RMA – Planning Department Condition Compliance & Mitigation Monitoring and/or Reporting Plan	*Project Name*: Nichols / Yanks Air Museum *File No*: SH94002, PLN020482 & PLN060482 *APNs:* 111-012-017, 018, 019, and 020 *Approval by:* Board of Supervisors *Date:* October 28, 2008

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

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1.		This permit allows for a *General Plan Amendment, Zoning Reclassification, General Development Plan including a World War II and "Golden Era " aircraft museum, air strip, aircraft storage hangers, winery with tasting room, two gasoline stations, a 150 room hotel/motel, free-standing restaurant, 2 fast food restaurants, retail space, amphitheater, an 80-space recreational vehicle (RV) parking area with caretaker unit and lot line adjustment and a Use Permit for an air strip, aircraft museum, winery and recreational vehicle park* 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 and Building Inspection. 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)**			On going	

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2.		It is anticipated that the 111-acre project site will be annexed to the City of Greenfield. Development of the project is conditioned on the applicant recording a covenant running with the land which shall include the applicant's agreement not to protest annexation of the 111-acre project site to the City of Greenfield and agreeing further to oppose annexation of the 306 acres of the property under the Williamson Act Contract, adjacent to the 111-acre project site, which pursuant to Condition No. 6 herein, is to be placed in an agricultural easement in perpetuity. **(RMA-Planning)**	Annexation to occur after each phase is completed pursuant to County/City MOU			Agricultural Easement recorded 9/4/01; Document No. 2001075023
3.		That the applicant to obtain the required permits and licenses from the Federal Aviation Administration (FAA) and the California Department of Transportation. **(RMA-Planning)**	Provide evidence of having obtained the permits.		Prior to building and grading permit being issued for airstrip.	

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4.	1A 1B	The California Public Utilities Code, Section 21675 requires that the Monterey County Airport Land Use Commission (ALUC) prepare a Comprehensive Airport Land Use Plan (CLUP) for all public use airports. The applicant shall enter into an agreement with the County and the ALUC to fund the preparation of a Comprehensive Airport Land Use Plan for the proposed airport prior to the issuance of grading or building permits for the airport. The plan shall limit operation of the airport to daylight hours. **(Airport Land Use Commission)**	1. Submit draft agreement for review and approval by the Planning Department and the County Counsel Office; 2. County to prepare the CLUP under contract with qualified consultant	1.Applicant 2. County	Before issuance of building permits for the airport	Notice of Landing Area Proposal Form No. 7480-1 filed with FAA on 10/9/06. 07/07, ALUC approved location of airport subject to amendment of the County's Airport Land Use Plan.
5.		That the retail uses in the "Commercial" portion of the General Development Plan shall be limited to those uses ancillary to the principal uses of a Winery, Air Museum, Hotel/Motel, Restaurants, Gas Stations, R.V. Park with Caretaker Unit and Amphitheater. The retail uses shall be directly related to the principal uses for the purpose of serving those persons visiting the facility. Examples of these uses include Barber Shop, Beauty Shop, Book Store, Clothes/Apparel Shop, Bank (less than 5,000 sq. ft.)/ATM Machine, Shoe Store/Repair, Art Gallery, Photography Studio, Picture Framing, Florist and a Day Care Center in compliance with applicable State regulations. **(RMA-Planning)**	Use the retail spaces designated in the different phases of the project as stated in the condition	Applicant/ Owners of buildings	On-going	

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6.		The property owner shall dedicate to the County of Monterey and/or an appropriate non-profit conservancy or trust as designated by the Board of Supervisors, an agricultural easement in perpetuity over the remaining 306 acres of the property, in a form approved by the Director of Planning and Building Inspection and County Counsel.	Submit easement deed for review and approval by the Planning Department and the County Counsel Office			Agricultural Conservation Easement Agreement and Deed between Nichols and Monterey County Agricultural and Historical Land Conservancy, Inc. recorded September 4, 2001, Document Number 2001075023.
7.	39	That the applicant shall submit a signage plan for the overall development. The plan shall specify the size, color, materials, height and location of each sign proposed for development. At a minimum, the signage plan shall avoid clutter in the location and size of free standing signs. The signage plan shall comply with the sign regulations (Chapter 21.60.050) of Title 21 (Zoning) of the Monterey County Code and shall be approved by the Planning Commission. As necessary, any signs located within the Caltrans Right of Way shall be approved by Caltrans. **(RMA-Planning)**	Submit conceptual plan for the entire development and specific signage plan for each phase of the project for review and approval by the Planning Department.	Applicant	Prior to each occupancy of each phase	
8.	2	Incorporate recommendations concerning foundation design criteria included in the Geotechnical feasibility study prepared for the project by Haro, Kasunich & Associates (Report # M4394). **(RMA-Planning)**	Provide evidence that the plans subject to review by the County comply with the recommendations of the Geotechnical Feasibility Study.	Applicant	Prior to issuance of building permits for each phase	

