

## Monterey County Planning Commission

<b>Meeting:</b> August 25, 2005, 9:10 a.m.	<b>Agenda Item 2</b>
<b>Project Description: (Al Sammut Boronda Manor Subdivision, PLN040571)</b> Approve a standard subdivision tentative map to divide a 1.521 acre parcel into 6 lots ranging in size between 10,000 sq. ft. to 11,310 sq. ft. No grading is proposed.	
<b>Location:</b> The property is located at 37 Brooks Road, Salinas., in the Boronda Redevelopment Area of the Greater Salinas Area	
<b>Assessor's Parcel Number(s):</b> 261-101-028-000	
<b>Area Plan:</b> Boronda Neighborhood Improvement Plan, Greater Salinas Area Plan and Boronda Redevelopment Area Plan	
<b>Flagged and Staked:</b> No	
<b>Zoning Designation:</b> MDR/4-A-UR (Medium Density Residential, Limited Agricultural Urban Reserve)	
<b>CEQA Action:</b> ND	
<b>Date application deemed complete:</b> March 25, 2005	
<b>Department:</b> Planning and Building Inspection	

RECOMMENDATION: That the Standard Subdivision Committee recommend approval of the following actions to the Planning Commission:

- 1) Adoption of the proposed Negative Declaration (Exhibit E)
- 2) Approval of the described project based on Findings and Evidence ( Exhibit C) and subject to proposed Conditions of Approval (Exhibit D), and

**OVERVIEW OF PROPOSED ACTION.**

See Exhibit "B"

**OTHER AGENCY INVOLVEMENT:**

- |                                   |  |
|-----------------------------------|--|
| ○ Water Resources Agency          | ○ Salinas Rural Fire Protection District |
| ○ Environmental Health Department | ○ Parks Department                       |
| ○ Public Works Department         | ○ Housing and Redevelopment Agency       |
| ○ Sheriff's Department            | ○ City of Salinas                        |

All have reviewed and recommended conditions of approval. Public Comments received pursuant to public review of the Initial Study will be presented at the public hearing.

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Paul Mugan  
Associate Planner

Attachments: Exhibit "A" Project Data Sheet  
 Exhibit "B" Overview  
 Exhibit "C" Recommended Findings and Evidence  
 Exhibit "D" Recommended Conditions of Approval  
 Exhibit "F" Negative Declaration and Initial Study  
 Exhibit "G: Tentative Map/Site Plans

Exhibit "H" Vicinity Map

cc: Subdivision Committee Members; County Counsel; Environmental Health Department, Public Works, Water Resources Agency, Sheriff's Department, Salinas Rural Fire Protection District, City of Salinas, Al Sammut, Scott Hennessey, Mike Novo; Paul Mugan; Zena Xeres; Owners

This report reviewed by Lynne Mounday, Planning and Building Services Manager

**EXHIBIT A**

**Project Data Sheet**

## **EXHIBIT “B” OVERVIEW**

### **Project Description**

This project consists of a Tentative Map of Boronda Manor Subdivision to subdivide a 1.521 acre parcel ranging in size from into 6 parcels for the development of 6 lots ranging in size from 10,000 to 11,310 square feet for the purpose of siting six new single family homes. Two of the homes on lots one and two are to be 1,208 square feet in size. The other four homes on parcels three through six are to be 1,520 feet in size. All homes are to be three bedroom/ two bathroom homes. The project is immediately adjacent and west of the recently approved and constructed Boronda Oaks subdivision and shares both drainage and street utilities with that subdivision. Access will cease to exist to Brooks Road and will consist of driveways along lot frontage with Carbonero Street (See vicinity and Tentative Maps).

A temporary detention basin was constructed on lot 16 of the Boronda Oaks adjacent development to provide on-site detention and control release of storm water runoff until the Boronda Storm Drain Master Plan is implemented. The Boronda Manor subdivision will be required to

### **Vehicle Access to the Site**

Access to the project will be provided through Carbonero Street via Milano Street accessing Boronda Road. The primary portion of the road has been constructed to County Standards within a 60-foot wide right-of-way. The pavement section will be 40-feet wide with parking on both sides. The new street loops through the Sammut parcel (APN 261-101-018) and has curb, gutter, and sidewalks. The new street will be privately maintained through a homeowners association.

### **Affordable Housing**

The site is located in the community of Boronda along the western border of the City of Salinas. The Boronda area is within the Sphere of Influence of the City of Salinas and is also a redevelopment project area for Monterey County. The project is subject to the requirements and regulations contained in the Boronda Neighborhood Improvement Plan which was adopted in 1987, and is supplemental to the Greater Salinas Area Plan. The Land Use Plan contained in the Boronda Neighborhood Improvement Plan designates the project site as Residential (4 units/acre) with a minimum parcel size of 10,000 square feet.

As an affordable housing project for low income households, this project qualifies for a density bonus under the County’s Density Bonus Ordinance (Ordinance #3419) and the state density bonus provisions. These provisions allow one additional unit at a 1:1 ratio for each affordable unit. Accordingly, the project potentially could have 56 affordable units, although 38 are proposed. These provisions also allow incentives for qualified projects that include relief from development regulations. This project will require nominal relief in setback requirements for five of the proposed lots. The proposed project and use of incentives is consistent with the General Plan Housing Element policies (Policies 2.2 and 2.2.1) and the Boronda Redevelopment Plan. A General Plan policy analysis is found in Exhibit “C.”

## Water

California Water Service and County Sanitation District 392 (CSD 392) will provide the necessary water and sewer services. MACTEC completed a hydrogeological report on January, 2003 that analyzed water usage, water balance, and nitrate levels. Water use for the project is estimated to be less than .05% for the projected total demand on the aquifer. The report concluded that although the Salinas Basin is currently in a state of overdraft, the water demand and impacts on the water basin resulting from the project would be less than significant. In addition, water conservation measures shall be implemented to reduce the demand from residential and landscaping uses.

## Environmental Determination

An Initial Study and Negative Declaration were circulated for public review and filed on July 25, 2005. The comment period closes on August 25, 2005. Comments received as of August 25, 2005 will be discussed at the Standard Subdivision Committee meeting

The following impacts were identified in the Initial Study:

Air Quality: The project will involve grading activities that may impact air quality; however, the threshold for significance of 2.2 acres of grading per day established by the Monterey Bay Unified Air Pollution Control District will not be exceeded. Standard dust control measures included in the project conditions of approval also will reduce potential impacts.

