

# Attachment B

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## Attachment B

### **Amended CONDITION 188 TEXT (Changes are noted in strikethrough for deletions and red underline for additions)**

MM #44 T-1.1 TRAFFIC & CIRCULATION IMPACT T-1: ROADWAY SEGMENT OPERATIONS Subdivider shall widen Jolon Road to three travel lanes between Pine Canyon Road and the Highway 101 southbound ramps to provide two southbound lanes and one northbound lane, subject to the approval of the ~~Department of Public Works~~ Resource Management Agency (RMA). Improvements shall be consistent with the future four-laning of Jolon Road (See Condition No. 191). Subdivider shall be responsible for obtaining all necessary permits and environmental clearances. Subdivider may enter into an agreement with the County for reimbursement from future development benefiting from this improvement. In the event that the applicant notifies the County that it is unable to timely secure the required right-of-way at fair market value, the County shall, after verifying the landowners rejection of applicants bonafide offer to purchase the required property interests at a price established by a County approved appraiser for condemnation appraisals, shall acquire the land or right-of-way through negotiation or eminent domain. Subdivider shall fund the cost of the Countys acquisition of the land/right-of-way and related court proceedings. (RMA-Public Works)

**Action(s) Needed for Resolution:** ~~Bonds provided prior to filing the final map for the first project phase. Construction shall be provided in accordance with the approved Phasing Plan. Subdivider shall provide bonds and construct improvements.~~ Prior to recordation of the Final Map for the first phase following Phases A & B of the subdivision, Applicant/Owner/Subdivider shall submit detailed improvement plans showing all improvements required by this condition to the RMA for review and approval. The plans shall be prepared by a California licensed professional engineer. The improvements shall be constructed prior to final occupancy of the 99th overall home of the entire project.

Owner/Subdivider shall enter into an Improvement Agreement to install any improvements not constructed prior to the acceptance of the Final Map for the first phase following Phases A & B of the subdivision and said agreement shall be recorded. Improvements shall be bonded prior to recordation of the Final Map for the first phase following Phases A & B of the subdivision.

**Amended CONDITION 189 TEXT (Changes are noted in strikethrough for deletions and red underline for additions)**

MM #45 T-2.1 TRAFFIC AND CIRCULATION IMPACT T-2: INTERSECTION OPERATIONS

Subdivider shall improve Pettitt Road between Pine Canyon Road and the subdivision site as a secondary sidehill street or as approved by the ~~Department of Public Works~~ Resource Management Agency (RMA). The intersection of Pettitt Road and Pine Canyon Road shall be improved subject to the approval of the RMA ~~Department of Public Works~~ and shall include acceleration and deceleration tapers. Improvements to Pettitt Road shall include pedestrian/bicycle facilities. In the event that the applicant notifies the County that it is unable to timely secure the required right-of-way at fair market value, the County shall, after verifying the landowners rejection of applicants bonafide offer to purchase the required property interests at a price established by a County approved appraiser for condemnation appraisals, shall acquire the land or right-of-way through negotiation or eminent domain. Subdivider shall fund the cost of the Countys acquisition of the land/right-of-way and related court proceedings. (~~RMA~~-Public Works)

**Action(s) Needed for Resolution:** ~~Bonds to be provided prior to filing of final map. Construction to be completed prior to occupancy if any dwelling. Subdivider shall provide bonds and construct improvements.~~ Prior to recordation of the Final Map for the first phase following Phases A & B of the subdivision, Applicant/Owner/Subdivider shall submit detailed improvement plans showing all improvements required by this condition to the RMA for review and approval. The plans shall be prepared by a California licensed professional engineer. The improvements shall be constructed prior occupancy of the first unit of the first phase following Phases A & B of the subdivision.  
Owner/Subdivider shall enter into an Improvement Agreement to install any improvements not constructed prior to the acceptance of the Final Map for the first phase following Phases A & B of the subdivision and said agreement shall be recorded. Improvements shall be bonded prior to recordation of the Final Map for the first phase following Phases A & B of the subdivision.

**Amended CONDITION 190 TEXT (Changes are noted in strikethrough for deletions and red underline for additions)**

MM #46 T-3.1 TRAFFIC AND CIRCULATION IMPACT T-3: PEDESTRIAN/BICYCLE FACILITIES

The project shall provide sidewalks along Pine Canyon Road as part of the sites frontage improvements, and all future roadway widenings shall include sidewalks and bicycle lanes in accordance with County requirements. (RMA-Public Works)

**Action(s) Needed for Resolution:**

~~Bonds provided prior to recordation of the final map for the first project phase. The Subdivider shall provide sidewalks as part of frontage improvements to Pine Canyon Road in conjunction with improvements to the Pettitt Road intersection with Pine Canyon Road and shall include sidewalks and bicycle lanes on any future roadway widening to the satisfaction of the Director of Public Works and Caltrans.~~ Prior to recordation of the Final Map for the first phase following Phases A & B of the subdivision, Applicant/Owner/Subdivider shall submit detailed improvement plans showing all improvements required by this condition to the Resource Management Agency (RMA) for review and approval. The plans shall be prepared by a California licensed professional engineer. The improvements shall be constructed prior occupancy of the first unit of the first phase following Phases A & B of the subdivision. Owner/Subdivider shall enter into an Improvement Agreement to install any improvements not constructed prior to the acceptance of the Final Map for the first phase following Phases A & B of the subdivision and said agreement shall be recorded. Improvements shall be bonded prior to recordation of the Final Map for the first phase following Phases A & B of the subdivision.