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9.		That a Grading Permit shall be required pursuant to the Monterey County Code relative to Grading, Chapter 16.08.	Submit grading plans for review and approval by the County for each phase of the project subject to review by the County	Applicant	Before issuance of grading permits	
10.	9, 22, 23	That the improvement and grading plans include an implementation schedule of measures for the prevention and control of erosion, siltation and dust control during and immediately following construction and until erosion control planting becomes established. The plan shall also address the design features, personnel, equipment, scheduling, and procedure for cleaning and maintenance of the infiltration basins to prevent the development of nuisance conditions and to maintain the long-term infiltration capacity of the basin soils. The plan shall be approved by the Director of Planning. **(RMA-Planning)**	Submit grading plans for review and approval by the County for each phase of the project subject to review by the County	Applicant	Before issuance of grading permits	
11.	10	The applicant shall submit evidence of a General Construction Activity Storm Water Permit obtained from the RWQCB to the Monterey County Planning Department prior to any grading or construction activity.	Submit evidence of approval of the General Construction Activity Storm Water Permit obtained from the RWQCB	Applicant		Notice of Intent submitted to RWQCB on 10/4/02 Annual status reports have been filed as required. SWPPP submitted to Caltrans 10/06.

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12.		That new utility and distribution lines shall be placed underground. **(RMA-Planning)**	Improvement plans to include provisions for undergrounding of utilities for review and approval by the Planning Department	Applicant	Before issuance of building permits for each phase	
13.		That the final layout and design of the Winery and Tasting, Room, Aircraft Museum, Air Strip and Aircraft Storage Hangers and RV Park -including colors and materials- be subject to the approval of the Director of Planning. **(RMA-Planning)**	Submit appropriate plans indicating colors and materials for review and approval by the Planning Department	Applicant	Prior to issuance of building permits for each phase	Phase I through Phase III plans have been approved by the City of Greenfield December 2005 and the County of Monterey September 2006.

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14.		The following, conditions shall apply to the Recreational Vehicle (RV) Area of the General Development Plan: a. The RV Area shall comply with all applicable State regulations for Recreational Vehicle Parks. b. That the number of spaces of the (RV) Area shall be limited to no more than eighty (80) spaces. c. The stay of individual recreational vehicles shall be limited to no more than fifteen (15) days. d. The parking and circulation lay out of the RV Area shall be approved by the Director of Public Works and the Director of Planning and Building Inspection. e. The RV area shall be connected to the water and sewer collection services provided by the City of Greenfield. f. The Caretaker's Unit for the RV Area shall not exceed 1,200 square feet of floor area and shall comply with all applicable regulations of Chapter 21.64.030 (Regulations for Caretaker Units) of the Zoning Ordinance. **(RMA-Planning)**	Provide evidence of approval of the plans for the RV Park area by the California Department of Housing and Community Development	Applicant	Prior of issuance of building permits for the second phase of the project	Building Permit No. BP 02-2514 and BP 06-1471 approved September 2006 RV Park plans need approval by HCD

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15.	3	The site of the proposed project shall be landscaped, including land sculpturing and fencing where appropriate. Conceptual landscaping plans for the overall development shall be submitted to and approved by the Director of Planning and Building Inspection. A $115 landscape review fee is required for the project. The landscaping plans shall identify specific measures for the reduction of the visual impacts of the overall development. The landscaping plans shall describe the methods to be employed to ensure that trees and plants that do not require high nitrogen-based fertilizer use are maximized on the site, and that plants such as turf grass which require high fertilizer use are minimized. The landscaping plan shall include low water use or native drought resistant plants, low precipitation sprinkler heads (disperses less than 0.75 inches of water per hour at any pipe pressure), bubblers, drip irrigation and timing devices. The landscaping plans shall conform with Chapter 18.50, Residential, Commercial and Industrial Water Conservation Measures, found in Title 18 of the Monterey County Code. Landscaping for different phases of the project shall be installed or bonded before occupancy of each phase of the project **(RMA-Planning)**	Submit conceptual plans for overall development. Submit specific landscaping plans for each phase of the project.	Applicant	Prior to issuance of final building permits for the each phase of the project	Landscaping plan submitted with site plan and building plans for Phase I of the project. Preliminary Landscape Plans have been approved by the City of Greenfield (Dec. 2005) and the County of Monterey.

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16.	40 41	The applicant shall submit 3 copies of an exterior lighting plan for the overall development which shall indicate the location, type, including height and spacing of security lighting, parking lot lighting, and wattage of all light fixtures and include catalog sheets for each fixture. That all exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Street lighting shall be directed downward and be of a minimum intensity necessary for proper safety lighting. Lighting for different phases of the project shall be installed before occupancy of each phase of the project. **(RMA-Planning)**	Submit conceptual lighting plans for overall development. Submit specific lighting plans for each phase of the project.	Applicant	Prior to issuance of building permits for the each phase of the project	
17.		That the parking and circulation layout of the General Development Plan shall be reviewed by the Director of Public Works. That the parking requirements shall meet the standards of Title 21 and be approved by the Director of Planning and Building Inspection prior to the issuance of building permits or commencement of the approved use. **(RMA-Planning, RMA-Public Works)**	Submit conceptual parking plans for overall development. Submit specific parking plans for each phase of the project.	Applicant	Prior to issuance of building permits for the each phase of the project	Master Development Plan approved by the City of Greenfield (Dec. 2005).
18.	42	If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 150 feet of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be developed and implemented according to Appendix K of CEQA. **(RMA-Planning)**				