Biological: H. T. Harvey & Associates conducted Biological field surveys in 2002 and the pallid bat was identified as potentially occurring on the site. The pallid bat is listed as a California Species of Special Concern. Since potential foraging habitat and roosting habitat were identified on site, mitigation, including pre-construction surveys will be required to ensure that potential impact is reduced to a less than significant level. Barn Owls also were identified as potentially breeding at the site, although no Barn Owls were found during the field surveys. Mitigation measures, including pre-construction surveys will be conducted to reduce the potential impact to a less than significant level. No protected trees exist on site and the project will not conflict with local policies or ordinances protecting biological resources.

Cultural Resources: None of the existing homes on site that are over 50 years old exhibit local, State or National Register criteria for historic resources. A Section 106 Consultation was sent to the State Office of Historic Preservation and the County received a clearance letter on September 4, 2002. The letter indicated concurrence with the "determination that no historic properties will be affected by the undertaking."

Geology and Soils: Geotechnical investigations for the project indicate potential impacts for liquefaction and lateral spreading. Mitigation will be required to ensure that the potential impacts are reduced to a less than significant level.

Hydrology: The County will be installing drainage facilities as part of the implementation program for the Boronda Storm Drain Master Plan. When the master plan facilities are built, the on-site detention basin will be removed and the site re-graded to support a residential unit. The applicant will also be required to pay a fair share contribution of \$270,000.00 to the planned community drainage facilities.

Noise: Bollard and Brennan, Inc. completed a noise study on November 4, 2002 and concluded that no mitigation measures were required.

Transportation: TJKM Transportation Consultants conducted a traffic analysis for the project and concluded that mitigation measures were required to address cumulative impacts on traffic. Under projected cumulative conditions, the Davis Road/Post Drive and Davis Road/Laurel Drive/Calle del Adobe intersections are projected to operate at unacceptable levels of service (LOS F) both with and without the proposed project. Cumulatively, both with and without the proposed project, the intersection at Davis Road/Westridge Parkway will also fall to an unacceptable LOS E.

The project will, along with other approved projects in the area and with anticipated future traffic conditions, exceed the level of service preferred by the County and Caltrans and accepted by the City of Salinas. The study determined that the proposed project share of total entering volume at the intersection of Davis Road/Post Drive is negligible while at Davis Road/Laurel Drive/Calle del Adobe and Davis Road/Westridge Parkway is less than one percent, both of which are considered to be less than significant. Consequently, the project is not anticipated to cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system.

A fair share contribution of \$3,252.00 per dwelling unit is proposed as a fair share Contribution to mitigate the project's impact on traffic at the above noted locations.

This contribution will contribute toward the following improvements:

- a. Optimize traffic signal timing at Davis Road/Post Drive and Davis Road/Laurel Drive/Calle del Adobe..
- b. Include an overlap Phase for westbound traffic turning right out of the K-Mart Shopping Center at the intersection of Davis Road/Post Drive.
- c. Increase traffic signal length at the intersection of Davis Road/Westridge Parkway.
- d. Coordinate traffic signals at the Davis Road/Post Drive and Davis Road/Laurel Drive/Calle del Adobe.
- e. Convert one of the two westbound through lanes to a left-turn lane at Davis Road/Laurel Drive/Calle del Adobe.

**EXHIBIT “D”**  
**RECOMMENDED FINDINGS AND EVIDENCE**

- 1. FINDING:** The proposed project consists of a standard subdivision Tentative Map to subdivide a 1.521 acre parcels into six parcels for the development of six single family dwellings (PLN0040571). The project, as conditioned, conforms with the plans, policies, requirements and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, the Greater Salinas Area Plan, the Boronda Neighborhood Improvement Plan, and the Monterey County Zoning Ordinance (Title 21) which designates this area as appropriate for affordable housing residential development. The subject site is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 21 and any zoning violation abatement costs have been paid.
- EVIDENCE:** The Planning and Building Inspection staff reviewed the project as contained in the application and accompanying materials for conformity with the:
- a. Monterey County General Plan
  - b. Greater Salinas Area Plan
  - c. Boronda Neighborhood Improvement Plan
  - d. Monterey County Subdivision Ordinance (Title 19)
  - e. Monterey County Zoning Ordinance (Title 21)
- EVIDENCE:** The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, the Salinas Rural Fire Protection District, the Monterey County Sheriff’s Department, the Housing and Redevelopment Agency and the City of Salinas. There has been no indication from these agencies that the site is not suitable for the proposed development. The Initial Study demonstrates that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed development. Each agency has recommended conditions for subdivision improvements..
- EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in project file PLN040571.
- EVIDENCE:** The Boronda Neighborhood Citizen’s Advisory Committee voted 9-0 on December 12, 2002 to recommend approval of the project.
- EVIDENCE:** The Subdivision Committee voted unanimously on February 13, 2003 to recommend approval of the project.
- 2. FINDING:** The project will not have a significant adverse impact on the environment. An Initial Study was prepared for the project and it was determined that the project would have no significant impacts. The negative declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and during the public review process. The Monterey County Planning and Building Inspection

Department, located at 168 W. Alisal Street, Salinas, CA is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based.

**EVIDENCE:** County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Negative Declaration was filed with the County Clerk on July 25, 2005, and noticed for public review. The public review period ends August 25, 2005. All comments received on the Initial Study will be considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

- a. Project Application/Plans and Technical Reports within project file PLN040571, including Traffic, Storm Drainage, Native American Resources, Hydrological, Geological and Biotic Resources Reports.
- b. General Plan, Greater Salinas Area Plan, Boronda Neighborhood Improvement Plan, Zoning Code (Title 21)
- c. Subdivision Map Act and Monterey County Subdivision Ordinance (Title 19)
- e. Inter Departmental Review Comments and Conditions

**EVIDENCE:** The Monterey County Planning and Building Inspection Department prepared an Initial Study pursuant to CEQA. The Initial Study identified no potentially significant impacts; The Initial Study is on file in the office of Planning and Building Inspection in project file (PLN040571). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval (Exhibit D).

