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

In the matter of the application of:

UCP EAST GARRISON, LLC (PLN030204-AMD2)

RESOLUTION NO. 24-015

Resolution by the Monterey County Planning Commission making recommendation to Board of Supervisors to:

- 1) Consider an Addendum, together with the Final Subsequent Environmental Impact Report for the East Garrison Specific Plan (SCH#2003081086) pursuant to CEQA Guidelines Section 15164;
- 2) Adopt a resolution amending the East Garrison Specific Plan, including Appendix A – East Garrison Pattern Book (Resolution No. 05-266);
- 3) Approve a Vesting Tentative Map for the East Garrison Final Phase to allow the re-subdivision of 20.25 acres consisting of Phase 1 Final Map Parcels T1.1 – T1.8, Phase 2 Final Map Parcels M2.10 and M2.11, and Phase 3 Final Map Parcels M3.1 – M3.6, resulting in 140 single family residential parcels, 119 Live/Work parcels, two Town Center Parcels, approximately 2.85 acres in Open Space parcels, and approximately 3.35 acres in right of way parcels;
- 4) Amend the Combined Development Permit (Board of Supervisor’s Resolution 05-267) to allow the redistribution of allowed development resulting in the East Garrison Final Phase consisting of: a mixed-use Town Center building with 30,000 square feet of commercial space on the first floor and 66 Affordable Artspace apartment units above, 61 Residential Medium units, 79 Residential High units, and 119 Live/Work Rowhouses;
- 5) Adopt a Mitigation Monitoring and Reporting Plan; and
- 6) Consent to the First Amendment to the Amended and Restated First Implementation Agreement between the Successor Agency to the Redevelopment Agency of the County of Monterey amending the Disposition and Development Agreement.

[PLN030204-AMD2, UCP East Garrison, located south of the intersection of Reservation Road and East Garrison Drive, Marina, Fort Ord Master Plan,

East Garrison Specific Plan area, APNs: 031-302-057-000 through 031-302-059-000, 031-164-028-000 through 031-164-076-000, 031-164-116-000 through 031-164-121-000, 031-164-123-000, 031-164-126-000, 031-164-128-000, 031-169-036-000, 031-169-053-000, 031-169-054-000, 031-301-014-000, 031-301-015-000, and 031-302-057-000 through 031-302-059-000.]

The UCP East Garrison, LLC application (PLN030204-AMD2) came on for public hearing before the Monterey County Planning Commission on April 10, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. FINDING: PROJECT DESCRIPTION AND PROCESS – The East Garrison Specific Plan Amendment, Combined Development Permit Amendment, and Vesting Tentative Map (“Project”), as described below, has been processed in accordance with state and local requirements.

EVIDENCE: a) Background: The East Garrison Specific Plan Project (“Previously Approved Project”) included: 1) amendments to the 1982 Monterey County General Plan (Policies 26.1.9 and A-1); 2) amendments to Monterey County Code Title 21 (Section 21.08.060); 3) adoption of the East Garrison Specific Plan; 4) Combined Development Permit¹; 5) adoption of a Mitigation Monitoring and Reporting Plan; 6) allocation of 470 acre-feet per year (“afy”) of water from the County’s 560 afy water allotment (also referred to as “FORA water allocation”) for the former Fort Ord; and, 7) approval of a Development Agreement between the County of Monterey and East Garrison Partners I, LLC. The Approved Project allowed the development of up to 1,400 residential units (consisting of 780 single-family detached units, 227 townhouses, 280 condominium/loft/apartment units, and 113 live/work units) plus up to 70 Carriage Units (dependent on water availability), up to 75,000 square feet (“sf”) of commercial space, and 11,000 sf of institutional uses. The Approved Project also included up to 100,000 sf of artist studio space in 25 renovated historical buildings and approximately 50 acres of open space, parks, and natural areas.

b) Board of Supervisor’s Approvals: The Board of Supervisors found the Previously Approved Project, as conditioned and mitigated, consistent with the applicable plans and policies. On October 4, 2005, the Board of Supervisors made the following actions:

- Adopted Resolution No. 05-264 certifying the Final Subsequent Environmental Impact Report ("FSEIR"),

¹ The Combined Development Permit consisted of a Vesting Tentative Subdivision Map for the subdivision of the 244-acre project site; Use Permit for tree removal; General Development Plan; Use Permit to allow development on slopes over thirty percent (30%); and, Design Approval.

- including project-specific mitigation measures, a Statement of Overriding Considerations, and adopting a Mitigation Monitoring and Reporting Plan;
- Adopted Resolution No. 05-265 amending 1982 General Plan Policies 26.1.9 and A-1;
 - Adopted Resolution No. 05-266 approving and adopting the East Garrison Specific Plan (“EGSP”);
 - Adopted Ordinance No. 05000 amending Title 21 Zoning Ordinance and Sectional District Map 21-12 to establish a Specific Plan or “SP” zoning district and regulations, and apply the SP zoning to the East Garrison Specific Plan area;
 - Adopted Resolution No. 05-267 approving the East Garrison Combined Development Permit, as described in preceding Evidence “a”;
 - Adopted Resolution No. 05-268 allocating 470 acre-feet per year of potable water, from the FORA allocation of water to the County), to serve the Previously Approved Project;
 - Adopted Ordinance No. 05001 approving a Development Agreement between the County and East Garrison Partners I, LLC.
- c) Project Location: The Project site is located on the south side of Reservation Road approximately 4.5 miles east of Highway 1, in the East Garrison Community in the County of Monterey, approximately two miles east of the City of Marina and 5.5 miles southwest of the City of Salinas. Access is provided via Reservation Road, Inter-Garrison Road, and the eastern portion of Watkins Gate Road. The site is entirely within the boundaries of the EGSP consists of Assessor Parcel Numbers (“APNs”): 031-302-057-000 through 031-302-059-000, 031-164-028-000 through 031-164-076-000, 031-164-116-000 through 031-164-121-000, 031-164-123-000, 031-164-126-000, 031-164-128-000, 031-169-036-000, 031-169-053-000, 031-169-054-000, 031-301-014-000, 031-301-015-000, and 031-302-057-000 through 031-302-059-000.
- d) Project Description: The Project (PLN030204-AMD2) amends the adopted EGSP, Combined Development Permit, and Successor Agency Agreement(s). It also includes a Vesting Tentative Map to facilitate construction of up to 325 total residential units, consisting of 259 residential for-sale units (consisting of 140 market rate single-family units and 119 live/work “Rowhouses” of which 33 will be affordable to moderate-income households, 70 affordable to Workforce II households, and 16 will be sold at market rate) and 66 affordable apartments, as well as up to 30,000 sf of commercial/retail uses (including a community courtyard), a one-acre Town Center Park, and a 4,000 sf library/sheriff’s office. Century Communities (“Project Applicant”) has revised the Final Phase of development consisting of an approximately 20.25-acre area, including the Town Center development and portions of Phases 2 and 3 that were not developed as part of the Previously Approved Project.

The Project revises the unit types developed as part of the Final Phase and reduces the overall number of residential units to be developed as part of the EGSP, as amended. The modification allows up to 1,384 residential units and up to 70 Carriage Units, compared to 1,400 residential units and up to 70 Carriage Units under the Previously Approved Project. The Previously Approved Project included 442 total residential units for Phase 3 – however, only 192 residential units were developed as part of Phase 3. As a result, the Project Applicant proposes to include the remaining approved residential units (less the 16 unit reduction identified above) from Phase 3, (and one unit from Phases 1 and 2). In addition, the Project also reduces the maximum extent of commercial space developed as part of the EGSP by 45,000 sf, as amended.

- e) As part of the April 10, 2024 Planning Commission action, the Commission recommended that prior to consideration by the Board of Supervisors, the applicant: identify designated parking for the affordable apartments at the Town Center through a formal parking plan or agree to a condition of approval; update the draft phasing plan so the Town Center Park is constructed early during the Final Phase timing; and that the applicant consider traffic calming measures.

2. 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 was reviewed for consistency with the text, policies, and regulations in the:
 - 1982 Monterey County General Plan
 - Fort Ord Master Plan;
 - East Garrison Specific Plan;
 - 2019 Airport Land Use Compatibility Plan for the Marina Municipal Airport (ALUCP);
 - Monterey County Water Resources Agency Ordinance No. 3932;
 - Monterey County Zoning Ordinance (Title 21);
 - Subdivision Ordinance (Title 19 (non-coastal)); and
 - Monterey County Inclusionary Housing Ordinance (Chapter 18.40 of Title 18).

The County found the Previously Approved Project, which included amendments to the 1982 General Plan, consistent with the 1982 General Plan. Specifically, the County concluded that “[t]he amendments to the Monterey County General Plan . . . ensure the Specific Plan and the Combined Development Permit are consistent with the General Plan”. As part of that action, the County also found that development at the residential densities proposed in connection with the Previously Approved Project consistent with applicable General Plan designation and zoning of the site and would be consistent with the densities contemplated in the EGSP. In addition, the County found the Previously Approved Project consistent with the plans and regulations listed above (Resolution No. 05-267).

- b) 1982 General Plan Consistency. The Previously Approved Project anticipated future development of the Project site with commercial, residential, and other related uses, which was found consistent with the 1982 General Plan, as amended. The Project reduces the amount of development associated with implementation of the EGSP, as modified. The number of overall residential units are reduced by 16 units and the maximum amount of commercial space is reduced by 45,000 sf. The reduction of anticipated development at buildout of the EGSP will not result in any potential conflicts with the 1982 General Plan. The Project includes amendments to the EGSP to ensure the modifications are consistent with the EGSP. The proposed commercial, residential, and community uses included in the Project are consistent with those previously considered as part of the Previously Approved Project, although the specific unit type and configuration has been modified to account for a more refined site design and layout. These modifications ensure that the EGSP includes a cohesive town center with surrounding commercial, residential, and open spaces uses consistent with the intent of the Previously Approved Project. For these reasons, the Project is consistent with the 1982 General Plan.
- c) East Garrison Specific Plan Consistency: The Project, as described in Finding 1, Evidence “d” and Evidence “b” above, reduces the maximum residential units and commercial space under full buildout of the EGSP compared to the Previously Approved Project. As demonstrated in Finding 3 and supporting evidence, the amendments to the EGSP eliminates any potential inconsistencies between the adopted EGSP and the Project. The Project, as conditioned and mitigated, is consistent with the overall intent and purposes of the EGSP to create a compact, pedestrian friendly planned mixed-use development.
- d) 2019 Airport Land Use Compatibility Plan for Marina Municipal Airport: The Project was reviewed and found consistent with the 2019 Airport Land Use Compatibility Plan for Marina Municipal Airport (ALUCP). The Airport Land Use Commission (ALUC) found the Previously Approved Project consistent with the then current 1982 Marina Municipal Airport Comprehensive Land Use Plan and in accordance with recommended Condition of Approval No. 151, three aviation easements over portions of the EGSP area were accepted and recorded addressing potential flight hazards. On March 25, 2024, the ALUC held a duly noticed public hearing and found potential future residential uses associated with the Project compatible with the ALUCP. A condition of approval requiring notes regarding Limited Public Assembly and Notice of Airport in Vicinity be placed on the Final Map were recommended (see ALUC Resolution No. 24-002) and have been incorporated as Condition No. 86 for the Project.
- e) Subdivision: As demonstrated in Finding 8 and supporting evidence, the Vesting Tentative Map is consistent with the Subdivision Map Act (SMA) and County of Monterey Subdivision Ordinance. None of the findings for denial under SMA section 66474 can be made.

- f) Inclusionary Housing: As demonstrated in Finding 9 and supporting evidence, the Project is consistent with the County of Monterey Inclusionary Housing Ordinance.
- g) Disposition and Development Agreement: As demonstrated in find 10 and supporting evidence, the Project has been reviewed and found to meet the goals and objectives of the Development and Disposition Agreement (DDA). To ensure the Project is implemented consistent with the DDA, three Conditions of Approval are recommended and incorporated as conditions of approval for the Project. Conditions of Approval Nos. 87 and 88 requiring amendment to implementing agreements related to Moderate-Income and Workforce II housing, respectively. Condition No. 89 establishes timing for the developer to prepare and submit a leasing, operation and management plan for the commercial Town Center.
- h) Historic Resources: The EGSP Final Subsequent EIR identified significant and unavoidable impacts related to the demolition of 11 National Register of Historic Places (“NRHP”) eligible buildings and the irreversible alteration of the East Garrison National Register Historic District. While the EGSP Subsequent EIR identified Mitigation Measures 4.8-1-A through 4.8-1-J to mitigate impacts to the extent feasible, these impacts remained significant and unavoidable (Resolution No. 05-267). The Project will not impact historic resources as the demolition of historic structures already occurred during prior development phases. As a result, the Project would not directly impact historic resources and Mitigation Measures 4.8-1-A through 4.8-1-J would not apply. Impacts to historic resources would remain unchanged with implementation of the Project.
- i) Lot Legality: The County recognizes the subject parcels as legal lots of record. Final maps for the EGSP have been filed in the County of Monterey Recorder’s Office (Phase 1 is filed at Volume 24 of Cities and Towns Page 7; Phase 2 is filed at Volume 24 of Cities and Towns Page 41; and Phase 3 is filed at Volume 24 of Cities and Towns Page 54).
- j) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

3. FINDING: SPECIFIC PLAN AMENDMENT – Processing of the amendment to the East Garrison Specific Plan (EGSP) was in accordance with the procedures set forth in Government Code Section 65453. In accordance with Government Code Section 65454, the amendment to the East Garrison Specific Plan is found consistent with the 1982 General Plan and Monterey County Code (MCC), Chapter 21.41, Regulations for Specific Plan Zoning Districts or "SP" Districts. Pursuant to EGSP Section 6.3, Amendments to the Specific Plan, the Planning Commission recommends the Board of Supervisors find the EGSP amendment: 1) consistent with the goals, objectives, policies and programs of the General Plan, and is necessary and desirable to implement the provisions of the General Plan; 2) includes uses

compatible with adjacent uses and properties; 3) will not adversely affect the public health, safety or welfare; and 4) will not create internal inconsistencies in the Specific Plan.

