

Attachment A

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Monterey County RMA Planning

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

PLN110173

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBD029 - SPECIFIC USES ONLY - The September Ranch Partners Combined Development Permit (PC95062/PLN050001) allows 1) a Vesting Tentative Map for the subdivision of 891 acres into 73 market-rate residential lots and 22 affordable housing lots (15 inclusionary and 7 deed-restricted workforce housing lots) for a total of 95 residential lots; a 20.2 acre existing equestrian facility and accessory structures related to that use (Parcel E); 300.5 acres of common open space (Parcels A & C); 242.9 acres of public open space for donation/dedication (Parcel D); 250.7 acres of private open space (conservation and scenic easement) on each lot outside of the building envelope; 6.9 acres of open space reserved for future public facilities (Parcel B); annexation to the Carmel Area Wastewater District for sewage disposal; 2) a Use Permit for the public/commercial use of the equestrian center & stables for a maximum of 50 horses and a maximum water use of 3.0 acre-feet per year; 3) a Use Permit for an on-site water system including new wells, backup well(s), booster pumps, water tanks and piping for fire suppression and residents of the subdivision; 4) a Use Permit for removal of a maximum of 819 protected Coast live oaks; 5) an Administrative Permit for up to 100,000 cubic yards of grading in an "S" (Site Plan Review) Overlay Zoning District for subdivision infrastructure and improvements including, but not limited to, development of roads, water tanks, water system, and drainage detention areas; 6) a Use Permit to allow development on slopes greater than 30 percent for affordable housing on Lots 5 through 11, subdivision infrastructure and subdivision improvements; and 7) an Administrative Permit for affordable housing, equestrian center caretaker unit/public office, a tract sales office and a security gatehouse. **FOR A CONTINUED DESCRIPTION PLEASE SEE: PD001 (A) - SPECIFIC USES ONLY**

Compliance or Monitoring Action to be Performed: On-going unless otherwise stated Owner/
Applicant shall adhere to conditions and uses specified in the permit. They will include statement in CC&Rs and submit CC&Rs to the Planning Department for review and approval.

1. PD001 (A) - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PD001 (A) - SPECIFIC USES ONLY (CONTINUED TEXT) - This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of 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. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: On-going unless otherwise stated the Owner/ Applicant shall adhere to conditions and uses specified in the permit. They shall include statement in CC&Rs and they shall submit CC&Rs to the Planning Department for review and approval.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBD025 - NOTICE-PERMIT APPROVAL - The applicant shall record a notice which states: "A permit (Resolution 10-312) was approved by the Board of Supervisors for Assessor's Parcel Number 015-171-010-000; 015-171-012-000; 015-361-013-000; 015-361-014-000 on November 9, 2010. The permit was granted subject to 190 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department ¿Proof of recordation of this notice shall be furnished to the Director of Planning prior to issuance of building permits or commencement of the use. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to Issuance of grading and building permits or start of use the Owner/Applicant shall provide proof of recordation of this notice shall be furnished to the Planning Department.

3. PBDSP001 - CONSERVATION AND SCENIC EASEMENT (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A conservation and scenic easement shall be conveyed to the County over those portions of the property outside of the building and/or development envelope.

Parcel 2B2 shall be subject to a separate conservation and scenic easement deed, restricting that parcel to open space for future public facilities.

Conservation and scenic easements on each residential lot and location of building and/or development envelopes on each lot shall be verified by a licensed Geologist, licensed Forester or qualified Arborist, a qualified Biologist, a Licensed Surveyor and appropriate County personnel. The location of the building and/or development envelopes shall be based, in part, on the studies and reports prepared for this project and/or any new information or surveys as well as the decision of the professional listed above.

The conservation and scenic easements and building and/or development envelopes shall be delineated on a separate map for each lot and accompanied by the deed and shall be certified or signed by the licensed Geologist, licensed Forester or qualified arborist and a qualified biologist, licensed surveyor and the appropriate County personnel. Driveway access to the building envelope shall also be delineated on the plan prior to submittal to the Director of Planning for review and approval and subsequent adoption by the Board of Supervisors at the time of recordation of each final map. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to Issuance of Grading and Building Permits the Owner/ Applicant shall submit appropriate plans for each residential market-rate lot which includes the conservation and scenic easement and the building envelope to the Planning Department and other County Departments, if applicable, for review and approval.

Prior to filing the Final Map the Owner/ Applicant shall prepare the Conservation and Scenic Easement deed. Convey to the County upon approval by the Board of Supervisors.

Prior to filing the Final Map the Owner/ Applicant shall note that the final map and CC&Rs shall include a note that individual plans have been prepared and recorded for each lot indicating the location of the building envelope and conservation and scenic easement as well as other requirements for each lot. The final map and CC&Rs shall include a note stating that the location of the driveways are approximate and that the final location may change so long as it is in substantial conformance with the final map.

4. PBDSP004 - EROSION CONTROL PLAN AND SCHEDULE (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The improvement plan for construction of the subdivisions infrastructure and related improvements shall incorporate recommendations of the Erosion Control Plan as reviewed by the Director of Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of Planning and Director of Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Director of Building Services. The recorded CC&Rs shall also indicate that this condition applies to construction of individual homes on each lot. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to Issuance of Grading and Building Permits the Owner/Applicant shall submit evidence of compliance with the Erosion Control Plan shall be submitted to the RMA prior to issuance of building and grading permits.

Prior to Final Inspection the Owner/Applicant shall submit evidence of compliance with the Implementation Schedule shall be submitted to the RMA during the course of construction until project completion as approved by the Director of Planning and Director of Building Services.

Prior to filing of the Phase 1 final map the Owner/ Applicant shall adhere to the CC&Rs shall contain language that this condition applies to the construction of individual homes. Submit CC&Rs to the Director of Planning for review and approval.

5. PD008 - GEOLOGIC CERTIFICATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBD013 - GEOLOGIC CERTIFICATION - Prior to Final Inspection, the Owner/Applicant/ Geological Consultant shall shall provide certification that all development has been constructed in accordance with all the geologic reports as applicable. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to Final Inspection Owner/Applicant/ Geological Consultant shall submit certification by the geological consultant to RMA showing project's compliance with the geological report.

6. PBDSP032 - HOURS OF CONSTRUCTION ACTIVITY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Construction activity using noise generating equipment shall be restricted to the hours of 8:00 AM and 5:00 PM Monday through Friday, where such noise would impact existing development. All other construction activity shall be limited to the hours of 8:00 AM and 6:00 PM, Monday through Friday and 8:00 AM TO 1:00 PM on Saturdays. Notices stating this requirement shall be posted in at least 5 locations visible to the general public before construction of subdivision improvements begin and throughout the duration of construction. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to issuance of grading or building permits, or tree removal the Owner/ Applicant shall include as a note on the Subdivision Improvement Plans and grading permit for subdivision improvements.

7. PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBD012 - FISH AND GAME FEE-NEG DEC/EIR - Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA & Planning Department).

Compliance or Monitoring Action to be Performed: Within 5 working days of project approval Owner/ Applicant shall submit a check, payable to the County of Monterey, to the Director of Planning.

8. PD007- GRADING WINTER RESTRICTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBD014 - GRADING-WINTER RESTRICTION - No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Building Services.

A note stating this requirement shall be included on the final map prior to recordation and in the CC&Rs for individual property owner's information. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/ Applicant shall include as note on an additional sheet of the final map and in the CC&Rs.

On an Ongoing basis the Owner/ Applicant shall implement the condition.

Prior to filing of the Phase 1 final map the Owner/ Applicant shall adhere to the CC&Rs and it shall contain language that this condition applies to the construction of individual homes. Submit CC&Rs to the Director of Planning for review and approval.

9. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBD016 - INDEMNIFICATION AGREEMENT - The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

10. PBD018(A) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of Planning for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits the Owner/ Applicant/ Contractor shall submit landscape plans and contractor's estimate to the Planning Department for review and approval.

Prior to recordation of the final map the Owner/Applicant shall have a note and it shall be included on an additional sheet of the final map and in the CC&Rs. Submit CC&Rs to the Planning Department for review and approval.

On an Ongoing basis the Owner/ Applicant shall adhere to having all landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

A note shall be included on an additional sheet of the final map and in the CC&Rs.

Submit CC&Rs to the Planning Department for review and approval.

11. PBD018(B) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of Planning for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits and prior to recordation of the final map the Owner/ Applicant/ Contractor shall submit landscape plans and contractor's estimate to the Planning Department for review and approval.

A note shall be included on an additional sheet of the final map and in the CC&Rs.

Submit CC&Rs to the Planning Department for review and approval.

On an Ongoing basis the Owner/ Applicant shall have all landscaped areas and fences be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

12. PBDSP031 2 LIGHTING (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting elements. All street lights in the development shall be approved by the Director of Planning.

The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of Planning, prior to the issuance of building permits. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to recording Phase 1 of the final map the Owner/ Applicant shall submit three copies of the lighting plans for the equestrian center, sales office, gate house, inclusionary and workforce homes, and proposed street lights to the Planning Department for review and approval.

On an Ongoing basis the Owner/Applicant shall comply prior to final inspection, lighting shall be installed and maintained in accordance with approved plan.

Prior to filing of the Phase 1 final map the Owner/ Applicant shall adhere to the CC&Rs . They shall contain language that no additional street lights are allowed, unless approved by the Director of Planning. Submit CC&Rs to the Director of Planning for review and approval.

Prior to recording Phase 1 of the final map the Owner/ Applicant shall have a note stating that it shall be included on an additional sheet of the final map and in the CC&Rs. Submit CC&Rs to the Planning Department for review and approval.

13. PBDSP002 ¿ CONDITION COMPLIANCE AND MITIGATION MONITORING PROGRAM

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBDSP002 ¿ CONDITION COMPLIANCE AND MITIGATION MONITORING PROGRAM

(NON-STANDARD CONDITION) - The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. In addition, the agreement shall include provisions that require the applicant to pay an hourly rate for actual work performed for the life of the project to cover the cost for monitoring of all mitigation measures, and any conditions of approval for which staff work is done after the final map is recorded. Payment, payable to the County of Monterey, shall be based upon the fee schedule adopted by the Board of Supervisors and shall be required at the time the property owner submits the signed agreement. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Within 60 days after project approval or prior to issuance of grading and building permits, which ever occurs first the Owner/Applicant shall enter into agreement with the County to implement a Mitigation Monitoring Program.

A deposit shall be submitted at the time the applicant submits the signed mitigation monitoring agreement. Thereafter, the deposit shall be replenished on a quarterly basis.

A note shall be included on the final map and CC&Rs stating that a mitigation monitoring agreement has been adopted for this development.

14. PBD024 - NOTE ON MAP-STUDIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A note shall be placed on the final map or a separate sheet to be recorded with the final map and shall be included on the subdivision improvement plan, subdivision grading permit and the CC&Rs stating that: "The following reports have been prepared for the September Ranch project:

- ¿ Geologic, Soils and Drainage Assessment (Kleinfelder, June 30, 2003)
- ¿ Geologic and Geotechnical Feasibility Investigation (Terratech, Inc., 1996)
- ¿ Geologic Evaluation of Mapped Landslides (Terratech, Inc., 1996)
- ¿ Technical Peer Review (Nolan Associates, June 1996)
- ¿ Preliminary Geological Feasibility Study (Geoconsultants, 1995)
- ¿ Geologic Evaluation of Two Landslide Areas (Geoconsultants, 1981)

These reports are on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Owner/Applicant shall have the Final Recorded map with notes shall be submitted to the Planning Department and Public Works for review and approval.

15. PBD024 - NOTE ON MAP-STUDIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A note shall be placed on the final map or a separate sheet to be recorded with the final map and shall be included on the subdivision improvement plan, subdivision grading permit and the CC&R's stating that: "The following reports have been prepared for the September Ranch project:

¿ Project-Specific Hydrogeologic Report (Kennedy/Jenks Consultants, December 28, 2004)

¿ Preliminary Drainage Report (Whitson Engineers, June 3, 1996)

¿ Peer Review of Preliminary Drainage Report (Monterey Bay Engineers, June 15, 1996)

¿ Wastewater Disposal and Treatment (Kennedy/Jenks Consultants, April 23, 2004)

¿ Wastewater Feasibility Study (Questa Engineering Corp., July 1995)

These reports are on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Owner/
Applicant shall have the Final Recorded map with notes shall be submitted to the Planning Department and Public Works for review and approval.

16. PBD024 - NOTE ON MAP-STUDIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A note shall be placed on the final map or a separate sheet to be recorded with the final map and shall be included on the subdivision improvement plan, subdivision grading permit and the CC&R's stating that: "The following report has been prepared for the September Ranch project:

¿ Traffic Impact Study (TJKM Transportation Consultants, October 5, 2004)

This report is on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Owner/
Applicant shall have the Final Recorded map with notes shall be submitted to the Planning Department and Public Works for review and approval.

17. PBD024 - NOTE ON MAP-STUDIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A note shall be placed on the final map or a separate sheet to be recorded with the final map and shall be included on the subdivision improvement plan, subdivision grading permit and the CC&R's stating that: "The following reports have been prepared for the September Ranch project:

¿ Air Quality Impact Analysis (Giroux & Associates, October 2, 2003)

¿ Noise Impact Analysis (Giroux & Associates, October 2, 2003)

These reports are on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Owner/ Applicant shall have the Final recorded map with notes shall be submitted to the Planning Department and Public Works for review and approval.

18. PBD024 - NOTE ON MAP-STUDIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A note shall be placed on the final map or a separate sheet to be recorded with the final map and shall be included on the subdivision improvement plan, subdivision grading permit and the CC&R's stating that: "The following reports have been prepared for the September Ranch project:

¿ Archaeological Investigation (Archaeological Consulting and Research Associates, February 1981)

These reports are on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Owner/ Applicant shall have the Final Recorded map with notes shall be submitted to the Planning Department and Public Works for review and approval.

19. PBDSP007 - NOTE ON MAP-STUDIES (NON-STANDARD)

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

A note shall be placed on the final map or a separate sheet to be recorded with the final map and shall be included on the subdivision improvement plan, subdivision grading permit and

the CC&R's stating that: "The following reports have been prepared for the September Ranch project:

¿ Biological Resources Assessment (Michael Brandman Associates, January 2004)

¿ Updated Biological Surveys for September Ranch, Monterey County, CA (Zander Associates, 2002)

¿ Supplemental Forestry Report of August 2002 to the Forestry Management Plan for September Ranch, prepared by Hugh Smith, dated May 10, 1995 (Staub, 2002)

¿ Final EIR Vol. 2 ¿ Supplemental Information in Response to Additional Public Comments (Denise Duffy and Associates, 1998)

¿ September Ranch in Carmel Valley, Monterey County, CA ¿ Smith's Blue Butterfly Survey in 2001 (Entomological Consulting Services, 2001)

¿ September Ranch in Carmel Valley, Monterey County, CA ¿ Smith's Blue Butterfly Survey in 1996 (Entomological Consulting Services, 1996)

¿ September Ranch in Carmel Valley, Monterey County, CA ¿ Smith's Blue Butterfly Survey in 1995 (Entomological Consulting Services, 1995)

¿ Forest Management Plan for Residential Subdivision (Smith, 1995)

¿ Morgens Property Special Status Plants Assessment (Mori, 1995a)

¿ Morgens Property Biotic Assessment, Carmel Valley, CA (Mori, 1995b)

¿ Biological Resource Assessment, Morgens property, Carmel Valley, CA (Zander Associates, 1995)

¿ Morgens Ranch Biological Survey (WESCO, 1981)

¿ Supplemental Forester's Report (Staub Forestry & Environmental Consulting, January 5, 2006)

These reports are on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed so long as they are consistent with the Final REIR, the conditions of approval and the mitigations measures approved by the County." The note shall be located in a conspicuous location, subject to the approval of County Surveyor (RMA - Planning)

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

Prior to Recordation of Final Map the Owner/ Applicant shall have the Final Recorded Map with notes shall be submitted to the Planning Department and Public Works for review and approval.

20. PBDSP005 ¿ SUBDIVISION BUILDING ENVELOPE APPROVAL (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBDSP005 ¿ SUBDIVISION BUILDING ENVELOPE APPROVAL (NON-STANDARD CONDITION) Prior to filing the final map, the applicant shall prepare a plan to be approved by the Director of Planning and any other applicable department heads or division chiefs. The plan shall: 1) show the building envelope, including the general location of each driveway, in 3-dimensions; 2) define the boundaries of the conservation and scenic easement (everything outside of the building and development envelope); 3) identify the lot number from the final map, lot size & building envelope size; 4) identify any slopes 30 % or greater (the building envelope should exclude all 30 percent slopes but there may be small areas with slope in the development envelope); 5) identify all the trees with biological significance, as identified in the EIR or biological reports, or that provide visual screening; 6) establish maximum building dimensions, height, and location to avoid ridgeline development; 7) identify natural vegetation that should be retained, including trees on Lots 69, 71 and 72 within the vicinity of Jack¿s Peak County Park; 8) identify landscape screening as appropriate, including minimizing views of the building site from Jacks Peak Park. For Lots 69, 71 and 72, building envelopes shall be reduced in size, if necessary, to ensure that structures will not be visible from the East Picnic Area and the Earl Moser Trail within Jack¿s Peak County Park. Any parcel where ridgeline development cannot be avoided shall be eliminated from the Final Map. With respect to removal of Coast live oak and Monterey pine tree species pursuant to MM 4.9-3 and removal of coastal scrub and other sensitive plant species pursuant to MM 4.9-7, disturbance shall be limited to 0.33 acres per lot. **FOR A CONTINUED DESCRIPTION PLEASE SEE: PBDSP005 (A) - SUBDIVISION BUILDING ENVELOPE APPROVAL (NON-STANDARD CONDITION).

Compliance or Monitoring Action to be Performed: Prior to filing the final map the Owner/ Applicant shall prepare a plan that characterizes the building envelope for each of the lots with respect to environmental parameters, slopes and conservation and scenic easements. The driveway access shall be incorporated into the building envelope.

The tree and vegetation removal disturbance goal shall be achieved through monitoring related to Conditions 3 and 21 and Mitigations Measures 4.9-1, and 4.9-4 through 4.9-11.

Plan shall be reviewed and approved by the Director of Planning.