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19.		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 of Monterey in the amount of $875. This fee shall be paid on or before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid. **(RMA-Planning)**	Pay required fee	Applicant	At filing of NOD	Department of Fish & Game Fee paid with filing of Notice of Determination on November 19, 1997.
20.		That a 200 feet wide Agricultural Buffer Easement be established along the northern, southern and eastern boundaries of the 111-acre project site as required by Chapter 21.66.030 (F) (2) (Standards for Agricultural Uses) of the Zoning Ordinance. The uses allowed within the Agricultural Buffer Easement include the air strip and water detention ponds. An Agricultural Buffer Easement deed shall be submitted to and approved by the Director of Planning and Building Inspection prior to issuance of building permits. **(RMA-Planning)**	Submit a new easement deed and map for review by the Planning Department and the County Counsel Office. The new easement deed shall not include parking as an allowed use within the buffer area (Per Board of Supervisors action on October 28, 2008).	Applicant	Prior to issuance of any permits	Agricultural Buffer Easement Deed recorded May 6, 2002. (Document No. 2002043186). NEW DEED REQUIRED.
21.		To the extent feasible, the applicant shall agree to preclude expansion of the municipal water and sewage lines beyond the northern boundary of the property. **(RMA-Planning)**				Water and sewage lines have been extended to site

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22.		That there be no banners, pennants, or other attention getting devices, other than approved signs, on the property. **(RMA-Planning)**	Comply with requirement	Applicant	On-going	
23.		The location and color of required water tanks shall be approved by the Director of Planning and Building Inspection. **(RMA-Planning)**	Submit color samples for review and approval by the Planning Department	Applicant	Prior to issuance of final building permit for any tank	
24.	14	The applicant shall submit detailed design plans in accordance with the Project Study Report to the Monterey County Department of Public Works that identify the bridge configuration required to accommodate project traffic. The design plans shall include the following items: widen the north-bound off-ramp to accommodate two lanes, one through lane and one through/right lane; and relocate the intersection approximately 100 to 150 feet northerly in order to increase the length of the off-ramp and its storage capability **(RMA-Public Works)**	Submit plans for review by the County Public Works Department	Applicant	Prior to issuance of any required permits from Caltrans or the County for the improve ments	Plans were submitted to CalTrans - Encroachment Permit No. 0506-6MC-0020 – October 2006.
25.	15	The developer shall widen the south leg of the intersection to provide one through lane and added separate right turn lane into the project site in accordance with the Project Study Report. **(RMA-Public Works)**	Submit plans for review by the County Public Works Department	Applicant	Prior to issuance of any required permits from Caltrans or the County for the improve ments	

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26.	16	The developer shall establish the project entrance opposite the relocated intersection (northbound on/off ramp and Livingston Road) and provide two inbound lanes and two outbound lanes. **(RMA-Public Works)**	Submit plans for review by the County Public Works Department	Applicant	Prior to issuance of any required permits from Caltrans or the County for the improve ments	
27.	18	The applicant shall dedicate to the County of Monterey the Livingston Road extension and the project access road between Livingston Road and the freeway right of way. **(RMA-Public Works)**	Submit plans for review by the County Public Works Department	Applicant	Prior to issuance of any required permits from Caltrans or the County for the improve ments	
28.	19	The developer shall widen the overpass road on the southerly side and westerly side of the overpass structure without widening the structure itself, to provide a separate left turn lane to the southbound on-ramp with a single through lane to El Camino Real, to accommodate both left and right turn movements at that intersection in accordance with the Project Study Report. **(RMA-Public Works)**	Submit plans for review by the County Public Works Department	Applicant	Prior to issuance of any required permits from Caltrans or the County for the improve ments	

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29.	19A	The applicant shall prepare and submit to Caltrans and the Monterey County Department of Public Works a Project Study Report (PSR) for all proposed future work within the Caltrans right-of-way including the widening of the overpass road at El Camino Real, modification to the southbound on-ramp to U.S. Highway 101, the widening of the overpass road and modification of the northbound on- and off-ramps to U.S. Highway 101. The PSR itself, and mitigations for any phase of the project required in the PSR, shall be completed prior to issuance of occupancy permit for that phase of the project. The following improvements shall be constructed and completed as applicable and as specified in the PSR unless replaced or amended by mitigations required in the PSR: a. The applicant shall submit detailed design plans to the Monterey County Department of Public Works that identify the bridge configuration required to accommodate project traffic. The design plans shall include the following items: widen the north-bound off-ramp to accommodate two lanes, one through lane and one through/right lane; and relocate the intersection approximately 100 to 150 feet northerly in order to increase the length of the off-ramp and its storage capability; b. The developer shall widen the south leg of the newly relocated intersection to provide one through lane and an added separate right turn lane into the project site; c. The developer shall widen the overpass road on the southerly side, westerly side of the overpass structure, to provide a separate left turn lane to the southbound on-ramp with a single through lane to El Camino Real, to accommodate both left and right turn movements at that intersection; d. The developer shall modify, as necessary, the entrance of the southbound on-ramp to accommodate the widening of the overpass road. The developer shall signalize this intersection or provide funds for future signalization. **(RMA-Public Works)**	1. Submit Project Study Report to Caltrans and the County Department of Public Works for review and approval ; 2. Provide evidence that the Project Study Report has been approved by the County and Caltrans	Applicant or developer of Phases IV to VI of the project as identified in Phasing Plan dated September 2006	Prior to issuance of building permits for Phase IV of the project as identified in Phasing Plan dated 09 - 06	CalTrans is not requiring a Project Study Report (PSR) for Phases I, II, & III. See letter dated June 30, 2003.