**3. FINDING:** For Purposes of the Fish and Game Code, the project will have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends.

**EVIDENCE:** Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein may impact potential habitat of the pallid bat and barn owl.

**EVIDENCE:** Initial Study and Negative Declaration contained in the project file.

**4. FINDING:** That in approving the final map, the decision-making body has balanced the housing needs of the County against the public service needs of its residents and available fiscal and environmental resources.

**EVIDENCE:** The applicant will be required to comply with the Inclusionary Housing Ordinance as a condition of approval.

- 5. FINDING:** The recommended conditions regarding recreation requirements and underground utilities have been applied to ensure that the health, safety, and welfare is preserved and protected. See conditions of approval.

**EVIDENCE:** Section 18.40 of the Monterey County Code (Inclusionary Housing Ordinance).

**EVIDENCE:** Section 19.12.010 of the Monterey County Code (Recreation Ordinance) (See Condition No. 26).

**EVIDENCE:** Section 19.10.095 of the Monterey County Code (underground utilities) (see Condition No. 11)

- 6. FINDING:** That none of the findings found in Section 19.03.025.F of the Monterey County Code Title 19 Subdivision Ordinance can be made.

**EVIDENCE:** Section 19.03.025.F requires that the subdivision be denied if any one of the findings contained therein can be made. Planning staff has analyzed the project against the findings for denial outlined in this section. The map and its design and improvements are consistent with the County General Plan, Local Coastal Program, the Greater Salinas Area Plan, and the Boronda Neighborhood Improvement Plan. No specific plan has been prepared for this area. The site has been determined to be physically suitable for the type and density of development (See Evidence in Finding #1). The design and improvements are not likely to cause substantial environmental damage, substantially and avoidably injure fish or wildlife or their habitat, or cause serious public health problems as demonstrated in the Mitigated Negative Declaration adopted for this project. The design and improvements will not conflict with easements for access through or use of property within the proposed subdivision. Planning staff reviewed the Title Report and applicable recorded documents to identify all easements and ensure that the project does not conflict with existing easements.

**EVIDENCE:** The property provides for adequate building sites as evidenced by the application materials submitted for the project in project file PLN040571. The project was found to be in compliance with the California Subdivision Map Act.

**EVIDENCE:** The application, plans, and support materials, including the technical reports submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development. The reports are:

- a. Traffic Analysis Memorandum, JKM Transportation Consultants January 26, 2005
- b. Storm Drainage Report, Sandis, Humber Jones (July 2, 2002)
- c. Environmental Site Assessment Phase I, Environmental Investigation Services (February 7, 2001 & March 14, 2001)
- d. Environmental Site Assessment Phase II, Environmental Investigation Services (March 30, 2001)
- e. Noise Study, Bollard and Brennan, Inc. (November 4, 2002)
- f. Native American Resources Report, Archaeological Consulting (April 4, 2002)

- g. Hydrological Report, Mactec Engineering and Consulting, Inc. (January 9, 2003)
- h. Geotechnical Investigation, Soil Surveys, Inc. (February 8, 2001 & April 3, 2001)
- i. Geological Report, CapRock (November 13, 2002)
- j. Cultural Resources Study, Archaeological Consulting (December 21, 2001)
- k. Biotic Resources Report, H.T. Harvey & Associates, (June 26, 2002)

**EVIDENCE:** The on-site inspection of the parcel by the project planner and maps and application materials contained in project file PLN040571.

**EVIDENCE:** Evidence for Findings 1, and 2.

- 7. FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvement in the neighborhood, or to the general welfare of the County.

**EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, Environmental Health Division, Public Works Department, Salinas Rural Fire Protection District, Sheriff's Department, Housing and Redevelopment Agency, Water Resources Agency and the City of Salinas. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the County in general.

**EVIDENCE:** Adoption of the Negative Declaration addresses the lack of potential impacts to traffic, biotic resources geology and soils, and hydrology and water quality . No other significant impacts have been identified for the project.

**EVIDENCE:** Application materials in project file PLN040571, Initial Study with mitigation measures, and Mitigated Negative Declaration contained in the project file.



<p><b>Exhibit B</b></p> <p><b>Monterey County Planning and Building Inspection</b></p> <p><b>Condition Compliance and/or Mitigation Monitoring Reporting Plan</b></p>	<p><b>Project Name: <i>BORONDA MANOR SUBDIVISION</i></b></p> <p><i>File No:</i> pln040571 <i>APNs:</i> <u>261-101-028-000</u></p> <p><i>Approval by:</i> <u>Planning Commission</u> <i>Date:</i> _____</p>
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*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p><b>PBD029 - SPECIFIC USES ONLY</b></p> <p>This Tentative Map Approval permit (PLN040571) allows SUBDIVISION OF A 1.521 ACRE PARCEL INTO SIX LOTS RANGING IN SIZE FROM 10,000 TO 11,310 SQUARE FEET. The property is located at 37 Brooks Road (Assessor's Parcel Number 261-101-028-000), Boronda area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and</p>	Adhere to conditions and uses specified in the map approval.	Owner/ Applicant	Ongoing unless otherwise stated	

		<p>conditions. Neither the uses nor the filing of the Final Map for Boronda Manor 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. <b>(Planning and Building Inspection)</b></p>			
		<p><b>PBD025 - NOTICE-PERMIT APPROVAL</b>  The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the <b>(Planning Commission)</b> for Assessor's Parcel Number 261-101-028-000 on <b>(DATE)</b>. The permit was granted subject to ____ 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. <b>(Planning and Building Inspection)</b></p>	<p>Proof of recordation of this notice shall be furnished to PBI.</p>	<p>Owner/ Applicant</p>	<p>Prior to Issuance of grading and building permits or start of use.</p>
		<p><b>PBD030 - STOP WORK - RESOURCES FOUND</b>  If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can</p>	<p>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>

		<p>evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(Planning and Building Inspection)</b></p>	<p>shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>			
		<p><b>PBD012 - FISH AND GAME FEE-NEG DEC/EIR</b>  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) calendar days of project approval – prior to filing of the Notice of Determination. 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. <b>(Planning and Building Inspection)</b></p>	<p>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.</p>	<p>Owner/ Applicant</p>	<p>Prior to the recordation of the tentative map, the start of the use or the issuance of building and grading permits.</p>	