The terms of this condition shall be included as a note on an additional sheet of the final map and in the CC&Rs.

Submit CC&Rs to the Planning Department for review and approval.

21. PBD032(B) ¿ TREE AND ROOT PROTECTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy drip lines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to approval of Subdivision Improvement Plans the Owner/ Applicant shall adhere to the terms of this condition shall be included as a note on all Subdivision Improvement Plans.

Prior to Issuance of Grading and/or Building Permits/On-going during construction the Owner/ Applicant shall include condition language on all building and grading permit plans.

Submit evidence of tree protection to the Planning Department for review and approval.

22. PBD033 ¿ UTILITIES ¿ SUBDIVISION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A note shall be placed on the final map or a separate sheet to be recorded with the final map and included on the subdivision improvement plans indicating that "Underground utilities are required in this subdivision in accordance with Chapter 19.10.095, Title 19 of the Monterey County Code." Such facilities shall be installed or bonded prior to filing the final map for that phase. The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works. (Public Works and RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of final map for each phase the Applicant/Owner shall place a note on the final map, or use a separate sheet, on the Subdivision Improvement Plans and in the CC&Rs and submit to Public Works for review and approval.

Submit CC&Rs to the Planning Department for review and approval.

23. PBDSP028 - WATER TANK APPROVAL (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to the issuance of building permits, the water tank location and design shall be subject to the approval of the Director of Planning. The water tank shall be painted a color to blend into the area and screen from view. Tanks shall be located such that they cannot be visible as ridgeline development and the visibility shall be minimized by location and landscaping (including land sculpturing and fencing, where appropriate), subject to the approval of the Director of Planning. Using existing vegetation and topography, any tanks shall not be visible from the East Picnic Area and the Earl Moser Trail within Jack's Peak County Park. The tanks may be buried or partially buried to achieve this standard. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of final map or approval of subdivision improvement plans for that phase, whichever occurs first the Applicant/ Owner shall submit proposed location and design to the Planning Department for review and approval. The locations and height of the water tanks shall be staked and flagged.

Prior to the issuance of grading and building permits the Applicant/ Owner shall submit proposed color of water tank and landscaping to the Planning Department for review and approval.

Prior to final inspection or occupancy the Applicant/Owner shall provide evidence to the Planning Department that the water tank is painted as approved and that landscaping was installed as approved by the Planning Department.

24. PBDSP033 & GRADING/EASEMENT STAKING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA. The staking shall be verified at the grading pre-site inspection by the grading inspector. (RMA - Planning Department and Building Services Department).

Compliance or Monitoring Action to be Performed: At presite inspection by the grading inspector the Owner/Applicant shall adhere that the easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA.

25. PBD042 & GRADING PERMITS REQUIRED

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A grading permit is required for 100 cubic yards or more of earthwork. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Engineer/ Owner/ Applicant shall adhere to the terms of this condition shall be included on an additional sheet of the final map and in the CC&Rs.

Submit CC&Rs to the Planning Department for review and approval.

26. PBDSP006 ¿ SECOND UNITS (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Second residential units, caretaker¿s units and senior citizen units are prohibited in this subdivision. Guest houses are allowed provided they meet the development standards set forth in Monterey County Code Section 21.64.020. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/ Applicant shall Record with each phase of the final maps.

The terms of this condition shall be included in a deed restriction, on an additional sheet of the final map and included in the CC&Rs.

Submit Deed Restriction and CC&Rs to the Planning Department for review and approval.

Record the deed restriction.

27. PBDSP009 ¿ GRADING PERMIT (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A Grading Permit shall be required pursuant to the Monterey County Code relative to Grading, Chapter 16.08. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to commencement of grading the Owner/ Applicant shall obtain an grading permit prior to commencement of grading.

28. PBDSP011 ¿ DESIGN APPROVAL (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Design Approval, with the final approval by the Planning Commission, shall be required for the water tanks, the inclusionary and workforce housing units, the temporary tract sales office, any fencing, the gate and the gate house. All of these structures, with the exception of water tanks, shall follow a rural design & maintain compatible design consistency with the surroundings in keeping with the old farmhouse & equestrian center. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Concurrent with filing of the final map the Owner/Applicant shall include as a note on an additional sheet of the final map.

29. PBDSP013 ¿ SWPPP COMPLIANCE AND EROSION CONTROL INSPECTIONS (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) and Waste Discharge Identification Number (WDID#), adhere to all Best Management Practices (BMPs) included in SWPPP and schedule periodic inspections with County of Monterey Building Services Department during construction to assure compliance with SWPPP, including timely repairs of damaged erosion and sedimentation control features to the satisfaction of the Director of Building Services. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the Owner/ Applicant shall adhere to the terms of this condition and they shall be included on an additional sheet of the final map and in the CC&Rs.

The Applicant shall submit a SWPPP to the Director of Building Services for review and approval.

Ongoing throughout construction the Owner/ Applicant shall adhere to the provisions in the SWPPP to the satisfaction of the Director of Building Services.

30. PBDSP014 ¿ OPEN SPACE (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to the filing of the final map, the applicant shall request, in writing, that Parcels A, B, and C be rezoned to Open Space (¿O¿). (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to filing of Final the Map(s) the Engineer/ Owner/Applicant shall submit an application to the County of Monterey to rezone the property and receive approval from the Board of Supervisors for the rezoning.

31. PBDSP015 ¿ DEVELOPMENT IN CONSERVATION AND SCENIC EASEMENTS (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Development within conservation and scenic easements shall be limited to biological resource conservation, environmental mitigation, driveways and compatible common open space uses as determined by the Director of Planning prior to the issuance of building permits. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/ Applicant shall submit appropriate conservation and scenic easement deed to the Planning Department for review and approval by the Director of Planning.

Concurrent with final map the Owner/ Applicant shall record easement.

32. PBDSP016 ¿ NON-NATIVE INVASIVES (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to filing the final map applicant shall submit CC&Rs for review and approval of the Director of Planning which prohibit introduction of nonnative invasive plant species within any portion of proposed lots (such as acacia, French or Scotch broom, pampas grass), and prohibit introduction of any nonnative species outside the development/building envelope. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of final map the Owner/ Applicant shall adhere to the terms of this condition and it shall be included on an additional sheet of the final map and in the CC&Rs.

Submit CC&Rs to the Planning Department for review and approval.

33. PBDSP017 ¿ WATER INTENSIVE USES (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to filing the final map, applicant shall submit CC&Rs for review and approval of the Director of Planning which prohibit water intensive uses, including but not limited to vineyards, ornamental fountains that do not recirculate water, washing of hard surfaces such as streets, gutters, sidewalks and driveways within any portion of proposed lots, open space parcels or on the Equestrian Center Parcel. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of final map the Owner/ Applicant shall adhere to the terms of this condition shall be included on an additional sheet of the final map and in the CC&Rs.

Submit CC&Rs to the Planning Department for review and approval.

Deed restriction shall be recorded on each parcel.

34. PBDSP018 ¿ MAPPED LANDSLIDES (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Record a deed restriction stating the following: ¿The proposed residential sites on Lot 26 and 55-60, inclusive, are located on or near mapped landslides. Development on these lots shall conform to the mitigation measures in the December 2004 September Ranch Revised EIR or subsequent geological or geotechnical investigations.¿ (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Concurrent with filing of the final map the Owner/Applicant shall record a deed restriction on lots 26 and 55-60 inclusive.

35. PBDSP019 ¿ ANTENNAS (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The location, type and size of all antennas, towers, and similar appurtenances shall be approved by the Director of Planning. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of final map the Owner/ Applicant the terms of this condition shall be included on an additional sheet of the final map and in the CC&Rs.

On an Ongoing basis the Owner/ Applicant shall submit CC&Rs to the Planning Department for review and approval.

36. PBDSP020 ¿ PHASING (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Phasing of the project shall be in conformance with the policies in the Carmel Valley Master Plan. Construction of the first half of the inclusionary and workforce units shall be completed prior to the issuance of the 12th building permit being issued for market rate units. Construction of the second half of the inclusionary and workforce units shall be completed prior to the issuance of the 41st building permit being issued for market rate units. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of final map the Owner/Applicant shall submit the final maps in accordance with the policies in the Carmel Valley Master Plan and phased according to the condition.

Prior to the issuance of building permits for market rate homes the Owner/ Applicant shall submit documentation to demonstrate that the inclusionary and workforce units are constructed prior to the issuance of the 12th and 41st building permits for market-rate homes.

37. PBDSP021 ¿ ¿B-6¿ COMBINING DISTRICT (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to the filing of the final map, the applicant shall request in writing that the northerly 494 acres currently zoned "RDR/10-D-S-RAZ" be rezoned to "RDR/B-6-D-S-RAZ" and that the southerly 393 acres zoned LDR/2.5-D-S-RAZ be rezoned to LDR/B-6-D-S-RAZ. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Concurrent with each final map approval the Engineer/Owner/Applicant shall submit an application to the County of Monterey to rezone the property and receive approval from the Board of Supervisors for the rezoning.

38. PBDSP022 ¿ FENCING PARCELS (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to filing the final map, applicant shall submit CC&Rs for review and approval of the Director of Planning which limit use of fencing to designated development envelopes, and prohibit fencing of parcel boundaries in order to maintain areas for wildlife movement. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/ Applicant shall comply to the terms of this condition it shall be included on an additional sheet of the final map and in the CC&Rs.

Prior to recordation of the Final map the Owner/Applicant shall submit CC&Rs to the Planning Department for review and approval.

39. PBDSP023 ¿ TREE REMOVAL (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A note shall be placed on the final map and in the CC&Rs stating, "The property owners shall obtain tree removal permits and shall implement tree replacement for removal of any oaks, redwood or madrone that may occur as part of future lot construction." This is pursuant to County regulations, and requires replacement of removed oaks and Monterey pine trees with on-site genetic stock. Project CC&Rs shall include measures for protection of protected oak trees on individual lots as part of future home construction, as well as guidelines for appropriate landscaping management to protect the trees. Subject to the approval of the Director of Planning, future homes should be sited outside of the drip line of any oak. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/ Applicant shall adhere to the terms of this condition they shall be included on an additional sheet of the final map and in the CC&Rs and submittal of the CC&Rs to the Planning Department for review and approval.

40. PBDSP025 ¿ CONNECTION TO CAL-AM PROHIBITED NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall be prohibited from hooking up to the California-American Water Company System. The CC&Rs shall state that neither the water system nor any owner or group of owners shall request or receive a water supply from Cal-Am or actually be supplied water by Cal-Am. The CC&Rs shall be enforceable by the County and may not be changed without County approval. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/ Applicant shall submit the draft CC&Rs to the Director of Planning for review and approval.

On-going the Owner/Applicant shall submit a form a public water system to deliver potable water to the subdivision.

41. PBD006 - DEED RESTRICTION - USE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record the following deed restriction stating the use and regulations applicable to the Equestrian Center: -The Equestrian Center shall be owned by the September Ranch Homeowner's Association. The recreational uses on the 20.2-acre Equestrian Center Parcel (Assessor's Parcel Number 015-171-010-000) shall be subject to the following:

- The property will provide recreational uses in perpetuity
- Water use of no more than 3 acre-feet per calendar year for the Equestrian Center facility
- Irrigation of pasture is prohibited
- Boarding of a maximum of 50 horses
- No more than 12 equestrian events per calendar year
- Hours of operation shall be from 6:00 AM to 8:00 PM, 7 days per week October 1st to March 31st and 6:00 AM to 9:00 PM, 7 days per week from April 1st to September 30th
- Existing home shall be used as a caretaker unit or other use for public benefit, including, but not limited to, a Sheriff's Office Community Field Office, homeowner's association office or historical center

The deed restrictions shall be adopted by the Board of Supervisors at the time of recordation of Phase 1 of the final map. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to recordation of Phase 1 of the final map. Deed Restrictions and CC&Rs to be recorded with final map the Owner/ Applicant shall:

1. Submit Deed Restriction to the Planning Department for review and approval.
2. Record the deed restriction.
3. The CC&Rs shall include a note stating that a deed restriction describing what can be done in the Equestrian Center Parcel has been recorded. The CC&Rs shall also include a summary of allowable uses on the parcel.
4. Submit CC&Rs to the Planning Department for review and approval.

42. PBDSP027 & VEHICLE TRIP REDUCTION ORDINANCE (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Provide ridesharing, public transportation, and nearby licensed childcare facility information to tenants/buyers as part of move-in materials. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/Applicant shall adhere to the terms of this condition shall be included in the CC&Rs.

Submit CC&Rs to the Planning Department for review and approval.

43. PBDSP030 ¿ HISTORIC STRUCTURES (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If the structures on the Equestrian Center are deemed to be historic resources, the parcel shall have a Historic Resources (¿HR¿) combining district applied to the parcel. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to filing of first Final Map the Engineer/ Owner/Applicant shall submit an application to the County of Monterey to rezone the property and receive approval from the Board of Supervisors for the rezoning.

44. PBDSP008 ¿ SPECIAL SETBACKS (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Final Map shall indicate the following minimum setbacks for the inclusionary and workforce lots:
Front: 20 feet
Side: Zero feet
Rear: 10 feet
The setbacks shall either be indicated as a note on the final map or applied to each individual lot on the final map. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to filing of Final Map(s) the Engineer/ Owner/Applicant shall include note on Final Map or shall apply the setbacks to each lot on the Final Map.

45. PBDSP003 ¿ WATER USE PLAN (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBDSP003 ¿ WATER USE PLAN (NON-STANDARD CONDITION) - The total water use within the subdivision shall not exceed 57.21 acre-feet per year (AFY). This is based upon the following:

¿ 54.21 AFY for market-rate lots, inclusionary and workforce units, and the water treatment facility.

¿ 3 AFY for the Equestrian Center Facility.

¿ The applicant, or a public water system established by applicant, shall select a water treatment method that consumes the lowest amount of water feasible within the range of 0 to 10%.

¿ The applicant, or a public water system established by applicant, shall conduct at least two audits each year for leaks and other water losses and shall repair all leaks and other water losses as soon as reasonably practical under the circumstances.

¿ Prior to filing the final map for each phase, the applicant shall submit a Water Use Plan showing the proposed water demand estimate for each lot within that phase. Water demand estimates shall be based upon the Monterey Peninsula Water Management District (MPWMD) current water demand estimation methodology as codified in MPWMD Rules and Regulations. Before the final map for each phase will be approved, applicant must demonstrate the subdivision water use is within Pro Rata Expansion Capacity per MPWMD Rule 11. The plan shall be submitted to the Water Resources Agency and the Director of Planning for review and approval.

¿ Concurrent with the filing of the final map, the Applicant shall record a deed restriction on each lot in the phase that notifies future owners that in the case of a water permit exceedence, the County and MPWMD shall have access into the subdivision or onto any lot for purposes of monitoring water use and compliance and access into any home for inspection of fixtures.

****FOR A CONTINUED DESCRIPTION, PLEASE SEE: PBDSP003 (A) ¿ WATER USE PLAN (NON-STANDARD CONDITION)**

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

Prior to filing the final map for each phase of the subdivision Owner/Applicant shall adhere to the terms of this condition they shall be included in the CC&Rs. Submit CC&Rs to the Water Resources Agency and the Planning Department for review and approval.

Prior to filing the final map for each phase of the subdivision Owner/Applicant shall adhere

prior to each phase, the applicant shall submit a plan, showing the proposed water demand estimate for each lot, to the Director of Planning for review and approval. Water demand estimates shall be based upon the Monterey Peninsula Water Management District (MPWMD) current water demand estimation methodology as codified in the MPWMD Rules and Regulations. Applicant and subsequent owners of the respective lots shall be required to comply with the approved plan or any County-approved amendments to it.

Prior to filing the final map for each phase of the subdivision the Owner/Applicant shall provide the final map for a phase will be denied unless the applicant demonstrates that subdivision water use is within the requirements of MPWMD Rule 11 (or any equivalent rule in effect at the time).

Concurrent with the final map for each phase the Owner/Applicant shall provide a deed restriction with all of the specified content shall be recorded.

Concurrent with the sale of any lot in the phase and no later than prior to building permit the Owner/Applicant shall provide a copy of the recorded notice to the County. The condition shall be placed as a note on the final map.

46. PBDSP012 & WATER USE REPORT (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

A quarterly water use report shall be submitted to the Water Resources Agency and Director of the Planning. If any report demonstrates that actual water use for the entire subdivision is within 5% of the maximum entitlement, the Director of Planning shall submit the final map for any subsequent phase to the Board of Supervisors for a discretionary determination as to whether water supply is adequate for that phase. The Board shall take appropriate action to ensure that the total use over the entire subdivision does not exceed 57.21 acre-feet per year (AFY) per project Condition of Approval Number 146. Such action may include denying the final map for that phase, limiting total fixture counts for the phase or for individual building permits, and/or taking other measures as appropriate in each phase based upon their review of the Water Use Plan and quarterly reports. (Water Resources Agency and RMA - Planning Department).

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

47. SOSP001 ¿ PUBLIC SAFETY AND SECURITY (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to occupancy, the applicant shall comply with the Monterey County Public Safety and Security Guidelines to the satisfaction of the Monterey County Sheriff's Department. Each of the residential units shall meet the required conditions regarding security measures, addressing, signage, doors, windows, locks, lighting, rooftops, streets, parking, gates, fences, and landscaping. (Sheriff-Marshall-Coroner-Public Administrator Department).

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit Owner/ Applicant shall incorporate specifications into the design of the project. Applicant shall prepare a security plan for the review and approval of the Monterey County Sheriff and the Director of Planning.

Prior to occupancy the Owner/Applicant shall schedule a Sheriff's Office clearance inspection prior to occupancy.

