basis of the whole record before the Monterey County Minor Subdivision Committee, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Amended Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
 - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN040757).
 - c) The Initial Study identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN040757).
 - d) Issues that were analyzed in the Amended Mitigated Negative Declaration include: biological resources, geologic/soils and hydrology/water quality.
 - e) All project changes required to avoid significant effects on the environment are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated

herein by reference as **Attachment 1**. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval.

- f) The Draft Mitigated Negative Declaration ("MND") for PLN040757 was prepared in accordance with CEQA and circulated for public review from July 27, 2009 through August 26, 2009 (SCH#:2009071098). Issues that were analyzed in the Draft Mitigated Negative Declaration ("MND") include biological resources, geology/soils and hydrology/water quality.
- g) Evidence that has been received and considered includes: the application, technical studies/reports (*see Finding 2/Site Suitability*), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN040757) and are hereby incorporated herein by reference.
- h) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game (DFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources. For purposes of the Fish and Game Code, the project will have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. State Department of Fish and Game reviewed the MND to comment and recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee of \$1,993.00 plus a fee of \$50 payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
- i) The County has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration.
- j) Revised mitigation measures MM #2, 3 and 4 are equivalent or more effective in mitigating or avoiding potential significant effects and it itself will not cause any potentially significant effect on the environment. A public hearing was held on the project on October 29, 2009 in which the substitution of the mitigation measures was addressed. The revised mitigation measures are incorporated into project approval or made a condition of project approval.
- k) The Monterey County Planning Department, located at 168 W. Alisal, Second Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

6. **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 and specific plans.
2. That the design or improvement of the proposed subdivision is not consistent with the applicable general plan and specific plans.
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.

- EVIDENCE:**
- a) Consistency. The project as designed and conditioned is consistent with the 1982 Monterey County General Plan and Greater Salinas Area Plan. (*Finding 1*)
 - b) Design. The proposed project is consistent with the site development standards contained in Chapter 21.14 (LDR District). The proposed lots are five acres which meets the maximum gross density of five acres/unit (LDR/5). Other development standards (e.g., building height, setbacks, coverage, etc.) will be applied during the review of future building permit applications. The lot design is consistent with the Lot Design Standards of Section 19.10.030 of County Codes.
 - c) Site Suitability. The site is suitable for the proposed project including the type and density of the development. (*Finding 2 and following evidence*)
 - d) Health and Safety. The proposed project as designed and conditioned will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County. (*Finding 3 and following evidence*)
 - e) Easements. The subdivision or the type of improvements will not conflict with easements. A conservation and scenic easement is located on the southern portion of Parcel 2 where the bridge and a portion of the common driveway would be located. No structures are allowed within the easement. There are no restrictions in the easement deed that would prohibit the construction of the proposed bridge and common driveway. There is adequate area outside of the easement on the north end of Parcel 2 for the new home and any accessory structures.
 - f) Water Supply. Section 19.10.070 MCC requires provision be made for domestic water supply as may be necessary to protect public health, safety, or welfare, and that the source of supply is adequate and potable prove there is along term water supply with the proposed project. Sections 19.03.015.L and 19.07.020.K MCC require Water Supply and Nitrate Loading Information in order to asses these conditions. Water will be provided by a mutual water system (Harrison Road #1 Community Water System).
 - g) Sewage Disposal (Sections 19.03.015.K and 19.07.020.J MCC).

- Wastewater will be disposed of by septic systems. (*also see Finding 3*)
- h) Parks and Recreation The applicant is required to 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 (see Condition 24 in Attachment 1).
 - i) The application, tentative map and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN040757.
 - j) The project planner conducted a site inspection on April 2, 2009.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

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

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Minor Subdivision Committee does hereby:

- a. Adopt the Amended Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan; and
- b. Approve PLN040757, based on the findings and evidence and subject to the conditions of approval (attached).