- EVIDENCE:**
- a) General Plan Consistency: The County found the Previously Approved Project consistent with the 1982 General Plan, as amended. The Project would not result in any new incompatible land uses or increases in development that would be inconsistent with the 1982 General Plan or the EGSP. The EGSP identified minimum and maximum square footage thresholds for development of commercial space and total unit count based on economic projections at the time of approval. The Town Center component of the Previously Approved Project was designed with a flexible zoning overlay in order to respond to changes in market demand over the course of build-out under the EGSP. The Project reduces the required commercial space compared to the Previously Approved Project due to changes in consumer spending away from in-person retail since the EGSP was approved. This modification ensures that the major goals and objectives of the Previously Approved Project will be met while accounting for changes in economic circumstances since the time the EGSP was adopted. Therefore, the proposed amendments to the EGSP are consistent with the goals, objectives, and policies of the 1982 General Plan.
 - b) Land Use Compatibility: The proposed amendment to the EGSP is consistent with, and compatible with, adjacent land uses and residential properties. The Project site is adjacent to previous development phases under the EGSP, with adjacent land uses consisting mainly of residential uses. The site is disturbed and developed with existing infrastructure, which was completed as part of a prior phase of development. The surrounding land uses include existing residential and community uses associated with the East Garrison community to the east, west, and south. Other surrounding land uses include agricultural cultivation and the Salinas River to the north and east, former Fort Ord to the south and west, and residential uses to the north and west. In addition, the California State University Monterey Bay (“CSUMB”) campus is located approximately one mile west of the site. Marina Municipal Airport is approximately 2.3 miles to the northwest. The Project consists of residential, commercial, and recreational/open space uses and does not introduce new incompatible land uses (such as industrial, manufacturing, hazardous materials processing, etc.) inconsistent with existing adjacent uses. Although the extent of development is reduced, the Project includes commercial, residential, and other related uses consistent with the uses contemplated under the Previously Approved Project.
 - c) Public Health and Safety: The Project site was previously approved for development and the EGSP Final Subsequent EIR analyzed development of the Project site with respect to potential adverse impacts to public health, safety, or welfare associated with the implementation of the Previously Approved Project. The Project will not introduce new land uses (such as industrial, manufacturing, hazardous materials processing, etc.) that would result in adverse

impacts to public health, safety, or welfare. The proposed amendment to the EGSP will not result in any new or increased adverse impacts to public health, safety, or welfare. Moreover, the Final Phase of construction also includes public facilities (i.e., sheriff substation) and other public safety facilities (i.e., fire station) were developed in prior phases of development.

- d) Internal Inconsistencies: The Project reduces the maximum amounts of commercial space to be developed under the EGSP compared to the Previously Approved Project. Changes under the Project ensure that major goals and objectives of the Previously Approved Project are met, while accounting for changes in economic circumstances since the time the EGSP was adopted. The Project is consistent with the stated goals of the adopted EGSP, including, but not limited to, creating a compact pedestrian-friendly planned development, designing efficient, self-funded infrastructure systems, and minimizing effects on the environment. The Project does not introduce new land use types that would be inconsistent with the adopted EGSP and includes amendments ensure that there are no internal inconsistencies with the adopted EGSP. The proposed amendment to the EGSP will not result in internal inconsistencies related to implementation of the Project.
- e) Allowable Uses: EGSP Section 3.5, General Land Use Regulations, designates allowable uses for each land use category under the Previously Approved Project. These uses are described in EGSP Table 3.8 as being permitted, permitted with limitations, permitted with an Administrative Permit, permitted with approval of a Use Permit from the Zoning Administrator or Planning Commission, or prohibited. The EGSP amendment updates Section 3.5 and Table 3.8 with revised permitted uses based on the revised development types. Notably, the amendment removes the Multi-Family Rowhouse Dwelling Units and Bed and Breakfast Inns from the list of allowable uses. The Previously Approved Project anticipated that the Project site would be developed with a mix of residential, commercial, and public/institutional uses. The Final Phase of development includes a reduced intensity of residential, commercial, and public/institutional uses that are consistent with the allowable uses in the EGSP.
- f) Development Standards: The adopted EGSP and Pattern Book include development standards for residential and commercial development. The EGSP amendment revises the development standards by modifying the following:
- Reduce the approved height limit for the Residential High 2 land use category from 4 stories and 50 feet to 3 stories and 45 feet;
 - Increase the approved height limit for the Town Center land use category from 3 stories and 45 feet to 4 stories and 50 feet;
 - Add a new “modern” architectural style for the Town Center;
 - Relocate the Live/Work units;
 - Revise residential lot sizes;
 - Replace “Live/Work Townhouse” lot type with “Live/Work Rowhouse” lot type;

- add a new “Hamlet” lot type;
- remove the “Artist Lofts” unit type; and
- add a new “Live/Work Rowhouse” unit type.

All residential (Residential Medium, Residential High 2, Live/Work Rowhouses, etc.) and commercial development facilitated by the Project will be required to conform to the development standards (including, but not limited to, building setbacks, height limits, and parking requirements) applicable to each land use category identified in the amended EGSP and Pattern Book. Future development would be subject to the design review process identified in the EGSP. Specifically, development would be subject to review and approval by the East Garrison Design Review Committee prior to issuance of an approval, permit, and/or conformance determination.

g) Parking: The adopted EGSP identifies parking ratios for each land use type. The amendment modifies parking ratios for the following land use types:

- Residential High 2: the maximum off-street parking requirement is decreased by 0.25 spaces per unit, reducing it from 2.25 per unit to 2 per unit.
- Town Center (residential): the maximum off-street parking requirement is increased by 0.25 spaces per unit, from 1.25 per unit to 1.5 per unit.
- Town Center (Fast Casual Restaurant): new requires maximum off-street parking of 1 space per 80 sf of building space is added.
- Town Center (non-residential, including the Chapel): truck bays are now excluded from the maximum off-street parking requirement.

The Project includes a total of 333 new parking spaces to serve the Town Center and the residential portion would have an available parking supply of 776 spaces (inclusive of private garages, driveway parking, and off-street parking spaces). The Project Applicant retained Kimley-Horn to prepare a Final Phase Shared Parking Analysis (December 2023) (see **Exhibit L** of the April 10, 2024 Planning Commission staff report) to ensure that the proposed parking supply would be sufficient for the Town Center and residential components of the Project. Kimley-Horn determined that the peak parking demand for the Town Center and residential component would be 232 spaces and 518 spaces, respectively. The Shared Parking Analysis concluded that the Project will have sufficient parking.

h) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

4. 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: HCD – Planning; HCD – Environmental Services; HCD – Engineering Services; Water Resources Agency;

Public Works, Facilities, & Parks Department; Environmental Health Bureau; Monterey County Sheriff's Office; and Monterey County Regional Fire District. There has been no indication from these departments/agencies that the Project site is not suitable for the proposed development. As demonstrated in Finding 11 and supporting evidence, Addendum No. 3 to the FSEIR did not identify any potential physical or environmental constraints that would indicate the Project site, as mitigated, would not be suitable for the proposed development.

- b) The County of Monterey found the Project site suitable for residential, commercial, and other related uses as part of the Previously Approved Project (Resolution No. 05-267). Consistent with the previous finding, there are no existing physical or environmental constraints that would indicate the Project site, as mitigated, is not suitable for development.
- c) As demonstrated in Finding 11 and supporting evidence, the EGSP Final Subsequent EIR evaluated potential environmental effects associated with the Previously Approved Project, which included development on the Project site. The Project reduces impacts compared to the Previously Approved Project due to the reduction in residential units and commercial sf. The Project site is considered suitable for the future use under the Project as it will not result in any additional adverse environmental effects. In addition, implementation of mitigation measures identified in the EGSP Final Subsequent EIR will ensure impacts from development under the Project are minimized.
- d) The project planner conducted a site visit February 16, 2024. Through these visits, County staff verified that the Project site is suitable for the proposed development and uses.
- e) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

5. FINDING: **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the Project 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: HCD-Planning; HCD-Environmental Services; HCD-Engineering; Water Resources Agency; Public Works, Facilities, & Parks Department; Environmental Health Bureau; Monterey County Sheriff's Office; and Monterey County Regional Fire District. The respective departments and 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; or the County in general.
 - b) The County found implementation of the Previously Approved Project would not be detrimental to health, safety, peace, morals, comfort, and

general welfare of persons residing or working in the neighborhood, property and improvement in the neighborhood, or to the general welfare of the County (Resolution No. 05-267). The Previously Approved Project anticipated future residential, commercial, and other uses on the Project site. Although the Project revises the configuration, layout, and type of residential uses and reduce the maximum commercial space proposed as part of the Final Phase of construction of the EGSP, these modifications would not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing in the vicinity.

- c) Water. Marina Coast Water District (“MCWD”) provides water service to the EGSP area, including the Project site. The County allocated 470 afy to serve the Previously Approved Project and the modification reduces anticipated water demand. Total Project water demand at buildout would be 454.5 acre-feet per year. As a result, implementation of the Project will not exceed the existing available water allocation. Finding 7 and supporting evidence, there is sufficient available water supply to meet the demands associated with implementation of the EGSP, as modified by the Project.
- d) Wastewater. MCWD provides wastewater collection service to the Previously Approved Project, including the Project site. Wastewater collect by MCWD is then conveyed to the Monterey One Water (M1W) regional treatment plant located north of the City of Marina. The Project includes installation of new 6-inch and 8-inch diameter sanitary sewer mains. This new wastewater infrastructure will connect to existing MCWD water infrastructure in Sherman Boulevard, Burnside Avenue, Stonehenge Lane, Bragg Way, and Ord Avenue. The Project will increase the maximum diameter of wastewater gravity mains from 12-inches to 15-inches. The County determined that the Previously Approved Project would generate approximately 0.299 million gallons per day (“MGD”) during average dry weather flow and 0.688 MGD during peak weather flow based on then-current MCWD generation factors. Buildout of the EGSP, as amended, would generate wastewater flow volumes of 0.313 MGD during average dry weather flow and 0.720 MGD during peak wet weather flow using current MCWD factors. The Project would generate slightly more wastewater flow than the Previously Approved Project (0.014 MGD increase for dry weather flows and 0.032 MGD increase for wet weather flows) due to changes in unit types. However, this increase will be accommodated by the existing permitted treatment capacity (29.6 MGD of wastewater) at the M1W regional treatment plant, which receives an average wastewater flow of 18 MGD.
- e) Other public facilities, including solid waste, electric and natural gas, would be installed in common joint trenches along with cable TV facilities. The Project includes abandoning existing utility easements previously recorded as part of the Previously Approved Project and the dedication of new utility easements, as appropriate.
- f) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the

proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

6. FINDING: **NO VIOLATIONS** - The Project site 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 subject properties.

- EVIDENCE:**
- a) Staff conducted site inspections on February 16, 2024 and researched County records to assess if any violation exists on the subject properties. Staff reviewed Monterey County HCD-Planning and HCD-Building Services records and is not aware of any violations existing on the subject properties, and there no known violations on the subject parcels.
 - b) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

7. FINDING: **LONG-TERM SUSTAINABLE WATER SUPPLY AND ADEQUATE WATER SUPPLY SYSTEM** – The Project has a long-term, sustainable water supply, both in quality and quantity, and an adequate water supply system to serve the development.

- EVIDENCE:**
- a) The County of Monterey found that there was a long-term sustainable and adequate water supply system to serve the Previously Approved Project. In 2004, MCWD prepared a Water Supply Assessment and Written Verification of Supply (“WSA”) for normal, single dry, and multiple dry water years, in compliance with Water Code Sections 10910 and 10912 and Government Code Sections 65867.5 and 66473.7. The WSA evaluated the Previously Approved Project and MCWD concluded that they had sufficient available capacity. Accordingly, the County of Monterey found that projected water supplies would be sufficient to satisfy the demands of MCWD, including the East Garrison Project, in addition to existing and planned future uses, for normal, single dry, and multiple dry water years. The County of Monterey subsequently allocated 470 acre-feet per year (“afy”) of the County’s FORA water allocation to the Previously Approved Project (Resolution No. 05-268).
 - b) The Project reduces the extent of overall development associated with implementation of the EGSP, as modified, by reducing the extent of residential development by 16 residential units and reduces the maximum amount of commercial development by 45,000 square feet. This results in a decrease in anticipated water demand at buildout as compared to the Previously Approved Project. **Table 1** identifies projected water demand associated with the Project.