48. OHRSP001 ¿ INCLUSIONARY AND WORKFORCE HOUSING (NON-STANDARD CONDITION)

Responsible Department: Redevelopment

Condition/Mitigation Monitoring Measure: OHRSP001 ¿ INCLUSIONARY AND WORKFORCE HOUSING (NON-STANDARD CONDITION)

The applicant shall execute an Inclusionary Housing Master Developer Agreement and a Workforce Housing Master Developer Agreement both with the County, and in a form acceptable to the County, that specifies the Inclusionary and Workforce Housing requirements for the project, including but not limited to the following:

- a) A minimum of 15 inclusionary units and 7 Workforce I units shall be provided on the project site at the location specified on the approved tentative map.
- b) The type of unit (i.e. attached rental, townhouse for sale, detached for sale).
- c) The affordability level for the units (the Inclusionary units shall be low income for rental units or moderate income for ownership units and the Workforce I units shall be affordable to households earning up to 140% of the County median income) and the pricing, taking into account homeowners association dues and other assessments to ensure on-going affordability.
- d) The size of the units (number of bedrooms and square footage).
- e) The timing of providing the inclusionary units to ensure that they are in place prior to or concurrent with the need created by the construction of the market rate units.
- f) Subsequent County approvals needed for the construction of the units [i.e. use permit (for rental), design approval, subsequent land division (for condos)] and that those approvals must occur prior to any building permits being issued for the market rate units.
- g) The design of the units shall be compatible with the market rate development and the natural landscape shall be sufficiently low in profile and scale to allow mature landscaping to effectively screen the structures from surrounding natural areas.

****FOR A CONTINUED DESCRIPTION OF CONDITION, PLEASE SEE: OHRSP001 (A) ¿ INCLUSIONARY AND WORKFORCE HOUSING (NON-STANDARD CONDITION).**

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/Applicant shall execute an Inclusionary Housing Master Developer Agreement and a Workforce Housing Master Developer Agreement with the County and in a form acceptable to the County consistent with this condition.

48. OHRSP001 (A) ¿ INCLUSIONARY AND WORKFORCE HOUSING (NON-STANDARD CONDITION)

Responsible Department: Redevelopment

Condition/Mitigation Monitoring Measure: OHRSP001 (A) ¿ INCLUSIONARY AND WORKFORCE HOUSING (NON-STANDARD CONDITION) -CONTINUED TEXT -

h) Subsequent Inclusionary and Workforce Housing Agreements (i.e. Owner Agreements/Deed Restrictions for the individual units or Rental Regulatory Agreements required for the specific type of inclusionary units to be provided). The subsequent Inclusionary Agreements shall be in compliance with Ordinance #3419 but consistent with the County¿s adopted Inclusionary Administrative Manual to the extent possible.

i) The term of affordability for the Workforce units shall be a minimum of 30 years.

j) Homebuyer or tenant selection procedures including the approval of a marketing program by the County.

k) Monitoring requirements. (Office of Housing and Redevelopment).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/Applicant shall execute an Inclusionary Housing Master Developer Agreement and a Workforce Housing Master Developer Agreement with the County and in a form acceptable to the County consistent with this condition.

49. PBD001 - ANNEX TO FIRE DISTRICT

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The September Ranch Subdivision shall be annexed to the Carmel Valley Fire District. (Carmel Valley Fire District; RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to Recording Phase 1 of Final Map the Owner/ Applicant shall submit an application to LAFCO for annexation.

Prior to Recording Phase 1 of Final Map the Owner/Applicant shall submit to the Planning Department and Fire shall work with LAFCO to process the proposed annexation.

50. FIRE001 - ROAD ACCESS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (Carmel Valley Fire District).

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

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

51. FIRE002 - ROADWAY ENGINEERING

Responsible Department: Fire

Condition/Mitigation 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. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the $\frac{1}{2}T\frac{1}{2}$ shall be a minimum of 60 feet in length. (Carmel Valley Fire District).

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit the Applicant/Owner shall incorporate specification into design and enumerate as $\frac{1}{2}$ Fire Dept. Notes $\frac{1}{2}$ on plans.

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

52. FIRES004 - DEAD-END ROADS (NON STANDARD CONDITION

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: No dead-end roads shall be permitted without a provision for access for emergency vehicles or egress for evacuation. (RMA - Planning Department and Carmel Valley Fire District)

Compliance or Monitoring Action to be Performed: Prior to filing the final map the Owner/ Applicant/ Engineer shall submit provisions for emergency vehicle access or egress for evacuation to the Director of Planning and the Fire Department for review and approval.

53. FIRE007 - DRIVEWAYS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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 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 $\zeta T \zeta$ shall be a minimum of 60 feet in length. (Carmel Valley Fire District).

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

Prior to final building inspection the Applicant/ Owner shall schedule fire dept. clearance inspection.

54. FIRE008 - GATES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Carmel Valley Fire District).

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

Prior to final building inspection the Applicant/ Owner shall schedule fire dept. clearance inspection.

55. FIRE009 - BRIDGES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All new and reconstructed bridges shall be at least the width of the roadbed and berms, but in no case less than 12 feet wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS15-44 loading and have guardrails. Appropriate signage, including but not limited to, weight ratings or vertical clearance limitations, and one-way road or single-lane road conditions, shall be provided at both entrances to any bridge. One-lane bridges may be permitted if there is unobstructed visibility across the entire bridge, and turnouts are provided at both bridge ends. The fire authority may impose more stringent requirements for bridges. (Carmel Valley Fire District).

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

Prior to final building inspection the Applicant/ Owner shall schedule fire dept. clearance inspection.

56. 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, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any 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 entity to rename or renumber 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. (Carmel Valley Fire District).

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

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

57. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

**Condition/Mitigation
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 visible and legible 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. (Carmel Valley Fire District).

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

Prior to issuance of building permit the Applicant/ Owner shall incorporate specification into design and enumerate as ¿Fire Dept. Notes¿ on plans.

Prior to final building inspection the Applicant/ Owner shall schedule fire dept. clearance inspection.

58. FIRE012 - EMERGENCY WATER STANDARDS - WATER SYSTEMS

Responsible Department: Fire

**Condition/Mitigation
Monitoring Measure:**

The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available (Carmel Valley Fire District).

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

Prior to issuance of permit the Applicant/Owner shall incorporate specification into design and enumerate as ¿Fire Dept. Notes¿ on plans.

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

59. FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. (Carmel Valley Fire District).

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

Prior to final building inspection the Applicant/Owner shall schedule fire dept. clearance inspection.

60. FIRE015 - FIRE HYDRANTS/FIRE VALVES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings along State Highways and Freeways, May 1988. (Carmel Valley Fire District).

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

Prior to final building inspection the Applicant/Owner shall schedule fire dept. clearance inspection.

61. FIRE016 - SETBACKS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (Carmel Valley Fire District)

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

Prior to final building inspection the Applicant/Owner shall schedule fire dept. clearance inspection.

62. FIRE017 - DISPOSAL OF VEGETATION AND FUELS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit. (Carmel Valley Fire District).

Compliance or Monitoring Action to be Performed: Prior to final building inspection the Applicant/Owner shall schedule fire dept. clearance inspection.

63. FIRE018 - GREENBELTS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the Reviewing Authority. (Carmel Valley Fire District).

Compliance or Monitoring Action to be Performed: Prior to filing of the final map the Applicant/Owner shall schedule fire dept. clearance inspection for each phase of development.

64. FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning. (Carmel Valley Fire District).

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

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

65. FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. (Carmel Valley Fire District).

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

Prior to framing inspection the Applicant/Owner shall schedule fire dept. rough sprinkler inspection.

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

66. FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The building(s) 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. (Carmel Valley Fire District).

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

Prior to rough sprinkler or framing inspection the Applicant/Owner shall submit fire alarm plans and obtain approval.

Prior to final building inspection the Applicant/Owner shall schedule fire alarm system acceptance test.

67. FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. (Carmel Valley Fire District).

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

Prior to rough sprinkler or framing inspection the Applicant/Owner shall submit fire alarm plans and obtain approval.

Prior to final building inspection the Applicant/Owner shall schedule fire alarm system acceptance test.

68. FIRE025 - SMOKE ALARMS ¿ (SINGLE FAMILY DWELLING)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. (Carmel Valley Fire District).

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

Prior to final building inspection the Applicant/ Owner shall schedule fire alarm system acceptance test.

69. FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Carmel Valley Fire District).

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

70. FIRES001 - DEFENSIBLE SPACE REQUIREMENTS FOR MID-SLOPE ROADS (NON-STANDARD CONDITION)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Remove combustible vegetation to a maximum of 100 feet of mid-slope roads in accordance with the ¿General Guidelines for Creating Defensible Space¿ as adopted by the California Board of Forestry and Fire Protection. (Carmel Valley Fire District).

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

Prior to final building inspection the Applicant/Owner shall schedule fire dept. clearance inspection.

71. FIRES002 HELICOPTER LANDING ZONES (NON-STANDARD CONDITION)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The development shall designate two (2) areas, one on each road, on the project site as helicopter landing zones. The areas shall meet the following criteria:
¿ The area shall be clear of tall vegetation and a minimum of 75 feet in diameter.
¿ The sites shall be located and identified using Global Positioning System (GPS) technology.
(RMA - Planning Department and Carmel Valley Fire District).

Compliance or Monitoring Action to be Performed: Prior to filing of final map the Applicant/Owner shall submit proposed locations and GPS information on the proposed site to the Fire Department for review and approval.

Applicant shall incorporate approved specifications into design and enumerate as ¿Fire Dept. Notes¿ on plans.

The information shall be included in the CC&Rs. Submit CC&Rs to the Planning Department for review and approval.

72. FIRES003 EMERGENCY SIGNS (NON-STANDARD CONDITION)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The Park area on Parcel C and the dedicated public trails within the development shall be named and marked with legible signs visible to the public. The Park Parcel shall obtain an address from the Public Works Department. (Carmel Valley Fire District)

Compliance or Monitoring Action to be Performed: Prior to final building inspection the Applicant/ Owner shall provide a map showing the names of the park area and the designated public trails within the development to the Fire Department for review and approval.

73. PW0018 & ROUGH GRADING FOR SLOPE

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Where cuts or fills at property line exceed 5', driveways shall be rough graded when streets are rough graded, and positive drainage and erosion control provided. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider/ Engineer shall include notes on improvement plans.

74. PW0026 & PLANTING FOR GRADED AREAS

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: All graded areas of the street right of way shall be planted and maintained as required by the County Surveyor to control erosion. The area planted shall include all shoulder areas and all cut and fill slopes. A report and plan prepared by a qualified person shall be submitted to the satisfaction of the County Surveyor and include the following:

a.) That the cut and fill slopes can be stabilized.

b.) Specific method of treatment and type of planting, by area, for each soil type and slope required to satisfy Item a.

c.) Type and amount of maintenance required to satisfy Item a. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider/ Engineer shall include erosion control measures on improvement plans.

75. PWSP002-GRADING (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Cut and fill slopes shall not exceed 1-1/2 to 1 except as specifically approved in concurrence with the geotechnical report and as approved by the Department of Public Works. Slope rounding shall be a minimum of 10 feet and include replacement of topsoil. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider/Engineer shall include on improvement plans.

76. PWSP003-UTILITIES (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Utility services shall be located within the area of rough graded driveways to eliminate trenching through cut slopes where possible. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider/Engineer shall include on improvement plans.

77. PWSP006-TRANSIT STOP (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Project applicant shall submit plans to install a safe transit stop(s) convenient to the project entrance, subject to the review and approval of the County Public Works Department and after consultation with the transit planner at Monterey-Salinas Transit (MST). The applicant shall provide an improved pull-out in each direction, and onsite signage at the site entrance showing the transit schedule and map (Public Works).

Compliance or Monitoring Action to be Performed: Improvement plans and bonds to be provided prior to recordation of final map. Construction in accordance with subdivision improvement agreement the Subdivider/ Engineer shall include on improvement plans. Subdivider shall provide bonds and construct improvements.

78. PWSP007¿ FRONTAGE IMPROVEMENTS (NON-STANDARD CONDITIONS)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to recording the final map the applicant shall dedicate right-of-way along the entire frontage of Carmel Valley Road to accommodate the future widening of Carmel Valley Road to the satisfaction of the Director of Public Works. Such dedication shall be recorded with the final map. Construction of frontage improvements including widening of Carmel Valley Road and passing and bike lanes shall be bonded prior to filing of the Final Map and completed in accordance to Subdivision Improvement agreement and to the satisfaction of the Department of Public Works. The applicant shall be eligible for reimbursement for the value of right of way dedication and costs of improvements beyond those necessary for adequate project access. (Public Works).

Compliance or Monitoring Action to be Performed: Concurrently with recordation of final map the Subdivider/ Surveyor shall include dedication on final map.

79. PWSP016 ¿ UTILITIES (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The subdivider shall submit three prints of the approved final map to each of the following utility companies. Pacific Gas & Electric Company, AT&T Company, and California-American Water Company. Utility companies shall submit their recommendations, if any, to the Director of Public Works for all required easements. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider/Engineer shall provide final map to impacted utility companies for review. Subdivider shall submit utility comments to DPW.

80. PWSP017 ¿ PAYMENT OF FEES (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The applicant shall provide evidence that all applicable fees to be paid by Subdivider, have been paid in full to all respective agencies before the filing of the final map for each phase. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider's shall pay all fees.

81. PWSP008 ¿ MAP/PLAN SUBMISSION (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The initial submission of the improvement plans for checking shall be in complete form and accompanied by all required reports. The initial submission of the final map shall be in complete form and accompanied by the traverse sheets and map checking fees. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider¿s submittal to DPW shall be in a complete form.

82. PWSP018 ¿ NATURAL DRAINAGE EASEMENTS (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: All natural drainage channels shall be designated on the final map by easements labeled "Natural Drainage Easements." (Public Works).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider's Surveyor shall include on final map.

83. PWSP015 ¿ MAINTENANCE (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to filing the final map, subdivider shall agree to pay for all maintenance of roads and storm drainage from the time of installation until acceptance of the improvements for the subdivision by the Board of Supervisors as completed in accordance with the agreement and:

- a.) Until July 1st of the year from which 50% of the lots have dwellings completed for occupancy and carried on the assessment roll, and legal authorization to collect sufficient taxes to support the services is obtained, or
- b.) Until a homeowner's association or other agency, with legal authorization to collect fees sufficient to support the services is formed to assume responsibility for the services. (Public Works and Water Resources Agency).

Compliance or Monitoring Action to be Performed: Ongoing basis the Subdivider shall be responsible to maintain improvements until acceptance by the Board and until maintenance is assumed by another entity.

84. PWSP009-CROSS SECTIONS (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Street cross sections at 50 foot intervals shall be submitted to the County Surveyor with the improvement plans. Slope easements may be required. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider/ Engineer shall include in improvement plans.

85. PW0020 & PRIVATE ROADS

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Roads shall be designated on the final map as follows "Private Roads". (Public Works).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider's Surveyor shall include on final map.

86. PW0021 & ROAD NAMES

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Submit all proposed road names to the Department of Public Works for approval by County Communications. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider shall submit proposed road names to DPW. DPW will submit to County Communications for approval.

87. PWSP019 & ROADWAYS (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: All 30' Roadway and Utility Easements (R.U.E.) shall be paved to a minimum width of 12' plus drainage control. All other roads shall be constructed in accordance with the typical sections shown on the vesting tentative map. (Public Works).

Compliance or Monitoring Action to be Performed: Improvement plans and bonds to be provided prior to recordation of final map. Construction in accordance with subdivision improvement agreement the Subdivider/ Engineer shall include on improvement plans. Subdivider shall provide bonds and construct improvements.

88. PWSP004-TAMC (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The building permit applicant shall pay the TAMC Regional Development Impact fee, as described in Final Report of the Nexus Study, dated May 14, 2004, for mitigation toward cumulative regional traffic impacts, including impacts to SR 1 and 68. A note shall be included on the final map stating the above. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to issuance of the Building Permit the Applicant for Building Permit shall pay the TAMC fee to Public Works.

89. PWSP005-DRAINAGE PLAN (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to the filing of the final map submit a comprehensive drainage and stormwater control plan to the Monterey County Public Works Department, Water Resources Agency, and the RMA - Planning Department. Said plan shall incorporate Best Management Practices (BMPs) for runoff water quality control, including the proper design and placement of sediment traps, seasonal landscape cover planting, soil stabilization, and stormwater drainage improvements to prevent the discharge of sediments and pollutants into off-site drainage channels. BMPs shall be contained in the Final Erosion Control Report submitted to and approved by the General Manager of the Water Resources Agency and the Director of Planning prior to filing the Final Map. (Public Works, Water Resources Agency, and Planning & Building).

Compliance or Monitoring Action to be Performed: Prior to recordation of Final Map the Subdivider's engineer shall prepare drainage and stormwater control plan.

90. PWSP010-SIGNS (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Signs shall be placed at the subdivision entrance indicating that all roads are private. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to issuance of the Building Permit the Subdivider/Engineer shall include on improvement plans.

91. PWSP026 ¿ CONSTRUCTION LOGISTICS PLAN (NONSTANDARD CONDITION)

Responsible Department: RMA-Public Works

**Condition/Mitigation
Monitoring Measure:**

Prior to issuance of a grading permit, the applicant shall submit a Construction Logistics Plan for review and approval by the Public Works and Planning Departments. The purpose of the Plan shall be to minimize construction traffic during peak hours of travel and ensure that construction traffic enters and leaves Carmel Valley Road in a safe and efficient manner. The construction logistics plan shall include the following information:

a. A narrative describing the following:

- ¿ Proposed truck routes;
- ¿ Proposed hours of operation for construction truck traffic;
- ¿ Estimated number of daily truck trips;
- ¿ Estimated duration (in months) of the overall construction period as well as each phase;
- ¿ Maximum number of construction workers that will be on the site on a daily basis during each phase;
- ¿ Proposed traffic control system for Carmel Valley Road during construction.

b. Scaled site plan for each phase showing the following:

- ¿ Limits of construction work during each phase;
- ¿ Location of any on-site construction staging areas and/or storage area.

Prior to the commencement of construction activities, the applicant shall post a publicly visible sign that outlines the specifics of the construction management plan, the telephone number of the on-site contractor and telephone number of the person to contact regarding complaints. This contact person shall respond to complaints and take corrective action within 24 hours. The telephone number of Monterey County Public Works Department shall be posted on the sign. (Public Works).

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

Prior to the issuance of grading permits the Owner/Applicant shall prepare a Construction Logistics Plan for review and approval by the Public Works and Planning Departments.