	<p><b>PBD016 - INDEMNIFICATION AGREEMENT</b></p> <p>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. <b>(Planning and Building Inspection)</b></p>	<p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI.</p>	<p>Owner/ Applicant</p>	<p>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</p>	
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		<p><b>PBD024 - NOTE ON MAP-STUDIES</b></p> <p>A note shall be placed on the final map or a separate sheet to be recorded with the final map stating that: "A _____ report dated _____, has been prepared on this property by _____, and is on file in the Monterey County Planning and Building Inspection 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. <b>(Planning and Building Inspection)</b></p>	Final recorded map with notes shall be submitted to PBI and Public Works for review and approval.	Owner/ Applicant	Prior to Record- ation of Final Map	
		<p><b>PBD042 – GRADING PERMITS REQUIRED</b></p> <p>A grading permit is required in conjunction with subdivision improvement plans for subdivision pad leveling and in addition for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork.. <b>(Planning and Building Inspection)</b></p>	If applicable, apply and receive the appropriate grading permit from Monterey County Planning and Building Inspection.	Engineer/ Owner/ Applicant	Prior to Issuance of Grading or Building Permits	
		<p><b>FIRE007 - DRIVEWAYS</b></p> <p><i>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</i></p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	<i>Applicant or owner</i>	Prior to issuanc e of grading and/or buildin g permit.	

	<p><i>minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. : <b>Salinas Rural Fire District.</b></i></p>	<p><i>Applicant shall schedule fire dept. clearance inspection</i></p>	<p><i>Applicant or owner</i></p>	<p>Prior to final building inspection.</p>	
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	<p><b>FIRE011 - ADDRESSES FOR BUILDINGS</b>  <i>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance <b>Salinas Rural Fire District.</b></i></p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	<p><i>Applicant or owner</i></p>	<p>Prior to issuance of building permit.</p>	
		<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	<p><i>Applicant or owner</i></p>	<p>Prior to issuance of building permit.</p>	

		<p><b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b></p> <p><i>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 and completed prior to requesting a framing inspection. <b>Salinas Rural Fire District.</b></i></p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>	<p><i>Applicant or owner</i></p>	<p>Prior to issuance of building permit.</p>	
			<p><i>Applicant shall schedule fire dept. rough sprinkler inspection</i></p>	<p><i>Applicant or owner</i></p>	<p>Prior to framing inspection</p>	
			<p><i>Applicant shall schedule fire dept. final sprinkler inspection</i></p>	<p><i>Applicant or owner</i></p>	<p>Prior to final building inspection</p>	

		<p><b>FIRE026 - ROOF CONSTRUCTION (STANDARD)</b></p> <p><i>All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. <b>Salinas Rural Fire District.</b></i></p>	<p><i>Applicant shall enumerate as "Fire Dept. Notes" on plans.</i></p>	<p><i>Applicant or owner</i></p>	<p>Prior to issuance of building permit.</p>	
	2	<p><b>FIRE030 – NON-STANDARD CONDITION – SUBDIVISION IMPROVEMENTS</b></p> <p><i>The subdivision improvements for this project shall be incorporated into the existing improvements of the Boronda Oaks subdivision. Such improvements include but are not limited to water for fire protection, roadway access, addresses for buildings. <b>Salinas Rural Fire District.</b></i></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p><i>Applicant or owner</i></p>	<p>Prior to issuance of grading and/or building permit.</p>	
		<p><b>PKS002 – RECREATION REQUIREMENTS/FEEES</b></p> <p>The Applicant shall comply with Section 19.12.010 - Recreation Requirements, of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in lieu of land dedication. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D) <b>(Parks Department)</b></p>	<p>The Applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County Code.</p>	<p>Owner/ Applicant</p>	<p>Prior to the Record-ation of the Final Map</p>	
		<p><b>PW0015 – UTILITY’S COMMENTS</b></p> <p>Submit the approved tentative map to impacted utility companies. Subdivider shall submit utility company recommendations, if any, to the Department of Public Works for all required easements. <b>(Public Works)</b></p>	<p>Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW</p>	<p>Owner/ Applicant</p>	<p>Prior to Recordation of Map</p>	

		<p><b>. NON-STANDARD CONDITION-STORM DRAIN FEE</b></p> <p>Prior to recordation of the final amp, applicant shall contribute \$57,962 (\$38,108 per acre X 1.521 acres) to County as a pro-rata fair share of local drainage and street imimprovements listed in the Boronda Redevelopment Area Storm Drain Master Plan Phase I. <b>(Public Works)</b></p>				
		<p><b>. NON-STANDARD CONDITION-TRAFFIC MITIGATION FEE</b></p> <p>Prior to recordation of the final map, applicant shall contribute \$2,799 per dwelling for a total of \$16,794 (2002 dollars) to Monterey County as a pro-rata fair share of regional traffic improvements. <b>(Public Works)</b></p>				
		<p><b>. NON-STANDARD CONDITION-CITY OF SALINAS TRAFFIC MITIGATION FEE</b></p> <p>Prior to recordation of the final map, applicant shall the City of Salinas the project's pro-rata cost for improvements listed in the City's Traffic Fee Ordinance. <b>(Public Works)</b></p>				
		<p><b>. NON-STANDARD CONDITION-PRUNEDALE IMPROVEMENT PROJECT</b></p> <p>Prior to recordation of the final map, applicant shall contribute \$17,673 to the County as the project's pro-rata share of the cost of the Prunedale Improvement Project. <b>(Public Works)</b></p>				

		<p><b>NON-STANDARD CONDITION-TAMC FEES</b>  Applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study.  <b>(Public Works)</b></p>				
		<p><b>NON-STANDARD CONDITION-ROAD MAINTENANCE</b>  Annex to the existing homeowners association for the Boaronda Oaks Subdivision for the purposes of road and drainage infrastructure maintenance.  <b>(Public Works)</b></p>				
		<p><b>. NON-STANDARD CONDITION-CARBONERO STREET</b>  That the construction of Carbonero street be completed in accordance with the typical section shown on the tentative map for the Boronda Oaks Subdivision. <b>(Public Works)</b></p>				
		<p><b>– SEWER CONNECTION</b>  Obtain a sewer connection permit from the Department of Public Works and pay all applicable fees. <b>(Public Works)</b></p>				
		<p><b>PW0012 – PLAN SUBMITTAL (SEWER)</b>  Submit plans to the Department of Public Works for approval and construct all necessary sewer improvements. <b>(Public Works)</b></p>				