**Amended CONDITION 191 TEXT (Changes are noted in strikethrough for deletions and red underline for additions)**

MM #47 C-1.1 CUMULATIVE TRAFFIC AND CIRCULATION IMPACT C-1: ROADWAY SEGMENT OPERATIONS

The Applicant/Owner/Subdivider shall contribute to the County a pro-rata fair share of the cost for the following improvements: Widen Jolon Road to four travel lanes (two northbound and two southbound) between Pine Canyon Road and Highway 101 southbound ramps. The Jolon Road northbound approach to Pine Canyon Road shall include a left-turn lane and a shared through/right-turn lane. The Jolon Road southbound approach to Pine Canyon Road shall include a left-turn lane, a through lane, and a free (unrestricted) right turn lane. All traffic improvement plans shall be subject to the approval of the Monterey County Public Works Department, and if necessary, Caltrans, prior to approval of the Final Map for the first project phase. (RMA-Public Works)

**Action(s) Needed for Resolution:**

~~Pro-rata fair share shall be determined prior to recordation of the final map for the first phase.~~

~~Pro-rata fair share shall be paid prior to issuance of the building permit for each parcel.~~

~~The Applicant shall contribute to the County a pro-rata fair share of the cost to widen Jolon Road to four travel lanes, including two left-turn lanes, a shared through/right-turn lane, a through lane, and a free right turn lane to the satisfaction of the Director of Public Works and Caltrans. Applicant's traffic engineer shall determine the amount of each parcel's pro-rata share subject to the approval of the Department of Public Works.~~ For the purpose of determining the pro-rata fair share required by this condition, Applicant/Owner/Subdivider shall submit conceptual improvement plans showing all improvements required by this condition to the Monterey County Resource Management Agency (RMA) for review and approval, prior to approval of the Final Map for the first phase of the subdivision. The plans shall be prepared by a California licensed professional engineer. The engineer will also provide an engineer's estimate of the total cost of the improvements, including the cost of obtaining environmental clearances and the cost of construction. The Applicant/Owner/Subdivider's traffic engineer shall determine the pro-rata fair share amount for each residential unit subject to the approval of the RMA prior to recordation of the Final Map for the first phase of the subdivision. The pro-rata fair share shall be paid prior to issuance of the building permit for each residential unit in the subdivision.

The pro-rata fair share shall be automatically adjusted as of July 1 of each year following the first year after the filing of the final map for the first Phase of the subdivision. The adjustment shall be calculated by the RMA based on the increase or decrease in the Engineering News Record Construction Cost Index for the San Francisco Bay Area for the period ending December 31 of the preceding calendar year.

The following note shall be placed on the final map for each phase of the subdivision: “Prior to issuance of the building permit for each residential unit in the subdivision, the lot owner/permit applicant shall contribute to the County a pro-rata fair share of the cost for the widening of Jolon Road to four travel lanes (two northbound and two southbound) between Pine Canyon Road and Highway 101 southbound ramps, as required by Condition of Approval No. 191. The pro-rata fair share shall be automatically adjusted as of July 1 of each year following the first year after the filing of the final map for the first Phase of the subdivision. The adjustment shall be calculated by the RMA based on the increase or decrease in the Engineering News Record Construction Cost Index for the San Francisco Bay Area for the period ending December 31 of the preceding calendar year.”

**Amended CONDITION 192 TEXT (Changes are noted in strikethrough for deletions and red underline for additions)**

MM #48 C-1.2 CUMULATIVE TRAFFIC AND CIRCULATION IMPACT C-1: ROADWAY SEGMENT OPERATIONS

The Applicant/Owner/Subdivider shall contribute to the County a pro-rata fair share of the cost for the following improvements: Widen Pine Canyon Road to four travel lanes with left turn channelization between Pettitt Road and Jolon Road. The eastbound Pine Canyon Road approach to Jolon Road shall include two left-turn lanes and a shared through/right-turn lane. All traffic improvement plans shall be subject to the approval of the Monterey County Public Works Department, and if necessary, Caltrans, prior to approval of the Final Map for the first project phase. (~~RMA~~-Public Works)