92. PW0023 ¿ IMPROVEMENT PLANS

Responsible Department: RMA-Public Works

**Condition/Mitigation
Monitoring Measure:**

Provide improvement plans for approval of the Department of Public Works and that the roads be constructed in accordance with the typical section shown on the tentative map. (Public Works)

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

Improvement plans and bonds to be provided prior to recordation of final map. Construction in accordance with subdivision improvement agreement the Subdivider/Engineer shall submit improvement plans prepared by his Engineer to DPW for approval. Improvements to be bonded prior to recordation of final map.

93. PWSP023 ¿ HOMEOWNERS ASSOCIATION (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to recordation of a Final Map, complete all requirements and create a Homeowners Association (HOA) for operation and maintenance of specified infrastructure as required by the Department of Public Works (DPW). The submittal shall include a detailed written inventory of maintained infrastructure with specific locations, limits, areas, dimensions and miscellaneous information to clearly identify all facilities to be operated and maintained by the HOA. Infrastructure shall include, but is not limited to: roads, street lights, storm water, drainage facilities, parks, open space, and equestrian center. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to recordation of Final Map the Subdivider shall submit documentation to DPW for formation of homeowners association for review and approval.

94. PWSP024 ¿ HOMEOWNERS ASSOCIATION OMP (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prepare an Operation and Maintenance Plan (OMP) for all HOA facilities subject to the approval of the Director of Public Works. Said OMP shall include a detailed inventory of all facilities, operating requirements of each item, schedules, and proposed maintenance strategies for perpetuation of the facilities. The OMP shall take into account the phasing of the project over time and the financial needs for completion of the work on schedule. The OMP shall include an estimated cost for completion of the operating and maintenance strategy requirements, capital replacement and operating reserve over time for completion of each phase of the development and at completion of the development. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Applicant¿s engineer shall prepare an OMP and submit the OMP to the Department of Public Works for review and approval.

95. PWSP025 ¿ HOMEOWNERS ASSOCIATION OMP (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Develop, execute, and record a property-related agreement or other appropriate mechanism between the current property owner and the HOA to establish a maximum fee for each property created within the development to provide for completion of the Operation and Maintenance Plan (OMP) by the HOA. Said agreement shall be subject to the approval of the Director of Public Works and County Counsel. The agreement shall include all required ordinances, engineering assessments or other legal documents sufficient to establish a mechanism for collection of parcel fees and provide for an annual Engineering News Record Construction Cost Index increase in the parcel fee. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Applicant¿s Attorney, in consultation with County Counsel, shall prepare an agreement.

96. PW0032 ¿ AS BUILT PLANS

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: A Registered Civil Engineer shall file as built plans (originals) in the Department of Public Works with a letter certifying improvements have been made in conformance to improvement plans and local ordinance. (Public Works).

Compliance or Monitoring Action to be Performed: Prior to release of Bonds the Subdivider/ Engineer shall submit as built plans and stamped notice of completion letter to DPW for review and approval.

97. PWSP012 ¿ FRONTAGE IMPROVEMENTS (NON-STANDARD CONDITIONS)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Subdivider shall widen Carmel Valley Road to include a passing lane or acceleration and deceleration lanes, two through lanes and two shoulders/bike lanes subject to the prior approval of the design by the Department of Public Works. The costs associated with these public improvements, less any costs of these improvements required for project¿s specific impacts, shall be eligible for a reimbursement agreement. (Public Works).

Compliance or Monitoring Action to be Performed: Improvement plans and bonds to be provided prior to recordation of final map. Construction in accordance with subdivision improvement agreement the Subdivider/ Engineer shall submit improvement plans prepared by his Engineer to DPW for approval. Improvements to be bonded prior to recordation of final map.

98. PWSP021 ¿ CARMEL AREA WASTEWATER DISTRICT (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Subdivider shall annex to the Carmel Area Wastewater District (CAWD). CAWD shall provide sewer collection and treatment services for this subdivision. (Public Works).

Compliance or Monitoring Action to be Performed: Application for annexation shall be made prior to recordation of the final map. Annexation shall be completed and CAWD shall provide sewer services prior to occupancy of the first dwelling unit. The Subdivider shall request annexation to the Carmel Area Wastewater District and shall obtain approval from CAWD to provide sewer services.

99. PWSP022 ¿ SEWER SYSTEM IMPROVEMENTS (NON-STANDARD CONDITION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: All sewer system improvements shall be constructed in conformance with Carmel Area Wastewater District (CAWD) standards and shall be subject to the approval of CAWD. (Public Works).

Compliance or Monitoring Action to be Performed: Improvement plans shall be prepared and bonds shall be provided prior to recordation of the final map. Improvements shall be completed prior to occupancy of the first dwelling unit. The Subdivider/ Engineer Improvement plans shall be prepared and improvements shall be constructed in accordance with CAWD standards.

100. PKSSP001 ¿ PARK PARCEL (NON-STANDARD CONDITION)

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: Parcel C (3.2 acres) shall be cleared of all construction materials and debris and shall be dedicated to the Monterey County Parks Department for park and recreation purposes. (Parks Department)

Compliance or Monitoring Action to be Performed: Prior to recordation of the first Final Map the Owner/Applicant shall clear parcel of all construction materials and debris to the satisfaction of the Parks Department.

Prior to recordation of the first Final Map the Owner/Applicant shall submit Irrevocable Offer to Dedicate, as described, to the County, and have it conform to the requirements of and approved by the Director of Parks.

101. PKS004 ¿ RECREATIONAL TRAILS EASEMENT

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: Prior to recordation of the first Final Map, the Applicant shall offer to dedicate a twenty (20) foot public recreational trail easement over the subdivided property, generally along the westerly boundary of the September Ranch Subdivision, for the purpose of providing public access from Carmel Valley Road to Jack¿s Peak County Park. The trail easement shall be offered to the County through an Irrevocable Offer to Dedicate Agreement, which shall set forth the terms, conditions, restrictions and subsequent use and location of the public recreational trail. The specific trail alignment shall be located entirely within the trail easement as described and shown on the Applicant's Final Map. The Director of Parks and the Director of Planning shall approve the final alignment for the trail easement, which will generally follow the alignment shown on the Vesting Tentative Map. The trail easement shall not be opened to the public for trail access until such time as the County accepts the trail easement under the terms and conditions of the Irrevocable Offer to Dedicate, and thereafter assumes the responsibility for the public trail. (Parks and RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Upon receipt of Parks and the Planning Department IDR comments the Owner/Applicant shall contact and meet with the Parks Department and the Planning Department to formulate the public recreation trail easement after receipt of IDR comments. Planning and Parks will have copies of the IDR comments for review by the owner/applicant.

Prior to recordation of the final map the Owner/Applicant shall submit Irrevocable Offer to Dedicate, as described, to the County, and have it conform to the requirements of and approved by the Director of Parks.

102. PKSSP002 ¿ PRIVATE TRAILS (NON-STANDARD CONDITION)

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: Except upon County acceptance of the public trail along the westerly boundary of the September Ranch Subdivision, all trails depicted on the tentative subdivision map are private. No private trails are allowed to directly access Jacks Peak County Park. (Parks Department)

Compliance or Monitoring Action to be Performed: Prior to recordation of the first Final Map the Owner/Applicant shall identify all trails, except the future public trail along the westerly property boundary, as private trails on the Final Map, and add a note to the Final Map that states: "Private trail access into Jacks Peak County Park is prohibited."

Prior to recordation of the first Final Map the Owner/Applicant shall permanently fence off all private trail access points abutting Jacks Peak County Park and post a sign at each location that states: "Private trail access into Jacks Peak County Park is prohibited."

The Director of the Parks Department shall review and approve compliance with this condition.

103. PKSSP003 ¿ RECREATION REQUIREMENTS/ LAND DEDICATION (NON-STANDARD CONDITION)

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: PKSSP003 ¿ RECREATION REQUIREMENTS/ LAND DEDICATION (NON-STANDARD CONDITION)

Prior to recordation of the first Final Map, 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 inclusionary and workforce housing units. The Applicant shall also provide the Parks Department with a recreation plan and cost estimate for the improvements to be made on the dedicated parcel(s).

a) A park and recreation plan 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 first Final Map. The plan shall delineate park and recreation structures, tot lot location, 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. The park and recreation structures, tot lot, park improvements and landscaping shall be installed prior to the first occupancy permit is issued for the inclusionary and workforce housing units.

b) Prior to recordation of the first Final Map, the Applicant shall provide the County with adequate security in the form of a performance bond or other suitable security acceptable to the County of Monterey in the amount of one hundred percent (100%) of the costs for the park and recreation improvements shown on the recreation plan.

****FOR A CONTINUED DESCRIPTION PLEASE SEE: PKSSP003 (A) ¿ RECREATION REQUIREMENTS/ LAND DEDICATION (NON-STANDARD CONDITION).**

Compliance or Monitoring Action to be Performed: Prior to the recordation of the first Final Map the Owner/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.

Prior to the recordation of the first Final Map the Owner/Applicant shall provide a park and recreation plan and it shall be prepared by the Applicant for review and approval by the Director of Parks.

Prior to the recordation of the first Final Map the Owner/Applicant shall provide the County with adequate security in the form of a performance bond or other suitable security acceptable to the County of Monterey in the amount of one hundred percent (100%) of the costs for the park and recreation improvements shown on the recreation plan.

Prior to the recordation of the first Final Map the Owner/ Applicant shall provide a park and recreation facilities maintenance and operation plan shall be prepared by the Applicant for review and approval by the Director of Parks.

104. PKSSP004 ¿ HISTORIC RESOURCES (NON-STANDARD CONDITION)

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: The project itself does not include changes to the Equestrian Center facilities. To facilitate rezoning to add a Historic Resources overlay district due to the potentially historic resources on Parcel E, the Equestrian Center (the c. 1875 farmhouse and the c. 1932 barn w/ c. 1954 addition), a Phase 1 Assessment shall be completed by a Certified Historian on the list of the County¿s approved Historic Resource Consultants. If the Phase 1 Assessment concludes that one or more of the buildings are historically significant, a Phase 2 Assessment shall be prepared.

If the structures are historically significant, a deed restriction shall be placed on Parcel E stating:

¿The structures on this parcel are of historical significance. Any future changes to these resources shall be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties in order to avoid substantial adverse change to these resources. A substantial adverse change is defined as demolition, destruction, relocation or alteration such that the significance of the resource would be impaired.¿ (Parks Department).

Compliance or Monitoring Action to be Performed: Prior to the recordation of the first Final Map the Owner/Applicant shall submit a Phase 1 Assessment shall be completed by a Certified Historian on the list of the County¿s approved Historic Resource Consultants for the farmhouse and the barn on the Equestrian Center Parcel (Parcel E).

If the Phase 1 Assessment concludes that one or more of the buildings are historically significant, a Phase 2 Assessment shall be prepared.

Concurrent with the recordation of the first Final Map, the Owner/Applicant shall adhere that the structures are historically significant, record a deed restriction on Equestrian Center Parcel (Parcel E).

105. PKSSP005 ¿ CONSTRUCTION OF TRAILS (NON-STANDARD CONDITION)

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: The applicant shall construct a public recreational trail within the twenty (20) foot trail easement, generally located along the westerly boundary of the September Ranch Subdivision property, for the purpose of providing public access from Carmel Valley Road to Jack¿s Peak County Park. The trail shall be constructed to Monterey County Parks Department standards upon acceptance of the Irrevocable offer to Dedicate Agreement by the Monterey County Parks Department. (Parks Department).

Compliance or Monitoring Action to be Performed: Within 6 months of Acceptance of the Irrevocable Offer to Dedicate Agreement by the Monterey County Parks Department the Owner/Applicant shall construct the trail improvements to Monterey County Parks Department standards when the Irrevocable Offer to Dedicate Agreement is accepted by the Monterey County Parks Department.

106. PKSSP006 ¿ LAND DEDICATION (NON-STANDARD CONDITION)

Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: The applicant shall dedicate Parcel D to a non-profit land conservation or land trust organization which shall in turn enter into an agreement with the Monterey County Parks Department to lease back the land to be managed as part of Jack¿s Peak Park. The cost for the lease shall be at a minimum charge to the County. If the applicant is unable to identify a non-profit for the purpose of completing this transaction, then the applicant shall dedicate Parcel D to the County of Monterey. The term of the dedication of Parcel D shall be in perpetuity. (Parks Department)

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Owner/Applicant shall submit an Irrevocable Offer to Dedicate the area within Parcel D to a non-profit land conservation or land trust organization, and have it conform to the requirements of and approved by the Director of Parks. If the applicant is unable to identify a non-profit for the purpose of completing this transaction, then the applicant shall dedicate Parcel D to the County of Monterey under the same terms.

107. EHSP001 ¿ WATER SYSTEM PERMIT (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Obtain approval for a new water system permit from the Division of Environmental Health. (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to filing final map a CA Licensed Engineer /Owner/ Applicant shall submit necessary application, reports and testing results to EH for review and approval.

108. EHSP002 ¿ WATER SYSTEM IMPROVEMENTS (CO. PERMITTED SYSTEM) (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Design the water system improvements to meet the standards as found in Chapter 15.04 of the Monterey County Code, Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. Each well and all individual connections shall be metered. Submit engineered plans for the water system improvements, including plans for secondary treatment to include treatment for TDS to less than 500 mg/l, and any associated fees to the Director of Environmental Health for review and approval prior to installing (or bonding) the improvements. (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to filing final map a CA Licensed Engineer/Owner/ Applicant shall submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to EH for review and approval prior to installing (or bonding) the improvements.

109. EH4 ¿ FIRE FLOW STANDARDS

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to installing or bonding water system improvements a CA Licensed Engineer /Owner/ Applicant shall submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency.

110. EH5 ¿ INSTALL /BOND WATER SYSTEM IMPROVEMENTS

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement. (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to filing final map a CA Licensed Engineer /Owner/Applicant shall have the developer install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement.

111. EHSP003 ¿ WELL CONSTRUCTION PERMIT (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Obtain a water well drilling permit from the Division of Environmental Health and construct two production wells for the water system. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to filing the final map a CA Licensed Engineer /Owner/ Applicant shall submit the Well Completion Report to the Division of Environmental Health.

112. EHSP004 ¿ WELL LOTS (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Submit a final map indicating the proposed well lots, water distribution, and access easements for the water system to the Director of Environmental Health for review and approval. Once approved, well lots and easements shall appear as part of the final map. (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to filing the final map a CA Licensed Engineer /Owner/ Applicant shall submit plans to the Division of Environmental Health for review and approval.

113. EHSP010 - ABANDON EXISTING ONSITE WASTEWATER TREATMENT SYSTEM(S) (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: All lots resulting from this subdivision shall be connected to the Carmel Area Wastewater District (CAWD) for sewage service. Upon connection to CAWD, all existing onsite wastewater treatment systems (OWTS) shall be destroyed, or abandoned in place, pursuant to the standards found in Monterey County Code (MCC), Chapter 15.20.090.

Prior to recordation of the final map, submit a plot plan to the Environmental Health Bureau (EHB) showing the locations of all existing OWTS on the property. Prior to issuance of building permits for new development, apply for and obtain a demolition permit for each existing OWTS from the Environmental Health Bureau (EHB). (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to filing the final map the CA Licensed Engineer /Owner/ Applicant shall submit a plot plan to the Environmental Health Bureau (EHB) showing the locations of all existing OWTS on the property.

Prior to the issuance of building permits for new development the Owner/Applicant upon connection to CAWD, apply for and obtain a demolition permit for each existing OWTS from EHB.

Demolish or abandon each existing OWTS according to the standards found in MCC 15.20.090.

114. EHSP005 SEWER SERVICE CAN/WILL SERVE (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The project shall be annexed into the Carmel Area Wastewater District Service Area and shall connect to the system. Provide certification to the Division of Environmental Health that Carmel Area Wastewater District can and will provide sewer service for the proposed property/project and financial assurances have been secured. (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to filing the final map the Owner /Applicant shall submit certification to Environmental Health for review and approval.

115. EH 25 ¿ INSTALL/BOND SEWER SYSTEM IMPROVEMENTS

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The developer shall install the sewer system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the sewer system improvements and provide security guaranteeing the performance of the Agreement. (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to filing the final map the Owner/ Applicant shall submit evidence to the Division of Environmental Health that the sewer system improvement installation has been accepted by the regulating agency or that the developer has entered into a Subdivision Improvement Agreement and has provided security acceptable to the County.

116. EHSP006 ¿ SEWER SYSTEM IMPROVEMENTS (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Engineered plans for the sewage disposal system including all necessary redundancies shall be submitted to and approved by the appropriate sewer service district. Flow and capacity assumptions for wastewater collection system must be verified in an Engineering Report submitted with improvement plans for review and approval by Public Works and EH. (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to filing the final map the Owner/ Applicant shall submit written verification to the Division of Environmental Health that plans have been reviewed and approved.

117. EHSP007 ¿ ANIMAL MANURE (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Animal Manure shall be removed or spread on a regular basis to prevent fly or other insect production. Manure shall not be collected or spread within 50 feet of down slope property lines and shall be managed to prevent any wastes entering any streams or water ways. (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to filing the final map the Owner/ Applicant shall submit a plan for removal and disposal of manure to the Director of EH for review and approval.

On an Ongoing basis the Owner/Applicant shall implement the plan.

118. EHSP008 ¿ CAPITAL IMPROVEMENT FUND FOR MUTUAL WATER COMPANY (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The developer shall deposit an amount equal to 15% of the entire project water treatment and distribution system total costs to a capital reserve account to pay for future equipment repairs and/or replacement costs. (Environmental Health).

Compliance or Monitoring Action to be Performed: Concurrent with the incorporation of the water system the Owner/ Applicant shall deposit the appropriate funds into a capital reserve account held in the name of the mutual water company. Provide evidence to the Division of EH that the funds have been deposited.

119. EH38 - SEPARATE RECYCLABLES

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: All persons shall separate all recyclables from other solid waste generated at their premises and shall place such recyclables into a different approved container to facilitate segregation at a solid waste facility (MCC 10.41.020.B). (Environmental Health).

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits/ Continuous condition the Owner/ Applicant shall submit a plan to the Division of Environmental Health for review and approval.

120. EHSP009 & ARTICLES OF INCORPORATION (NON-STANDARD CONDITION)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: 1) The applicant shall record as to the entire property, prior to or in conjunction with subdividing the property, a document which demonstrates a clear intent on behalf of the owner of the property to reserve as to each and every parcel created any riparian and/or overlying groundwater rights that presently exist as to the property.