Table 1 Revised Projected East Garrison Water Demand at Full Buildout					
Land Use	Dwelling Units	Building Area (sf)	Acreage	Demand Factor ¹ (afy)	Annual Demand (afy)
Residential					

Single-Family Detached	919			0.25	229.75
Townhouse	150			0.25	37.50
Live/Work Rowhouse	119	N/A	N/A	0.25	29.75
Affordable Apartments	196			0.25	49.00
Carriage Units	70			0.25	17.50
Commercial (Town Center)					
Retail		20,100		0.00021	4.22
Market/Grocery	N/A	3,000	N/A	0.00021	0.63
Restaurant & Community Courtyard		6,900		0.00145	10.01
Institutional/Cultural/Parks/Open Space					
Cultural/Educational		100,000		0.0003	30.0
Library/Sheriff		4,000	N/A	0.0003	1.20
Fire Station	N/A	11,200		0.0003	3.36
Parks		N/A	13.27	2.5	33.18
Special Landscape Features			4.00	2.1	8.40
Total	1,454	145,200	17.27		454.5
¹ From Table 4.4 in MCWD 2020 Urban Water Management Plan SF = square feet AFY = acre feet per year (Source: Kimley-Horn, August 2023)					

As shown above, the Project will not exceed projected the 470 afy allocated to serve the Previously Approved Project and there is sufficient existing water supply available to serve the Project. No additional water allocation would be necessary.

- c) The Project will be served by an adequate water supply system. MCWD currently provides water service to the EGSP area. The project includes installation of new 8-inch diameter water mains that will connect to existing MCWD water infrastructure in Sherman Boulevard, Burnside Avenue, Fallingwater Lane, Schofield Lane, and Ord Avenue.
- d) As demonstrated in Finding 11 and supporting evidence, Addendum No. 3 to the EGSP Final Subsequent EIR did not identify new significant impacts as a result of the Project, including water use.
- e) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

- 8. FINDING: SUBDIVISION** – Section 66474 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the Monterey County Code require 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.

The Project, including the Vesting Tentative Map has been reviewed and none of these findings can be made.

- EVIDENCE:**
- a) The Project includes a Vesting Tentative Map (see **Exhibit E** of the April 10, 2024 Planning Commission staff report) for the re-subdivision of existing lots of record to facilitate individual sale and/or lease of each of the proposed residential and live/work units and the remaining non-residential space under the Final Phase of development. The Project will result in the creation of 61 Residential-Medium Lots (Lots 1135-1151 and 1231-1274) and 79 Residential-High-2 Lots (Lots 1152-1230), for a total of 140 single-family lots on 7.29 acres. The Project will also result in the creation of 119 Live/Work lots (Lots 1016-1134 over 4.26 total acres), two Town Center Parcels (Parcels T4.1-4.2 over 2.5 total acres), 15 Open Space Parcels (Parcels Z4.1-4.15 over 2.85 total acres), one Street Right-of-Way (Parcel S4.1 over 0.64 total acres), and 11 Lane Right-of-Ways (Parcels A4.1-4.11 over 2.71 total acres).
 - b) The Project includes minor amendments to the existing EGSP to allow development as currently proposed. Adoption of the proposed amendments would ensure that the subdivision of the Project site is consistent with the EGSP, as amended (see Finding 3 and supporting evidence). Therefore, the Vesting Tentative Map will be consistent with the EGSP.
 - c) The design and improvements included in the Project are consistent with the intent of the EGSP and will assist in the development of the Final Phase of the East Garrison Specific Plan, as amended. The site is physically suitable for the type of development at the density proposed.
 - d) The County of Monterey evaluated the suitability of the site for future development as part of the Previously Approved Project. The subdivision of the site as part of the Project will facilitate future residential, non-residential, and public uses consistent with the overall intent of the Previously Approved Project (see Finding 4 and supporting evidence). The Project site was previously graded in connection with prior phases of development associated with the Previously Approved Project. The introduction of future residential, non-residential, and community uses proposed as part of the Project will be compatible with the site. Moreover, the site is physically suitable for the type of development at the density proposed.
 - e) As demonstrated in Finding 11 and supporting evidence, the Project will not cause substantial environmental damage or result in damage to fish and wildlife and their habitat. The EGSP Final Subsequent EIR evaluated potential impacts to biological resources associated with implementation of the Previously Approved Project, which anticipated future development on the Project site. The EGSP Final Subsequent EIR

identified mitigation measures to ensure that potential impacts would be minimized to a less than significant level. As identified in Addendum No. 3, the Project will not result in any additional environmental effects beyond those previously identified in connection with the Previously Approved Project. In addition, the County found that subdivision of the Previously Approved Project would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. For these reasons, the re-subdivision of existing lots of record associated with the Project will not cause substantial environmental damage or result in damage to fish and wildlife and their habitat.

- f) The Project will not result in any serious public health problems and will not conflict with easements or access acquired for the public.
- g) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

9. FINDING: INCLUSIONARY HOUSING – The Project complies with the Inclusionary Housing Ordinance requirement to provide a minimum of 20% affordable housing units.

- EVIDENCE**
- a) The County of Monterey found the Previously Approved Project consistent with Monterey County Code Chapter 18.40 – Inclusionary Housing Ordinance. See Board of Supervisor’s Resolution No. 05-267, Finding 10 and supporting evidence.
 - b) Paragraph A of Attachment No. 3 to the Disposition and Development Agreement for the project required a minimum of 6% of the units be affordable at the very low-income category (84 of the original 1,400-units), 8% of the units be affordable at the low-income category (112 of the original 1,400-units); 6% of the units be affordable at the moderate-income category (84 of the original 1,400-units); and, 10% of the units be affordable at the Workforce II income category (140 of the original 1,400-units).
 - c) A total of 130 very low- and low-income units required by the Previously Approved project were constructed during Phase 1 and 1, leaving 66-affordable units remaining to construct during the Final Phase.
 - d) A total of 51 moderate-income units required by the Previously Approved Project were constructed during Phases 1 and 2, leaving 33-moderate-income units to construct during the Final Phase.
 - e) A total of 70 workforce II units required by the Previously Approved Project were constructed during Phase 2, leaving 70-workforce units to construct during the Final Phase.
 - f) As demonstrated in Finding 1, Evidence “d”, the Project includes 66 very low and low income rental units, 33 for sale deed restricted moderate units and 70 for sale deed restricted Workforce II units.
 - g) As demonstrated in Finding 10 and supporting evidence, an amendment to the DDA, and as conditioned, commitments are in place to ensure the Project meets the EGSP inclusionary housing obligations prior to build out.
 - h)

The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

10. FINDING:

SUCCESSOR AGENCY AGREEMENTS – The Project modifies the Successor Agency Agreements (including the Development and Disposition Agreement) based on the revised construction location and timing of the affordable rental housing under the Final Phase of development, changes to timing of the Town Center, and revised residential unit count, types and sizes.

EVIDENCE

- a) The Project changes the Phase 3 and Town Center layout to relocate the Phase 3 Affordable Rental Housing Project to be stacked on top of the commercial Town Center. Relocating the affordable rental housing to the Town Center helps reduce construction costs by eliminating the need for parking garage and enhancing competitiveness for low-income housing tax credit program funding.
- b) The DDA recognizes the development of the Town Center is an important part of the design of the Project and that the market for retail commercial space at East Garrison is uncertain, allowing for a range of allowable square footage with a minimum of 34,000 sf inclusive of a 4,000 sf Library/Sheriff’s Substation. The DDA establishes timing triggers associated with sale of market rate lots in Phase 3 by which the Town Center must be constructed. The Project requires changes to the construction timing triggers associated with the Town Center development to tie the triggers to issuance of building permits for Final Phase market rate units, as well as amending the Schedule of Performance for the Final Phase to include a phasing plan that ensures the public amenities and affordable rental housing units are constructed concurrently with the market-rate units. The timing triggers and phasing schedule ensure the public amenities and affordable rental housing units are constructed concurrently with the remaining market-rate units. In addition, by accepting the First Amendment to the Completion Guaranty, the Agency further ensures that the affordable rental units (and Town Center upon which the apartments are stacked) will be completed by or before December 31, 2029.
- c) The Project reduces the number of overall residential units by 16 units, reduced the maximum commercial space by 45,000 sf, and includes new residential unit types and sizes. In August 2023, the Developer submitted a Tax Increment Analysis which indicates that the total new incremental ad valorem property tax generated and the amount available (tax increment) to fund the Agency’s enforceable obligations generated under the Project is greater than the tax increment generated by the Previously Approved Project. This increase in property tax generated results in an increase in net revenues to the taxing entities. The increase in tax increment generated reduces the Agency’s liabilities by enabling the Agency to retire obligations sooner given the increase in revenues, thereby

ensuring consistency with state law related to amending enforceable obligations.

- d) The Project changes the implementation terms for the Moderate-Income units regarding location and minimum size and Workforce II units regarding implementation procedures ensure the terms or conditions of the DDA are implemented by facilitating and assuring the units are built consistent with the goals and objectives of the development approvals.
- e) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

11. FINDING:

CEQA (Consider Certified Final Subsequent EIR with Addendum) – In accordance with CEQA Guidelines Section 15164(d), the Planning Commission considered Addendum No. 3 together with the East Garrison Specific Plan Final Subsequent EIR (SCH#2003081086) prior to recommending approval of the Project to the Board of Supervisors. The Project requires minor revisions to the EGSP, but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred.

- EVIDENCE**
- a) Addendum No. 3 to the EGSP Final Subsequent EIR (see **Exhibit G** of the April 10, 2024 Planning Commission staff report) evaluated the potential environmental effects associated with the implementation of the Project and identified that it would reduce the extent of overall development associated with buildout of the EGSP as compared to the Previously Approved Project. As a result, Addendum No. 3 concluded that the Project would reduce the magnitude of potential environmental effects identified in the EGSP Final Subsequent EIR, although the level of anticipated environmental effects (i.e., less than significant, less than significant with mitigation, significant and unavoidable) would remain unchanged.
 - b) Addendum No. 3 determined that the Project, consistent with the requirements of CEQA Guidelines Section 15162, would not involve any substantial changes requiring subsequent environmental review, and there is no new information of substantial importance requiring major revisions of the EGSP Final Subsequent EIR (SCH#2003081086, certified by the Monterey County Board of Supervisors on October 4, 2005, Resolution No 05-264) (see **Exhibit H** of the April 10, 2024 Planning Commission staff report). The Project would not result in any new significant environmental effects that cannot be mitigated with existing, previously identified mitigation measures in the EGSP Final Subsequent EIR. In addition, the Project would not result in any new significant environmental effects or substantially increase the severity of a previously identified significant environmental effects beyond those identified in the EGSP Final Subsequent EIR.
 - c) CEQA Guidelines Section 15164 states that a lead agency or responsible agency may choose to prepare an addendum to a

previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. The Project does not present a substantial change to identified environmental impacts previously discussed and addressed in the FSEIR (SCH#2003081086). Therefore, a subsequent or supplemental EIR, pursuant to CEQA Guidelines Section 15162, is not required and an addendum to the EGSP Final Subsequent EIR is appropriate.

- d) The County has prepared Addendum No. 2 to the previously-certified EGSP Final Subsequent EIR for the East Garrison Specific Plan and Combined Development Permit Amendment pursuant to CEQA Guidelines Section 15164.
- e) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

12. FINDING:

MITIGATION MONITORING PROGRAM – As demonstrated in the Addendum No.3 to the EGSP Final Subsequent EIR, the Project modifications would not require the creation of additional mitigation measures, revised mitigation measures, or other changes to the approved Mitigation Monitoring and Reporting Program.

- EVIDENCE:**
- a) The Board of Supervisors previously certified the EGSP Final Subsequent EIR (SCH#2003081086), adopted a Mitigation Monitoring and Reporting Plan (“MMRP”), and adopted a Statement of Overriding Considerations for the Previously Approved Project (Resolution No. 05-264) on October 4, 2005.
 - b) The MMRP identified 66 mitigation measures that would be applicable to the Previously Approved Project. As identified in Addendum No. 3, the following 17 mitigation measures would be applicable to the Project:

Air Quality:

- MM 4.5-B-1
- MM 4.5-C-1

Biological Resources:

- MM 4.7-D-1
- MM 4.7-D-2
- MM 4.7-D-3
- MM 4.7-D-4
- MM 4.7-D-5

Cultural Resources:

- MM 4.8.2-A
- MM 4.8.2-D
- MM 4.8.2-E
- MM 4.8.2-H
- MM 4.8.2-I

Geology and Soils:

- MM 4.2-C-4

Noise:

- MM 4.6-A-1
- MM 4.6-C-1

- c) Addendum No. 3 did not identify any additional mitigation measures beyond those previously identified in the EGSP Final Subsequent EIR.
- d) The application, plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project Files PLN030204, PLN030204-AMD1 and PLN030204-AMD2.

13. FINDING:

NOTICE – The Planning Commission held a duly noticed public hearing on the Project, on April 10, 2024, at which hearing all persons had the opportunity to be heard.

EVIDENCE

Public notice for the April 10, 2024 Planning Commission hearing was provided through publication of notice in the *Monterey County Weekly*, mailing to residents within the East Garrison Planning area, onsite posting of notices, and mailing to interested parties who had previously asked to receive notice.

DECISION

NOW, THEREFORE, based on the above findings and evidence and the administrative record as a whole, the Planning Commission does hereby recommend that the Board of Supervisors take the following actions:

- 1) Consider an Addendum, together with the Final Subsequent Environmental Impact Report for the East Garrison Specific Plan (SCH#2003081086) pursuant to CEQA Guidelines Section 15164;
- 2) Adopt a resolution amending the East Garrison Specific Plan, including Appendix A – East Garrison Pattern Book (Resolution No. 05-266);
- 3) Approve a Vesting Tentative Map for the East Garrison Final Phase to allow the re-subdivision of 20.25 acres consisting of Phase 1 Final Map Parcels T1.1 – T1.8, Phase 2 Final Map Parcels M2.10 and M2.11, and Phase 3 Final Map Parcels M3.1 – M3.6, resulting in 140 single family residential parcels, 119 Live/Work parcels, two Town Center Parcels, approximately 2.85 acres in Open Space parcels, and approximately 3.35 acres in right of way parcels;
- 4) Amend the Combined Development Permit (Board of Supervisor’s Resolution 05-267) to allow the redistribution of allowed development resulting in the East Garrison Final Phase consisting of: a mixed-use Town Center building with 30,000 square feet of commercial space on the first floor and 66 Affordable Artspace apartment units above, 61

- Residential Medium units, 79 Residential High units, and 119 Live/Work Rowhouses;
and
5) Adopt a Mitigation Monitoring and Reporting Plan.