PASSED AND ADOPTED this **29th** day of **October, 2009** upon motion of Mr. Alinio, seconded by Mr. Treffry, by the following vote:

AYES: McPharlin, Vandever, Moss, Onciano, Treffry, Alinio
NOES: None
ABSENT: None
ABSTAIN: None


Jacqueline Onciano, Minor Subdivision Committee

COPY OF THIS DECISION MAILED TO APPLICANT ON **NOV 17 2009**

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **NOV 27 2009**

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION 09013
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: PIPER LEO B & MARY JO TRS
File No: PLN040757 **APN:** APN 113-271-013-000
Approved by: Minor Subdivision Committee **Date:** October 29, 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>
RMA – Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This Minor Subdivision allows a 10 acre parcel to be divided into two lots (2.72 acres and 7.28 acres). The property is located at 662 Harrison Road (Assessor's Parcel Number 113-271-163-000), Greater Salinas Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (RMA-Planning Department)</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.</p> <p>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.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p> <p>WRA RMA - Planning</p>	<p>Ongoing unless otherwise stated</p>	
2.		<p>PD002 – NOTE ON MAP - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 09013) was approved by the Minor Subdivision Committee for Assessor's Parcel Number 113-271-163-000 on October 29, 2009. The permit was granted subject to 29</p>	<p>Parcel map with notes restating this condition shall be submitted to the RMA-Planning Department and Public Works Department for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to recordation of parcel map</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>
		conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	<p>Obtain appropriate form from the RMA-Planning Department.</p> <p>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p> <p>RMA- Planning</p>	Prior to the issuance of grading and building permits or commencement of use.	
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 parcel map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless.</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 parcel map, whichever occurs first and as applicable	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		(RMA - Planning Department)				
4.		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 parcel map, the start of use or the issuance of building or grading permits	
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.	

<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>
6.		<p>PD007 – NOTE ON MAP - GRADING-WINTER RESTRICTION</p> <p>No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA – Planning Department and Building Services Department)</p>	<p>Parcel map with notes restating this condition shall be submitted to the RMA-Planning Department and Public Works Department for review and approval.</p> <p>Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to recordation of parcel map</p> <p>Ongoing</p>	
7.		<p>PD008 – NOTE ON MAP - GEOLOGIC CERTIFICATION</p> <p>Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report. (RMA - Planning Department)</p>	<p>Parcel map with notes restating this condition shall be submitted to the RMA-Planning Department and Public Works Department for review and approval.</p> <p>Submit certification by the geotechnical consultant to the RMA - Planning Department showing project's compliance with the geotechnical report.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant/ Geotechnical Consultant</p>	<p>Prior to recordation of parcel map</p> <p>Prior to final inspection</p>	
8.		<p>PD010 – NOTE ON MAP - EROSION CONTROL PLAN AND SCHEDULE</p> <p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA -</p>	<p>Parcel map with notes restating this condition shall be submitted to the RMA-Planning Department and Public Works Department for review and approval.</p> <p>An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to recordation of parcel map</p> <p>Prior to the issuance of grading and building permits</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		Building Services. (RMA - Planning Department and RMA - Building Services Department)				