2) The applicant shall draft articles of incorporation for the mutual water company for review and approval. The articles shall provide that, upon grant from the parcel owners (as described in (3) below), the mutual water company will serve water to each such parcel. The Articles shall be accompanied by documentation that an application has been filed for incorporation.

3) The applicant shall record, as to each separate parcel to be created, (i) an agreement that no private wells will be drilled, and (ii) an express grant from the owner of the parcel to the mutual water company which authorizes the mutual water company to exercise on behalf of the parcel owner any riparian rights and/or overlying groundwater rights which are presently held by the owner of the parcel. (Environmental Health and County Counsel)

Compliance or Monitoring Action to be Performed: Prior to the filing the first final map, the Owner/Applicant shall:

1) Submit, for review and approval, a copy of the document, demonstrating a clear intent on behalf of the owner of the property to reserve as to each and every parcel created any riparian and/or overlying groundwater rights that presently exist as to the property.

Prior to filing the first final map the Owner/Applicant shall:

2) Submit a copy of the articles of incorporation for the mutual water company for review and approval. These shall be accompanied by documentation that an application has been filed for incorporation.

Prior to the issuance of a building permit for each parcel the Owner/Applicant shall:

3) Submit, for review and approval, a copy of the agreement that ensures that no private wells will be drilled and the grant from the property owner to the mutual water company which authorizes the mutual water company to exercise on behalf of the parcel owner any riparian rights and/or overlying groundwater rights which are presently held by the owner of the parcel.

121. WR37 - DRAINAGE & FLOOD CONTROL SYSTEMS AGREEMENT

Responsible Department: Water Resources Agency

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

Compliance or Monitoring Action to be Performed: The agreement shall be recorded concurrently with the final map. The Owner/Applicant shall submit the signed and notarized original Agreement to the Water Resources Agency for review and approval prior to recordation.

(A copy of the County's standard agreement can be obtained at the Water Resources Agency.)

122. WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: A notice shall be recorded on the deed for each lot stating: "All new construction shall incorporate the use of low water use plumbing fixtures and drought tolerant landscaping, in accordance with County Water Resources Agency Ordinance No. 3932 or MPWMD Regulation XIV, whichever is stricter." Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency and to the MPWMD for approval. (Water Resources Agency.)

Compliance or Monitoring Action to be Performed: Recordation of the notice shall occur concurrently with the final map. The Owner/Applicant shall submit a recorded notice to the Water Resources Agency for review and approval.

(A copy of the County's standard notice can be obtained at the Water Resources Agency.)

123. WRSP001 - LANDSCAPING REQUIREMENTS (NON-STANDARD)

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: A notice shall be recorded on the deed for each lot stating: ¿The front yards of all homes shall be landscaped at the time of construction. The total amount of landscaping requiring an application of water shall be limited to 4,275 square feet for market-rate homes, 1,600 square feet for inclusionary homes, and 1,800 square feet for workforce homes. Low water use or drought tolerant plants shall be used together with water efficient irrigation systems.¿ Prior to recordation of the final map, a copy of the completed notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency).

Compliance or Monitoring Action to be Performed: Recordation of the notice shall occur concurrently with the final map. The Owner/Applicant shall submit the recorded notice to the Water Resources Agency for review and approval.

(A copy of the County¿s standard notice can be obtained at the Water Resources Agency.)

124. WR46 - C.C.&R. WATER CONSERVATION PROVISIONS

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Water Resources Agency with a copy of the subdivision Covenants, Conditions and Restrictions containing the following provisions from Monterey County Ordinance No. 3932: ¿All new construction incorporate the use of low water use plumbing fixtures including, where applicable, hot water recirculation systems; the front yards of all homes shall be landscaped at the time of construction; low water use or drought tolerant plants shall be used together with water efficient irrigation systems; leak repair is the property owner¿s responsibility; vehicle and building washing shall use hoses equipped with shutoff nozzles; no potable water to be used for sidewalk washing; no water spillage into streets, curbs, and gutters; no emptying or refilling of swimming pools except for structural repairs or if required for public health regulations; no fountains unless water is recycled within the fountain.¿ (Water Resources Agency).

Compliance or Monitoring Action to be Performed: Prior to filing the final map the Owner/Applicant shall submit the CC&R¿s to the Water Resources Agency for review and approval.

125. WR47 - WASTE MANAGEMENT PLAN

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Water Resources Agency a Construction Site Waste Management Plan prepared by a registered civil engineer that addresses the proper disposal of building materials and other construction site wastes including, but not limited to, discarded building materials, concrete truck washout, chemicals, litter and sanitary wastes. The Site Waste Management Plan must also address spill prevention, control and clean up of materials such as petroleum products, fertilizers, solvents, pesticides, paints and cleaners. (Water Resources Agency).

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits the Owner/ Applicant shall submit the plan to the Water Resources Agency for review and approval.

126. WRSP005 ¿ DRAINAGE PLAN (NON-STANDARD CONDITION)

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: Prior to filing the final map, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer with supporting calculations and construction details. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency).

Compliance or Monitoring Action to be Performed: Prior to filing of the final map the Owner/ Applicant shall submit a copy of the drainage control plan to the Water Resources Agency for review and approval.

127. WRSP008 ¿ COMPLETION CERTIFICATION (NON-STANDARD CONDITION)

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention facilities have been constructed in accordance with approved plans. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to the issuance of any building permits the Owner/ Applicant shall submit a letter to the Water Resources Agency, prepared by a registered civil engineer, certifying compliance with approved drainage plan.

128. MITIGATION MEASURE (4.2-1) - GEOLOGY & SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-1) - GEOLOGY & SOILS - The proposed project shall have a 50-foot setback for residential dwellings on either side of the southern mapped trace of the Hatton Canyon fault. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, approval of subdivision improvement plans (for construction), or prior to recordation of the final map (for the easement). The Applicant shall have the geologic investigation shall be submitted to the Monterey County Planning Department and Building Services Department for review and approval.

An easement shall be shown on the final map precluding residential development within the 50-foot setback area, as identified in the geologic investigation. The easement shall be designated as a fault hazard area. If fault traces are found, building envelopes shall be adjusted sufficient to establish a 50-foot setback for residential dwellings on each side of any fault trace.

129. MITIGATION MEASURE 4.2-2 - GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-2) - GEOLOGY AND SOILS - Underground utilities, which cross the fault trace shall be fitted with flexible couplings and shut off valves. (RMA & Planning and Building)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, approval of subdivision improvement plans (for construction), or prior to recordation of the final map (for the easement) the Applicant shall have a geologic investigation and it shall be submitted to the Monterey County Planning Department and Building Services Department for review and approval.

Prior to the recordation of the final map the Applicant shall have the requirements of this mitigation measure be included as a note on an additional sheet of the final map.

Prior to the issuance of building or grading permits the Applicant shall submit to the Monterey County Planning Department and Building Services Department, written evidence that all site work within the identified fault easement will be inspected and tested during construction by a qualified engineering geologist.

130. MITIGATION MEASURE (4.2-3) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-3) GEOLOGY AND SOILS - Prior to the construction on inclusionary lots 15-18 and market rate lots 41 and 43, and any additional construction on the equestrian center, the project engineering geologist shall confirm that no fault traces cross the proposed building sites. (RMA & Planning and Building)

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Applicant shall have a geologic investigation it shall be submitted to the Monterey County Planning Department and Building Services Department for review and approval.

Prior to recordation of the final map the Applicant shall submit requirements of this mitigation measure shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map. Building envelopes shall be adjusted to exclude development within 50 feet of the fault trace.

Prior to the issuance of building or grading permits the applicant shall submit to the Monterey County Planning Department and Building Services Department, written evidence that all site work within the fault easement will be inspected and tested during construction by a qualified engineering geologist.

131. MITIGATION MEASURE (4.2-4) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-4) GEOLOGY AND SOILS - Proposed structures shall incorporate design in accordance with the latest Uniform Building Code and the appropriate seismic design criteria. A geotechnical investigation shall be prepared for each proposed building site to characterize soil and bedrock conditions so that suitable seismic foundation designs can be provided. The geologic investigation shall employ standard engineering practices to ensure adequate foundations and design standards for the building sites. (RMA & Planning and Building)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first, the Applicant shall have prepared a Geotechnical Investigation it shall be submitted to the Monterey County Planning Department and Building Services Department for review and approval.

Concurrent with recordation of the final map the Applicant shall have a note be placed on an additional sheet of the final map that indicates that a geotechnical report was prepared for each building site.

132. MITIGATION MEASURE (4.2-5) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-5) GEOLOGY AND SOILS - Earthwork and grading shall be kept to a minimum within the landslide deposits; any work performed within these areas shall be performed under the supervision of a qualified engineering geologist. (RMA & Planning and Building)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits for the affected lots the

133. MITIGATION MEASURE (4.2-6) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-6) GEOLOGY AND SOILS - Cut slopes in competent bedrock shall be constructed at slope inclinations no steeper than 0.5:1 to heights up to 15 feet, and should be approved by the project engineering geologist before grading. (RMA - Planning and Building)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the applicant per geologist shall submit to the Monterey County Planning Department and Building Services Department for review and approval the grading plan, which has been certified and approved by a qualified engineer.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first. The Applicants requirements of this mitigation measure shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of grading or building permits the Applicant per engineer shall submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineer.

134. MITIGATION MEASURE (4.2-7) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-7) GEOLOGY AND SOILS - Proposed cut slopes steeper than 0.5:1 or exceeding a height of about 15 feet may be allowed upon the approval by the project engineering geologist or geotechnical engineer. (RMA - Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the Applicant per Engineering geologist shall submit to the Monterey County Planning Department and Building Services Department for review and approval the grading plan, which has been certified and approved by a qualified engineering geologist.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of building or grading permits the applicant shall submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineer.

135. MITIGATION MEASURE (4.2-8) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-8) GEOLOGY AND SOILS - Cut slopes within severely weathered rock that is susceptible to bedrock creep, or in areas of adverse bedding dip shall employ flatter slopes, typically 2:1 or less. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the Applicant shall submit to the Monterey County Planning Department and Building Services Department for review and approval the grading plan, which has been certified and approved by a qualified engineer.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of building permits the Applicant per engineering geologist shall submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineering geologist.

136. MITIGATION MEASURE (4.2-9) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-9) GEOLOGY AND SOILS - Structures located within old landslide deposits shall be constructed at or very near the natural grade to reduce cut slopes. Limited cut slopes can be created for access roadways and shall be constructed on slopes no greater than 2:1 and shall not exceed heights of 15 feet. Cut slopes shall be approved by the project engineering geologist or a geotechnical engineer before grading. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits or approval of subdivision improvement plans the Applicant per engineering geologist shall submit to the Monterey County Planning Department and Building Services Department for review and approval the grading plan, which has been certified and approved by a qualified engineering geologist.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of grading or building permits for the affected lots the Applicant per the engineer shall submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineer.

137. MITIGATION MEASURE (4.2-10) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-10) GEOLOGY AND SOILS - Cut slopes in colluvium, alluvium, or topsoil shall be constructed at a slope inclination not steeper than 2:1. All cut slopes shall be provided with permanent protection against erosion. (RMA & Planning and Building)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the Applicant per engineer shall submit to the Monterey County Planning Department and Building Services Department for review and approval the grading plan, which has been certified and approved by a qualified engineer.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of building or grading permits the Applicant per engineer shall submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineer.

138. MITIGATION MEASURE (4.2-11) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-11) GEOLOGY AND SOILS - Compacted fill slopes shall be constructed at a slope inclination not steeper than 2:1. All fill slopes shall be provided with permanent protection against erosion. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits the Applicant per engineer shall submit to the Monterey County Planning Department and Building Services Department for review and approval the grading plan which has been certified and approved by a qualified engineer.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of grading or building permits the Applicant per the engineer shall submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineer.

139. MITIGATION MEASURE (4.2-12) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-12) GEOLOGY AND SOILS - Control cut and fill earthwork that may destabilize the land surface; vegetation removal; and control surface water infiltration. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits the Applicant per engineer the applicant shall submit to the Monterey County Planning Department and Building Services Department for review and approval the grading plan, which has been certified and approved by a qualified engineer.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of building permits the Applicant per Engineering geologist shall have the applicant submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineering geologist.

140. MITIGATION MEASURE (4.2-13) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-13) GEOLOGY AND SOILS - Residential lots located upslope of or adjacent to old landslide deposits shall have drainage systems that divert concentrated surface waters from the slide masses. (Water Resources Agency and RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the Applicant per engineering geologist shall provide for the affected lots, the applicant shall submit to the Monterey County Planning Department and Building Services Department and the Water Resources Agency for review and approval the erosion control plan, which has been certified and approved by a qualified engineering geologist.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of building permits the Applicant per Engineering geologis shall submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineering geologist.

141. MITIGATION MEASURE (4.2-14) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-14) GEOLOGY AND SOILS - Landscape irrigation systems shall be kept to a minimum (Monterey County standards) on lots shown in landslide deposits. Construction on ancient landslide deposits shall be appropriately designed to result in overall improvement to the existing drainage conditions within the landslide areas. Unlined ponds on or adjacent to the slide mass shall be avoided. (Water Resources Agency and RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the Applicant per Engineering Geologist shall submit for the affected lots, to the Monterey County Planning Department, Building Services Department and the Water Resources Agency for review and approval the erosion control plan, which has been certified and approved by a qualified engineering geologist.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of building permits, the Applicant per engineering geologist shall submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineering geologist.

142. MITIGATION MEASURE (4.2-15) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-15) GEOLOGY AND SOILS - Subsequent design-level geotechnical investigations shall be performed at the appropriate time following preparation of definitive grading plans and during design of specific structures. In addition, subsequent geologic investigations shall be performed before construction on inclusionary lots 15-18, and market-rate lots 41 and 43. Subsequent subsurface exploration shall be conducted before the final map approval to further characterize the possible mapped landslide in the vicinity of Lot 59. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the Applicant per Engineering geologist shall submit to the Monterey County Planning Department and Building Services Department for review and approval the grading plan, which has been certified and approved by a qualified engineering geologist.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure it shall be included as a note on all applicable grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

Prior to the issuance of building permits the Applicant per Engineering geologist shall submit to the Monterey County Planning Department and Building Services Department written evidence that all site work shall be inspected and tested during performance by a qualified engineering geologist.

143. MITIGATION MEASURE (4.2-16) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-16) GEOLOGY AND SOILS - The effects of erosion and sedimentation may be mitigated by vegetative cover and properly designed surface drainage features. Competent bedrock exposed in both natural slopes and cut slopes will be less susceptible to erosion and, therefore, may not need a protective slope cover. Many of these slopes tend to be covered by rocky rubble, which works its way down slope over many years. Proper surface drainage systems shall be designed to direct concentrated water runoff away from the tops of these slopes. (Water Resources Agency).

Compliance or Monitoring Action to be Performed: Prior to filing of the final map the Owner/Applicant shall submit a copy of the Final Erosion Control Plan to the Water Resources Agency for review and approval.

Prior to the issuance of grading or building permits the Applicant per Civil Engineer shall include the identified techniques on drainage plans, which shall be submitted to the Monterey County Water Resources Agency for review and approval. The drainage plan shall be prepared by a registered civil engineer.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs and, it shall be included as a note on an additional sheet of the final map.

144. MITIGATION MEASURE (4.2-17) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-17) GEOLOGY AND SOILS - Shallow ground water conditions shall be considered in the design of roadways, utilities, and structures in these areas. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits the Applicant per civil engineer or architect shall submit to the Monterey County Planning Department and Building Services Department for review and approval the geotechnical or geologic studies that identify drainage plan, which has been certified and approved by a registered civil engineer or architect.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall submit the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

145. MITIGATION MEASURE (4.2-18) GEOLOGY AND SOILS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.2-18) GEOLOGY AND SOILS - Drainage control shall include provisions for positive gradients so that surface runoff is not permitted to pond, either above slopes or adjacent to building foundations. Surface runoff and runoff from roof gutters shall be collected in lined ditches, closed pipes, cisterns or drainage swales and shall be conducted adequately to a storm drain, paved roadway, or water course. (Water Resources Agency and RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits the Applicant per Civil Engineer or Architect shall submit to the Monterey County Planning Department, Building Services Department and the Water Resources Agency, for review and approval, the drainage plan, which has been certified and approved by a registered civil engineer or architect.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first, the Applicant shall submit the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

146. MITIGATION MEASURE (4.3-1) WATER SUPPLY AND AVAILABILITY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.3-1) WATER SUPPLY AND AVAILABILITY - Water use on the property shall not exceed 57.21 AFY. (Water Resources Agency and RMA & Planning Department)

Compliance or Monitoring Action to be Performed: On an Ongoing basis during the lifetime of the project the Applicant (per the water system operator), shall document annual water use and submit reports to the Water Resources Agency and the RMA- Planning Department on a quarterly basis. In addition to meeting all reporting requirements of MPWMD, the reports will separately detail the number of active connections of employee, inclusionary and market-rate houses, the monthly water use (interior, exterior and combined) for each connection, the permitted water amount for the lot, identification of whether the home at each connection is under construction or has completed construction and is accepting routine water service. Upon request of RMA & Planning Department or MPWMD, the applicant, per the water system operator, shall make available the name and address information for any connection exceeding its permitted water limit; such disclosures will be made pursuant to a public nondisclosure agreement consistent with State constitutional privacy guarantees.

If the quarterly water use reporting shows that the subdivision is exceeding its Pro Rata Expansion Capacity or a total of 57.21 AFY, RMA Planning will review individual water use to determine which lots are exceeding their permitted water amounts and will direct an enforcement action or actions as appropriate to correct the overuse. Such actions may be initiated against the applicant, the water system operator, the lot owners, or each of them.

147. MITIGATION MEASURE (4.3-2) WATER SUPPLY AND AVAILABILITY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.3-2) WATER SUPPLY AND AVAILABILITY - The location of future wells on the September Ranch project site shall be based upon the following:

¿ Wells will be located based on pumping tests designed and executed to yield information on the radius of influence of potential multiple pumping wells

¿ Project applicant will ensure that representative transmissivities for the three aquifer units are made available for informed decisions on placement of future wells to ensure new wells will not impact existing wells.