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30.	20	The developer shall modify, as necessary, the entrance of the southbound on-ramp to accommodate the widening of the overpass road intersection in accordance with the Project Study Report. **(RMA-Public Works)**	If necessary, provide evidence from Caltrans and or the Public Works Department of approved plans for necessary improvements to the south bound on-ramp. If not necessary, provide evidence that widening that widening is not needed.	Applicant	Prior to issuance of any County related permits for the widening if necessary	Improvements to southbound on-ramp to be constructed as part of Phase V consistent with the CalTrans' direction in their letter of June 30, 2003.
31.		That all graded areas within the street right-of-way 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 including the following: a. That cut and fill slopes 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. **(RMA-Public Works)**	Provide grading plans for street right-of-way improvements for review by the County Department of Public Works.	Applicant	Before issuance of grading permits required for any right-of-way improve ments	Grading Permit No. GP 05-0348

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32.		Obtain a survey of the new property lines and have the lines monumented. **(RMA-Public Works)**	Complete Survey	Applicant	Before filing of the Record of Survey for the LLA	Lot line Adjustment Record of Survey recorded June 27, 2002, at Volume 25, page 73 of Survey Maps.
33.		File a Record of Survey showing new lines and their monumentation. The Record of Survey shall reflect a 200 feet-wide Agricultural Buffer Easement required by Condition No. 20 along the northern, southern and eastern sides of the 111-acre project site as required in Chapter 21.66.030 (F) (2) of the Zoning Ordinance with a reference to the recording Volume and Page numbers. **(RMA-Public Works, RMA-Planning Department)**	1. Complete Survey; 2. Submit easement deed for review and approval by the Planning Department and the County Counsel Office	Applicant	Before filing of the Record of Survey for the buffer easement	Lot Line Adjustment Record of Survey recorded June 27, 2002, at Volume 25, page 73 of Survey Maps.
34.	25	Prior to completion of each phase of the project, the applicant shall submit the project circulation plan to the Greenfield Fire Protection District for review and approval. **(Fire District)**	Submit evidence of approval by the Fire District for circulation plans for each phase of the project.	Applicant	Prior to issuance of building permits for each phase	Fire Protection reviewed and approved the Master and Phase I Grading Plans – July 2007
35.	26	The project applicant shall consult with the volunteer chief and his or her consultant prior to completion of the preliminary site plan for each phase of the project. The Greenfield Fire Protection District shall review project plans to ensure compliance of each phase of the project with Fire Code requirements. **(Fire District)**	Submit evidence of approval by the Fire District of building plans for each phase of the project.	Applicant	Prior to issuance of building permits for each phase	Fire Protection reviewed and approved the Master and Phase I Grading Plans – July 2007

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36.		The Owner shall connect the project to the City of Greenfield's water system for all potable water uses on the property. Prior to the granting of any vested development rights, the Owner shall enter into any necessary agreements with the City of Greenfield to provide potable water service for the property and shall obtain any necessary approvals from the City and LAFCO to allow water service for the property. **(Environmental Health)**	Provide evidence from the City of Greenfield that the necessary agreements with the City have been approved by the City to provide potable water to the site.	Applicant	As determined by the City	LAFCO approved inclusion of Yanks site into City service area on February 26, 2002. MOA between Nichols and City of Greenfield regarding the provision of city services signed July 30, 2001. City of Greenfield delivered water main lines to project site August 2004.

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37.		The Owner shall connect the project to the City of Greenfield's sewer system for all sewage generated on the property. Prior to the granting of any vested development rights, the owner shall enter into any necessary agreements with the City of Greenfield to provide sewer service for the property and shall obtain any necessary approvals from the City and LAFCO to allow sewer service for the property. (**Environmental Health**)	Provide evidence from the City of Greenfield that the necessary agreements with the City have been approved by the City to provide sewer service to the site.	Applicant	As determined by the City	LAFCO approved inclusion of Yanks site into City service area on February 26, 2002. MOA between Nichols and City of Greenfield regarding the provision of city services signed July 30, 2001. City of Greenfield delivered water main lines to project site August 2004.

