

**PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION # 04022

A.P. # 239-102-001-000-M

In the matter of the application of
Rancho San Carlos Partnership (PLN010001)

FINDINGS & DECISION

for a Preliminary Project Review Map Combined Development Permit in accordance with Title 21 (Zoning) Chapter 21.76 of the Monterey County Code, consisting of a Vesting Tentative Map to allow the division of a 1,286 acre parcel into 29 lots ranging in size from 14.47 to 67.21 acres, respectively, and grading (approximately 29,600 cubic yards); a Use Permit to allow the removal of up to 295 protected trees and a Use Permit to allow for development on slopes 30 percent or greater. The site is located east of Rancho San Carlos Road and west of Robinson Canyon Road, Carmel Valley, in the Potrero Creek area of the Santa Lucia Preserve (Rancho San Carlos), Carmel Valley area, came on regularly for meeting before the Planning Commission on May 26, 2004.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

PRELIMINARY FINDINGS OF FACT

The following are a preliminary set of findings to be applied to the Potrero Area Subdivision during the Preliminary Project Review Map process. The findings will be expanded and/or modified for the Tentative Map review stage of the process and if additional recommendations are identified during the review and hearing process.

- 1. FINDING:** The project proposed in this application consists of a Combined Development Permit and Vesting Tentative Subdivision Map (Preliminary Project Review/Vesting Tentative Map) for the subdivision of 1,286 acres into 29 lots (File # PLN 010001). As described in Condition #1 and as conditioned, the project will conform with the plans, policies, requirements, and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, Carmel Valley Master Plan, the Greater Monterey Peninsula Area Plan, and the Monterey County Zoning Ordinance (Title 21). The property is located south of Carmel Valley Road and the Carmel River, to the immediate east of Rancho San Carlos Road, Carmel Valley area (Assessors Parcel Nos. 239-102-001-000; 239-102-002-000; 239-102-003-000; and 239-101-032-000). The parcel is zoned RC/40-D-S (Resource Conservation, 40-acres per unit, with Design and Site Review Overlays) and RG-D (Rural Grazing/Design Control).

EVIDENCE: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- a) Monterey County General Plan;
- b) Carmel Valley Master Plan;
- c) Greater Monterey Peninsula Area Plan;
- c) Chapter 21.36 and 21.46 of the Monterey County Zoning Ordinance; and
- d) Monterey County Subdivision Ordinance (Title 19) December 2000.

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 Housing and Redevelopment Agency, Sheriff's Department and the Carmel Valley Fire Protection District. There has been no indication from these agencies that the site is not suitable for the proposed development. The Final Supplemental Environmental Impact Report demonstrates that no physical or environmental constraints exist that would indicate the site, as mitigated, is not suitable for the proposed development. Each agency has had opportunities to provide recommended conditions for subdivision improvements. See Draft Supplemental Environmental Impact Report (DSEIR) Chapter 3, in particular. Other DSEIR chapters discuss specific resource issues related to Plan policies and county regulations.

EVIDENCE: Written and verbal public testimony submitted at public meetings before the Carmel Valley Land Use Advisory Committee.

EVIDENCE: The on-site inspection of the subject parcel by the project planners on multiple dates between 2001 and 2003.

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 the project file.

EVIDENCE: All structures and infrastructure necessary to serve the project are existing or will be installed as a component of this subdivision.

EVIDENCE: The project will conform with the requirements of the RC and RG zoning districts. See DSEIR Chapter 3. Visual impacts will be less than significant, as the building sites and roadways are either not visible or at a significant distance from existing public roadways. See DSEIR Chapter 12.

EVIDENCE: Previously adopted Resolutions for the Santa Lucia Preserve Comprehensive Development Plan (CDP), previously adopted Resolutions for Tentative and Final Maps within the GMPAP portions of the CDP, and supporting evidence for those approvals including the certified Final EIR for the Santa Lucia Preserve (1997).

EVIDENCE: DSEIR (September 2003), including Technical Appendices, and FSEIR (April 2004) for the Potrero Area Subdivision.

EVIDENCE: Appendix B of the DSEIR (Exhibit "G" of this staff report) which provides specific analysis and findings regarding project consistency with all applicable plans and policies.