¿ Resource Management Agency (RMA) retains discretion to require drilling of replacement wells if it is demonstrated, to the satisfaction of RMA and the Environmental Health Division that the project wells result in impacts to an existing well in use as of the date of project approval. (Environmental Health and RMA ¿Planning Department).

Compliance or Monitoring Action to be Performed: Prior to issuance of permits for new wells the Applicant shall submit prior to the issuance of permits for future groundwater wells, the County of Monterey shall review and approve well site plans to ensure that the insertion of new wells will not have an impact on existing wells.

Prior to the filing of the first final map the Applicant shall submit to the terms of this mitigation measure shall be included into the Articles of Incorporation for the mutual water company.

148. MITIGATION MEASURE (4.4-1) HYDROLOGY AND WATER QUALITY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.4-1) HYDROLOGY AND WATER QUALITY - Prior to the filing of the final map the applicant shall submit a drainage report and drainage plan for review and approval by the Director of Public Works Department (DPW) and the General Manager of the Water Resources Agency (MCWRA). The report is to include and show all tributary areas and information pertinent to the drainage in the area. Proposed detention basin capacities shall be sized to accommodate the difference between the 100-year post-development runoff and the 10-year pre-development runoff while limiting discharge to the 10-year predevelopment runoff rate. If runoff from individual lots cannot be directed to a detention basin, on-site retention or detention facilities shall be constructed in accordance with the requirements of the Water Resources Agency. (RMA & Planning and Building and Water Resources Agency).

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map the Subdivider/ Engineer shall prepare a drainage report and improvement plans for review and approval by DPW and MCWRA.

Prior to the approval of subdivision improvement plans, or issuance of a grading permit for subdivision improvements, whichever occurs first the Applicant shall provide for the subdivision improvements, and shall submit evidence of a General Construction Activity Storm Water Permit obtained from the RWQCB to the Monterey County RMA - Planning Department.

Prior to the issuance of grading permits, the approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall adhere to the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

149. MITIGATION MEASURE (4.4-2) HYDROLOGY AND WATER QUALITY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.4-2) HYDROLOGY AND WATER QUALITY - The project applicant shall prepare a drainage plan, which includes the proper design and placement of sediment traps to preclude the discharge of sediments and pollutants into offsite drainage channels. In order to mitigate adverse water quality impacts that could be generated by the proposed project after construction, potential BMPs for storm water runoff quality control should be incorporated into project design. These could include such measures as vegetated buffer strips, use of porous pavement, grass-phalt, cisterns of storm water storage, street sweeping, percolation basins and grease/oil traps (with regular maintenance programs).

Good housekeeping, waste containment, minimization of disturbed areas, stabilization of disturbed areas, the protection of slopes and channels, the control of the site perimeter, and the control of internal erosion are the objectives of the BMPs. The BMPs include limiting soil exposure through scheduling and preserving existing vegetation; stabilizing soils through seeding, planting, and mulching; diverting runoff through earth diking, temporary drains, swales, and slope drainage; reducing velocity through outlet protection, checking dams, slope roughening/terracing; trapping and filtering sediment through silt fencing, straw bale barriers, sand bag barriers, brush and rock filters, storm drain inlet protection, and sediment basins. Specific and extensive BMP measures, such as those identified below, should be contained in the Final Erosion Control Report, which shall be submitted as a condition of the Final Map.

****FOR A CONTINUED DESCRIPTION PLEASE SEE **** MITIGATION MEASURE (4.4-2A) HYDROLOGY AND WATER QUALITY.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a grading permit the Applicant shall submit evidence of a General Construction Activity Storm Water Permit obtained from the RWQCB to the Monterey County RMA - Planning Department.

Prior to issuance of the grading permit, approval of the subdivision improvement plans, or concurrent with recordation of the final map, as applicable the Engineer shall submit the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map. The methods outlined in the mitigation measure shall be included in the design.

Prior to the issuance of a grading permit the Applicant shall submit a drainage plan to the MCWRA for review and approval.

Monterey County Grading staff and Public Works staff shall complete bi-weekly inspections of the project site, or more often if necessary depending on site conditions, to ensure compliance with BMPs. Inspections shall be at the applicant's expense.

150. MITIGATION MEASURE (4.4-3) HYDROLOGY AND WATER QUALITY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.4-3) HYDROLOGY AND WATER QUALITY - The applicant shall prepare CC&Rs, which include requirements for the type and frequency of catch basin, sediment trap, and storm water inlet cleaning and maintenance. The storm drainage system shall be maintained on a regular basis to remove pollutants, reduce high pollutant concentrations during the first flush of storms, prevent clogging of the down stream conveyance system, and maintain the catch basins sediment trapping capacity. The homeowner's association, or some other similar responsible entity, shall provide for at least an annual inspection regimen and immediately repair or clean the system, as needed. (RMA & Planning and Building and Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Applicant shall prepare CC&Rs and submit to the Monterey County Water Resources Agency for review and approval.

Prior to issuance of a grading permit the Applicant shall submit evidence of a General Construction Activity Storm water permit obtained from the RWQCB to the Planning Department.

Prior to issuance of a grading permit the Applicant shall submit a drainage plan to the MCWRA for review and approval.

151. MITIGATION MEASURE (4.6-1) TRANSPORTATION AND CIRCULATION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.6-1) TRANSPORTATION AND CIRCULATION - At the intersection of State Route One and Carpenter Street, the subdivider shall request that Caltrans use overlap phasing to have the westbound right turns synchronized with the southbound State Route One left turn movement. The applicant shall make a fair share contribution to Caltrans for this improvement or shall obtain an encroachment permit from Caltrans and make the improvement. (RMA & Public Works).

Compliance or Monitoring Action to be Performed: Prior to issuance of the first residential building permit the Applicant/ Subdivider shall submit request to Caltrans and pay fair share toward improvement or shall obtain an encroachment permit and make the improvement.

152. MITIGATION MEASURE (4.6-2) TRANSPORTATION AND CIRCULATION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.6-2) TRANSPORTATION AND CIRCULATION - Prior to the issuance of building permits for any unit in the subdivision, the applicant shall implement the following circulation improvements to the satisfaction of the Director of Public Works:

¿ Install right-turn taper on westbound Carmel Valley Road at the project entrance.

¿ Install separate thru/left turn and right turn lanes at the project exit to maximize exit capacity.

The costs associated with these public improvements, less any costs of these improvements required for project¿s specific impacts, shall be eligible to a reimbursement agreement.

(RMA ¿ Public Works).

Compliance or Monitoring Action to be Performed: Prior to approval of Subdivision Improvement Plans the Applicant shall show improvements on Subdivision Improvement Plans.

Prior to the issuance of the first residential building permit the Applicant shall install tapers and turning lanes.

153. MITIGATION MEASURE (4.6-3) TRANSPORTATION AND CIRCULATION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.6-3) TRANSPORTATION AND CIRCULATION - Project applicant shall pay to the County the Carmel Valley Master Plan Traffic Impact Fees pursuant to the Board of Supervisors Resolution No. 95-140, adopted September 12, 1995. Fees would be applied toward improvements, including but not limited to:

¿ Carmel Valley Road/Dorris Drive intersection improvements;

¿ Carmel Valley Road/Laureles Grade intersection improvements; and

¿ Rio Road/Carmel Ranch Boulevard intersection improvements.

(RMA ¿ Public Works).

Compliance or Monitoring Action to be Performed: Prior to the issuance of each residential building permit the Applicant shall pay the applicable traffic impact fee to Monterey County.

154. MITIGATION MEASURE (4.6-4) TRANSPORTATION AND CIRCULATION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.6-4) TRANSPORTATION AND CIRCULATION - Contribute fair share fees for SR 1 improvements for all project-generated trips expected to use SR 1 north of Carmel Valley Road. The applicant shall pay to the County \$740/unit (2005 dollars), or as updated by the Department of Public Works, toward the cost of its interim Highway 1 improvements previously constructed. In addition, contribute fair share toward the following improvement:

¿ At the intersection of SR 1/Ocean Avenue/Carmel Hills Drive.

(RMA ¿ Public Works).

Compliance or Monitoring Action to be Performed: Prior to issuance of each residential building permit the Applicant shall pay a pro-rata fair share traffic impact fee to the Monterey County Public Works Department.

155. MITIGATION MEASURE (4.6-5) TRANSPORTATION AND CIRCULATION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.6-5) TRANSPORTATION AND CIRCULATION - Prior to the issuance of building permits for any unit in the subdivision, the applicant shall implement the following circulation improvements to the satisfaction of the Director of Public Works:

¿ Carmel Valley Road at the project entrance, provide eastbound and westbound left-turn lanes. The left turn channelization design shall be reviewed and approved by the Director of Public Works prior to installation.

The costs associated with these public improvements, less any costs of these improvements required for project¿s specific impacts, shall be eligible to a reimbursement agreement.

(RMA ¿ Public Works).

Compliance or Monitoring Action to be Performed: Prior to approval of Subdivision Improvement Plans the Applicant shall show improvements on Subdivision Improvement Plans.

Prior to issuance of the first residential building permit the Applicant shall install turning lanes.

156. MITIGATION MEASURE (4.6-6) TRANSPORTATION AND CIRCULATION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.6-6) TRANSPORTATION AND CIRCULATION - The project proponent shall contribute fair share fees for the overlap phasing improvements along Carmel Valley Road (as identified in the CVMP, 1995) at the following locations:

¿ In front of September Ranch;

¿ Opposite of Garland Ranch Regional Park, which is east of Robinson Canyon Road; and

¿ Near Laureles Grade Road, which is east of Garland Ranch Regional Park.

(RMA ¿ Public Works).

Compliance or Monitoring Action to be Performed: Prior to issuance of each residential building permit the Applicant shall pay a pro-rata fair share traffic impact fee to the Monterey County Public Works Department.

157. MITIGATION MEASURE (4.6-7) TRANSPORTATION AND CIRCULATION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.6-7) TRANSPORTATION AND CIRCULATION - Prior to the issuance of building permits for any unit in the subdivision, the applicant shall implement the following circulation improvements to the satisfaction of the Director of Public Works:

¿ The project applicant shall install the fourth (north) leg of September Ranch Road (the project access road) at the existing stop controlled T-intersection of Carmel Valley Road/Brookdale Drive. The project applicant shall be responsible for signalizing this intersection and any signal coordination costs associated with this signalization.

The costs associated with these public improvements, less any costs of these improvements required for project¿s specific impacts, shall be eligible to a reimbursement agreement. (RMA ¿ Public Works).

Compliance or Monitoring Action to be Performed: Prior to approval of the Sub. Improv. Plans the Applicant shall show the improvement designs on the Subdivision Improvement Plans.

Prior to issuance of the first residential occupancy permits the Applicant shall construct the improvements.

158. MITIGATION MEASURE (4.6-8) TRANSPORTATION AND CIRCULATION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.6-8) TRANSPORTATION AND CIRCULATION - Prior to the issuance of building permits for any unit in the subdivision, the applicant shall implement the following circulation improvements to the satisfaction of the Director of Public Works:

¿ In conjunction with the signalization improvements, install a ¿Signal Ahead¿ warning sign in both directions in advance of the signal at September Ranch Road and Brookdale Drive to alert drivers on Carmel Valley Road.
(RMA ¿ Public Works).

Compliance or Monitoring Action to be Performed: Prior to approval of the Subdivision Improvement Plans the Applicant shall include the warning signs on the Subdivision Improvement Plans.

Prior to issuance of the first residential building permit the Applicant shall install the signs.

159. MITIGATION MEASURE (4.7-1) AIR QUALITY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.7-1) AIR QUALITY - The use of BACMs shall be required during grading operations. BACMs that shall be incorporated into the project include:

- ¿ Water all active construction areas at least twice daily.
- ¿ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
- ¿ Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- ¿ Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- ¿ Sweep streets daily (with water sweepers), if visible soil materials are carried onto adjacent public streets.
- ¿ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more).
- ¿ Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (e.g., dirt, sand, etc.).
- ¿ Limit traffic speeds on unpaved roads to 15 mph.
- ¿ Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- ¿ Replant vegetation in disturbed areas as quickly as possible.
- ¿ Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- ¿ Limit the area subject to excavation, grading and other construction activity at any one time to reduce emissions of PM10 to less than 82 lbs. per day.
(RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the Applicant shall submit the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

During construction the Applicant shall adhere to the requirements that shall be implemented as part of all grading operations.

The Applicant shall submit a plan to the Director of Planning for review and approval, specifying the estimated acreage to be graded each day and the estimated reductions in fugitive dust from specific control measures. The control measures shall be implemented during grading and construction, with right of inspection granted to MBUAPCD staff.

Contractor shall be responsible for implementing the approved plan to ensure control of PM 10 emissions.

Applicant shall provide a monthly reporting during construction demonstrating compliance with measure.

160. MITIGATION MEASURE (4.8-1) NOISE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.8-1) NOISE - The southern facade of the inclusionary and workforce housing units on lots 19-22 inclusive shall have no balconies or decks facing Carmel Valley Road unless the perimeter of such balconies or decks are shielded by a five-foot high glass or transparent plastic barrier. (RMA ȷ Planning and Building)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits the Applicant shall submit the final design plans to the County of Monterey RMA - Planning Department for review and approval.

Prior to recordation of the final map the Applicant shall adhere to the requirements of this mitigation measure it shall be included as a note in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

161. MITIGATION MEASURE (4.8-2) NOISE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.8-2) NOISE - Habitable rooms of the inclusionary and workforce housing units on lots 19-22 inclusive that face south shall have a source of supplemental ventilation to allow for window closure in such rooms. (RMA ȷ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits the Applicant shall submit the final design plans to the County of Monterey RMA - Planning Department for review and approval.

Prior to recordation of the final map the Applicant shall submit the requirements of this mitigation measure shall be included as a note in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

162. MITIGATION MEASURE (4.9-1) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-1) BIOLOGICAL RESOURCES - The project applicant, in consultation with a qualified biologist, shall submit a Final Map that is consistent with the recommendations outlined in the Forest Management Plan. The applicant shall prepare and submit an Open Space Management Plan and a Grassland Habitat Management Plan which will include the following:

- ¿ Show the development envelopes for each residential lot so as to minimize vegetation removal;
- ¿ The identification of potential areas for building envelopes prior to the final map. The final map shall show the appropriate placement of the building envelopes with respect to the current conditions (i.e., slope, vegetation areas). All building envelopes shall require plant surveys that shall be conducted at the appropriate time (individual blooming periods are shown in the biological report in Appendix H of the REIR);
- ¿ Prohibits planting/introduction of nonnative invasive plant species (such as acacia, French or Scotch broom, and pampas grass) within any portion of proposed lots, and prohibit planting/introduction of any nonnative species outside the development envelope;
- ¿ Development of landscape guidelines that encourage the use of native species indigenous to the area as ornamentals and prevent the use of invasive exotics;
- ¿ Limits the use of fencing to designated development envelopes, and prohibit fencing of parcel boundaries in order to maintain areas for wildlife movement;
- ¿ Restricts direct disturbance or removal of native vegetation to designated development envelopes, as planned, through project covenants, codes and restrictions (CC&Rs), through dedication of a conservation and scenic easement, or other similar method (The project applicant currently proposes dedication of conservation and scenic easements over all portions of the site outside designated development envelopes).

**** FOR A CONTINUED DESCRIPTION PLEASE SEE: MITIGATION MEASURE (4.9-1A) BIOLOGICAL RESOURCES****

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the applicant shall retain the services of a qualified biologist to assist in the implementation of the mitigation measure and to act as habitat/open space manager for the project.

Prior to recordation of the final map the Applicant/ Biologist shall submit a Final Map and CC&Rs that implement the requirements of the Forest Management Plan, the Open Space Management Plan, and the Grassland Habitat Management Plan, and above easements.

Prior to recordation of the final map the Applicant/ Biologist shall include notes for all applicable requirements of this mitigation measure on an additional sheet of the final map

Prior to recordation of the final map the Applicant/ Biologist shall include appropriate notes and requirements in the CC&R¿s.

Prior to recordation of the final map the RMA- Planning Dept shall prepare a conservation and scenic easement deed between applicant and Monterey County.

The Clerk to the Board shall Record a conservation and scenic easement Concurrently with final map recordation.

163. MITIGATION MEASURE (4.9-2) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-2) BIOLOGICAL RESOURCES - The project applicant shall submit a Forest Mitigation and Monitoring Plan, which will identify permanently dedicated open space 3 times the acreage of Monterey pine/coast live oak forest (3-to-1 ratio) that will be developed. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits or recordation of the final map, whichever occurs first the Applicant shall submit a Forest Mitigation and Monitoring Plan prepared by a qualified professional and subject to review and approval by the Monterey County RMA - Planning Department. In addition, the applicant shall submit periodic reports (as outlined in mitigation measure 4.9-3) prepared by a qualified professional to the Monterey County RMA - Planning Department outlining implementation and success of the Forest Management Plan.

164. MITIGATION MEASURE (4.9-3) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-3) BIOLOGICAL RESOURCES - To reduce the loss of individual trees, all coast live oak trees and Monterey pine trees that are 6 inches or larger at the time of removal shall be replaced on a 1:1 basis by planting or transplanting trees in areas of suitable soil as determined appropriate by a professional forester. A tree replacement plan shall be prepared by a registered professional forester, and will be subject to review and approval by the County Planning Department, that includes the following:

- Identify tree planting areas with suitable soils that will also fulfill project landscape plans and visual screening objectives, as feasible.
- Identify monitoring requirements, such as a site inspection at the end of the first winter after planting to confirm numbers, species of replacement, and locations of plantings. Annual inspections over seven (7) years after planting of replacement trees shall confirm that the objectives of the plan are being met, such as the survivability of the plantings, and the percentage of healthy trees.
- The entire 100% of the plantings shall be established/surviving for seven (7) years after planting or monitoring (and replacement) shall continue until compliance is achieved, unless a professional forester determines that such action would be detrimental to the health of the stand due to overcrowding. The long term objective is 100%. If initial planting levels exceed 1:1 replacement, then whatever percent assures 1:1 replacement should be the minimum standard, subject to the above forester's finding caveat.
- The location and species of all required replacement trees planted shall be mapped so they can be monitored for a seven (7) year period after planting. The monitoring period shall be extended for individual trees that die or are in poor health and must be replaced.