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38.		Design the water system improvements to meet the standards as set forth in Title 22 of the California Code of Regulations. Submit engineered plans for the water improvements to the City of Greenfield for review and comment prior to installing the improvements. **(Environmental Health)**	Provide evidence of compliance to the Division of Environmental Health.	Applicant	Before issuance of permits for each phase of the project as identified in Phasing Plan dated 09-2006	City of Greenfield delivered water and sewer main lines to project site August 2004.
39.		Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. Submit evidence to the division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency prior to installation. **(Environmental Health)**	Provide evidence of compliance with fire flow standards to the Division of Environmental Health.	Applicant	Before issuance of permits for each phase of the project as identified in Phasing Plan dated 09-2006	City of Greenfield delivered water and sewer main lines to project site August 2004.

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40.		The Owner shall destroy any existing abandoned wells according to the standards found in the State of California Bulletin 74-90, and Chapter 15.08, Monterey County Code. Prior to destruction, a permit for the destruction of the wells shall be obtained by a licensed well contractor from the Division of Environmental Health. The wells shall not be considered abandoned if satisfactory evidence is provided that the wells are functional, are used on a regular basis and do not act as a conduit for contamination of groundwater. **(Environmental Health)**	Provide evidence of compliance from the Division of Environmental Health.	Applicant	Before issuance of permits for destruction of any well	All existing unused wells located on the project site have been abandoned in accordance with local regulations.
41.		Water system improvements shall incorporate appropriate backflow designs as per Title 17 of the California Code of Regulations subject to the review and approval of the Director of Environmental Health. **(Environmental Health)**	1. Provide water system plans for review and approval to the Division of Environmental Health. 2. Provide evidence of plan approval from the Division of Environmental Health.	Applicant	Before issuance of permits for each phase of the project as identified in Phasing Plan dated 09-2006	Water delivered to site boundary August 2004

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42.		Design the sewer improvements to meet the standards found in the State, County and City regulations. Submit engineered plans for the sewer system improvements to the City of Greenfield for review and comment prior to installing the improvements. Once approved, the sewer system improvements and any appurtenances shall be installed prior to occupancy of any building. **(Environmental Health)**	Provide evidence of compliance from the Division of Environmental Health.	Applicant	Before issuance of permits for each phase of the project as identified in Phasing Plan dated 09-2006	City of Greenfield delivered water and sewer main lines to project site August 2004.
43.		Submit a plot plan indicating the proposed solid waste recycling area(s) to the Director of Environmental Health for review and approval. **(Environmental Health)**	Provide evidence of plan approval by the Division of Environmental Health to the Planning Department	Applicant	Prior to issuance of building permits for each phase of the project	
44.		**Winery Only** Obtain a Waste Discharge Permit from the Regional Water Quality Control Board for the winery. Once obtained the operation shall remain in compliance with the discharge permit or as subsequently amended by the RWQCB. **(Environmental Health)**	Submit evidence of approval of Waste Discharge Permit by the RWQCB	Applicant	Prior to issuance of building permit for the winery	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
45.	35 36 37	**Winery Only** Comply with Title 19 of the California Code of Regulations, Subchapter 3, and Health and Safety Code, Chapter 6.95 (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. **(Environmental Health)**	1. Submit Hazardous Material Registration and Business Response Plans for review and approval to the Division of Environmental Health; 2. Provide evidence of plan approval to the Planning Department	Applicant	As determined by the Division of Environmental Health	
46.		**Winery Only** Submit a vector and odor control plan to the Director of Environmental Health for review and approval. The plan shall address potential nuisances arising from storage of wastewater and composting solids so as to prevent odors and the breeding of vectors. A continuous program of rodent control, and inspection and maintenance of pond berms, shall be implemented. **(Environmental Health)**	1. Submit Vector and Odor Plans for review and approval to the Division of Environmental Health; 2. Provide evidence of plan approval to the Planning Department	Applicant	As determined by the Division of Environmental Health	
47.		**Winery Only** The design of the water irrigation system that includes the reuse of processed water from the winery shall include appropriate backflow prevention measures. These measures shall be submitted to the Director of Environmental Health for review prior to installation of the system. **(Environmental Health)**	1. Submit Irrigation System Plans for review and approval to the Division of Environmental Health; 2. Provide evidence of plan approval to the Planning Department	Applicant	Prior to issuance of building permits for the winery	
48.		**Winery Only** Wastewater shall not be permitted to flow, drain or seep into any natural waterway, pond or lake and shall remain within the designated disposal area(s) at all times. **(Environmental Health)**	Comply with requirement of condition	Applicant	On going	City of Greenfield provided mainline public sewer to the project boundary August 2004.