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
9.		PD014(A) – NOTE ON MAP - LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The 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 building permits. (RMA – Planning Department)	Parcel map with notes restating this condition shall be submitted to the RMA-Planning Department and Public Works Department for review and approval. 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 Owner/ Applicant	Prior to recording of parcel map Prior to the issuance of building permits.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy/ Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
10.		PD015 - NOTE ON MAP-STUDIES A note shall be placed on the parcel map or a separate sheet to be recorded with the final map stating that: "A Geologic and Soil Engineering report dated August 30, 2005, has been prepared on this property by Landset Engineers, Inc., and is on file in the Monterey County RMA - Planning Department. The recommendations contained in said report 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)	Parcel map with notes restating this condition shall be submitted to the RMA - Planning Department and Public Works for review and approval.	Owner/ Applicant	Prior to recordation of parcel map	
11.		PD035 – NOTE ON MAP - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)	Parcel map with notes restating this condition shall be submitted to the RMA-Planning Department and Public Works Department for review and approval. Install and maintain utility and distribution lines underground.	Owner/ Applicant Owner/ Applicant	Prior to recordation of parcel map Ongoing	
RMA – Public Works						
12.		PW0031 – PARCEL MAP File a parcel map delineating all existing and required easements or rights-of-way and monument new lines. (Public Works)	Applicant's surveyor shall prepare parcel map, submit to DPW for review and approval.	Owner/ Applicant/ Engineer	Prior to Recordation of Parcel Map	
13.		PW0033 – SURVEYOR CHECK-LIST Thirty days prior to expiration date of the tentative map, Step A (8-Items) of the County Surveyor's Check Off List for Parcel Map Processing shall be completed. (Public Works)	Subdivider shall submit items included in County Surveyors Check Off List to DPW for review and approval.	Subdivider	Prior to Recordation of Parcel Map	
14.		PW0036 – EXISTING EASEMENTS AND ROW Provide for all existing and required easements or rights of way. (Public Works)	Subdivider's Surveyor shall include all existing and required easements or rights of way on Parcel Map.	Subdivider/ Surveyor	Prior to Recordation of Parcel Map	
15.		PW0020 – PRIVATE ROADS If access is obtained from an adjacent parcel, designate all subdivision roads as private roads. (Public Works)	Subdivider's Surveyor shall designate private roads on final map.	Subdivider	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
16.		NON-STANDARD – EASEMENTS AND RIGHT-OF-WAY Provide for all existing and required easements or right-of-way. (Public Works)	If access is obtained from an adjacent parcel, the applicant shall submit documentation for maintenance of road and drainage improvements.	Applicant	Prior to Recordation of Parcel Map	
Health Department Environmental Health Division						
17.		EH1 – NOTE ON MAP - WATER SYSTEM PERMIT Obtain a new or amended water system permit from the Division of Environmental Health. (Environmental Health)	Parcel map with notes restating this condition shall be submitted to the RMA - Planning Department and Public Works for review and approval. Submit necessary application, reports and testing results to EH for review and approval.	Owner/ Applicant CA Licensed Engineer /Owner/ Applicant	Prior to recordation of parcel map Prior to issuance of grading/ building permits or prior to filing parcel map	
18.		EH2 – NOTE ON MAP - 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)	Parcel map with notes restating this condition shall be submitted to the RMA - Planning Department and Public Works for review and approval. 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.	Owner/ Applicant CA Licensed Engineer /Owner/ Applicant	Prior to recordation of parcel map Prior to issuance of grading/ building permit or Prior to filing final map	