All work must be in general conformance with the attached plans, and this approval is subject to the applicable conditions previously adopted for the Approved Project, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 10th day of April, 2024, upon motion of Commissioner Roberts, seconded by Commissioner Mendoza, by the following vote:

AYES: Shaw, Diehl, Work, Mendoza, Gonzalez, Gomez, Roberts, Daniels, Monsalve
NOES: None
ABSENT: Getzelman
ABSTAIN: None

DocuSigned by:

Melanie Beretti

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Melanie Beretti, AICP
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON 05/22/2024.

County of Monterey HCD Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN030204-AMD2

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Specific Plan Amendment, Vesting Tentative Map and Combined Development Permit (PLN030204-AMD2) allows an amendment to the East Garrison Specific Plan, including Appendix A – East Garrison Pattern Book (Resolution No. 05-266); Approval of a Vesting Tentative Map for the East Garrison Final Phase to allow the re-subdivision of 20.25 acres consisting of Phase 1 Final Map Parcels T1.1 – T1.8, Phase 2 Final Map Parcels M2.10 and M2.11, and Phase 3 Final Map Parcels M3.1 – M3.6, resulting in 140 single family residential parcels, 119 Live/Work parcels, two Town Center Parcels, approximately 2.85 acres in Open Space parcels, and approximately 3.35 acres in right of way parcels; an Amend the Combined Development Permit (Board of Supervisor’s Resolution 05-267) to allow the redistribution of allowed development resulting in the East Garrison Final Phase consisting of: a mixed-use Town Center building with 30,000 square feet of commercial space on the first floor and 66 Affordable Artspace apartment units above, 61 Residential Medium units, 79 Residential High units, and 119 Live/Work Rowhouses. The properties are located Two miles east of the City of Marina and 5.5 miles southwest of the City of Salinas along Reservation Road. The properties are located south of the intersection of Reservation Road and East Garrison Drive, Marina, (Assessor’s Parcel Numbers 031-302-057-000 through 031-302-059-000, 031-164-028-000 through 031-164-076-000, 031-164-116-000 through 031-164-121-000, 031-164-123-000, 031-164-126-000, 031-164-128-000, 031-169-036-000, 031-169-053-000, 031-169-054-000, 031-301-014-000, 031-301-015-000, and 031-302-057-000 through 031-302-059-000), Fort Ord Master Plan, East Garrison Specific Plan area. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. 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. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
 "An Amendment to the East Garrison Specific Plan, Vesting Tentative Map and Combined Development Permit Amendment (Resolution Number _____) was approved by the Board of Supervisors for Assessor's Parcel Numbers 031-302-057-000 through 031-302-059-000, 031-164-028-000 through 031-164-076-000, 031-164-116-000 through 031-164-121-000, 031-164-123-000, 031-164-126-000, 031-164-128-000, 031-169-036-000, 031-169-053-000, 031-169-054-000, 031-301-014-000, 031-301-015-000, and 031-302-057-000 through 031-302-059-000 on [Date the permit was approved]. The permit was granted subject to 89 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register 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 recovery.
 (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.
 Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. AIR QUALITY 4.5-C-1

Responsible Department: Planning

Condition/Mitigation AIR QUALITY

Monitoring Measure: There are no mitigation measures that will create sufficient emissions reductions to achieve a less-than-significant impact. Impacts should nevertheless be mitigated to the maximum extent feasible. The following measures are recommended:

- Encourage future site access by transit or para-transit systems,
 - Incorporate bicycle connections between amenities in the EGSP area ,
 - Wire homes with 220 volts for electrical vehicle charging,
 - Wire homes with multiple data channel access to assist in in-home employment.
- (Planning and Building Inspection)

Compliance or Include on Subdivision Improvement Plans and on building permit plans, as applicable.

Monitoring

Action to be

Performed:

5. BIOLOGY 4.7-A-1

Responsible Department: Planning

Condition/Mitigation BIOLOGY 4.7-A-1

Monitoring Measure: The County shall ensure compliance with the General Conditions and East Garrison Conditions as outlined in the Land Swap Assessment and listed below. The conditions and compliance status are listed below.

General Conditions

1. The County of Monterey shall sign the April 1997 HMP.

Compliance status: On July 29, 2003, the Board of Supervisors of the County of Monterey authorized County signature of the April 1997 HMP.

2. FORA, the County, BLM and MPC shall agree, through a Memorandum of Understanding or equivalent binding agreement, to the land use modifications at East Garrison, Parker Flats and the MOU facility as described in this report.

Compliance status: On September 23, 2003, the Board of Supervisors of the County of Monterey approved and authorized the Chair to sign a Memorandum of Understanding on behalf of the County with FORA, BLM, MPC and the Army. The Army signed the MOU in August 2004 and the revised MOU is currently being recirculated for signature by the other agencies.

3. FORA and the County shall revise the cost and funding estimates for habitat management, to include the additional costs associated with prescribed burning and monitoring in the new habitat areas at Parker Flats, in accordance with changed habitat management responsibilities resulting from the proposed modifications described in this report. Funds previously allocated for habitat management shall not be reallocated to accommodate new prescribed burning requirements.

Compliance status: Representatives of the County and FORA are involved in ongoing discussions with the U.S. Fish and Wildlife Service and others through CRMP regarding the appropriate procedures for prescribed burning and monitoring at Parker Flats. Until the issues regarding prescribed burning are resolved, costs estimates cannot be accurately revised.

East Garrison Conditions

1. Final development siting and boundary adjustments at East Garrison shall be coordinated with the Service, BLM and the CDFG based on a maximum development footprint, exclusive of existing roads, of 451 acres, approximating the limits of development illustrated on Figure 4 in the LSA. Borders between habitat areas and development areas shall be established to allow fire breaks, fire management access and adequate habitat setbacks, all of which shall occur within the developable footprint.

Compliance status: This condition refers to the final development siting and boundary designations for full buildout of the 451 acres that were identified for development at East Garrison in the Land Swap Assessment. The current development footprint accounts for approximately 240 acres, largely within the existing developed areas of the East Garrison polygon, and does not extend into the southern area of the polygon where there are higher densities of maritime chaparral and other HMP species. The primary purposes of this condition are to assure that the effects of development do not extend beyond the limits presented in the Land Swap Assessment for the East Garrison polygon and that the interface between development and habitat meets standards acceptable to USFWS, BLM and CDFG. A meeting was held November 19, 2003 with the USFWS and BLM to preview the development siting and boundary adjustments for the EGSP. Ongoing coordination with these agencies and with CDFG and the Army will continue prior to final approval of the project by Monterey County.

Compliance or Monitoring Action to be Performed: Ensure compliance with Land Swap Assessment. Align road in compliance with USFWS. Show on Subdivision Improvement Plans and grading permit plans. County and FORA shall consult with USFWS and BLM for closure of roads to protect habitat. Prepare HCP. Comply with requirements of US Fish and Wildlife Service

6. BIOLOGY 4.7-A-1 (a)

Responsible Department: Planning

Condition/Mitigation BIOLOGY 4.7-A-1 (a)

Monitoring Measure: 2. FORA and the County shall make all reasonable efforts to realign the HMP-designated Future Road Corridor (Figures 1, 3 and 8 of this report) linking Reservation Road with East Garrison to avoid isolating habitat reserve lands. If such realignment is not possible, the resulting isolated habitat reserve land acreage will be designated for development and developable land of comparable value and size, contiguous with other reserve lands shall be redesignated as habitat reserve.

Compliance status: The "Future Road Corridor" shown in the HMP has been realigned in the EGSP so that habitat reserve lands are not isolated and no additional land area, beyond that anticipated by the HMP, will be required to link Reservation Road with East Garrison. A concept of this realignment was discussed with USFWS and BLM in a meeting held November 19, 2003.

Compliance status: The "Future Road Corridor" shown in the HMP has been realigned in the EGSP so that habitat reserve lands are not isolated and no additional land area, beyond that anticipated by the HMP, will be required to link Reservation Road with East Garrison. A concept of this realignment was discussed with USFWS and BLM in a meeting held November 19, 2003.

3. FORA and the County recognize the potential impacts to California tiger salamander and other HMP Species that could result from increased use of minor roads leading out of East Garrison into habitat reserve areas. The disposition and use of these roads shall be addressed through the CRMP program, and appropriate habitat protection measures shall be incorporated into the HCP prepared through CRMP. In addition, pursuant to a biological opinion on the California tiger salamander issued by the Fish and Wildlife Service on March 14, 2005, specified restrictions apply to the specific plan property and are included as County conditions of development.

Compliance status: No minor roads leading out of East Garrison into habitat reserve areas (e.g. Watkins Gate Road) are proposed for improvement or active use as part of the EGSP. Inter-Garrison Road and Reservation Road are expected to be the primary travel routes servicing East Garrison. Barloy Canyon Road provides access to Laguna Seca raceway during events but is otherwise gated to through traffic at Eucalyptus. BLM manages the gate closure on Barloy Canyon Road and has considered moving the gate to the southern end of the East Garrison polygon when development occurs there. The ultimate disposition and use of minor roads leading out of East Garrison into habitat reserve areas will be addressed through CRMP as the HCP is revised.

4. A low wall or other suitable barrier to migration of California tiger salamanders shall be constructed along the development/reserve boundary to the east of the vernal pool illustrated on Figure 3 of this report when development occurs in that area. Such a barrier is intended to discourage movement of California tiger salamanders into developed areas, thereby reducing the potential for harm to the species.

Compliance status: This condition applies to development that would occur in subsequent phases beyond the project site (outside Track Zero at East Garrison). The subject vernal pool is located to the southwest of the EGSP development area. (Planning and Building Inspection, CAO)

Compliance or Monitoring Action to be Performed: Ensure compliance with Land Swap Assessment. Align road in compliance with USFWS. Show on Subdivision Improvement Plans and grading permit plans. County and FORA shall consult with USFWS and BLM for closure of roads to protect habitat. Prepare HCP. Comply with requirements of US Fish and Wildlife Service

7. BIOLOGY 4.7-D-2

Responsible Department: Planning

Condition/Mitigation BIOLOGY 4.7-D-2

Monitoring Measure: Within 30 days of building demolition or tree removal, a qualified biologist shall conduct pre-construction surveys for presence of roosting bats. If special-status bat species are present, the following measures shall be implemented:

- Building removal and/or tree removal shall not occur if maternity bat roosts are present in the building or tree. Maternity roosts are typically present between April 15 and August 1.
- No building or tree removal shall occur within 300 feet of the maternity roost until all young bats have fledged—as determined by a qualified biologist.
- If special-status bats are present but there is not an active maternity roost, a Memorandum of Understanding (MOU) with the California Department of Fish and Game (CDFG) shall be obtained in order to remove the animals prior to building demolition and/or tree removal. Alternate habitat shall be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics shall be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist shall prepare and implement a relocation plan subject to approval by CDFG that includes relocating all bats found on-site to an alternate suitable habitat. A Mitigation and Monitoring Plan that mitigates for loss of bat roosting habitat shall be prepared by a qualified biologist and approved by CDFG prior to building/tree removal. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Biologist: Within 30 days of building, demolition, or tree removal. Conduct preconstruction survey. Submit to PBI.

Biologist: Prior to activity if special status species are found, submit information to PBI on how the contractor will comply with this measure. No activity shall occur until PBI approves the avoidance plan.

Applicant: Prior to demolition and/or tree removal obtain MOU if animals need to be removed. MOU shall include provisions outlined in this measure. Provide signed MOU to PBI.

8. BIOLOGY 4.7-D-2

Responsible Department: Planning

Condition/Mitigation BIOLOGY 4.7-D-2

Monitoring Measure: The County shall ensure compliance with the restrictions contained in Exhibit “B” of the recorded Memorandum of Agreement Regarding Endangered Species Act Enforcement of Development Restrictions on the East Garrison Portions of The Former Fort Ord. Compliance with these restrictions will render the County, East Garrison Partners, and the Redevelopment Agency of the County of Monterey exempt from the prohibitions against “take” of California tiger salamander under the ESA arising from development within the portions of East Garrison to be transferred to the County prior to approval of the HCP/IA (Track Zero). (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Applicant: As outlined in MOA comply with MOA provisions, attached to these conditions.

9. BIOLOGY 4.7-D-3**Responsible Department:** Planning**Condition/Mitigation Monitoring Measure:** BIOLOGY 4.7-D-3

Prior to initiation of construction, a qualified biologist shall be designated to monitor construction activities and advise construction personnel of the potential biological issues associated with development of the site. The biological monitor shall attend weekly construction meeting and provide onsite direction for addressing habitat- or species-specific issues as they are encountered during construction. If as a result of pre-construction surveys the biologist establishes exclusion zones around trees or buildings to protect nesting birds or roosting bats, the biological monitor should advise the construction crews of those areas and of the importance of respecting and maintaining those zones. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of grading permits submit contract to PBI.

Biologist: During grading and building demolition biologists monitors construction activities.

Applicant: Weekly establish construction meeting with attendance and training by biologist.