		<p><b>PW0016 – MAINTENANCE OF SUBDIVISIONS</b></p> <p>Pay for all maintenance and operation of subdivision improvements from the time of installation until acceptance of the improvements for the Subdivision by the Board of Supervisors as completed in accordance with the subdivision improvement agreement and until a homeowners association or other agency with legal authorization to collect fees sufficient to support the services is formed to assume responsibility for the services. <b>(Public Works)</b></p>	<p>Subdivider shall be responsible to maintain improvements until maintenance is assumed by another entity.</p>	Subdivider	Ongoing	
		<p><b>WR36 - HOMEOWNERS ASSOCIATION CC&amp;R'S</b></p> <p>A homeowner's association shall be formed for the maintenance of roads, drainage facilities, and open spaces. The Director of Public Works, the Director of Planning and Building Inspection, and the County Water Resources Agency shall approve documents for formation of association. The covenants, conditions and restrictions (CC&amp;R's) shall include provisions for a yearly report by a registered civil engineer and the monitoring of impacts of drainage and maintenance of drainage facilities. Report shall be approved by the County Water Resources Agency. <b>(Water Resources Agency)</b></p>	<p>Submit the CC&amp;R's to the Water Resources Agency for review and approval.</p>	Owner/ Applicant	Prior to filing of final map	
		<p><b>WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS</b></p> <p>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." Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. <b>(Water Resources Agency)</b></p>	<p>Submit a recorded notice to the Water Resources Agency for review and approval.</p> <p>(A copy of the County's standard notice can be obtained at the Water Resources Agency.)</p>	Owner/ Applicant	Recordation of the notice shall occur concurrently with the final map	

		<p><b>WR42 - LANDSCAPING REQUIREMENTS</b></p> <p>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. 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 the completed notice shall be provided to the Water Resources Agency for approval. <b>(Water Resources Agency)</b></p>	<p>Submit the recorded notice to the Water Resources Agency for review and approval.</p> <p>(A copy of the County’s standard notice can be obtained at the Water Resources Agency.)</p>	Owner/ Applicant	Recordation of the notice shall occur concurrently with the final map	
		<p><b>WR44 - WATER USE INFORMATION</b></p> <p>The applicant shall provide the Water Resources Agency a copy of the Water Use &amp; Nitrate Impact Questionnaire describing the pre-development and post-development water use on the property. <b>(Water Resources Agency)</b></p>	<p>Submit the WUNIQ to the Water Resources Agency for review and approval.</p>	Owner/ Applicant	Prior to filing the final map	
		<p><b>WR46 - C.C.&amp;R. WATER CONSERVATION PROVISIONS</b></p> <p>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.” <b>(Water Resources Agency)</b></p>	<p>Submit the CC&amp;R’s to the Water Resources Agency for review and approval.</p>	Owner/ Applicant	Prior to filing the final map	

		<p><b>DRAINAGE PLAN (NON-STANDARD WORDING)</b></p> <p>The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Impervious surface stormwater runoff shall be directed to the existing stormwater drainage system for the Boronda Oaks Subdivision. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. <b>(Water Resources Agency)</b></p>	<p>Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to filing the final map</p>	<p>WRA</p>
		<p><b>DRAINAGE NOTE (NON-STANDARD WORDING)</b></p> <p>A note shall be recorded on the final map stating that any future development on these parcels will require impervious surface stormwater runoff to be directed to the existing drainage for the subdivision. The applicant shall provide the Water Resources Agency a copy of the map to be recorded. <b>(Water Resources Agency)</b></p>	<p>Submit a copy of the final map to be recorded, with appropriate note, to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to recordation of the final map</p>	<p>WRA</p>

		<p><b>DRAINAGE &amp; FLOOD CONTROL SYSTEMS AGREEMENT OR SIMILAR AGREEMENT (NON-STANDARD WORDING)</b></p> <p>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 <i>Drainage and Flood Control Systems Agreement or similar acceptable agreement</i> shall be provided to the Water Resources Agency for approval. <b>(Water Resources Agency)</b></p>	<p>Submit the signed and notarized original Agreement to the Water Resources Agency for review and approval prior to recordation.</p> <p>(A copy of the County's standard agreement can be obtained at the Water Resources Agency.)</p>	<p>Owner/ Applicant</p>	<p>The agreement shall be recorded concurrently with the final map</p>	<p>WRA</p>
		<p><b>OFFICE OF HOUSING AND REDEVELOPMENT</b></p> <p>Pursuant to County Inclusionary Housing Ordinance, #04185, contribute one Inclusionary Housing Unit. Prior to the recordation of the Final Map the project applicant shall execute an Inclusionary Housing Agreement with the County, in a form acceptable to the County, that specifies at least one Inclusionary Housing Unit shall be provided on the project site at a moderate-income level. The Agreement shall address, but not be limited to, the type and size of the unit, the location of the unit, pricing, selection of buyers and/or tenants, and the phasing of the inclusionary unit construction related to the release of building permits for the market rate units. <b>(Monterey County Housing and Redevelopment)</b></p>				




**EXHIBIT “E”**  
**RECOMMENDED CONDITIONS OF PROJECT APPROVAL**

1. The Tentative map is a subdivision of two parcels of approximately 7 acres into 24 parcels for the development of 38 affordable housing units. The affordable housing units will consist of 23 single family homes and four multi-unit buildings that provide an additional 15 units. The single-family homes will be developed on lots ranging from 5,082 to 8,670 square feet. The multi-family component will be contained in four separate one-story buildings. Three of the four buildings will contain four units each, and the remaining building will have three units. The project is 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. **(Planning and Building Inspection)**

