

Attachment C

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Combined Development Permit consisting of: 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. The property is located approximately 2.5 miles east of Highway 1 on the north side of Carmel Valley Road, between Canada Way and Valley Greens Drive, Mid-Carmel Valley area (Assessor's Parcel Numbers: 015-171-010-000; 015-171-012-000; 015-361-013-000; 015-361-014-000), Carmel Valley Master Plan.

Parks/Access to Jack's Peak Park

The applicant will be required to provide a tot lot to serve the inclusionary units. The open space and trail system on the property will provide additional open space/recreational opportunities. The applicant has offered to dedicate a park parcel (Parcel C) at the base of Roach Canyon to Monterey County Parks and Recreation Department as well as a trail easement from that entry point to Jack's Peak Park. Access to Jack's Peak Park from properties proposed at the northern portion of the property will be limited to the Parks Department trail easement or emergency evacuation along the existing ranch roads.

FINDING: RECREATIONAL REQUIREMENTS - The applicant will be required to comply with the recreational requirements of Title 19, Section 19.02.010.

EVIDENCE: The applicant will provide on-site recreational facilities at the equestrian center and will provide a trail system. The applicant will dedicate Parcel C (3.2 acres) as identified on the Vesting Tentative Map. A public easement will be provided for the construction of a trail from this parcel to Jack's Peak Park, along the subdivision's western boundary. Trail

construction within the easement would be at the discretion of the Monterey County Parks Department.

Condition No. 100, (PKSSP001 Park Parcel, non-standard condition): 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)

Action: 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.

Status: Not Met

Condition No. 101 (PKS004 Recreational Trails Easement): 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).

Action: 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.

Status: Not Met

Condition 102 (PKSSP002 Private trails, non-standard condition): 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)

Action: 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.

Status: Not Met

Condition No. 103 (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, 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, 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).**

Action: 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.

Status: Not Met

Condition No. 104, (PKSSP004 HISTORIC RESOURCES NON-STANDARD

CONDITION): 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).

Action: 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).

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Status: Not Met

Condition No. 105, (PKSSP005 CONSTRUCTION OF TRAILS NON-STANDARD CONDITION): 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 Jacks 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).

Action: 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.

Status: Not Met

Condition No. 106, (PKSSP006 LAND DEDICATION NON-STANDARD CONDITION): 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 Jacks 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)

Action: 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.

Status: Not Met