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49.		**Winery Only** All improvements shall comply with the California Uniform Food Facilities Law as approved by the Director of Environmental Health. Submit plans and necessary review fees for review and approval prior to obtaining a building permit. (**Environmental Health**)	1. Submit Plans for review and approval to the Division of Environmental Health; 2. Provide evidence of plan approval to the Planning Department	Applicant	Prior to issuance of building permit for the winery	
50	34	**Airstrip and Museum Only** Comply with Title 23 of the California Code of Regulations and the Monterey County Code 10.65 (underground fuel storage tanks) as approved by the Director of Environmental Health. (**Environmental Health**)	1. Submit Plans for the installation underground tanks for review and approval to the Division of Environmental Health; 2. Provide evidence of plan approval to the Planning Department	Applicant	Prior to issuance of building permits for the tanks	
51.	30 31 32 33	**Airstrip and Museum Only** Comply with Title 22 of the California Administrative Code and 6.50 of the Health and Safety Code (Hazardous Waste Management) as approved by the Director of Environmental Health. (**Environmental Health**)	1. Submit a Hazardous Waste Management Plan for the Airport for review and approval to the Division of Environmental Health; 2. Provide evidence of plan approval to the Planning Department	Applicant	Prior to issuance of final building permits for the airport	
52.		**Airstrip and Museum Only** Comply with Title 19 of the California Code of Regulations, Subchapter 3, and Health and Safety Code, Chapter 6.95 (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. (**Environmental Health**)	1. Submit a Hazardous Material Registration and Business Response Plan for the Airport for review and approval to the Division of Environmental Health; 2. Provide evidence of plan approval to the Planning Department	Applicant	Prior to issuance of final building permits for the airport	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
53.		**Airstrip and Museum Only** All improvements shall comply with the California Uniform Food Facilities Law as approved by the Director of Environmental Health. Submit plans and necessary review fees for review and approval prior to obtaining a building permit. **(Environmental Health)**	1. Submit plan for review and approval to the Division of Environmental Health; 2. Provide evidence of plan approval to the Planning Department	Applicant	Prior to issuance of final building permits for the airport	
54.	7 9	A drainage plan to include percolation/retention of impervious surface stormwater runoff shall be prepared by a registered civil engineer or architect to address on-site and off-site impacts, and necessary improvements shall be constructed in accordance with approved plans. The drainage plan shall include a design of proposed detention ponds that includes provisions to increase infiltration rates for runoff to ensure that detention ponds function as percolation ponds. Drainage from parking/equipment storage areas shall be routed through oil-grease/water separators before discharge to retention ponds, and the Owner shall have the sole responsibility for the care, maintenance, and repair of the drainage improvements as a condition of approval of the project. **(Water Resources Agency)**	1. Submit drainage plan for review and approval to the Water Resources Agency; 2. Provide evidence of plan approval to the Planning Department	Applicant	Prior to issuance of building permits for each phase of the project or as determined by the Water Resources Agency	
55.		The property shall be landscaped at the time of construction. Low water use or drought tolerant plants shall be used together with water efficient irrigation systems. **(Water Resources Agency)**	Prepare landscaping plans for review and approval by the Planning Department.	Applicant	Prior to issuance of building permits for each phase of project	

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
56.		The applicant shall provide to the Water Resources Agency information on the water system to serve the project, including the location of all water wells on the property, any well logs available, and the number of current hookups. **(Water Resources Agency)**	Provide evidence of compliance from the Water Resources Agency	Applicant	Prior to issuance of building permits or as determined by the Agency	Mainline water service provided to the project boundary by the City of Greenfield August 2004.
57.		The applicant shall provide a water balance analysis to the Water Resources Agency as the water and sewage service will be provided by the City of Greenfield. **(~~Water Resources Agency~~)**	Provide analysis to Water Resources Agency	Applicant	As determined by the Agency	
58.	6	The applicant shall comply with Ordinance No. 3539, or as subsequently amended, of the Monterey County Water Resources Agency pertaining, to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**	Include conservation measures in the building permit plans for each phase of the project.	Applicant	Prior to issuance of building permits for each phase	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
59.		The property owner agrees as a condition of the approval of this Combined Development Permit that it will pursuant 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 in Government Code Section 66499.37. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the filing of the Parcel Map, whichever occurs first. The County shall promptly notify the subdivider 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)**	1. Complete indemnification agreement on a County-approved form and submit the agreement to the Planning Department for review and approval 2. Record the approved agreement and provide proof of recordation to the Planning Department.	Applicant	Before approval of improvement plans and issuance of permits for road improvements within ~~County~~ jurisdiction.	
60.		The applicant shall record a notice which states: "*A permit (Resolution No. 97-445) was approved by the Board of Supervisors for Assessor's Parcel Number 111-012-007-000 on November 4, 1997. The permit was granted subject to 60 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department.*" Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(RMA-Planning Department)**	NEW NOTICE REQUIRED TO REFLECT ORIGINAL APPROVAL AND THE TWO APPROVED EXTENSIONS (SEE CONDITION No. 2 BELOW UNDER CONDITIONS ADDED FOR SECOND EXTENSION OF THE PERMIT – OCTOBER 28, 2008)			

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
Conditions Added for First Extension of the Permit - Resolution No. 04-351 (October 12, 2004)						
1.		The project shall be completed in accordance with the revised Phasing Plan submitted by the applicant and dated October 28, 2008. Reasonable adjustments shall be allowed in the time if good faith progress is being made toward completion of the Project. (**City of Greenfield**)	Develop the project and obtain building permits per the Phasing Plan. Any deviation from the Phasing Plan must be approved by the County and may require additional review by the Board of Supervisors.	Applicant and County	Prior to issuance of building permits for each phase	
2.		The applicant shall pay the City of Greenfield the sum of $180,000.00 as its fair share of the City's cost to extend water and sewer service to the site, upon obtaining the first building permit for the project site. (**City of Greenfield**)	Provide evidence from the City of Greenfield that the payment has been made to the City.	Applicant	Prior to issuance of first County-required building permit	