**Action(s) Needed for Resolution:** ~~Pro-rata fair share shall be determined prior to recordation of the final map for the first phase. Pro-rata fair share shall be paid prior to issuance of the building permit for each parcel. The Applicant shall contribute to the County a pro-rata fair share of the cost to widen Pine Canyon Road to four travel lanes with left turn channelization, including two left turn lanes and a shared through/right turn lane at the approach to Jolon Road to the satisfaction of the Director of Public Works and Caltrans. Applicant's traffic engineer shall determine the amount of each parcel's pro-rata share subject to the approval of the Department of Public Works.~~ For the purpose of determining the pro-rata fair share required by this condition, Applicant/Owner/Subdivider shall submit conceptual improvement plans showing all improvements required by this condition to the Monterey County Resource Management Agency (RMA) for review and approval, prior to approval of the Final Map for the first phase of the subdivision. The plans shall be prepared by a California licensed professional engineer. The engineer will also provide an engineer's estimate of the total cost of the improvements, including the cost of obtaining environmental clearances and the cost of construction. The Applicant/Owner/Subdivider's traffic engineer shall determine the pro-rata fair share amount for each residential unit subject to the approval of the RMA prior to recordation of the Final Map for the first phase of the subdivision. The pro-rata fair share shall be paid prior to issuance of the building permit for each residential unit in the subdivision. The pro-rata fair share shall be automatically adjusted as of July 1 of each year following the first year after the filing of the final map for the first Phase of the subdivision. The adjustment shall be calculated by the RMA based on the increase or decrease in the Engineering News Record Construction Cost Index for the San Francisco Bay Area for the period ending December 31 of the preceding calendar year.

The following note shall be placed on the final map for each phase of the subdivision: "Prior to issuance of the building permit for each residential unit in the subdivision, the lot owner/permit applicant shall contribute to the County a pro-rata fair share of the cost for the widening of Pine Canyon Road to four travel lanes with left turn channelization between Pettitt Road and Jolon Road, as required by Condition of Approval No. 192. The pro-rata fair share shall be



automatically adjusted as of July 1 of each year following the first year after the filing of the final map for the first Phase of the subdivision. The adjustment shall be calculated by the RMA based on the increase or decrease in the Engineering News Record Construction Cost Index for the San Francisco Bay Area for the period ending December 31 of the preceding calendar year.”

**Amended CONDITION 193 TEXT (Changes are noted in strikethrough for deletions and red underline for additions)**

MM #49 C-2.1 CUMULATIVE TRAFFIC AND CIRCULATION IMPACT C-2:  
INTERSECTION OPERATIONS

The Applicant/Owner/Subdivider shall install a traffic signal at the Jolon Road/Pine Canyon Road intersection. In addition to the lane configurations discussed in mitigation measures C-1.1 and C-1.2 (Condition Nos. 191 & 192), an acceleration lane shall be constructed on Pine Canyon Road to the west of the intersection, and the single-lane westbound Pine Canyon Road approach shall serve as a shared left/through/right lane<sup>1</sup>. All traffic improvement plans shall be subject to the approval of the Monterey County ~~Public Works Department~~ Resource Management Agency (RMA), ~~and if necessary, Caltrans~~, prior to approval of the Final Map for the first project phase. Subdivider shall be responsible for obtaining all necessary permits and environmental clearances. Subdivider may enter into an agreement with the County for reimbursement from future development benefiting from this improvement. (RMA-Public Works)

**Action(s) Needed for Resolution:** ~~Bonds provided prior to filing the final map for the first project phase. Construction shall be in accordance with the approved Phasing Plan. The Applicant shall bond and install a traffic signal at the Jolon Road/Pine Canyon Road intersection and construct an acceleration lane to the satisfaction of the Director of Public Works and Caltrans.~~ Applicant/Owner/Subdivider shall submit detailed improvement plans showing all improvements required by this condition to the RMA for review and approval. The plans shall be prepared by a California licensed professional engineer. The plans shall be prepared, reviewed and approved by the RMA prior to issuance of the first building permit for a residential unit in the first phase following Phases A & B of the subdivision.

The traffic signal shall be installed prior to occupancy of the final residential unit of the first phase following Phases A & B of the subdivision. No building permits shall be issued for residential units on any phases subsequent to the first phase following Phases A & B of the subdivision until the traffic signal is installed. Owner/Subdivider shall enter into an Improvement Agreement to install any improvements not installed or constructed prior to the acceptance of the Final Map for the first phase following Phases A & B of the subdivision and said agreement shall be recorded. Improvements shall be bonded prior to recordation of the Final Map for the first phase following Phases A & B of the subdivision.

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<sup>1</sup> Condition No. 193 (Both Existing and Amended): According to Monterey County Resource Management Agency records, the County has been collecting a traffic impact fee from development in the Pine Canyon area since 1990. The purpose of these fees is to fund improvements to the Pine Canyon/Jolon Road intersection. (Bryce Hori, personal communications, August 2004). Subdivider may enter into an agreement with the County for reimbursement from future development benefiting from this improvement.