10. BIOLOGY 4.7C-2**Responsible Department:** Planning**Condition/Mitigation Monitoring Measure:** BIOLOGY 4.7C-2

Independent take authorization from the Service would not be required for the removal of the Monterey spine flower plants in the EGSP area. However, if there is a federal nexus (e.g. Army granting of Right of Entry in areas occupied by spineflower) to actions that might affect spineflower or critical habitat for spineflower, the federal entity involved would likely need to consult (Section 7) with the Service to comply with the federal Endangered Species Act (ESA). In similar situations on development parcels at Fort Ord in the past, the consultation process is a formality that does not result in additional mitigation requirements. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Obtain incidental take authorization. Show locations of plant on all applicable grading permit plans.**11. CULTURAL RESOURCES 4.8.1-A****Responsible Department:** Planning**Condition/Mitigation Monitoring Measure:** CULTURAL RESOURCES 4.8.1-A

A qualified archaeologist shall monitor the site during all initial ground disturbance activities. The archaeologist shall prepare a monitoring plan that details the procedures that shall occur in the event that cultural resources are uncovered. At a minimum, all excavation shall cease within 50 meters of the discovery until it is evaluated by a qualified cultural resource specialist and/or County coroner, as applicable. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of grading permits provide contract to PBI

Archaeologist: Prepare monitoring plan.

12. CULTURAL RESOURCES 4.8.1-A

Responsible Department: Planning

Condition/Mitigation CULTURAL RESOURCES 4.8.1-A

Monitoring Measure: Prior to demolition of any buildings by the landowner, all buildings (contributing structures that are not to be demolished) shall be maintained per the guidelines found in National Parks Service Preservation Brief #31, Mothballing Historic Buildings. (Planning and Building Inspection)

Compliance or Applicant

Monitoring Ongoing until demolished or rehabilitated.

Action to be
Performed: No demolition of structure until necessary. Submit demolition permits with justification for removal at the time.

13. CULTURAL RESOURCES 4.8.1-C

Responsible Department: Planning

Condition/Mitigation CULTURAL RESOURCES 4.8.1-C

Monitoring Measure: Prior to the issuance of demolition permits for contributing structures, a preservation consultant shall be hired by the project applicant to create a construction-monitoring plan that will ensure rehabilitation of the Historic District contributors is in compliance with the Guidelines for Rehabilitating Buildings at the East Garrison. (Planning and Building Inspection)

Compliance or Preservation consultant

Monitoring Prior to issuance of demolition permit for any contributing structure.

Action to be
Performed: Prepare construction monitoring plan.

14. CULTURAL RESOURCES 4.8.1-D

Responsible Department: Planning

Condition/Mitigation CULTURAL RESOURCES 4.8.1-D

Monitoring Measure: Prior to the issuance of demolition permits for any contributing structures for Phase 1 and 2 construction, HABS/HAER Level I (drawings, photographs, written data) documentation of 1 of each of the major Historic District contributor types (Mess Halls, Latrines, and Warehouses) as well as other types of Historic District contributors shall be prepared by a qualified architectural historian in consultation with the local preservation agencies and the Army. The remaining types of concrete buildings shall be documented to HABS/HAER Level III.

- Oral histories should be included as part of written data.
- Distribution of complete HABS/HAER report to local repositories such as:
 - East Garrison Library
 - Monterey County Free Library
 - Salinas Public Library
 - Monterey Public Library
 - Monterey County Parks and Recreation Department
 - Northwest Information Center (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Architectural Historian: Prior to issuance of demolition permit for contributing structure during Phase 1 and 2 construction. Prepare HABS/HAER Level I documentation.

Architectural Historian: Prior to issuance of demolition permit for contributing structure during Phase 1 and 2 construction. Prepare HABS/HAER Level I documentation.

Applicant : Prior to issuance of demolition permit for contributing structure during Phase 1 and 2 construction

Distribute copies of reports.

15. CULTURAL RESOURCES 4.8.1-E

Responsible Department: Planning

Condition/Mitigation CULTURAL RESOURCES 4.8.1-E

Monitoring Measure: Prior to demolition of contributing structures for Phase 3 construction, an Interpretative Exhibit at East Garrison Library shall be created by the project applicant temporarily in the Chapel with graphic panels documenting the history of the military post, Works Progress Administration (WPA) involvement, and construction techniques. Said Exhibit shall be reviewed and approved by the PBI. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Applicant/Historian: Prior to the demolition of any Phase 3 contributing structure prepare an Interpretative Exhibit, subject to approval by PBI.

Applicant/Historian: Prior to the demolition of any Phase 3 contributing structure ultimately, the Exhibit will be located in the Library, when constructed.

16. CULTURAL RESOURCES 4.8.1-F**Responsible Department:** Planning**Condition/Mitigation** CULTURAL RESOURCES 4.8.1-F**Monitoring Measure:** Prior to demolition, copies of plans, photographs, research material and other documentation shall be collected by the project applicant and donated to a repository with professional archival staff and storage. (Planning and Building Inspection)**Compliance or Monitoring Action to be Performed:** Applicant: Prior to the issuance of demolition permit for first contributing structure. Collect information as explained in measure.**17. CULTURAL RESOURCES 4.8.1-G****Responsible Department:** Planning**Condition/Mitigation** CULTURAL RESOURCES 4.8.1-G**Monitoring Measure:** An East Garrison History Walk Plan interpreting the development of site and the role of WPA and Army shall be created by the project applicant. The walk shall include signs that are self-guided and durable. Said Plan shall be reviewed and approved by the MCPBID in conjunction with the Parks and Public Works Department. Said Plan shall include a phasing schedule for development of the walk in conjunction with project specific development of the Specific Plan to ensure public health, welfare, and safety, during construction. (Planning and Building Inspection)**Compliance or Monitoring Action to be Performed:** Historian: Prior to issuance of demolition permit for first contributing structure. Prepare History Walk Plan, subject to approval by PBI, Parks, and PW.**18. CULTURAL RESOURCES 4.8.2- E.****Responsible Department:** Planning**Condition/Mitigation** CULTURAL RESOURCES 4.8.2- E.**Monitoring Measure:** The expertise of local archaeological specialists shall be utilized for the preparation of subsequent cultural resources reports at East Garrison. (Planning and Building Inspection)**Compliance or Monitoring Action to be Performed:** Archaeologist: As applicable. See earlier conditions.

19. CULTURAL RESOURCES 4.8.2-B.

Responsible Department: Planning

Condition/Mitigation CULTURAL RESOURCES 4.8.2-B.

Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The MCPBID 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. (Planning and Building Inspection)

Compliance or Monitoring Engineer: Prior to approval or issuance. Include as note on Subdivision Improvement Plans and grading permit plans.

Action to be Performed: Grading or Building Contractor upon discovery notify archaeologist and PBI of any find.

Archaeologist in consultation with County prior to resuming work develop mitigation actions.

20. CULTURAL RESOURCES 4.8.2-C

Responsible Department: Planning

Condition/Mitigation CULTURAL RESOURCES 4.8.2-C

Monitoring Measure: Prior to the commencement of project excavations, all construction personnel shall read and sign an agreement that describes and protects Native American remains and any/all potential, subsurface cultural resources. (Planning and Building Inspection)

Compliance or Monitoring Engineer: Prior to approval or issuance include as note on Subdivision Improvement Plans and grading permit plans.

Action to be Performed: Construction personnel: Prior to grading activities sign agreement.

21. CULTURAL RESOURCES 4.8.2-G.

Responsible Department: Planning

Condition/Mitigation CULTURAL RESOURCES 4.8.2-G.

Monitoring Measure: If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

* There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until :

* The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and

*If the coroner determines the remains to be Native

American:

- The coroner shall contact the Native American Heritage Commission and MCPBID within 24 hours .

- The Native American Heritage Commission shall identify the person or persons it believes to be most likely descended from the deceased Native American.

-The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097 .98, or

- Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native

American human remains and associated grave goods with appropriate dignity on the property in a location

not subject to further subsurface disturbance:

1. The Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the commission.

2. The descendant identified fails to make a recommendation; or

3. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Engineer: Prior to approval or issuance include as note on Subdivision Improvement Plans and grading permit plans.

Applicant: If archaeological resources or human remains are discovered take steps as outlined in measure.

22. GEOLOGY AND SOILS 4.2-C-4.

Responsible Department: Planning

Condition/Mitigation GEOLOGY AND SOILS

Monitoring Measure: Building damage due to volume changes associated with expansive soils shall be reduced by deepening the foundations to below the zone of significant moisture fluctuation, or by using structural mat foundations which are designed to resist the deflections associated with the expansive soils. The foundations shall be designed to address this potential deflection. A detailed review of fill thickness shall be performed during the preparation of the final 40-scale grading, and fill performance testing on remolded samples of engineered fill materials shall be provided to the County during grading. Additionally, local sub-excavation of soil material and replacement with engineered fill as directed by the Geotechnical Engineer may be necessary. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Include proper fill thickness on grading plans as recommended by the Geotechnical Engineer. Field adjustments can be made at the recommendation of the Geotechnical Engineer and concurrence of County inspectors.

Design foundations as recommended by the Geotechnical Report.

23. GEOLOGY AND SOILS 4.2-E-1

Responsible Department: Planning

Condition/Mitigation GEOLOGY AND SOILS 4.2-E-1

Monitoring Measure: Prior to the issuance of building permits, corrosivity tests shall be conducted on subgrade soils following grading and prior to foundation and utility construction. One of the primary purposes for corrosion testing is to establish concrete design parameters for construction, based on the criteria presented in the Uniform Building Code (UBC). This information is also used to establish cathodic protection requirements for buried steel pipelines. This testing is typically performed after rough grading has been completed. If corrosive soils are found on the project site, concrete mixtures resistant to corrosion shall be used in the construction of the project. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Engineer: After grading conduct corrosivity tests in a sufficient number to satisfy county requirements.

Applicant/Engineer: Prior to issuance of building permits submit tests to County for approval.

Architect: Prior to issuance of building permits if special concrete mixture is required, include on building permit plans.

24. PBD - NON STANDARD - AGREEMENTS

Responsible Department: Planning

Condition/Mitigation PBD - NON STANDARD - AGREEMENTS

Monitoring Measure: The applicant shall comply with the Disposition and Development Agreement, Development Agreement, all covenants, all MOAs and all MOUs. The Applicant shall comply with the provisions of the Memorandum of Agreement Regarding Endangered Species Act Enforcement of Development Restrictions on the East Garrison Portions of the Former Fort Ord, California (MOA) and, in particular, must comply with the Restrictions found in Exhibit B . Upon approval of a Habitat Conservation Plan covering the property by the US Fish and Wildlife Service, the HCP Requirements, to the extent feasible and appropriate, as determined by the County and the Service in consultation with the East Garrison Developer (as defined in the MOA), and the authorization for "take" provided by associated Incidental Take Permits, shall apply in lieu of the MOA Restrictions and the California Tiger Salamander Incidental Take Statement

Compliance or Per terms of each agreement

Monitoring Per terms of MOA

Action to be Per terms of each agreement.

Performed: Implement the East Garrison Development Restrictions found in Exhibit B to the MOA and Attached to this document. Should an HCP be approved by the US Fish and Wildlife Service, Restrictions from that Plan shall be followed by the Developer.

25. PBDSP - NON-STANDARD - ANNUAL REPORT

Responsible Department: Planning

Condition/Mitigation The Master Developer shall submit an annual report by December 14 of each year until all residential units are

constructed. If the Master Developer is no longer associated with the project, the annual report shall be submitted by the Homeowners Association. The report shall include the number of housing units started, the number of housing units with occupancy approved by the County, the number of newly constructed housing units sold to individuals, and the type of units started, built and sold. In addition, the report shall include the number of existing and projected jobs and any new commercial construction details. The report shall also include whether the residential units were served by water from the FORA allocation. The report shall be sent to the County Planning and Building Inspection Department, TAMC, and FORA. (Fort Ord Reuse Plan-Sections 3.11.2, 3.11.5.3(d), 3.11.5.4(c)(3), 3.11.5.4(d)(6). (Planning and Building Inspection)

Compliance or Master Developer or Homeowners Association Annual, prior to November 1, until the residential units are fully constructed. Submit annual report.

Monitoring

Action to be

Performed:

26. PBDSP - NON-STANDARD - IMPACT FEES**Responsible Department:** Planning**Condition/Mitigation** PBDSP - NON-STANDARD - IMPACT FEES**Monitoring Measure:** The applicant shall pay all applicable impact fees prior to issuance of building or grading permits, as applicable. (Planning and Building Inspection)**Compliance or** Applicant: Prior to issuance of permits pay impact fees.**Monitoring**
Action to be
Performed:**27. PBDSP - NON-STANDARD - OPEN SPACE****Responsible Department:** Planning**Condition/Mitigation** PBDSP - NON-STANDARD - OPEN SPACE**Monitoring Measure:** The proposed open space and common area parcels (C and D parcels) and private roads shall be conveyed to the Homeowners' Association, non-profit organization, or CSD, as appropriate. (Planning and Building Inspection, Public Works)**Compliance or** Redevelopment Agency: After recording the final map convey parcels to appropriate
Monitoring organization.
Action to be**Performed:****28. PBDSP - NON-STANDARD - SIDEWALK ENHANCEMENT****Responsible Department:** Planning**Condition/Mitigation** PBDSP - NON-STANDARD - SIDEWALK ENHANCEMENT**Monitoring Measure:** Provide enhanced sidewalk treatment between the Town Center Parcel B4 and Arts District Parcel G1 on the North side of Sherman Avenue. The intent is to provide a visual connection of the Arts District to the Town Center. Provide a minimum 8-foot-wide sidewalk between the Town Center and Parcel A4. Reserve pedestrian connection between the multi-family Parcel A4 and Sloat Street in the area of Parcels E17 or E24. The intent is to provide a more direct access from Parcel A4 to the bluff open space area. (Planning and Building Inspection)**Compliance or** Engineer: Prior to approval include details on Improvement Plans**Monitoring**
Action to be County: Prior to approval design shall be approved by PBI .
Performed:**29. PBDSP - NON-STANDARD - TEMPORARY FACILITIES****Responsible Department:** Planning**Condition/Mitigation** PBDSP - NON-STANDARD - TEMPORARY FACILITIES**Monitoring Measure:** The applicant shall submit a plan showing the location and improvements for all temporary construction offices, equipment parking, and material storage areas. (Planning and Building Inspection, Public Works)**Compliance or** Applicant: Prior to issuance of grading, demolition or building permits. Submit plans.**Monitoring**
Action to be
Performed:

30. PBDSP - NON-STANDARD - TRANSPORTATION INFORMATION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: PBDSP - NON-STANDARD - TRANSPORTATION INFORMATION
Provide locked and secured transportation information center or kiosk with bus schedules and transit information at the Town Center transit center. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Applicant: Part of Subd. Imps. Show the kiosk on Subdivision Improvement Plans and construct as part of subdivision improvements.