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
3.		The applicant shall fund the entitlement processing as required by Caltrans for the highway improvements as set forth in the existing Conditions of Approval and Mitigation Measures identified in the Environmental Impact Report (EIR #95-01) prepared for project. Caltrans shall determine the timing of the entitlement processing in consultation with the County. Alternatively; if Caltrans provides written evidence to the County staff, which is acceptable to County staff, in its sole discretion, that it (i) will not require a PSR for any portion of the project; and (ii) will accept, as full implementation of any Caltrans requirement for an encroachment permit, the mitigation measures identified in the certified EIR, then this Condition and existing Conditions 24, 25, 28, 29, and 30 shall be deemed to be fully complied with. **(City of Greenfield)**	1. Submit Project Study Report to Caltrans and the County Department of Public Works for review and approval ; 2. Provide evidence that the Project Study Report has been approved by the County and Caltrans	Applicant or developer of Phases IV to VI of the project as identified in Phasing Plan dated September 2006	Prior to issuance of building permits for Phase IV of the project as identified in Phasing Plan dated 09 - 06	CalTrans authorized the construction of Phase I, II and III without the need to prepare a Project Study Report (PSR). Please refer to CalTrans Letter dated June 30, 2003. CalTrans approval as set forth in the letter of June 30, 2003 expired October 12, 2006
4.		**REVISED BY THE BOARD OF SUPERVISORS ON OCOTBER 28, 2008** In addition to meeting all appropriate County planning and building requirements, all development plans shall also be submitted for review to the City of Greenfield Planning and Building Department including, without limitation, final layout of the master plan and the exterior design and architectural features of all structures, parking areas (including ingress and egress), and landscaping. The applicant shall provide evidence that the City has reviewed each phase of the project prior to issuance of the respective building permits for each phase. **(City of Greenfield)**	The applicant shall provide evidence that the City has reviewed, the conceptual lay out for each phase of the project, as well as the exterior architectural design of the buildings in each phase of the project.	Applicant	Prior to issuance of building permits for each phase.	City of Greenfield provided a letter to the County of Monterey indicating that the Planning Commission approved the Phase I development (Dec. 2005).

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
5.		Prior to issuance of building or grading permits for the first phase of the project, as identified in the revised Project Phasing Plan dated October 28, 2008, the applicant shall provide evidence of having obtained an encroachment permit from Caltrans to construct any improvements required for Caltrans for development of the first three phases of the project. (**RMA-Planning Department**)	Provide evidence of having obtained an encroachment permit from Caltrans to construct any highway infrastructure improvements required by Caltrans for development of the first three phases of the project. NOTE: No County permits are required for first phase (RV Park) of the project as permits for this phase must be obtained from the State Department of Community Development (HCD).	Applicant		Encroachment Permit No. 0506-6MC-0020
6.		**REVISED BY THE BOARD OF SUPERVISORS ON OCTOBER 28, 2008.** Prior to issuance of permits for any road infrastructure under the jurisdiction of the County, the applicant shall agree, through an agreement acceptable to both the Monterey County Public Works Department and Caltrans, to relocate the project driveway (Yanks Way) to Livingston Road and to construct a new connector roadway between Livingston Road and the northbound Route 101 off-ramp. Under this scenario, the northbound Route 101 off-ramp would remain in its present location and would not be upgraded with channelization improvements. (**RMA-Planning Department, RMA-Public Works**)	Provide evidence of agreement between Caltrans and the County Department of Public Works	Applicant, Caltrans, County Public Works	Prior to issuance of approval of improvement plans for road infrastructure for the first phase under the jurisdiction of the County	Encroachment Permit No. 0506-6MC-0020

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7.		**REVISED BY THE BOARD OF SUPERVISORS ON OCTOBER 28, 2008.** Prior to issuance of any building permits for Phase IV of the project, as identified in the revised Project Phasing Plan dated October 22, 2008 the applicant shall enter into an agreement with Caltrans to prepare a Project Study Report (PSR) to identify the necessary improvements necessary at the Route 101/Thorne Road Interchange to accommodate the City of Greenfield's General Plan Buildout. **(RMA-Planning Department, RMA-Public Works)**	Provide evidence of approved agreement from Caltrans	Applicant	Prior to issuance of any building permits for Phase IV of the project in the Phasing Plan dated 09-2006	Applicant is to work with CalTrans to determine the nature and extent of the review needed to proceed with Phases IV, V and VI.
8.		Prior to issuance of occupancy permits for phases IV, V and VI as identified in the revised Project Phasing Plan dated October 22, 2008, the applicant must provide evidence that the Project Study Report (PSR) has been approved by Caltrans and the applicant must agree, in a manner acceptable to and approved by Caltrans, to pay the projects' pro rata share of the cost of the improvements identified in the PSR for development of Phases IV (Hotel), Phase V (Two Retail Commercial Sites) and Phase VI (Restaurant/Amphitheater). **(RMA-Planning Department, /RMA-Public Works)**	1. Provide evidence of approved agreement from Caltrans. 2. Pay pro rata share of cost of improvements for each phase in a manner approved by Caltrans	Applicant	Evidence of agreement and fee payment to be provided prior to occupancy for phases IV to VI	