2. **FINDING:** County staff and their consultants prepared a Supplemental Environmental Impact Report for the project in compliance with the California Environmental Quality Act (CEQA) and its Guidelines. The EIR provided substantial evidence that the project would not have significant environmental impacts, upon implementation of Mitigation Measures. The following evidence has been received and considered: All comments on the DSEIR; evidence in the record that includes studies, data and reports supporting the DSEIR; additional documentation requested by staff in support of the EIR findings; information presented during public hearings; DSEIR and FSEIR and 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:

1. Project Application / Plans (including all reports and attachments).

2. General Plan / Carmel Valley Master Plan / Greater Monterey Peninsula Area Plan / Santa Lucia Preserve Comprehensive Development Plan.
3. Camp Dresser & McKee, Inc. (CDM), *Comprehensive Hydrological Study*, March 1994 (as supplemented through 1997).
4. Denise Duffy & Associates (DDA), *Biological Assessment for the Potrero Area Subdivision of the Santa Lucia Preserve, County of Monterey, California*, July 2003.
5. Archaeological Consulting. *Cultural Resources Inventory and Preliminary Cultural Resources Management Plan for the Potrero Area Subdivision of the Santa Lucia Preserve, Carmel Valley, California*. May 26, 2000; rev. December 21, 2000.
6. Cleary Consultants, Inc., *Geological and Geotechnical Investigation, the Potrero Area Subdivision of the Santa Lucia Preserve, Monterey County, California*, August 2000.
7. Dowling Associates, Inc., *Traffic Impact Analysis for the Potrero Area Subdivision of the Santa Lucia Preserve*, December 4, 2000, updated June 2003.

The Supplemental Environmental Impact Report reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study, previous relevant analysis, in consideration of testimony and information received to date, and scientific and factual data presented in evidence during the public review process. Conditions of project approval and/or mitigation measures have been identified and incorporated into the project to reduce all impacts to an insignificant level.

These conditions of project approval and/or mitigation measures will be included into the final recommended conditions of approval for the project.

The custodian of the documents and materials that constitute the record of proceedings upon which the certification of the DSEIR is based is the Monterey County Planning and Building Inspection Department located at 2620 1st Avenue, Marina, CA. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinions supported by facts have been submitted that refute the conclusions reached by these studies, data, and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data, and reports.

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 the project file.

EVIDENCE: Previously adopted Resolutions for the Santa Lucia Preserve Comprehensive Development Plan (CDP), previously adopted Resolutions for Tentative and Final Maps within the GMPAP portions of the CDP, and supporting evidence for those approvals including the certified Final EIR for the Santa Lucia Preserve (1997).

EVIDENCE: DSEIR (September 2003) and FSEIR (April 2004) for the Potrero Area Subdivision.

3. FINDING: The development of residential lots at the proposed densities is consistent with the zoning designations of the project site.

EVIDENCE: The land area including 26 residential lots that are located within the Carmel Valley Master Plan Area are zoned RG (Rural Grazing) and will be developed at a total density of ten acres or more per unit. The land area including three residential lots that are located within the

Greater Monterey Peninsula Area Plan area are zoned RC (Rural Conservation) zoning district and will be developed at a total density of 40 acres or more per unit.

4. **FINDING:** In approving the vesting tentative 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 project is in compliance with the requirements of the Inclusionary Housing Ordinance based on the affordable housing units provided elsewhere within the Santa Lucia Preserve.
- EVIDENCE:** Previously adopted Resolutions for the Santa Lucia Preserve Comprehensive Development Plan (CDP), previously adopted Resolutions for Tentative and Final Maps within the GMPAP portions of the CDP, and supporting evidence for those approvals including the certified Final EIR for the Santa Lucia Preserve (1997).
5. **FINDING:** The establishment, maintenance, or operation of the uses or structures 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, Water Resources Agency, Water Management District, Sheriff's Department and Carmel Valley Rural Fire District as part of the environmental review process. 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:** Materials in file PLN010001.
- EVIDENCE:** Previously adopted Resolutions for the Santa Lucia Preserve Comprehensive Development Plan (CDP), previously adopted Resolutions for Tentative and Final Maps within the GMPAP portions of the CDP, and supporting evidence for those approvals including the certified Final EIR for the Santa Lucia Preserve (1997).
6. **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:** Draft Supplemental Environmental Impact Report, Chapter 11, *Biological Resources*, and Final Supplemental Environmental Impact Report, contained in the project file. The project may result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations.
7. **FINDING:** The 295 trees (greater than 6" diameter) estimated for removal represents a reasonable removal ratio under the circumstances of the proposed project and are not considered a significant environmental effect with the mitigation measures proposed.
- EVIDENCE:** 2000 Forest Management Plan, multiple site visits by the project planners, biological resource (habitat) evaluations. As quantified by the Forest Management Plan, the Potrero Area contains approximately 62,660 trees greater than 6" diameter. The project's proposed removal of 295 trees represents 0.5% of the total tree population greater than 6" diameter.

As each lot is developed, each application will have to demonstrate that the minimum number of trees are being removed.