CSD or Homeowners Association: Ongoing maintain kiosk.

31. PBDSP - NON-STANDARD -DEVELOPMENT AGREEMENT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: PBDSP - NON-STANDARD -DEVELOPMENT AGREEMENT
The Applicant shall comply with the terms of the Development Agreement. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Applicant; As outlined in Development Agreement. Comply with agreement.

32. PBDSP NON-STANDARD MITIGATION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: PBDSP– NON-STANDARD– MITIGATION MEASURES The applicant shall comply with all project-specific mitigation measures as certified and adopted by the County within the East Garrison Final Subsequent EIR, and as specified within the adopted Mitigation Monitoring and Reporting Plan. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Evidence of compliance with the project specific mitigation measures shall be submitted to Planning and Building Inspection

33. PBDSP– NON-STANDARD– LIGHTING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: PBDSP– NON-STANDARD– LIGHTING
Prior to issuance of a building permit for parking lot lighting, the applicant shall submit a lighting study to confirm that light within adjacent light-sensitive property complies with Policy 26.1.20 of the General Plan. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Submit three copies of lighting study to Planning and Building Inspection

34. PBDSP– NON-STANDARD– SCHOOL IMPACT FEES

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: PBDSP– NON-STANDARD– SCHOOL IMPACT FEES Prior to the issuance of a building permit, the applicant shall pay any applicable school impact fees to the Monterey Peninsula Unified School District. (Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Pay the required school fees and provide proof of payment to Planning and Building Inspection

35. PWSP - NON-STANDARD -BIKE LANES

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: PWSP - NON-STANDARD -BIKE LANES
Class I bike lanes shall be constructed as part of the improvements for the Phase of the project where they are located. All other Classes of bike lanes shall be shown on the Subdivision Improvement Plans and constructed. (Planning and Building Inspection, Public Works)

Compliance or Monitoring Action to be Performed: Engineer: Prior to approval show construction detail on Subdivision Improvement Plans.

Applicant: Concurrent with other improvements of that phase construct bike lanes.

36. SP - NON-STANDARD - EMERGENCY ACCESS

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: SP - NON-STANDARD - EMERGENCY ACCESS
Ensure that parking lots provide adequate access for public safety equipment. (Sheriff, Fire)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of building permits include in design, subject to approval by Fire District and Sheriff's Office.

37. 252. PWSP0080 - TRAFFIC AND CIRCULATION - RESERVATION ROAD/WATKINS GATE ROAD INTERSECTION IMPROVEM

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: 252. PWSP0080 - TRAFFIC AND CIRCULATION - RESERVATION ROAD/WATKINS GATE ROAD INTERSECTION IMPROVEMENT

Applicant shall construct intersection improvements and install a traffic signal at the intersection of Reservation Road and Watkins Gate Road. This intersection shall be designed to operate at level of service (LOS) C or better in the year of project buildout with a street section approved by the Public Works Director . (Public Works)

Compliance or Monitoring Action to be Performed: In accordance with Phasing Plan Applicant shall construct intersection improvements and install a traffic signal at the listed intersection. Intersection shall be designed to operate at LOS C or better in the year of project buildout.

38. PSWP - NON-STANDARD - TRENCH PLANS

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: Prior to approval of the Subdivision Improvement Plans or recordation of the final map, common joint trench plans shall be designed and submitted to the appropriate utility providers to include telecommunications infrastructure. Prior to the final lift of asphalt for the streets the common joint trench plans shall be approved by the appropriate utility providers to include telecommunications infrastructure. (Public Works)

Compliance or Monitoring Action to be Performed: Engineer; Prior to approval of the Subdivision Improvement Plans or recordation of the final map. Show on plans. Build infrastructure as part of subdivision improvements.
Developer: Prior to final lift of asphalt paving. Submittal of approval letter by utility provider

39. PW0016 - MAINTENANCE OF SUBDIVISIONS

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: 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 Community Service District (CSD) or other entity with legal authorization to collect fees sufficient to support the services is formed to assume responsibility for the services. (Public Works)

Compliance or Monitoring Action to be Performed: Applicant: Until Maintenance is assumed by CSD or other public entity Applicant shall be responsible to maintain improvements until maintenance is assumed by another entity.

40. PWSP -NON-STANDARD - TRAFFIC AND CIRCULATION

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: PWSP -NON-STANDARD - TRAFFIC AND CIRCULATION
In addition to the FORA impact fee, the applicant shall construct at its cost or cause to be constructed all streets and roads within the Project . All roads shall be maintained by a Community Services District (CSD) or other suitable or appropriate entity. All roads and traffic improvements shall be constructed in accordance with acceptable local engineering standards and Specific Plan standards (Public Works)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of building permit Applicant shall construct all streets and roads within the project.

41. PWSP -NON-STANDARD - TRAFFIC AND CIRCULATION - AIR QUALITY FEES
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Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: PWSP -NON-STANDARD - TRAFFIC AND CIRCULATION - AIR QUALITY FEES

The applicant shall pay the Planning and Building Inspection Department \$1,857.14 per residential unit for a total not to exceed \$2,600,000 for Air Quality mitigation. The \$2,600,000 will be distributed by the Air District as follows: \$1,565,806 for funding agricultural pump retrofits and \$1,034,194 for purchase of school buses. (Public Works)

Compliance or Monitoring Action to be Performed: Applicant; The fees shall be paid at the time of issuance of building permits. Applicant shall pay required fees and provide proof of payment to Planning and Building Inspection.

42. PWSP -NON-STANDARD - TRAFFIC AND CIRCULATION - FEES FOR NON-FORA OFF SITE PROJECTS

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: PWSP -NON-STANDARD - TRAFFIC AND CIRCULATION - FEES FOR NON-FORA OFF SITE PROJECTS

The applicant shall pay its fair share contribution towards the following off -site improvements:

1 . Reservation Road widening between Portola Drive and Highway 68. Total project cost estimated at \$270,000 (2005 dollars) 2. SR 183 between Cooper Road and Espinosa Road . Total project cost estimated at \$11,700,000 (2005 dollars) 3. Highway 1 SB Ramps/Reservation Road traffic signal and intersection improvements. Total project estimated at \$600,000 (2005 dollars). 4. Highway 1 SB Ramps/Imjin Pkwy traffic signal and intersection improvements. Total project estimated at \$800,000 (2005 dollars). 5. SR 68 WB Ramps/Reservation Road intersection improvements. Total project estimated at \$300,000 (2005 dollars). 6. SR 68 EB Ramps/Reservation Road intersection improvements. Total project estimated at \$300,000 (2005 dollars). The traffic impact fees shall be paid on a per dwelling unit basis for residential traffic and on a per square foot basis for other uses . The fees shall be paid at the time of issuance of building permits. Traffic fees are as follows: Residential unit: \$205 Commercial use: \$423 per 1000 sq. ft. Artist/cultural/educational uses: \$99 per 1000 sq. ft.

The fees are based on 2005 dollars and shall be updated annually based on the construction cost index of the Engineering News Record. If the above projects are in the future included in the FORA CIP program, then the fair share contribution will be satisfied by the payment of the FORA impact fee. (Public Works)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of building permit Applicant shall pay required fees and provide proof of payment to Planning and Building Inspection.

43. PWSP -NON-STANDARD - TRAFFIC AND CIRCULATION - FORA FEES**Responsible Department:** Public Works**Condition/Mitigation Monitoring Measure:** PWSP -NON-STANDARD - TRAFFIC AND CIRCULATION - FORA FEES
The applicant shall pay the FORA impact fee (Fort Ord Reuse Plan, Section 3.11 .4). The applicant will be entitled to credit for improvements completed as part of the East Garrison project that are included in the FORA CIP. (Public Works)**Compliance or Monitoring Action to be Performed:** Applicant: Prior to issuance of building permit Applicant shall pay required fees and provide proof of payment to Planning and Building Inspection**44. PWSP0015A - GRADING****Responsible Department:** Public Works**Condition/Mitigation Monitoring Measure:** PWSP0015A - GRADING
The grading construction work shall be completed under the supervision of a registered California Professional Engineer in Civil Engineering, or other qualified California Professional Engineer. (Public Works)**Compliance or Monitoring Action to be Performed:** Applicant: (On-going) Applicant shall complete grading construction work under the supervision of a registered California Professional Engineer.**45. PWSP0059 - STREET AND ROADS****Responsible Department:** Public Works**Condition/Mitigation Monitoring Measure:** PWSP0059 - STREET AND ROADS
Applicant shall cooperate with County Counsel in the preparation of ordinances for traffic control on streets and roads in East Garrison . (Public Works)**Compliance or Monitoring Action to be Performed:** Prior to notice of Completion Applicant's Attorney, at applicant's expense, shall provide assistance at the request of County Counsel in the preparation of ordinances.**46. PWSP0086 - TRAFFIC AND CIRCULATION - WATIUNS GATE STREET****Responsible Department:** Public Works**Condition/Mitigation Monitoring Measure:** PWSP0086 - TRAFFIC AND CIRCULATION - WATIUNS GATE STREET
Applicant shall reconstruct Watkins Gate Road from Reservation Road to Sloat as specified in the East Garrison Specific Plan. Applicant shall reconstruct Watkins Gate Road from Reservation Road to Sloat as specified in the East Garrison Specific Plan (12-foot lanes and 5-foot shoulders). The proposed road shall be designed to operate at level of service (LOS) C or better in the year of project buildout. (Public Works)**Compliance or Monitoring Action to be Performed:** In accordance with Phasing Plan Applicant shall construct intersection improvements and install a traffic signal at the listed intersection. Intersection shall be designed to operate at LOSC or better in the year 2020.

47. PWSP0076 - WATER SYSTEM FACILITIES

Responsible Department: Public Works

Condition/Mitigation PWSP0076 - WATER SYSTEM FACILITIES

Monitoring Measure: Complete design, prepare improvement plans and specifications, obtain appropriate permits, and construct permanent water system facilities to include mains, pump stations, and storage facilities meeting CDHS requirements and subject to the approval of the Marina Coast Water District. The design shall accommodate the full build out of the Specific Plan area. Design and construction shall be completed under the supervision of a registered California Professional Engineer in Civil Engineering. Said Engineer shall certify that all facilities have been completed in accordance with the improvement plans, specifications, and approved change orders. (Public Works and Environmental Health)

Compliance or Monitoring Prior to Recordation of Final Map Applicant's Engineer shall complete design, prepare improvement plans and specifications, obtain appropriate permits, and construct permanent water system facilities to include mains, pump stations, and storage facilities. In addition, Applicant shall provide bonds.

Action to be Performed:

48. EH28 - HAZ MAT BUSINESS RESPONSE PLAN

Responsible Department: Health Department

Condition/Mitigation EH28 - HAZ MAT BUSINESS RESPONSE PLAN

Monitoring Measure: The following language shall be included on a deed restriction filed on all commercial parcels concurrent with recordation of the final map: "Comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. (Environmental Health)"

Compliance or Monitoring Contact the Hazardous Materials Program of the Division of Environmental Health. Record deed restrictions.

Action to be Performed:

49. EH30 - HAZARDOUS WASTE CONTROL

Responsible Department: Health Department

Condition/Mitigation EH30 - HAZARDOUS WASTE CONTROL

Monitoring Measure: The following language shall be included on a deed restriction filed on all commercial parcels concurrent with recordation of the final map: "Comply with Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code (Hazardous Waste Control) as approved by the Director of Environmental Health. (Environmental Health)"

Compliance or Monitoring Contact the Hazardous Materials Program of the Division of Environmental Health. Record deed restrictions.

Action to be Performed:

50. EH35 - CURFFL

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: EH35 - CURFFL

The following language shall be included on a deed restriction filed on all commercial parcels concurrent with recordation of the final map: "All improvements shall comply with the California Uniform Food Facilities Law as approved by the Director of Environmental Health. (Environmental Health)"

Compliance or Monitoring Action to be Performed: Submit plans and necessary review fees to the Division of Environmental Health for review and approval. Record deed restrictions.

51. EHSP - NON-STANDARD – DEED NOTIFICATION

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: EHSP - NON-STANDARD – DEED NOTIFICATION Deeds transferring property shall contain notification to future owners regarding information in the Remedial Action Record of Decision to alert of the potential for remediation and OE presence. (Environmental Health, Planning and Building Inspection)

Compliance or Monitoring Action to be Performed: Prepare deed disclosure and attach to all sale transactions and deeds.