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
9.	3	The site of the proposed project shall be landscaped, including land sculpturing and fencing where appropriate. Conceptual landscaping plans for the overall development shall be submitted to and approved by the Director of Planning and Building Inspection prior to issuance of building permits for the first phase of the project. Specific and detailed landscaping plans for each phase shall be submitted and approved and the landscaping be installed or bonded prior to issuance of occupancy for each phase. The landscaping plans shall identify specific measures for the reduction of the visual impacts of the overall development. The landscaping plans shall describe the methods to be employed to ensure that trees and plants that do not require high nitrogen-based fertilizer use are maximized on the site, and that plants such as turf grass which require high fertilizer use are minimized. The landscaping plan shall include low water use or native drought resistant plants, low precipitation sprinkler heads (disperses less than 0.75 inches of water per hour at any pipe pressure), bubblers, drip irrigation and timing devices. The landscaping plans shall conform with Chapter 18.50, Residential, Commercial and Industrial Water Conservation Measures, found in Title 18 of the Monterey County Code. The applicant shall pay to the Planning and Building Inspection Department the landscape review fee in effect at the time of submittal of the plan. (Revised Language of Condition No. 15 contained **in Resolution No. 97-445) (RMA**-Planning Department)	1. Submit plans prepared by a professional landscape architect for each phase of the project for review and approval by the Planning Department. 2. Submit a statement from the landscape architect that the landscaping plans comply with the adopted landscaping plan guidelines. 3. pay the required landscaping review fee at the time of submittal of the landscaping plans.	Applicant	Prior to issuance of occupancy for each phase of the project	

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
Conditions Added for Second Extension of the Permit - October 28, 2008)						
1.		**PERFORMANCE/INDEMNITY AGREEMENT** The applicant execute a "Performance/Indemnity Agreement" upon terms substantially in conformance with the document attached as Exhibit E to the Board of Supervisors October 28, 2008 Staff Report. This agreement requires the applicant to defend and indemnify the County with respect to possible action by the EDA to recover all or some of the grant amount attributable to this project. This obligation would come into effect when the applicant actually obtains the Caltrans encroachment permit for Phase I, receives approval from HCD for the RV park portion of Phase I, and secures a grading permit from the County. Once in effect, there would be an exception to the duty to defend and indemnify that would exist in those few instances when further approvals are required from the Board, on the theory that the County could not refuse to approve a portion of the overall Project and still expect the applicant to indemnify failure caused by that refusal. Otherwise, should the EDA seek to recover grant monies from the County, the applicant will have to defend and indemnify. If the applicant fails to submit an executed Performance/Indemnity Agreement by April 30, 2009, this permit extension shall automatically expire. (RMA- Planning Department)	**Submit "Performance/Indemnity Agreement" for review and approval by the County Counsel Office. The "Performance/Indemnity Agreement" shall be fully executed and signed by the parties within six months of the approval of the extension of the Permit. The extension shall expire automatically if the agreement has not been completed within six months.**	Applicant	Prior to approval of improvement plans for County road infrastructure ~~needed~~ for first phase of the project	

Permit Cond. Number	*Mitig. Number*	***Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department***	***Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.***	***Responsible Party for Compliance***	***Timing***	***Verification of Compliance (name/date)***
2.		NOTICE The applicant shall record a notice which states: "A permit (SH94002) was approved by the Board of Supervisors for Assessor's Parcel Numbers 111-012-007-000 and 111-012-012-000 on November 4, 1997 subject to 60 conditions of approval which run with the land (Resolution No. 97-445). An extension (PLN020482) was approved for revised Assessor's Parcel Numbers 111-012-017, 018, 019, and 020, on October 12, 2004, subject to an additional 9 conditions (Resolution 04-351). A subsequent extension (PLN060582) was approved on October 28, 2008, which includes amendments to several previously approved conditions and the addition of three new conditions as shown in the Mitigation Monitoring Plan dated October 28, 2008 (Resolution ___). Copies of said permits are on file with the Monterey County 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)**	Provide Notice to the Planning Department on County-approved form for review and approval by the Planning Department	Applicant	Prior to approval of improvement plans for County road infrastructure needed for first phase of the project	

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
3		**PERMIT EXPIRATION** Unless the permit extension has already expired due to failure to meet Condition No. 1 approved by the Board of Supervisors on October 28, 2008, this permit extension and all previous approvals expire on April 30, 2010 unless evidence is provided from the State Department of Housing and Community Development that required building permits for the first phase of the project (RV Park) have been issues and that evidence from Caltrans is provided that an encroachment permit as been approved for highway infrastructure improvements necessary for the first phase of the project. (RMA – Planning Department	Provide evidence as required in condition	Applicant	Prior to April 30, 2010	