**Prior to Recordation of Final Map:**

2. The applicant shall record a notice, which states: “A permit (Resolution # \_\_\_\_\_) was approved by the Monterey County Planning Commission for Assessors Parcel Number 261-101-001-000 and 261-101-025-000 on March 12, 2003. The permit was granted subject to 61 conditions of approval that 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 or grading permits. **(Planning and Building Inspection)**
3. 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, or 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. **(Planning and Building Inspection)**
4. 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 \$1,275. This fee shall be paid within five days of project approval, 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. **(Planning and Building Inspection)**
5. The applicant shall enter into a Mitigation Monitoring Agreement with the County of Monterey and pay a fee to the Director of Planning and Building Inspection. **(Planning and Building Inspection)**

6. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: “If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.” This note shall also be included on all improvement plans and permits. **(Planning and Building Inspection)**
7. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: “A Biotic Resources report dated June 26, 2002, has been prepared on this property by H.T. Harvey & Associates, and is on file in the Monterey County Planning and Building Inspection Department File #PLN040571. 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. This note shall also be included on all improvement plans and permits. **(Planning and Building Inspection; Public Works)**
8. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: “A Geological Report dated November 13, 2002, has been prepared on this property by CapRock, and is on file in the Monterey County Planning and Building Inspection Department File #PLN040571. 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. This note shall also be included on all improvement plans and permits. **(Planning and Building Inspection; Public Works)**
9. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: “A Hydrological Report dated January 9, 2003, has been prepared on this property by Mactec Engineering and Consulting, Inc., and is on file in the Monterey County Planning and Building Inspection Department File #PLN040571. 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. This note shall also be included on all improvement plans and permits. **(Planning and Building Inspection; Public Works)**
10. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: “A Traffic Analysis dated August 16, 2002 has been prepared on this property by TJKM Transportation, and is on file in the Monterey County Planning and Building Inspection Department File #PLN040571. 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. This note shall also be included on all improvement plans and permits. **(Planning and Building Inspection; Public Works)**

11. A note shall be placed on the final map or a separate sheet to be recorded with the final map 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. The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works. **(Planning and Building Inspection; Public Works)**
12. The subdivider shall submit three prints of the approved tentative map to each of the following utility companies: Pacific Gas & Electric Company and Pacific Bell. Utility companies shall submit their recommendations, if any, to the Director of Public Works for all required easements. **(Public Works)**
13. That all natural drainage channels be designated on the final map by easements labeled “Natural Drainage Easements.” **(Public Works)**
14. The applicant shall contribute \$270,000.00 toward the Boronda Redevelopment Area Storm Drain Master Plan Phase 1. The applicant may pay the required fee in advance of filing the final map or approval of the tentative map. If the final map is not approved, the Public Works Department will refund the fee to the applicant. **(Public Works)**
15. A note shall be recorded on the final map stating that any future development on these parcels will require impervious surface stormwater runoff to be directed to the drainage improvements in a way that mitigates impacts to adjacent properties. **(Water Resources Agency)**
16. If a homeowners association is formed for the maintenance of roads, drainage facilities, and open spaces, the documents for formation of association shall be approved by the Director of Public Works, the Director of Planning and Building Inspection, and the County Water Resources Agency, prior to filing of final map. C.C. & R’s shall include provisions for a yearly report by a registered civil engineer, and the monitoring of impacts of drainage and maintenance of drainage facilities. Report shall be approved by the County Water Resources Agency. **(Water Resources Agency)**
17. If a homeowner’s association is not formed, developer shall have the sole responsibility for the care, maintenance, and repair of road and drainage improvements prior to the conveyance of any lots in the subdivision. Upon each conveyance of each lot in the subdivision, developer shall be jointly obligated with the succeeding owners to perform such obligation pro rated on the basis of the remaining number of lots still owned by the developer. Developer’s obligation shall cease upon the conveyance of the last lot in the subdivision. An agreement to this effect, running with the land, shall be recorded between developer and the County of Monterey prior to recordation of the parcel map. **(Water Resources Agency)**

18. 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 #3932, or as subsequently amended. **(Water Resources Agency)**
19. 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. Low water use or drought tolerant plants shall be used together with water efficient irrigation systems. This shall be the responsibility of the developer if the developer is also the builder. If not, a notice shall be recorded on the deed for each lot to inform future builders of this requirement. **(Water Resources Agency)**
20. The applicant shall provide to the Water Resources Agency a water balance analysis describing the pre-development and post-development water use on the property. Any proposed increase in water use shall require the identification and implementation of mitigation measures, if feasible, by the applicant. **(Water Resources Agency)**
21. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: “The subdivider and subsequent property owners shall comply with Ordinance No. 3932 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction include, 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. Landscaping 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.”

This note shall also be included on all improvement plans. **(Planning and Building Inspection and Water Resources Agency)**

22. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: “At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for all development. Fees shall be paid at the

- time of submittal of the landscape plan. The landscaping plan shall be in sufficient detail to identify the location, specie and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate for the cost of installation. 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 Planning and Building Inspection Department." **(Planning and Building Inspection)**
23. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection." This note shall also be included on all improvement plans and permits. **(Planning and Building Inspection)**
  24. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "All development shall comply with the drainage and erosion control provisions of the Monterey County Code." This note shall also be included on all improvement plans and permits. **(Planning and Building Inspection; Water Resources Agency)**
  25. A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "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." **(Planning and Building Inspection)**
  26. The applicant shall comply with Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance, Title 19, Monterey County Code. **(Parks)**
  27. A Recreation Plan shall be prepared by the applicant for review and approval by the Parks Director and the Director of Planning and Building Inspection. The final approved recreation plan shall be recorded with the final map. **(Parks)**
  28. The applicant shall provide the County with adequate security in the form of a performance bond or other suitable security acceptable by the County of Monterey for the construction of the recreational facilities in the amount of 100% of the construction costs. **(Parks)**
  29. The applicant shall provide written assurance to the Director of Planning and Building Inspection/County of Monterey that the recreational facilities will be maintained on a regular basis for the health and safety of the residents of the Jardines de Boronda Subdivision. **(Parks)**
  30. 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)**