52. NOISE 4.6-B-2.

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: NOISE

If exterior façade levels are predicted to exceed 60 dB CNEL at area buildout, at plan check for each tract, a final acoustical report shall be submitted by the project applicant to verify structural attenuation capability to achieve 45 dB CNEL. The EH shall review the final acoustical report and approve its recommendations. The EH will be responsible for monitoring this mitigation measure. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prepare final acoustical report subject to approval by EH. Show recommendations on building permit plans.

53. PWSP0070 – WASTEWATER COLLECTION SYSTEM
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Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: PWSP0070 – WASTEWATER COLLECTION SYSTEM

Complete design in phases, prepare improvement plans and specifications, obtain appropriate permits, and construct a wastewater collection system to include manholes, mains, pump stations, and cleanouts within East Garrison meeting CRWQCB and MCWD requirements and subject to the approval of the Directors of Environmental Health and Public Works. The design shall accommodate the full build out of the East Garrison Specific Plan area. Design and construction shall be completed under the supervision of a registered California Professional Engineer in Civil Engineering. Said Engineer shall certify that all facilities have been completed in accordance with the improvement plans, specifications, and approved change orders. The following shall be incorporated into the wastewater collection system design:

1. Standby Generators at all pump stations
2. Standardized and redundant wastewater pumps
3. Enlarged collection facilities to allow for connection of the phases of the East Garrison Specific Plan
4. Appropriate monitoring systems with alarms
(Environmental Health and Public Works)

Compliance or Monitoring Action to be Performed: Applicant's Engineer shall complete design in phases, prepare improvement plans and specifications, obtain appropriate permits, and construct a wastewater collections system to include manholes, mains, pump stations, and cleanouts. In addition, Applicant shall provide bonds.

54. WR37 - DRAINAGE & FLOOD CONTROL SYSTEMS AGREEMENT
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Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: WR37 - DRAINAGE & FLOOD CONTROL SYSTEMS AGREEMENT

If the homeowners' association or Community Service District after notice and hearing fails to properly maintain, repair or operate the drainage and flood control facilities in the project, Monterey County Water Resources Agency shall be granted the right by the property owners to enter any and all portions of the property to perform repairs, maintenance or improvements necessary to properly operate the drainage and flood control facilities in the project. The County Water Resources Agency shall have the right to collect the cost for said repairs, maintenance or improvements from the property owners upon their property tax bills. A hearing shall be provided by the Board of Supervisors as to the appropriateness of the cost. Prior to filing the final map, a copy of a signed and notarized Drainage and Flood Control Systems Agreement shall be provided to the Water Resources Agency for approval. The agreement shall be recorded concurrently with the final map. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: A Drainage and Flood Control Systems Agreement shall be recorded concurrently with the final map. An Annual Drainage Report is due pursuant to the Agreement Concerning Maintenance, Repair, and Operation of Drainage and Flood Control Systems and Provisions of CC&Rs, By and Among, the County of Monterey, the WRA, and UCP East Garrison LLC.

55. WRSP - NON-STANDARD – HOA BROCHURE

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: WRSP - NON-STANDARD – HOA BROCHURE The applicant shall prepare a homeowner’s brochure that describes the following:
Homeowner BMPs for preventing siltation and providing clean runoff. The importance of the adjacent land areas and provides recommendations for landscaping and wildfire protection. The brochure shall also describe measures for protecting wildlife and vegetation in the habitat areas.
Provide ridesharing, public transportation and nearby childcare facilities information to tenants and property owners. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prepare brochure. Maintain and update brochure.

56. PKS003 - RECREATION REQUIREMENTS/LAND DEDICATION

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: The Applicant shall comply with Section 19.12.010-Recreation Requirements, of the County Subdivision Ordinance, Title 19, Monterey County Code, by dedicating land and recreation improvements in accordance with the provisions contained in Section 19.12.010(D) for park and recreation purposes reasonably serving the residents of the subdivision. The applicant shall also provide the Parks Department with a recreation plan and cost estimate for the improvements to be made on the dedicated parcels(s). (Parks Department)

1) Park and Recreation Facilities Plan - A park and recreation plan, for buildout of the entire Specific Plan park system, shall be prepared by the applicant for review and approval by the Director of Parks. The final approved park and recreation plan shall be recorded as part of the Final Map documents. The Plan shall delineate park and recreation structures, park improvements and landscaping components with a cost estimate for each park site. The Recreation Plan shall also indicate the phasing and construction schedule for each park site. Each park shall be developed and recreation equipment installed by the time fifty percent (50%) of the residential dwelling units within the same phase of development have been constructed or occupied.

2) Park and Recreation Facilities Performance Bond - The applicant shall provide the County with adequate security in the form of a performance bond or other suitable security acceptable by the County of Monterey in the amount of 100% of the costs for the park and recreation improvements shown on the Recreation Plan.

3) Park and Recreation Facilities Maintenance and Operation Plan - The applicant shall provide the Director of Parks/County of Monterey with a park and recreation facilities maintenance and operation plan. The purpose of this plan is to assure the County that the park and recreational facilities will be maintained and operated for the enjoyment and health and safety of the residents of the Subdivision.

Compliance or Monitoring Action to be Performed: Applicant: Prior to the Recordation of the Final Map, first phase. The applicant shall submit a recreation plan and cost estimate for the improvements to be made on the dedicated parcels(s) to Parks Department for review and approval. Concurrent with final map, first phase. Record plan.

Applicant: Prior to final on building permit for half of units in the associated phase. Construct parks in each phase. Provide security.

57. FIRE002 - ROADWAY ENGINEERING

Responsible Department: Fire

Condition/Mitigation FIRE002 - ROADWAY ENGINEERING

Monitoring Measure: The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface, or as approved by the Salinas Rural Fire District. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface, or as approved by the Salinas Rural Fire District. 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 .)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of grading and/or building permit. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

Applicant: Prior to final building inspection Applicant shall schedule fire dept. clearance inspection for each phase of development

58. FIRE010 -ROAD SIGNS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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, 1/2-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. (Salinas Rural Fire District .)

Compliance or Monitoring Action to be Performed: Applicant: Prior to filing of final map. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on improvement plans.

Applicant: Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision. Applicant shall schedule fire dept. clearance inspection for each phase of development.

59. FIRE011- ADDRESSES FOR BUILDINGS - ALL OCCUPANCIES

Responsible Department: Fire

Condition/Mitigation FIRE011- ADDRESSES FOR BUILDINGS - ALL OCCUPANCIES

Monitoring Measure:

All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Salinas Rural Fire District.)

**Compliance or
Monitoring
Action to be
Performed:**

Applicant: Prior to issuance of building permit. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

Applicant: Prior to final building inspection Applicant shall schedule fire dept. clearance inspection

60. FIRE030 - COMMERCIAL BUILDINGS -

Responsible Department: Fire

Condition/Mitigation FIRE030 - COMMERCIAL BUILDINGS -

Monitoring Measure:

Buildings that are occupancies other than Group R and buildings that have mixed use with a Group R occupancy as classified under the California Building Code shall comply with the following requirements: HISTORIC BUILDINGS: Existing buildings that are under the jurisdiction of state and/or federal historic preservation agencies shall be retrofitted with fire protection systems in accordance with the applicable state or federal historic preservation technical procedures. Fire protection systems for historic building include but are not limited to fire sprinkler systems and fire alarm systems. All buildings shall comply with the applicable requirements of the Uniform Fire Code, California Fire Code, Uniform Building Code, California Building Code, and the health and safety code requirements of the applicable federal Historic Preservation Technical Procedures. (Salinas Rural Fire District.)

**Compliance or
Monitoring
Action to be
Performed:**

Applicant: Prior to issuance of building permit Applicant shall enumerate as "Fire Dept. Notes" on plans .

61. FIRE030 - COMMERCIAL BUILDINGS - (a)

Responsible Department: Fire

Condition/Mitigation FIRE030 - COMMERCIAL BUILDINGS - (a)

Monitoring Measure: Buildings that are occupancies other than Group R and buildings that have mixed use with a Group R occupancy as classified under the California Building Code shall comply with the following requirements: a. FIRE SPRINKLER SYSTEMS - The buildings 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 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)

Compliance or Monitoring Action to be Performed: Applicant: Prior to framing inspection Applicant shall schedule fire dept. rough sprinkler inspection

Applicant: Prior to final building inspection Applicant shall schedule fire dept. final sprinkler inspection

Applicant: Prior to final building inspection Applicant shall schedule fire dept. final sprinkler inspection

62. FIRE030 - COMMERCIAL BUILDINGS - (b)

Responsible Department: Fire

Condition/Mitigation FIRE030 - COMMERCIAL BUILDINGS - (b)

Monitoring Measure: Buildings that are occupancies other than Group R and buildings that have mixed use with a Group R occupancy as classified under the California Building Code shall comply with the following requirements: b. FIRE ALARM SYSTEM (COMMERCIAL) -Any surrendered building having 50 or more fire sprinklers shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72 . Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. (Salinas Rural Fire District)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of building permit Applicant shall enumerate as "Fire Dept. Notes" on plans.

Applicant or Owner: Prior to rough sprinkler or framing inspection Applicant shall submit fire alarm plan and obtain approval.

Applicant or Owner: Prior to final building inspection Applicant shall schedule fire alarm system acceptance test.

63. FIRE030 - COMMERCIAL BUILDINGS - (c)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Buildings that are occupancies other than Group R and buildings that have mixed use with a Group R occupancy as classified under the California Building Code shall comply with the following requirements: ROOFING - 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 .)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of building permit. Applicant shall enumerate as "Fire Dept. Notes" on plans.

64. FIRE030 - COMMERCIAL BUILDINGS - (d)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRE030 - COMMERCIAL BUILDINGS - (d) Buildings that are occupancies other than Group R and buildings that have mixed use with a Group R occupancy as classified under the California Building Code shall comply with the following requirements: FIRE DEPARTMENT ACCESS ROAD - 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 width of 20 feet 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 .)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of grading and/or building permit. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

Applicant: Prior to final building inspection Applicant shall schedule fire dept. clearance inspection for each phase of development

65. FIRE030 - COMMERCIAL BUILDINGS - (e)**Responsible Department:** Fire**Condition/Mitigation** FIRE030 - COMMERCIAL BUILDINGS - (e)**Monitoring Measure:**

Buildings that are occupancies other than Group R and buildings that have mixed use with a Group R occupancy as classified under the California Building Code shall comply with the following requirements:

c. EMERGENCY ACCESS KEYBOX - Emergency access keybox shall be installed and maintained . The type and location shall be approved by the fire department . The fire department shall be notified when locks are changed so that the emergency access keybox can be maintained with current keys . (Salinas Rural Fire District .)

Compliance or Monitoring Action to be Performed:

Applicant: Prior to issuance of building permit. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans:

Applicant: Prior to final building inspection. Applicant shall schedule fire dept. clearance inspection for each phase of development .

66. FIRE030 - MULTI-FAMILY RESIDENTIAL**Responsible Department:** Fire**Condition/Mitigation** FIRE030 - MULTI-FAMILY RESIDENTIAL**Monitoring Measure:**

The buildings with three or more dwelling units (i.e., "triplexes" and larger) that are classified as Group R, Division 1 occupancies under the California Building Code, shall comply with the following requirements: FIRE SPRINKLER SYSTEMS - The buildings shall be fully protected with automatic fire sprinkler systems. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection (Salinas Rural Fire District .)

Compliance or Monitoring Action to be Performed:

Application: Prior to framing inspection Applicant shall schedule fire dept. rough sprinkler inspection

Application: Prior to final building inspection Applicant shall schedule fire dept. final sprinkler inspection

Applicant: Prior to final building inspection Applicant shall schedule fire dept. final sprinkler inspection

67. FIRE030 - MULTI-FAMILY RESIDENTIAL (a)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRE030 - MULTI-FAMILY RESIDENTIAL (a)

The buildings with three or more dwelling units (i.e., "triplexes" and larger) that are classified as Group R, Division 1 occupancies under the California Building Code, shall comply with the following requirements: ROOFING - 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.)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of building permit. Applicant shall enumerate as "Fire Dept. Notes" on plans.

68. FIRE030 - MULTI-FAMILY RESIDENTIAL (b)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRE030 - MULTI-FAMILY RESIDENTIAL (b)

The buildings with three or more dwelling units (i.e., "triplexes" and larger) that are classified as Group R, Division 1 occupancies under the California Building Code, shall comply with the following requirements:

FIRE ALARM SYSTEM: The multi-family dwelling buildings shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. All fire alarm system inspections and acceptance testing shall be done in accordance with Chapter 7 of NFPA 72. (Salinas Rural Fire District)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of building permit. Applicant shall enumerate as "Fire Dept. Notes" on plans.

Applicant: Prior to issuance of building permit. Applicant shall submit fire alarm plans and obtain approval

Applicant: Prior to final building inspection Applicant shall schedule fire alarm system acceptance test.