****FOR A CONTINUED DESCRIPTION PLEASE SEE: MITIGATION MEASURE (4.9-3A) BIOLOGICAL RESOURCES****

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

Prior to the issuance of grading permits, approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant per biologist shall submit tree replacement plan as outlined in mitigation measure.

As required by plan the Applicant per biologist shall plant trees as required by plan.

Annually for seven (7) years after planting, except as required for unsuccessful Re-plantings/ transplanting the Applicant per biologist shall monitor success of tree planting/relocations and shall submit report to Monterey County RMA - Planning Department.

As trees are planted and transplanted the Applicant per biologist shall map locations of planted and transplanted trees.

As seedlings are removed the Applicant per biologist shall transplant seedlings.

Prior to issuance of a permit or prior to recordation of the final map, as applicable the Applicant per biologist shall include requirements of the tree replacement plan as a note on all grading permits, building permits, in the CC&Rs, and on an additional sheet of the final map.

Prior to filing the final map for the final phase the applicant or agent shall file a report with the County, simultaneous with submission of each phase, documenting the survival status of all replacement trees planted to that date. The last phase will not be recorded if replacement trees planted to date are not meeting 100 percent survival, subject to the following:

- 1) If all replacement trees planted to date are meeting 100% survival at that time, the applicant shall post a bond or other financial surety to ensure survival of 100% of the trees required for the project through the seventh year after planting;
- 2) If all replacement trees planted to date are not meeting 100% survival, then prior to recording the last phase the applicant shall plant replacement trees sufficient to meet 100% survival and shall post a bond or other financial surety to ensure survival of 100% of the replacement trees required for the project through the seventh year after planting;
- 3) If, due to violation of another project condition/measure or other circumstance, a prior phase retroactively becomes the last phase, at that time, the applicant shall post a bond or other financial surety sufficient to ensure survival of 100% of the replacement trees required for the project through the seventh year after planting.

165. MITIGATION MEASURE (4.9-4) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-4) BIOLOGICAL RESOURCES - Pines adjacent to ones slated for removal shall be protected individually with orange construction fencing placed around their dripline. Pines not slated for removal shall not be damaged. To avoid mechanical damage to pines not slated for removal, the following measures are recommended:

- ¿ Minimizing impacts to retained trees by individually cutting adjacent removal trees;
- ¿ Minimize mechanical tree damage such as skinning of the trunks, partial pushovers, etc. during construction or harvesting operations;
- ¿ Build barricades around trees to prevent mechanical damage by equipment in yard and landscape environments. Try to minimize root damage by keeping trenching and digging to a minimum;
- ¿ During landscaping operations, maintain final soil level around tree trunks and roots as much as possible to the same height as it was before construction;
- ¿ Direct all drainage from developed areas away from low or flat areas near trees to prevent saturation of soils at the base of trees; and
- ¿ Require protection of oak and Monterey pine trees located outside designated development envelopes unless proven to be diseased or unhealthy as determined registered professional forester. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits, approval of the Sub. Improv. Plans, and prior to recordation of the final map the Applicant shall adhere to the requirements of this mitigation measure shall be included as a note on all grading plans, Subdivision Improvement Plans, and on an additional sheet of the final map.

During construction the Applicant per arborist shall implement the requirements of this mitigation measure.

During construction the Arborist/Forester shall be present bi-weekly during construction to monitor compliance with mitigation measure.

166. MITIGATION MEASURE (4.9-5) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-5) BIOLOGICAL RESOURCES - There is no proven method available that will prevent pitch canker from infecting susceptible trees. To prevent the spread of the fungus into the pines within the project site, some actions can be taken to slow down the spread of the fungus, including the following:

- ¿ Minimize removal or severe pruning of trees during periods of peak beetle activity, particularly during maximum growth during the spring. Remove or chip trees and debris promptly and in accordance with handling guidelines of the Oak Mortality Task Force and Agricultural Commissioner for oaks and the Pitch Canker Task Force for pines;

- ¿ All trees proposed for removal shall be removed carefully so as not to injure (including breaking nearby branches, cutting trunks, etc.) adjacent trees not slated for removal. There are some Monterey pines that are pest resistant to the pathogen and these trees may be used but should not constitute more than 30 percent of the planted stock as a seedbase for replanting.

- ¿ Encourage healthy growth of trees. Susceptibility to beetle attack increases with poor health or damage due to breakage, wounding, or soil compaction. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits, approval of the Subdivision Improvement Plans, and prior to recordation of the final map the Applicant per arborist shall adhere to the requirements of this mitigation measure shall be included as a note on all grading plans, Subdivision Improvement Plans, and on an additional sheet of the final map.

During construction the Applicant shall implement the requirements of this mitigation measure.

During construction the Arborist should be present bi-weekly during construction to monitor compliance with mitigation measure.

167. MITIGATION MEASURE (4.9-6) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-6) BIOLOGICAL RESOURCES - Submit a final Forest Management Plan, which includes a Forest Mitigation and Monitoring Plan subject to review and approval by the County Planning & Building Inspection Department that includes the following:

¿ Avoid grading, filling, and all construction activity within the dripline of oak trees, where possible. Any construction or activity within the dripline of oak trees shall be reviewed and approved by a qualified forester or arborist with their recommendations for protection as appropriate; and

¿ Develop CC&Rs that shall include oak tree protection as outlined in the Forest Management Plan on individual lots as part of future home construction, as well as guidelines for appropriate landscaping management to protect remaining oaks. Wherever possible, future homes should be sited outside of the dripline of any oak. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits, approval of the Sub. Improv. Plans, or recordation of the final map, whichever occurs first the Applicant per Arborist shall submit a final Forest Mitigation and Monitoring Plan prepared by a qualified professional and subject to review and approval by the Monterey County RMA - Planning Department.

On-going during construction phases the Applicant per arborist shall provide (in addition), the applicant shall submit quarterly reports prepared by a qualified professional to the Monterey County RMA - Planning Department outlining implementation and success of the Forest Management Plan.

168. MITIGATION MEASURE (4.9-7) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-7) BIOLOGICAL RESOURCES - Clear definition of the development envelope for each lot in the coastal scrub areas, restrictions of the remainder of the lots, and implementation of the Tentative Map (Mitigation Measure 4.9-1) that details the general open space management measures and conservation and scenic easement designations on lots should reduce some of the impacts to coastal sage scrub. In addition, to reduce the impacts to coastal sage scrub, the following mitigation measures are recommended:

Submit final Open Space Management Plan that includes the following:

- ¿ Protection and enhancement for the long-term viability of the habitat types onsite and the plant and animal species they support;
- ¿ Incorporation into project documents that are passed on to homeowners. The plan should include, but not be limited to, the following:
 - ¿ Limiting native vegetation removal and other disturbances in areas not specifically designated for buildings and other facilities to minimize losses to coastal sage scrub and grassland areas with high concentrations of native species as well as Monterey pine, coast live oak forest;
 - ¿ Protection of sensitive plant species identified herein (and in subsequent studies) through design, setbacks, salvage and relocation, and other means wherever feasible; and
 - ¿ Designation of trails and other directed access to/through common open space areas to reduce inadvertent habitat degradation. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Applicant shall provide building envelopes for each parcel.

Prior to the issuance of grading permits, approval of the Subdivision Improvement Plans, or recordation of the final map, whichever occurs first, the Applicant (per biologist) shall prepare and submit an Open Space Management Plan, subject to the review and approval by the County of Monterey RMA - Planning Department.

On-going during construction phases the Applicant (per biologist) shall submit quarterly reports prepared by a qualified professional to the Monterey County RMA - Planning Department outlining implementation and success of the Open Space Management Plan.

Prior to the issuance of grading permits, approval of the Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall adhere to the requirements of this mitigation measure and shall include as a note on all grading permits, on the Subdivision Improvement Plans, in the CC&R¿s, and it shall be included as a note on an additional sheet of the final map.

On-going during grading phases the Applicant (per biologist) shall inspect the area to be graded, prior to and after grading, to ensure implementation of the plan.

169. MITIGATION MEASURE (4.9-8) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-8) BIOLOGICAL RESOURCES - Submit a final Grassland Management Program that addresses the following:
Preservation, enhancement, and restoration of native grasslands on the site. Including:

- Clear definition of the building footprint for each lot in the grasslands areas, restrictions on the remainder of the lot; and
- Description of the implementation of an active grassland management program for both the lots and the common open space areas.
- Light rotational, seasonally-timed grazing and/or appropriately timed mowing to reduce the cover of non-native annual grasses;
- Limit soil disturbance through cultivation;
- Preclude the use of herbicides unless applied directly to invasive, non-native species;
- Address the removal of Monterey pine seedlings in the native grasslands (either through mowing or chipping);
- Address restoration in areas dominated by invasive species like French broom; and
- Consider the possible use of fire management on both the common open space and private open space grassland areas. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to recordation of final map the Applicant shall provide building envelopes for each parcel.

Prior to the issuance of grading permits, approval of the Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant (per biologist) shall prepare and submit a final Grassland Management Plan, subject to the review and approval by the County of Monterey RMA - Planning Department.

On-going during construction phases the Applicant (per biologist) shall submit quarterly reports prepared by a qualified professional to the Monterey County RMA - Planning Department outlining implementation and success of the Open Space Management Plan.

Prior to the issuance of grading permits, approval of the Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant shall adhere to the requirements of this mitigation measure shall be included as a note on all grading permits, on the Subdivision Improvement Plans, in the CC&R's, and shall be included as a note on an additional sheet of the final map.

On-going during grading phases the Applicant (per biologist) shall inspect the area to be graded, prior to and after grading, to ensure implementation of the plan.

170. MITIGATION MEASURE (4.9-9) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-9) BIOLOGICAL RESOURCES - To reduce the acreage impacts to native grasslands, pre-construction surveys shall be conducted that identify areas with high concentrations of native species (areas with over 50 percent native grassland species). Native grassland acreage shall be replaced at a 1:1 ratio. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits, approval of the Sub. Improv. Plans, or recordation of the final map, whichever occurs first the Applicant (per biologist) shall conduct pre-construction surveys.

The Applicant (per biologist) shall prepare and submit a Grassland Management Plan that includes the results of the pre-construction survey, subject to the review and approval by the County of Monterey RMA - Planning Department.

171. MITIGATION MEASURE (4.9-10) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-10) BIOLOGICAL RESOURCES - To reduce the potential ¿take¿ of listed species the following are recommended:

¿ Prior to construction of roadways or individual houses, a botanical survey shall be conducted during the appropriate blooming period for each species. If no listed species are observed no further action is required.

¿ If individuals are found a report shall be prepared, detailing the habitats affected by the project, the species potentially affected by the project, and the appropriate mitigation measures to reduce the ¿take¿ of listed species. Informal consultation with CDFG may be required. CDFG may require further actions.

¿ If listed species are found a report shall be prepared, detailing the habitats affected by the project, the species potentially affected and appropriate mitigation measures to reduce ¿take¿ of listed species. Informal consultation with the USFWS will be required if Monterey spineflower are found. Mitigation may include but not be limited to avoidance of populations, restoration, maintenance, and enhancement and obtaining an Incidental Take Permit from the USFWS and notification with the CDFG. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits for subdivision improvements or individual homes the Applicant (per biologist) shall prepare and submit a botanical survey, subject to the review and approval by the county of Monterey RMA - Planning Department.

Prior to recordation of the final map the Applicant shall include the requirements of this mitigation measure as a note on an additional sheet of the final map and in the CC&R¿s.

Prior to construction or grading activities the Applicant shall obtain appropriate permits from CDFG or USFWS, if required.

As outlined in permit the Applicant shall implement requirements of CDFG or USFWS permits, if required.

On an On-going basis the Applicant shall have a biologist inspect the site bi-monthly during construction to ensure implementation of the measure.

172. MITIGATION MEASURE (4.9-11) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-11) BIOLOGICAL RESOURCES - The project applicant shall submit to the Monterey County RMA - Planning Department a Final Map that identifies the roadway realignments in the area of Lots 13-17 that avoid the identified population of Pacific Grove clover. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits or approval of Sub. Improv. Plans the Applicant shall submit Subdivision Improvement Plans and grading permit plans.

173. MITIGATION MEASURE (4.9-12) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-12) BIOLOGICAL RESOURCES - To avoid a take and/or further evaluate the presence or absence of raptors, the following is required:

¿ Removal should be conducted outside the nesting season, which occurs between February 1 and August 15. If grading before February 1 is infeasible and groundbreaking must occur within the breeding season, a pre-construction nesting raptor survey shall be performed by a qualified biologist. If no nesting birds are observed, no further action is required and grading may occur within one week of the survey to prevent ¿take¿ of individual birds that may have begun nesting after the survey. If birds are observed onsite after February 1 it will be assumed that they are nesting onsite or adjacent to the site. If nesting birds are observed, ground breaking will have to be delayed until after the young have fledged, as determined by bird surveys conducted by a qualified biologist, or after the nesting season.

¿ The CDFG Central Coast Regional office does allow grading/or tree removal to occur if nesting birds are observed onsite, providing that a 500-foot buffer zone is created around the observed nest. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits or tree removal, the applicant per biologist shall conduct preconstruction survey within time period recommended by resource agencies prior to activities.

Prior to the issuance of grading permits or tree removal the applicant (per biologist) shall provide the Monterey County RMA - Planning Department with written verification that nesting birds will not be disturbed and that a preconstruction survey has been performed and grading will occur in accordance with CDFG regulations.

Prior to grading or tree removal activities the applicant (per biologist) shall obtain approval from CDFG for option outlined, if required.

174. MITIGATION MEASURE (4.9-13) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-13) BIOLOGICAL RESOURCES - To avoid a take and/or further evaluate the presence or absence of passerines, the following is required:

¿ Grading within the grasslands shall be conducted outside the nesting season, which occurs between approximately February 1 and August 15. If grading before February 1 is infeasible and groundbreaking must occur within the breeding season, a qualified biologist shall perform a pre-construction nesting bird survey of the grasslands. If no nesting birds are observed, no further action is required and grading may occur within one week of the survey to prevent ¿take¿ of individual birds that may have begun nesting after the survey. If birds are observed onsite after February 1 it will be assumed that they are nesting onsite or adjacent to the site. If nesting birds are observed, ground breaking shall be delayed until after the young have fledged, as determined by bird surveys conducted by a qualified biologist, or after the nesting season.

¿ The CDFG Central Coast Regional office does allow grading to occur if nesting birds are observed onsite, providing that a 75 to 100-foot buffer zone is created around the observed nest. (RMA ¿ Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits the Applicant (per biologist) shall conduct preconstruction survey within time period recommended by resource agencies prior to activities.

Prior to the issuance of grading permits or tree removal the Applicant (per biologist) shall provide the Monterey County RMA - Planning Department with written verification that nesting birds will not be disturbed and that a preconstruction survey has been performed and grading will occur in accordance with CDFG regulations.

Prior to grading or tree removal activities the Applicant (per biologist) shall obtain approval from CDFG for option outlined, if required.

175. MITIGATION MEASURE (4.9-14) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.9-14) BIOLOGICAL RESOURCES - To avoid ¿take¿ and or further evaluate presence or absence of roosting bats the following measures are required:

¿ Snags shall not be removed without first being surveyed by a qualified bat biologist, 2-4 weeks prior to planned tree removal to determine whether bats are roosting inside the trees. If no roosting is observed, the snag shall be removed within one week following surveys. If bat roosting activity is observed, limbs not containing cavities, as identified by the bat biologist, shall be removed first, and the remainder of the tree removed the following day. The disturbance caused by limb removal, followed by a one night interval, will allow bats to abandon the roost.

¿ Remove large trees (>24¿ diameter at breast height [dbh]), or trees with cavities, between September 1 and October 30. This time period is after young are volant (flying), but before expected onset of torpor (winter inactivity). Smaller trees may be removed at any time.

¿ If trees larger than 24¿ dbh, or trees with cavities, must be removed outside this time period, night emergence surveys shall be conducted by a qualified bat biologist, 2-4 weeks prior to planned tree removal to determine whether bats are roosting inside the trees. If no roosting is observed, the tree shall be removed within 1 week following surveys. If bat roosting activity is observed, limbs not containing cavities, as identified by the bat biologist, shall be removed first, and the remainder of the tree removed the following day. The disturbance caused by limb removal, followed by a one night interval, will allow bats to abandon the roost.

Compliance or Monitoring Action to be Performed: Two to four weeks prior to removal the Applicant (per biologist) shall conduct preconstruction survey within time period recommended by resource agencies prior to activities.

Prior to removal the Applicant (per biologist) shall provide the Monterey County RMA - Planning Department with written verification that bats will not be disturbed and that a preconstruction survey has been performed and activities will occur in accordance with CDFG regulations.

Two to four weeks prior to removal the Applicant (per biologist) shall obtain approval from CDFG for option outlined, if required.

176. MITIGATION MEASURE (4.10-1) CULTURAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.10-1) CULTURAL RESOURCES - 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 the RMA & Planning Department within 24 hours.

- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/ Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.

- The most likely descendent 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 5097.9 and 5097.993, 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 descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.

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

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

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading permits or approval of Subdivision Improvement Plans, whichever occurs first the Applicant (per Archaeologist or Anthropologist) shall submit the contracts with a Registered Professional Archeologist and a Registered Professional Anthropologist to the Director of Planning, Monterey County RMA - Planning Department for approval.

Prior to the recordation of the final map and prior to issuance of permits the Applicant shall adhere to the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.

On an On-going basis the Applicant shall implement the steps of the mitigation measure as necessary.

177. MITIGATION MEASURE (4.11-1) AESTHETICS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.11-1) AESTHETICS - Prior to the issuance of a grading permit, the applicant shall submit a Final Map, which will be subject to review and approval by the Monterey County RMA - Planning Department (RMA-PD). The RMA-PD establishes envelopes on each proposed lot to define the building area that result in minimal grading and protect the public viewshed by avoiding ridgeline development and preserving existing screening vegetation. Home sites in building envelopes on the bluffs overlooking Carmel Valley Road should be limited in building height, as needed, to reduce visibility and screen buildings from Carmel Valley Road. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Applicant shall submit a final map with building envelopes, design guidelines incorporated into the CC&R's, and dedicate open space easement(s). Include applicable requirements as a note on an additional sheet of the final map.