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19.		EH4 – NOTE ON MAP - 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)	Parcel map with notes restating this condition shall be submitted to the RMA - Planning Department and Public Works for review and approval. Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency.	Owner/ Applicant CA Licensed Engineer /Owner/ Applicant	Prior to recordation of parcel map Prior to installing or bonding water system improvements	
20.		EH5 - INSTALL/BOND WATER SYSTEM IMPROVEMENTS The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement. (Environmental Health)	The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement.	CA Licensed Engineer /Owner/ Applicant	Prior to filing parcel map	
21.		EH21 - SEPTIC ENVELOPES Submit an updated map indicating proposed septic envelopes for Parcels 1 and 2 to the Division of Environmental Health for review and approval. Once approved the septic envelopes shall appear as part of the final/parcel map. (Environmental Health)	Once approved the septic envelopes shall appear as part of the final/parcel map.	Owner/ Applicant	Prior to filing parcel map.	
Monterey County Water Resources Agency						
22.		WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS A notice shall be recorded on the deed for each lot stating: "All new construction shall incorporate the use of low water use plumbing fixtures and drought tolerant landscaping, in accordance with County Water Resources Agency Ordinance No. 3932." Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency)	Submit a recorded notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Recordation of the notice shall occur concurrently with the parcel 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.		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 concurrently with the parcel map	
24.		WELL INFORMATION (NON-STANDARD WORDING) The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing of the parcel map	
Parks Department						
25.		PKS002 – RECREATION REQUIREMENTS/FEES The applicant shall comply with Section 19.12.010 - Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D) (Parks Department)	The applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County Code.	Owner/ Applicant	Prior to the Recordation of the Parcel Map	
Mitigation Measures						
26.	MM1	NOTE ON MAP - In order to reduce impact to riparian and wetland habitat/species, access shall be provided by either: 1) obtaining access to the site from the property to the east and thereby avoiding constructing a bridge across the drainage; or 2) designing a bridge to span from the edge of the road to the disturbed grassland above the normal high water mark on the north side of the drainage. For each willow tree that is removed in order to achieve the minimum 18 foot driveway width, two willow trees shall be planted in appropriate locations up or downstream on the site from pole cuttings taken from the removed trees. (RMA-Planning Department)	Parcel map with notes restating this condition shall be submitted to the RMA - Planning Department and Public Works for review and approval. If a bridge is constructed, the applicant shall submit plans for the construction of the bridge for review and approval by the Director of the RMA-Planning Department and the Director of the RMA-Public Works Department. A Streambed Alteration Permit for the	Owner/ Applicant Applicant/ Owner	Prior to recordation of parcel map Prior to issuance of grading or building permits	
				Applicant/	Prior to	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
			<p>bridge shall be obtained from the California Department of Fish and Game, if they determine one is necessary. Requirements of the Streambed Alteration Permit shall be included as notes on the final map and included with any grading and building plans for the site.</p> <p>The applicant shall submit a tree replacement plan landscape plan showing the location of the replacement trees for review and approval by the Director of the RMA-Planning Department.</p>	<p>Owner</p> <p>Applicant/ Owner</p>	<p>issuance of grading or building permits</p> <p>Prior to the issuance of any permits</p>	
27.	MM2	<p>CTS PRE-CONSTRUCTION SURVEY A County approved, qualified biologist shall complete a protocol level California Tiger Salamander (CTS) Habitat Assessment to determine potential presence of CTS within or near (minimum 30 feet) the project site. A qualified biologist shall consult USFWS/CDFG (whomever has jurisdiction) to determine that: a) no CTS will be taken by the project; b) further protocol surveys are necessary; or c) CTS are likely present and the project proponent to apply for and receive an incidental take permit before any work commences on the site. Associated precautionary measures (e.g., exclusionary fencing and preconstruction surveys) will be determined by the results of the agency consultation. (RMA-Planning Department) (RMA-Planning Department)</p>	<p>Include mitigation measure as note on final map to the satisfaction of the RMA - Planning Department and Public Works.</p>	<p>Owner/ Applicant</p>	<p>Prior to recordation of parcel map</p>	
			<p>Conduct CTS Habitat Assessment.</p> <p>Consult with USFWS/CDFG</p>	<p>Qualified Biologist</p> <p>Qualified Biologist</p>	<p>Prior to issuance of grading or building permit</p> <p>After CTS Habitat Assessment is completed.</p>	