31. A drainage plan shall be prepared by a registered civil engineer addressing on-site and off-site impacts. The plan shall include road improvements and subdivision detention facilities to mitigate the impact of impervious surface stormwater runoff. The detention pond shall be fenced for public safety. **(Water Resources Agency)**
32. Contribute \$3,252.00 per dwelling unit toward Boronda area traffic improvements. The applicant may pay the required fee in advance of filing the final map or approval of the tentative map. If the final map is not approved, the Public Works Department will refund the fee to the applicant. **(Public Works)**
33. Building envelopes shall be designated in lots 7, 8, 9, 10, & 11 reflecting special setbacks, subject to the approval of the Director of Planning and Building Inspection. **(Planning and Building Inspection)**
34. Prior to the recordation of the Final Map or issuance of building permits for the multi-family units, whichever comes first, the regulatory documents that impose affordability restrictions shall be approved by the Board of Supervisors. **(Housing and Redevelopment)**

**Prior to Issuance of Grading and/or Building Permits:**

35. If a homeowner's association is formed, the C.C.& R's shall contain provisions that: 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 shut off 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 in accordance with Monterey County Water Resources Agency Water Conservation Ordinance No. 3932, or as subsequently amended. **(Water Resources Agency)**
36. That a Homeowner's Association be formed or a Road Maintenance Agreement implemented to provide on-site road maintenance. **(Public Works)**
37. The applicant shall install vertical curb, gutter, sidewalk and paveout along entire frontage of Boronda Road. **(Public Works)**
38. That on-site roads be constructed in accordance with the typical sections shown on the tentative map and be maintained as private roads. **(Public Works)**

39. Obtain sewer connection permits from the Boronda County Sanitation District and pay all applicable fees. **(Public Works)**
40. Submit plans to the Boronda County Sanitation District for approval and construct all necessary sewer improvements. **(Public Works)**
41. If required the subdivider shall pay for all maintenance and operation of private roads, fire hydrants 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 until a homeowners 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)**
42. The property owner shall prepare a site plan for the multi-family parcels to be approved by the Director of Planning and Building Inspection. The site plan should: (1) define the building site; (2) establish maximum building dimensions; (3) identify natural vegetation that should be retained; (4) identify landscape screening as appropriate. The approved site plans are to be recorded with the subdivision's CC&R's. A note shall be placed on the parcel map stating that a site plan has been prepared for this subdivision and that the property may be subject to building and/or use restrictions. **(Planning and Building Inspection)**
43. The fire department access shall be provided pursuant to the following: 1)ROAD WIDTH - Fire apparatus access roads shall have an unobstructed width not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. Additional width shall be provided for on-street parking; 2) .ROAD ACCESS - Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access; 3) ROADWAY SURFACE - The roadway surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus; 4) ROADWAY TURNAROUNDS - Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roads 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 road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length; 5) VERTICAL CLEARANCE - Unobstructed vertical clearance shall be not less than 13'6" feet for all access roads.
44. Hydrants for fire protection shall be provided at locations approved by the Salinas Rural Fire District and shall conform to the following requirements: **(Salinas Rural Fire Protection District)**
  - a. FIRE FLOW - Pursuant to Uniform Fire Code Appendix III-A, the basic minimum fire flow requirement for buildings with three or more dwelling units with automatic fire sprinkler systems installed is 1,500 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 2 hours.

- b. TIMING OF INSTALLATION - Approved fire protection water supply systems must be installed and made serviceable prior to the time of construction.
- c. HYDRANT/FIRE VALVE (LOCATION) - The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway.
- d. HYDRANT/FIRE VALVE (SPACING) - The hydrant serving any building shall not be less than 50 feet or more than 1000 feet by the road from the building it is to serve.
- e. HYDRANT SIZE - The hydrants shall have a minimum of two (2) 2-1/2 inch outlets NST and one (1) 4-1/2 inch outlet NST. The riser shall be a minimum of six (6) inches and shall be wet barrel type with a coefficient of 0.9.
- f. SIGNING OF WATER SOURCES - Hydrant or fire valve identification may be allowed as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

45. Remove flammable vegetation from within 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. **(Salinas Rural Fire Protection District)**

46. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. **(Salinas Rural Fire Protection District)**

47. The site shall be landscaped by the applicant and a plan for such improvements shall be approved by the Director of Planning and Building Inspection. Landscaping plans to be approved by the Director of Planning and Building Inspection prior to issuance of building permits. **(Planning and Building Inspection)**

48. 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 Building Inspection. **(Planning and Building Inspection)**

## **PRIOR TO OCCUPANCY**

49. Prior to the issuance of the first certificate of occupancy for the residential units, the applicant, in coordination with Boronda Elementary School, shall determine the safest pedestrian route between the project and the school. The applicant shall prepare a flyer (in both Spanish and English) to be distributed to all home buyers and tenants that includes a map of the route. The flyer shall be submitted and approved by the Planning and Building Inspection Department prior to distribution. **(Planning and Building Inspection Department)**
50. COMPLETION CERTIFICATION - Certification that stormwater detention facility has been constructed in accordance with approved plans shall be provided to the County Water Resources Agency by a registered civil engineer or licensed contractor who constructed the facility. **(Water Resources Agency)**
51. The buildings shall be protected with approved automatic fire sprinkler systems and an approved fire alarm system as follows:
- a. Fire Sprinkler Systems - All of the buildings shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection
  - b. Fire Alarm Systems - The multi-unit dwelling buildings shall be fully protected with an approved central station, proprietary station or remote station automatic fire alarm system as defined by National Fire Protection Association Standard 72 - 1996 Edition. Plans and specifications for the fire alarm system must be submitted and approved by the enforcing agency prior to requesting a framing inspection. All fire alarm system inspections and acceptance testing shall be done in accordance with Chapter 7 of NFPA 72 - 1996 **(Salinas Rural Fire Protection District)**
52. Roof construction shall be Class A or Class B, with fire resistive materials, or as approved by the Reviewing Authority. This requirement shall apply to all new construction and existing roofs that are repaired so as to affect 50 percent or more of the roof. Vegetation removal will not be allowed as a means of removing high or very high fire hazard area designation from an entire parcel. **(Salinas Rural Fire Protection District)**
53. SIZE OF LETTERS, NUMBERS AND SYMBOLS FOR ADDRESSES - When construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8 inch stroke, and contrasting with the background colors of the sign. (Fire District)