Prior to issuance of all building permits the Applicant shall submit a landscape and lighting plan subject to review and approval by the Monterey County RMA - Planning Department.

178. MITIGATION MEASURE (4.11-2) AESTHETICS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.11-2) AESTHETICS - Prior to issuance of a grading permit, the applicant shall submit design guidelines and landscaping plan subject to review and approval of the Monterey County RMA - Planning Department. The plan shall utilize a rural-agricultural architectural theme for the proposed development, break up building mass of the units closest to Carmel Valley Road, and implement landscaping materials compatible with the surrounding area. This plan shall also address the sewage treatment facility. Landscaping shall incorporate mature trees in the area nearest to Carmel Valley Road. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Applicant shall submit design guidelines and landscaping plans as part of CC&R's.

Prior to issuance of building permits the Applicant shall include design and landscaping plans on building permit plans.

179. MITIGATION MEASURE (4.11-3) AESTHETICS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.11-3) AESTHETICS - Prior to issuance of a building permit, the project applicant shall dedicate open space easements as shown on the Preliminary Project Review Map through dedication of a conservation and scenic easement or other suitable method to insure its long-term protection. (RMA & Planning and Building)

Compliance or Monitoring Action to be Performed: Prior to recordation of final map the Applicant shall prepare conservation and scenic easement deed between applicant and Monterey County. Submit the easement language to the County for review and approval.

Concurrent with recordation of the final map the Applicant shall record conservation and scenic easement

180. MITIGATION MEASURE (4.11-4) AESTHETICS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.11-4) AESTHETICS - The applicant shall submit a public space (including public roadways) lighting plan subject to review by the Monterey County RMA - Planning Department. The plan shall identify the use of non-reflective materials, subdued colors, and lighting that does not create offsite glare. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits or approval of Sub. Improv. Plans, whichever occurs first the Applicant shall submit lighting plan to the Planning Department for review and approval.

181. MITIGATION MEASURE (4.11-5) AESTHETICS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.11-5) AESTHETICS - The type, height, and spacing of security and parking lighting shall conform to the County standard, which requires that lighting be directed downward and be of a minimum intensity that will allow for proper safety. (RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits or approval of Sub. Improv. Plans, whichever occurs first the Applicant shall include requirements in lighting plan submitted for mitigation measure 4.11-4. Submit lighting plan to the Planning Department for review and approval.

182. MITIGATION MEASURE (4.13.4-1) PUBLIC SERVICES AND UTILITIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.13.4-1) PUBLIC SERVICES AND UTILITIES - The proposed project shall participate in curbside collection of bottles, cans, paper, and yard waste. (Environmental Health and RMA & Planning and Building).

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits the applicant shall provide verification to the County of Monterey RMA - Planning Department that a licensed recyclables hauler has been contracted to service the project area.

183. MITIGATION MEASURE (4.13.5-1) PUBLIC SERVICES AND UTILITIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.13.5-1) PUBLIC SERVICES AND UTILITIES - The applicant shall dedicate land for recreational uses prior to recordation of the final map. (Parks Department)

Compliance or Monitoring Action to be Performed: Prior to recordation of the final map the Applicant shall coordinate with the Monterey County Parks Department on the dedication of land and/or the payment of in lieu fees and the location of trail easements and identify such easements on the final map.

184. MITIGATION MEASURE (4.13.5-2) PUBLIC SERVICES AND UTILITIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.13.5-2) PUBLIC SERVICES AND UTILITIES - The applicant, in coordination with the Parks Department, shall dedicate trail easements to the County for the connection of future trails with existing trails. The new public recreational trail shall, at a minimum, accommodate future and feasible connections to Jack's Peak Regional Park trail route and the possibility of other regional trail links to facilitate a regional trail system as outlined in the Greater Monterey Peninsula Area Plan. (Parks Department).

Compliance or Monitoring Action to be Performed: Prior to or concurrent with recordation of the final map the Applicant shall identify trail easements on the final map.

185. FIRE030 - EMERGENCY WATER STANDARDS - FIRE FLOW (NON-STANDARD FIRE CONDITION)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The fire flow for this subdivision is based on California Fire Code Appendix B (Fire Flow Requirements for Buildings). Due to several mitigating factors, such as the fuel modification and residential fire sprinklers, the fire flow has been reduced to the following: One and Two-Family Dwelling Areas - Fire Flow shall be a minimum of 500 gpm @ 20 psi residual pressure for a duration of two hours. Hydrant Outlets shall be on e 2-1/2 inch and one 4-1/2 inch NST outlets. Building Other than One and Two-Family Dwelling Areas ¿ Fire Flow shall be a minimum of 1500 gpm @ 20 psi residual pressure for a duration of two hours. Hydrant Outlets shall be two 2-1/2 inch and one 4-1/2 inch NST. Hydrant Spacing - Locations of fire hydrants shall be according to the Approved Improvement Plan. Hydrant Identification - Blue reflective hydrant markers are required to be installed pursuant to Public Works Department standards (Monterey County Resolution 83-3). RESPONSIBLE LAND USE DEPARTMENT: CARMEL VALLEY FIRE DEPT.

Compliance or Monitoring Action to be Performed:

1. Prior to approval of final map Applicant shall submit to the fire district and obtain approval of water system improvement plans.
2. Prior to issuance of building permits
Applicant shall obtain approval of fire department final inspection testing and accepting the water system improvements.

186. MITIGATION MEASURE (4.4-2A) HYDROLOGY AND WATER QUALITY.

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (4.4-2A) HYDROLOGY AND WATER QUALITY (CONTINUED TEXT) -

¿ Temporary erosion and sedimentation control features shall be maintained until revegetation is sufficient to prevent erosion of disturbed construction and restoration sites. Sufficiency of revegetation shall be determined by the project¿s conservation manager and certified erosion and sedimentation control specialists.

¿ Periodic pre-storm, storm, and post-storm monitoring inspections of BMP measures shall be conducted from the duration of construction phases and until temporary protection features have been removed.

¿ Daily inspections shall be conducted during grading construction to assure condition and adequacy of erosion and sedimentation control features.

¿ Daily repairs of damaged erosion- and sedimentation-control features (e.g., downed silt fencing, broken straw bales, damaged sandbags) shall be completed.
(RMA ¿ Planning and Building, Public Works and Water Resources Agency).

Compliance or Monitoring Action to be Performed: Prior to the issuance of a grading permit the Applicant shall submit evidence of a General Construction Activity Storm Water Permit obtained from the RWQCB to the Monterey County RMA - Planning Department.

Prior to issuance of the grading permit, approval of the subdivision improvement plans, or concurrent with recordation of the final map, as applicable the Engineer shall submit the requirements of this mitigation measure it shall be included as a note on all grading and building permits, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map. The methods outlined in the mitigation measure shall be included in the design.

Prior to the issuance of a grading permit the Applicant shall submit a drainage plan to the MCWRA for review and approval.

Monterey County Grading staff and Public Works staff shall complete bi-weekly inspections of the project site, or more often if necessary depending on site conditions, to ensure compliance with BMPs. Inspections shall be at the applicant¿s expense.

187. MITIGATION MEASURE (4.9-1A) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation MITIGATION MEASURE (4.9-1A) BIOLOGICAL RESOURCES (CONTINUED TEXT) -

Monitoring Measure:

¿ Establishes lot restrictions and common open space regulations that limit uses and prescribe management responsibilities in private and common open space areas beyond the building and development envelopes identified in the final map.

¿ Defines the conservation and scenic easements dedicated to an entity acceptable to the County of Monterey. These conservation and scenic easements are legally binding use restrictions recorded on privately owned land that can provide a high degree of protection to certain areas on the property while allowing the rest of the land to be developed and used at the owner¿s discretion. Conservation and scenic easements to the benefit of the County of Monterey shall be recorded with the sale of the lot and shall run with the land regardless of the number of times the land is sold. Such easements shall be set aside for as much of the private open space on the property as is feasible to guarantee the long-term preservation of the site¿s overall biological resource values. Examples of the types of restrictions that shall be considered in these conservation easements include the following:

¿ Relinquishment of all development rights within the easement area;

¿ Maintenance of natural habitat;

¿ Pesticide use restrictions;

¿ Only compatible public recreation uses allowed within easement lands, not uses that cause disturbance to native vegetation and wildlife;

¿ Restricted trails for pedestrians, hikers and equestrian uses within easement lands;

¿ No vehicles of any kind allowed in easement lands except for those required by the habitat/open space manager in performance of habitat monitoring or maintenance activities;

****FOR A CONTINUED DESCRIPTION PLEASE SEE: MITIGATION MEASURE (4.9-1B) BIOLOGICAL RESOURCES****

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

Prior to recordation of the final map the applicant shall retain the services of a qualified biologist to assist in the implementation of the mitigation measure and to act as habitat/open space manager for the project.

Prior to recordation of the final map the Applicant/ Biologist shall submit a Final Map and CC&Rs that implement the requirements of the Forest Management Plan, the Open Space Management Plan, and the Grassland Habitat Management Plan, and above easements.

Prior to recordation of the final map the Applicant/ Biologist shall include notes for all applicable requirements of this mitigation measure on an additional sheet of the final map.

Prior to recordation of the final map the Applicant/ Biologist shall include appropriate notes and requirements in the CC&R¿s.

Prior to recordation of the final map the RMA- Planning Dept shall prepare a conservation and scenic easement deed between applicant and Monterey County.

The Clerk to the Board shall Record a conservation and scenic easement Concurrently with final map recordation.

188. MITIGATION MEASURE (4.9-1B) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation MITIGATION MEASURE (4.9-1B) BIOLOGICAL RESOURCES (CONTINUED TEXT) -

Monitoring Measure:

¿ No alteration of land including grading, diskings, compacting, soil removal or dumping shall be allowed unless the work is for the purpose of habitat management/restoration and authorized by the habitat/open space manager;

¿ No removal of flora or fauna from the easement area including mowing or weed whacking unless authorized by the habitat/open space manager (biologist);

¿ Limitations/restrictions will be placed on construction of permanent or temporary facilities (e.g., picnic tables or portable toilets) within the easement areas in accordance with the goals of the open space management program;

¿ Leash laws within the easement areas must be enforced; and

¿ Right of inspection of the easement area by the easement holder and habitat/open space manager (biologist).

Refer also to mitigation measures 4.9-2, 4.9-6, 4.9-7, 4.9-8 and 4.9-9 for implementation.

(RMA ¿ Planning and Building).

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

Prior to recordation of the final map the applicant shall retain the services of a qualified biologist to assist in the implementation of the mitigation measure and to act as habitat/open space manager for the project.

Prior to recordation of the final map the Applicant/ Biologist shall submit a Final Map and CC&Rs that implement the requirements of the Forest Management Plan, the Open Space Management Plan, and the Grassland Habitat Management Plan, and above easements.

Prior to recordation of the final map the Applicant/ Biologist shall include notes for all applicable requirements of this mitigation measure on an additional sheet of the final map

Prior to recordation of the final map the Applicant/ Biologist shall include appropriate notes and requirements in the CC&R¿s.

Prior to recordation of the final map the RMA- Planning Dept shall prepare a conservation and scenic easement deed between applicant and Monterey County.

The Clerk to the Board shall Record a conservation and scenic easement Concurrently with final map recordation.

189. MITIGATION MEASURE (4.9-3A) BIOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation MITIGATION MEASURE (4.9-3A) BIOLOGICAL RESOURCES (CONTINUED TEXT) -

Monitoring Measure:

- Transplanting of onsite native seedlings within construction areas and protection of those occurring near construction areas to maintain natural diversity and adaptation.
- All replacement trees shall be of local, native stock. All replacement Monterey pines shall be grown from on-site native stock collected within the 500 foot elevation zone of the planting site. Replanting shall avoid open spaces where currently there are no trees unless there is evidence of soil deep enough and of good enough quality to support the plantings.
(RMA & Planning and Building).

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

Prior to the issuance of grading permits, approval of Subdivision Improvement Plans, or recordation of the final map, whichever occurs first the Applicant per biologist shall submit tree replacement plan as outlined in mitigation measure.

As required by plan the Applicant per biologist shall plant trees as required by plan.

Annually for seven (7) years after planting, except as required for unsuccessful Re-plantings/ transplanting the Applicant per biologist shall monitor success of tree planting/relocations and shall submit report to Monterey County RMA - Planning Department.

As trees are planted and transplanted the Applicant per biologist shall map locations of planted and transplanted trees.

As seedlings are removed the Applicant per biologist shall transplant seedlings.

Prior to issuance of a permit or prior to recordation of the final map, as applicable the Applicant per biologist shall include requirements of the tree replacement plan as a note on all grading permits, building permits, in the CC&Rs, and on an additional sheet of the final map.

Prior to filing the final map for the final phase the applicant or agent shall file a report with the County, simultaneous with submission of each phase, documenting the survival status of all replacement trees planted to that date. The last phase will not be recorded if replacement trees planted to date are not meeting 100 percent survival, subject to the following:

- 1) If all replacement trees planted to date are meeting 100% survival at that time, the applicant shall post a bond or other financial surety to ensure survival of 100% of the trees required for the project through the seventh year after planting;
- 2) If all replacement trees planted to date are not meeting 100% survival, then prior to recording the last phase the applicant shall plant replacement trees sufficient to meet 100% survival and shall post a bond or other financial surety to ensure survival of 100% of the replacement trees required for the project through the seventh year after planting;
- 3) If, due to violation of another project condition/measure or other circumstance, a prior phase retroactively becomes the last phase, at that time, the applicant shall post a bond or other financial surety sufficient to ensure survival of 100% of the replacement trees required for the project through the seventh year after planting.

190. MITIGATION MEASURE (5-1) CUMULATIVE IMPACTS & TRANSPORTATION & CIRCULATION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: MITIGATION MEASURE (5-1) CUMULATIVE IMPACTS & TRANSPORTATION & CIRCULATION - The applicant shall pay a fair share contribution towards improvements for Highway 1.
(RMA & Public Works).

Compliance or Monitoring Action to be Performed: Prior to the issuance of each building permit the Applicant shall pay fair share fee to the Public Works Department.

191. PBDSP003 (A) & WATER USE PLAN (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBDSP003 (A) & WATER USE PLAN (NON-STANDARD CONDITION) -
CONTINUED TEXT -

& Concurrent with the sale of any lot in the phase, the Applicant shall fix the maximum permitted water use on that individual lot within the total water use allowed under the applicable approved Water Use Plan, and the Applicant shall record a notice on title fixing the maximum permitted water use for that lot. The notice shall be signed by both the buyer and the seller. The Applicant shall provide a copy of the recorded notice to the County, and no building permits shall be issued on the lot until the County has received a copy of the recorded notice.

(Water Resources Agency and RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to filing the final map for each phase of the subdivision Owner/Applicant shall adhere to the terms of this condition they shall be included in the CC&Rs. Submit CC&Rs to the Water Resources Agency and the Planning Department for review and approval.

Prior to filing the final map for each phase of the subdivision Owner/Applicant shall adhere

prior to each phase, the applicant shall submit a plan, showing the proposed water demand estimate for each lot, to the Director of Planning for review and approval. Water demand estimates shall be based upon the Monterey Peninsula Water Management District (MPWMD) current water demand estimation methodology as codified in the MPWMD Rules and Regulations. Applicant and subsequent owners of the respective lots shall be required to comply with the approved plan or any County-approved amendments to it.

Prior to filing the final map for each phase of the subdivision the Owner/Applicant shall provide the final map for a phase will be denied unless the applicant demonstrates that subdivision water use is within the requirements of MPWMD Rule 11 (or any equivalent rule in effect at the time).

Concurrent with the final map for each phase the Owner/Applicant shall provide a deed restriction with all of the specified content shall be recorded.

Concurrent with the sale of any lot in the phase and no later than prior to building permit the Owner/Applicant shall provide a copy of the recorded notice to the County. The condition shall be placed as a note on the final map.

192. PBDSP005 (A) - SUBDIVISION BUILDING ENVELOPE APPROVAL (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: PBDSP005 (A) - SUBDIVISION BUILDING ENVELOPE APPROVAL (NON-STANDARD CONDITION) CONTINUED TEXT - Notes should be included on each site plan indicating that discretionary permit approval and design approval is required for development of each lot prior to issuance of a building permit. A note shall be placed on an additional sheet of the final map stating that a site plan has been prepared for this subdivision and that the property is subject to building and/or use restrictions. (RMA - Planning Department).

Compliance or Monitoring Action to be Performed: Prior to filing the final map the Owner/ Applicant shall prepare a plan that characterizes the building envelope for each of the lots with respect to environmental parameters, slopes and conservation and scenic easements. The driveway access shall be incorporated into the building envelope.

The tree and vegetation removal disturbance goal shall be achieved through monitoring related to Conditions 3 and 21 and Mitigations Measures 4.9-1, and 4.9-4 through 4.9-11.

Plan shall be reviewed and approved by the Director of Planning.

The terms of this condition shall be included as a note on an additional sheet of the final map and in the CC&Rs.

Submit CC&Rs to the Planning Department for review and approval.

193. PKSSP003 (A) ¿ RECREATION REQUIREMENTS/ LAND DEDICATION (NON-STANDARD CONDITION)
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Responsible Department: Parks Enforcement

Condition/Mitigation Monitoring Measure: PKSSP003 (A) ¿ RECREATION REQUIREMENTS/ LAND DEDICATION (NON-STANDARD CONDITION) - CONTINUED TEXT.

c) Prior to recordation of the first Final Map, the Applicant shall provide the Director of Parks 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, health and safety of the residents of the inclusionary and workforce housing units with an appropriate funding source and maintenance entity. (Parks Department)

Compliance or Monitoring Action to be Performed: Prior to the recordation of the first Final Map the Owner/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.

Prior to the recordation of the first Final Map the Owner/Applicant shall provide a park and recreation plan and it shall be prepared by the Applicant for review and approval by the Director of Parks.

Prior to the recordation of the first Final Map the Owner/Applicant shall provide the County with adequate security in the form of a performance bond or other suitable security acceptable to the County of Monterey in the amount of one hundred percent (100%) of the costs for the park and recreation improvements shown on the recreation plan.

Prior to the recordation of the first Final Map the Owner/ Applicant shall provide a park and recreation facilities maintenance and operation plan shall be prepared by the Applicant for review and approval by the Director of Parks.

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