69. FIRE030 - NON-STANDARD - PARKING SIGNAGE -

Responsible Department: Fire

Condition/Mitigation FIRE030 - NON-STANDARD - PARKING SIGNAGE -

Monitoring Measure: "No Parking" areas shall be designated with painted curbs and/or signs as required by the Salinas Rural Fire District. Signs and curb painting shall be maintained in a clear and legible condition. (Salinas Rural Fire District)

Compliance or Applicant: Prior to issuance of grading and/or building permit Applicant shall incorporate
Monitoring this requirement into the improvement plans.
Action to be

Performed:

Applicant: Ongoing condition The entity in charge of maintaining street signs and curbs shall maintain the "No Parking" signs and curb painting

70. FIRE030 - NON-STANDARD - RECREATIONAL VEHICLE PARKING -

Responsible Department: Fire

Condition/Mitigation FIRE030 - NON-STANDARD - RECREATIONAL VEHICLE PARKING -

Monitoring Measure: All parking of recreational vehicles is not permitted within the East Garrison development except in designated recreational vehicle parking areas that have been approved by the Salinas Rural Fire District. Recreational vehicles shall include but not be limited to travel trailers, motor homes, boats, and any trailers used for transporting other recreational vehicles. (Salinas Rural Fire District)

Compliance or Applicant: (Ongoing condition) Applicant shall incorporate this requirement in the
Monitoring CC&R's for East Garrison and indicate the location of the designated recreational
Action to be vehicle parking area(s) if any are proposed.
Performed:

71. FIRE030 - NON-STANDARD - ROAD ACCESS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRE030 - NON-STANDARD - 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 width of 20 feet with an unobstructed vertical clearance of not less than 15 feet. The width may be reduced to 18 feet on neighborhood streets when rolled curb and drivable sidewalks have been provided with the approval of the Salinas Rural Fire District. One-way roads shall be not less than 14 feet wide, shall be connected to two-way roads on both ends, shall have rolled curbs and drivable sidewalks. Additional width shall be provided for on-street parking. Roads with street widths of less than 20 feet shall have signs and other street furniture on only one side of the street. Drivable sidewalks shall be constructed to support the weight of the fire engine (22 tons). 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)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of grading and/or building permit. Applicant shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans.

Applicant: Prior to final building inspection. Applicant shall schedule fire dept. clearance inspection for each phase of development.

72. FIRE030 - NON-STANDARD - TRAFFIC SIGNAL PREEMPTION DEVICES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRE030 - NON-STANDARD - TRAFFIC SIGNAL PREEMPTION DEVICES

Traffic signal preemption devices shall be installed and maintained where traffic signals are located within the East Garrison project and at the three intersections on Reservation Road (Intergarrison, Town Center entry road, and Watkins Gate) and in front of the Fire Station on Intergarrison Road. Responsible Land Use Department : Salinas Rural Fire District.

Compliance or Monitoring Action to be Performed: Applicant or owner: Prior to issuance of grading and/or building permit. Applicant shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans.

Applicant or owner: Prior to final building inspection Applicant shall schedule fire dept . clearance inspection for each phase of development

73. FIRE030 - NON-STANDARD- PORTABLE FIRE EXTINGUISHERS -

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRE030 - NON-STANDARD- PORTABLE FIRE EXTINGUISHERS -
Portable fire extinguishers shall be installed and maintained in accordance with Uniform Fire Code Standard 10-1 . (Salinas Rural Fire District.)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of building permit Applicant shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans.

Applicant: Prior to final building inspection. Applicant shall schedule fire dept. clearance inspection for each phase of development.

74. FIRE030 - SINGLE FAMILY DWELLINGS -

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRE030 - SINGLE FAMILY DWELLINGS -
The single family dwellings and two-family dwellings (i.e., "duplexes") that are classified as Group R, Division 3 occupancies under the California Building Code shall comply with the following requirements:
a. Fire Sprinkler Systems - The single family dwellings and two-family dwellings, including attached garages, shall be fully protected with automatic fire sprinkler systems. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection. (Salinas Rural Fire District.)

Compliance or Monitoring Action to be Performed: Applicant: Prior issuance of building permit. Applicant shall enumerate as "Fire Dept . Notes" on plans.

Applicant: Prior to framing inspection Applicant shall schedule fire dept. rough sprinkler inspection

Applicant: Prior to final building inspection Applicant shall schedule fire dept. final sprinkler inspection

75. FIRE030 - SINGLE FAMILY DWELLINGS - (a)**Responsible Department:** Fire**Condition/Mitigation Monitoring Measure:** FIRE030 - SINGLE FAMILY DWELLINGS - (a)

The single family dwellings and two-family dwellings (i .e., "duplexes") that are classified as Group R, Division 3 occupancies under the California Building Code shall comply with the following requirements: 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.)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of building permit. Applicant shall enumerate as "Fire Dept . Notes" on plans.

76. FIRE030 - SINGLE FAMILY DWELLINGS - (b)**Responsible Department:** Fire**Condition/Mitigation Monitoring Measure:** FIRE030 - SINGLE FAMILY DWELLINGS - (b)

The single family dwellings and two-family dwellings (i .e ., "duplexes") that are classified as Group R, Division 3 occupancies under the California Building Code shall comply with the following requirements: Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum

structural roadway surface of 0 .17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building . The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway . If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length . (Salinas Rural Fire District .)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of grading and/or building permit. Applicant shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans.
Applicant: Prior to final building inspection Applicant shall schedule fire dept. clearance inspection

77. FIRE030 -NON-STANDARD- HYDRANTS AND FIRE FLOW
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Responsible Department: Fire

Condition/Mitigation FIRE030 -NON-STANDARD- HYDRANTS AND FIRE FLOW

Monitoring Measure: Hydrants for fire protection shall be provided at locations approved by the Salinas Rural Fire District and shall conform to the following requirements:

- a. FIRE FLOW - BUILDINGS OTHER THAN ONE -AND TWO-FAMILY DWELLINGS - Pursuant to Uniform Fire Code Appendix III-A, the minimum fire flow requirement for buildings other than one -and two-family dwellings with automatic fire sprinkler systems installed is 1,500 gallons per minute with a duration of 20 psi under normal operating conditions for a duration of 2 hours. Buildings with Type V-N construction that are greater than 20,600 square feet shall require up to 2,000 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of up to 4 hours, as prescribed by the Uniform Fire Code.
- b. FIRE FLOW -ONE- AND TWO-FAMILY DWELLINGS - Pursuant to Uniform Fire Code Appendix III-A, the basic minimum fire flow requirement for one- and two-family dwellings with automatic fire sprinkler systems installed is 500 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 2 hours.
- c. TIMING OF INSTALLATION - Approved fire protection water supply systems must be installed and made serviceable prior to the time of construction.
- d. HYDRANT/FIRE VALVE (LOCATION) - 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.
- e. FIRE HYDRANTS - Hydrants shall be installed in accordance with spacing set forth in Uniform Fire Code Appendix III-B and in accordance with the following specifications:
- f. HYDRANT SIZE - The hydrant shall have a minimum of two (2) 2-1/2 inch outlets NST and one (1) 4-1/2 inch outlet NST. The riser shall be a minimum of six (6) inches and shall be wet barrel type with a coefficient of 0 .9.g.

SIGNING OF WATER SOURCES - Hydrant or fire valve identification may be allowed as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Salinas Rural Fire District .)

Compliance or Monitoring Action to be Performed: Applicant: Prior to issuance of grading and/or building permit Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans . The applicant is required to also follow the requirements of MCWD's Procedures, Guidelines and Design Requirements. Applicant shall provide improvement plans to the fire district and MCWD. Applicant shall schedule fire dept. clearance inspection for each phase of development . The applicant is required to follow the requirements of MCWD's Standard Plans and Specifications For Construction of Domestic Water, Sewer and Recycled Water Facilities, Figure W-8.

78. FIRES - NON-STANDARD - FIRE SAFE LANDSCAPING

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Landscaping installed along the community edges shall be reviewed by the Fire District for fire safety to help act as a fire buffer from open space areas . (Fire)

Compliance or Monitoring Action to be Performed: Landscape Architect: Prior to approval of Subd. Impr. Plans Include landscaping plans as part of Subdivision Improvement Plans.

79. PUBLIC SERVICES 4.11.1-A-2.

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: PUBLIC SERVICES 4.11.1-A-2. Staffing for the new station shall consist of a minimum of two firefighters on duty at all times by the end of Phase II of the EGSP and a minimum of three firefighters at all times by the end of Phase III of the EGSP. (Fire)

Compliance or Monitoring Action to be Performed: Applicant: Prior to Filing of Final Map Complete financial analysis
County CAO's Office and Fire District: Prior to Filing of Final Map Determine tax increment funds for the Fire District.

Applicant: Prior to Filing of Final Map Establish Benefit Assessment/Special Tax Zone on parcels within the District

Fire District: Prior to issuance of building permits Coordinate funding with Fire District and County Treasurer

80. PUBLIC SERVICES 4.11.1-A-5.

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: PUBLIC SERVICES 4.11.1-A-5. On duty crews from the East Garrison Fire Station shall conduct Fire Prevention Safety Inspections at the commercial facilities and Public Education Safety Programs for the community. (Fire)

Compliance or Monitoring Action to be Performed: Fire District: (Ongoing) Provide inspections and programs.

81. SP - NON-STANDARD - COMMERCIAL LOCATION

Responsible Department: Sheriff

Condition/Mitigation Monitoring Measure: SP - NON-STANDARD - COMMERCIAL LOCATION Commercial complexes, including multiple tenants in one building, shall provide a combined address/name marker and/or map near the entry for ease of use for public safety personnel. (Sheriff)

Compliance or Monitoring Action to be Performed: Applicant: Prior to final on building permit. Provide addresses.

82. SP - NON-STANDARD - PATH LIGHTING

Responsible Department: Sheriff

Condition/Mitigation SP - NON-STANDARD - PATH LIGHTING

Monitoring Measure: All lighting of paths and walkways used by the residents shall be on from dusk until dawn. (Sheriff)

Compliance or Monitoring HOA: (Ongoing) Homeowner's Association shall work with the Sheriff's Office to ensure safe lighting of public areas.
Action to be Performed:

83. SP - NON-STANDARD - SAFETY

Responsible Department: Sheriff

Condition/Mitigation SP - NON-STANDARD - SAFETY

Monitoring Measure: Businesses and homeowners installing alarm systems or concerned with neighborhood safety should consult with the Sheriff's Office. Businesses in the Town Center should also consult with the Sheriff's Office regarding landscaping safety. (Sheriff)

Compliance or Monitoring Applicant/HOA: (Ongoing) Include information in Homeowner's Association and Town Center association brochure.
Action to be Performed:

84. SP - NON-STANDARD - SHERIFF OFFICE

Responsible Department: Sheriff

Condition/Mitigation SP - NON-STANDARD - SHERIFF OFFICE

Monitoring Measure: Construct facility that can house a Sheriff's Community Field office. Two parking spaces shall be reserved near the office entrance for patrol vehicles. (Sheriff)

Compliance or Monitoring Applicant: Per terms of agreement Construct facility and parking spaces.
Action to be Performed:

85. SP - NON-STANDARD - SIGN VISIBILITY

Responsible Department: Sheriff

Condition/Mitigation SP - NON-STANDARD - SIGN VISIBILITY

Monitoring Measure: Street addresses and monument signs shall be illuminated or clearly visible from dusk until dawn. (Sheriff)

Compliance or Monitoring Applicant: Prior to final on building permit. Light addresses.
Action to be Performed:

86. ALUC001 - NOTES ON FINAL MAP

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The Final Map(s) for the amended Phases shall include the following notes:

• “LIMITED PUBLIC ASSEMBLY: The property may not be used for public assembly that would exceed 300 persons per acre. Public assembly is defined as groups of people for scheduled or organized events for which a permit, license or other approval from a public entity is required; scheduled or organized events to which members of the public are invited by any means of communication; and events organized by any organization or entity. This does not apply to a private gathering of people held by or for one or more residents at their places of residence.”

“NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.”

HCD-Planning

Compliance or Monitoring Action to be Performed: Prior to recordation of the Final Map(s), the Applicant/Owner shall include the "Limited Public Assembly" and "Notice of Airport in Vicinity" notes on the Final Map(s) for the Amended Phases, as detailed in this condition.

87. MODERATE INCOME INCLUSIONARY HOUSING AGREEMENT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to the recordation of the Final Map for the Final Phase, the applicant shall comply with the County’s Inclusionary Housing Ordinance, Monterey County Code Chapter 18.40 by amending the Inclusionary Housing Agreement for Moderate Income Inclusionary consistent with the First Amendment to the Amended and Restated First Implementation Agreement.

Compliance or Monitoring Action to be Performed: The owner/applicant shall submit a draft amended Inclusionary Housing Agreement for Moderate Income Inclusionary Housing to HCD-Housing for review and approval prior to recordation of the final map for the Final Phase.

Prior to recordation of the final map for the Final Phase, the owner/applicant shall record the amended Inclusionary Housing Agreement.

88. WORKFORCE HOUSING IMPLEMENTING AGREEMENT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to the recordation of the Final Map for the Final Phase, the applicant shall comply with the County's Inclusionary Housing Ordinance, Monterey County Code Chapter 18.40 by amending the Workforce II Housing Agreements consistent with the First Amendment to the Amended and Restated First Implementation Agreement.

Compliance or Monitoring Action to be Performed: The owner/applicant shall submit draft amended Workforce II Housing Agreements to HCD-Housing for review and approval prior to recordation of the final map for the Final Phase.

Prior to recordation of the final map for the Final Phase, the owner/applicant shall record the amended Workforce II Housing Agreements.

89. TOWN CENTER COMMERCIAL/RETAIL LEASING PLAN

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to the issuance of the certificates of occupancy for the Town Center, the applicant shall provide the Successor Agency a commercial/retail leasing plan for the Town Center with the goal of optimizing the commercial viability of the Town Center. At a minimum, the commercial/retail leasing plan shall include an updated commercial/retail market conditions study, plans for commercial/retail occupancy, details regarding the operation and maintenance of the Town Center, as well as on-going maintenance of the common areas.

Compliance or Monitoring Action to be Performed: The owner/applicant shall submit a draft leasing plan for the Town Center to HCD-Housing for review and approval prior to issuance of the certificates of occupancy for the Town Center.