### **Continuous Permit Conditions:**

54. If a homeowner's association is formed, and 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. An agreement to this effect shall be entered into concurrent with the filing of the final map of the first phase of the subdivision. **(Water Resources Agency)**
55. If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. **(Planning and Building Inspection)**
56. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. **(Planning and Building Inspection Department)**
57. **(Biological Resources)**. MM#1 All recommendations proposed in the *Brooks Road and Westridge Parkway, Biotic Resources Report* prepared by H. T. Harvey & Associates for the project dated June 26, 2002 as they apply to pallid bats, shall be incorporated into the project. These recommendations include the following: Applicant shall ensure that pre-demolition survey for roosting bats are conducted by a certified bat biologist prior to the removal of any buildings. If nests are discovered, Applicant will provide appropriate buffer zones, monitoring of compliance with the zones and implement other recommendations by the bat biologist for reducing impacts to the animals. **(Planning and Building Inspection Department)**
58. **(Biological Resources)**. MM#2 All recommendations proposed in the **Biotic Resources Report** prepared by H. T. Harvey & Associates for the project dated June 26, 2002 as they apply to Barn Owls, shall be incorporated into the project. These recommendations include the following: Applicant shall schedule grading and other construction activities to avoid the nesting season (March through August). Applicant shall schedule the removal of vegetation or structures to be completed outside of the nesting season to inhibit nesting prior to construction. Applicant shall ensure that pre-construction surveys for Barn Owls are conducted by a qualified ornithologist if construction is to occur during the breeding

season (January through October). If a nest is found and greater than 50% is completed, Applicant will provide appropriate buffer zones and monitoring of compliance with the zones determined by the ornithologist in consultation with the CDFG (**Planning and Building Inspection**).

59. (**Geology and Soils**) MM#3 All recommendations proposed in the Geological Reports prepared by Soil Surveys Inc. for the project in February and April 2001, as they apply to expansive soils shall be incorporated into the project. These recommendations, including reinforcement of buildings, drainage control and landscaping shall be followed in the design and construction of structures project facilities. (**Planning and Building Inspection**)
60. (Hydrology and Water Quality) MM #4 The applicant shall construct and maintain a storm water detention basin on Lot 16. The basin design shall be a part of the improvement plans to be approved by the Monterey County Water Resources Agency and the Public Works Department.
61. (Traffic) MM#4. The applicant shall enter into an agreement with Monterey County Public Works Department to ensure fair share payment towards future implementation of area traffic improvements. The traffic improvements shall be based on recommendations proposed in the *Boronda Road Development Traffic Impact Analysis* prepared by TJKM Transportation Consultants for the project dated April 3, 2001 and addendums. The fair share shall be determined amount by the Public Works Department and will reflect the project's proportional contribution to increased traffic in the area. (**Public Works**)

**EXHIBIT “C”**  
**GENERAL PLAN POLICY ANALYSIS**

12.1.2 (Archaeological Resources): All proposed development, including land division, within high sensitivity zones shall require an archaeological field inspection prior to project approval. A Preliminary Archaeological Reconnaissance was prepared by Archaeological Consulting on December 21, 2001. The report concluded that the project area does not contain surface evidence of significant archeological resources. In the unlikely event that any cultural resources are discovered, the project has been conditioned to protect the resources. The existing homes located on the project site have been determined to be more than 50 years old and therefore meet the age standard for historical property, however, none exhibits local, States or National Register criteria. A Section 106 Consultation was sent to the State Office of Historic Preservation. A clearance letter was received by the County on September 4, 2002

13.2.1 (Energy Resources): Intensive development shall be encouraged toward existing urban areas where energy for expanded transportation and provision of services can be minimized. The project is located in the Boronda area, adjacent to the City of Salinas, and is considered an urbanized area in the County.

13.2.2 (Energy Resources): Areas of urban concentration shall provide, where possible, convenient access for employment, commercial and other activities. The Boronda area is adjacent to the City of Salinas and has access to major transportation corridors to other urban areas on the Monterey Peninsula.

15.1.5 (Geology): A detailed geological report shall be required for all standard subdivisions. A geological report was prepared for the project by CapRock on November 13, 2002. The report concluded that the conditions on the project site were suitable for the proposed project.

21.3.3 (Water Quality): No land division or use permit for residential, commercial or industrial uses shall be approved without proof that an adequate waste disposal system can be developed. County Sanitation District 392 (CSD 392)- Boronda will provide the necessary sanitary wastewater services.

22.2.1 (Noise): Require new development to conform to the noise parameters established in Table 6, Land Use Compatibility for Exterior Community Noise Environments. A Noise Analysis was prepared for the project by Bollard & Brennan, Inc. on November 4, 2002. The report concluded that the projected levels of noise at the project will meet the parameters established by the General Plan.

26.1.4.3 (General Land Use): A standard tentative subdivision map and/or vesting tentative map and/or preliminary project review subdivision map application for either a standard subdivision or minor subdivision shall not be approved until:

- 1) An applicant provides evidence of an assured, long-term water supply in terms of sustained yield and quality for all lots which are to be created through the subdivision. The water supply must meet both the water quality and quantity standards expressed in Title 22 of the California Administrative Code and Title 15.04 of the Monterey County code subject to the review by the Director of Environmental Health; and
- 2) An applicant provides evidence that sewage disposal systems, both individual and package, for all lots which are proposed to be created through the subdivision will not exceed nitrate and chemical loading levels in aquifers pursuant to the Regional Water Quality Control Basin Plan. If wastewater reclamation system must comply with the Basin Plan and the California Administrative Code subject to the review by the Director of Environmental Health.

26.1.13 (General Land Use): Encourage infilling on vacant non-agricultural lands within existing developed areas and encourage new development within designated urban service areas. The Boronda area is an urbanized area and is a Development Incentive Zone in the Monterey County Housing Element. Existing urban services are available to the project.

27.1.3 (Residential): Residential development should be concentrated in growth areas. The Boronda area is an urbanized area and is a Development Incentive Zone in the Monterey County Housing Element. The project consists of 38 affordable housing units located in an urbanized area.

27.2.1 (Residential): Residential areas shall be located with convenient access to employment, shopping, recreation and transportation. The proposed project is located adjacent to the City of Salinas where new residents will have access to the City's urban services, employment and amenities. The Boronda area also has access to major transportation corridors linking to the urban areas of the Monterey Peninsula.