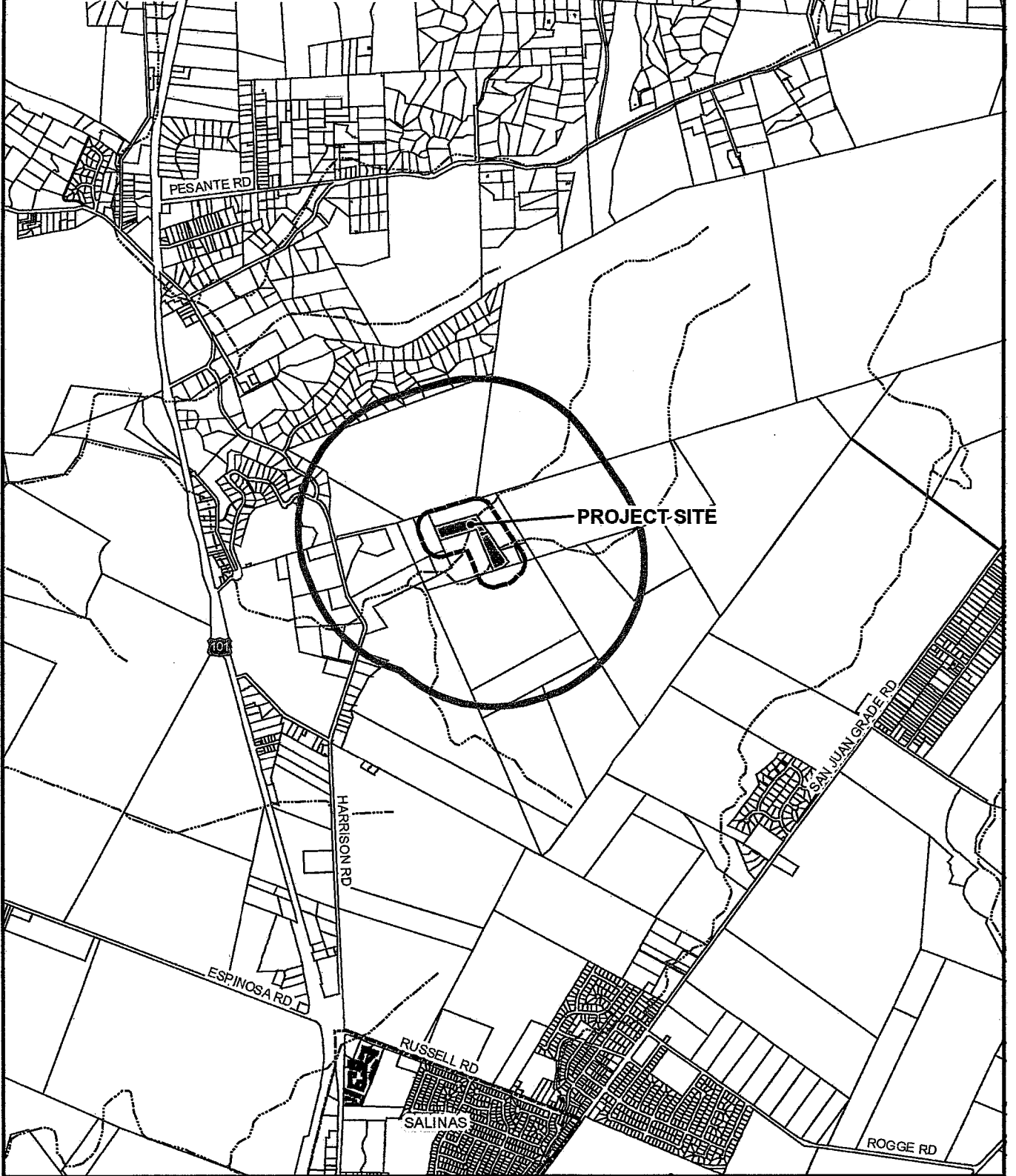
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
			Provide evidence to the RMA-Planning Director that California tiger salamander that USFWS/ CDFG requirements have been met.	Owner/ Applicant	Prior to issuance of grading or building permits.	
28.	MM3	Any trees or shrubs in the Project area likely provide nesting habitat for songbirds and/or raptors, and ground-nesting birds also have the potential to exist in the Project area. Any tree or shrub removal should occur during the non-breeding season (mid September through January). If construction activities or tree removal must occur during the breeding season (February through mid-September), surveys for active nests should be conducted by a qualified biologist no more than 30 days prior to the start of construction. A minimum no disturbance buffer of 250 feet should be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. (RMA-Planning Department)	The project contractor shall submit a schedule verifying that the bridge construction shall occur during the non-breeding season (mid September through January). Alternatively for any work outside of this timeline, the owner shall submit a survey of active nests.	Project Contractor/ Property Owner	Prior to issuance of grading or building permits	
29.	MM4	NOTE ON MAP - To avoid discharge of silt into the drainage from driveway construction activity, a silt fence shall be constructed above the outside edge of the wetland vegetation on the north side of the drainage running the full distance from the western property line to the eastern property line. A 20-foot wide buffer of native vegetation shall be maintained along the drainage to avoid siltation from development of the parcels. (RMA-Planning Department)	Parcel map with notes restating this condition shall be submitted to the RMA - Planning Department and Public Works for review and approval. The applicant shall submit Construction Management Plan illustrating parking areas, stockpile areas, and design/location of siltation fencing as required by this mitigation measure. Said Plan shall be subject to review and approval of the RMA-Planning Department. The applicant shall provide proof that all protection devices (e.g. silt fencing) has	Owner/ Applicant Applicant/ Owner Applicant/	Prior to recordation of parcel map Prior to issuance of a grading permit Prior to	

<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>been installed in accordance with the approved Construction Management Plan.</p> <p>The applicant shall submit a Drainage Maintenance Plan that includes a 20-foot wide buffer with native vegetation as well as the frequency, timing, and process for maintain the vegetation from overgrowth to assure proper drainage.</p>	<p>Owner</p> <p>Applicant/ Owner</p>	<p>issuance of grading permit</p> <p>Prior to issuance of grading permit</p>	

END OF CONDITIONS

Rev. 10/16/2009

GREATER SALINAS AREA






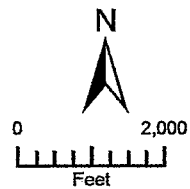
PROJECT-SITE

APPLICANT: PIPER

APN: 113-271-013-000

FILE # PLN040757

 300' Limit  2500' Limit  City Limits



PLANNER: SCHUBERT