EVIDENCE: Mitigation Measures of the DSEIR require avoidance through individual site planning as the primary measure to minimize tree removal. The estimate for tree removal is considered a maximum, to be reduced through the proposed measures.

EVIDENCE: Mitigation Measures of the DSEIR require replanting or relocation of all impacted trees greater than 6" diameter.

EVIDENCE: Conditions of approval of prior Resolutions adopted for the Santa Lucia Preserve incorporated by reference.

EVIDENCE: DSEIR Chapters 3 and 11; FSEIR.

8. FINDING: The project includes four (4) locations where road or driveways will cross slopes in excess of 30%. There is no alternative to the proposal in these four locations that would better achieve the goals, policies, and objectives of the General Plan and the Carmel Valley Master Plan.

EVIDENCE: Although there may be alternatives to road and driveway locations that could feasibly avoid all areas of 30% slope, the road and driveway locations as proposed have fewer impacts (and thus are more consistent with adopted plans and policies) for the following reasons:

- 1) Development of the project's roads and driveways on the proposed alignments over short stretches of slopes over 30% will assist in minimizing driveway length, and therefore minimize grading and total earth disturbance (Project Application, Thompson-Hysell Engineers, 2000).
- 2) Development of road and driveway areas will take advantage of the alignments of existing ranch roads, and therefore will reduce the amount of grading necessary to cut new roads in areas with shallower slope (Project Application, Planner's site visits).
- 3) Proposed road and driveway locations avoid sensitive resource areas such as riparian corridors, watersheds, and landmark trees (Project Application, Biological Assessment).

EVIDENCE: Site visits by project planner between 2001 and 2003.

EVIDENCE: DSEIR Chapters 3 and 11.

9. FINDING: That none of the findings found in Section 19.04.025.I of the Monterey County Code Title 19 (Subdivision Ordinance) can be made.

EVIDENCE: Section 19.03.025.I requires that the subdivision be denied if any one of the findings is 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, the Carmel Valley Area Plan, the Greater Monterey Peninsula Area Plan, and the Santa Lucia Preserve Comprehensive Development Plan. The site has been determined to be physically suitable for the type and density of development (see Evidence in Findings 1 and 2). The design and improvements, as conditioned, 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 Supplemental Environmental Impact Report prepared for this project (See Evidence in Findings 2, 5 and 6). 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 mitigated, as evidenced by the application materials submitted for the project and subsequent review in the Supplemental Environmental Impact Report. Soils in the sloped areas of the property are geotechnically suitable for residential construction and septic systems. The project has an adequate source of water as identified in approval of the Comprehensive Development Plan and annual reports submitted to the County Environmental Health Division.

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 and considered in the Supplemental Environmental Impact Report.

EVIDENCE: Previously adopted Resolutions for the Santa Lucia Preserve Comprehensive Development Plan (CDP), previously adopted Resolutions for Tentative and Final Maps within the GMPAP portions of the CDP, and supporting evidence for those approvals including the certified Final EIR for the Santa Lucia Preserve (1997).

EVIDENCE: See Evidence for Findings 1, 2, 5, 6.

EVIDENCE: DSEIR and FSEIR.

10. FINDING: The subject property is in compliance with all the 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: Site visit and inspection by Planner, review of county records, and the tentative subdivision map and application materials found in the project file.

11. FINDING: That the proposed subdivision will not adversely impact traffic conditions in the area.

EVIDENCE: Chapter 13 of the DSEIR. The proposed subdivision has been reviewed by the Monterey County Department of Public Works and there is no indication from that Department that the subdivision will negatively impact traffic in the area. Additionally, the traffic analysis update conducted in the Supplemental Environmental Impact Report determined that the traffic generated by the subdivision is negligible and the impact would be less than significant. All impacts associated with the project were addressed within the Santa Lucia Preserve EIR, and all impacts have been mitigated through construction of physical improvements and/or payment of impact fees.

EVIDENCE: The Environmental Impact Reports for both the Potrero Area Subdivision and the Santa Lucia Preserve Comprehensive Development Plan identified a less than significant impact on traffic conditions in the area. The determinations were based on traffic studies that considered current conditions and the anticipated impact of project traffic and cumulative traffic generated by this project and other development within the vicinity. No changes in circumstance that would cause new environmental impacts were identified since certification of the Santa Lucia Preserve EIR.

EVIDENCE: DSEIR Chapter 13 and FSEIR.

12. FINDING: The source capacity and water quality for all lots proposed to be created through the subdivision meets the requirements of all applicable health and safety regulations.

- EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Environmental Health Division and the Water Resources Agency and further analyzed in the Supplemental Environmental Impact Report. It was determined that sufficient water resources exist at the site to meet the requirements of all applicable health and safety regulations.
- EVIDENCE:** Condition Compliance Reports for the Santa Lucia Preserve found in County file PC94067.
- EVIDENCE:** Percolation Testing Summary Report Evaluation of Proposed Phase E Lots No. 1-29 for Conventional Septic Disposal Systems, the Potrero Area Subdivision of the Santa Lucia Preserve, Monterey County, CA. Prepared for Rancho San Carlos Partnership, Carmel California, October 24, 2000.
- EVIDENCE:** Comprehensive Hydrological Study for the Santa Lucia Preserve, Hydrological Study for the Potrero Area Subdivision submitted with the project application, independent peer review and validation of hydrological findings conducted as part of the SEIR, all condition compliance and water usage reports for the Santa Lucia Preserve on file with the County.
- EVIDENCE:** The application, plans, and support materials, found in the project file located at the Monterey County Planning and Building Inspection Department for the proposed subdivision.
- EVIDENCE:** DSEIR Chapters 8 and 16; FSEIR, including but not limited to Responses to letters 6, 8, 12, 14, 15, and Appendices.

DECISION

THEREFORE, it is the decision of the Planning Commission that said application for a Combined Development Permit, as shown on the attached sketch, be recommended for confirmation of the Preliminary Project Review Map score to the Board of Supervisors. The following recommended conditions of approval are a preliminary list of conditions to be applied to the Potrero Area Subdivision. The conditions of approval will be expanded and/or modified for the Tentative Map review stage of the process and if additional recommendations are identified during the review and hearing process.

1. **SPECIFIC USES ONLY.** The subject subdivision of property and Combined Development Permit (File PLN010001), including creation of 29 lots for single family residential development, septic systems, connection to water and utility systems, development on slopes over 30%, removal of up to 295 trees, and improvement of ranch roads for residential development as conditioned, conforms with the plans, policies, requirements and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, the Carmel Valley Master Plan, the Greater Monterey Peninsula Area Plan, the Santa Lucia Preserve Comprehensive Development Plan, and the Monterey County Zoning Ordinance (Title 21).

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)**

2. MITIGATION MEASURES OF THE POTRERO AREA SUBDIVISION FINAL EIR. The applicant shall comply with all project-specific mitigation measures as certified and adopted by the County within the Final EIR, and as specified within the adopted Mitigation Monitoring and Reporting Program. (**Note:** Final Mitigation Measures will be listed as individual conditions following the Preliminary Project Review process).
3. MITIGATION MEASURES OF THE SANTA LUCIA PRESERVE EIR INCORPORATED BY REFERENCE. The applicant shall comply with all mitigation measures of the certified Santa Lucia Preserve that apply on a “ranch-wide” basis, inclusive of the Potrero Area and as cited within the Potrero Area Subdivision Final Supplemental EIR. (**Note:** Applicable Mitigation Measures from previous EIR will be listed as individual conditions following the Preliminary Project Review process.)
4. APPLICABLE CONDITIONS OF APPROVAL OF THE SANTA LUCIA PRESERVE. The applicant shall implement (or continue to implement) all applicable conditions of approval of the Santa Lucia Preserve (as specified by Resolutions 93-115; 96-059; 96-060; 96-061; and 97-360) as they apply “ranch-wide” and are therefore inclusive of the Potrero Area Subdivision (**Note:** Conditions of approval that apply ranch wide will be listed individually for the Tentative Map staff reports).

Prior to Recordation of the Final Map:

5. INDEMNIFICATION AGREEMENT. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney’s fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, 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**)
6. MAP NOTES – STUDIES. 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: “Reports have been prepared for this property as listed below, and are on file in the Monterey County Planning and Building Inspection Department, Coastal Office. The recommendations contained in said reports shall be followed in all further development of this property.”
 - Biological Assessment for the Potrero Area Subdivision Santa Lucia Preserve, Monterey County, California, Denise Duffy & Associates, July 2003.
 - Biological Resources Evaluations Peer Review Report, Biotic Resources Group, September 2003.
 - Focused Geotechnical Response to EIR Review Comments, Potrero Area Subdivision, Cleary Consultants, Inc. July 2002.

- Geotechnical Peer Review Letter, G.E. Weber Geologic Consultant, August 2002.
- Peer Review of the Hydrologic and Wastewater Studies for the Potrero Area Subdivision, Weber, Hayes & Associates, June 2003.
- Traffic Impact Analysis for the Potrero Area Subdivision of the Santa Lucia Preserve, Dowling Associates, June 2003
- Peer Review of Study for Potrero Area Subdivision-Santa Lucia Preserve, Hexagon Transportation Consultants, Inc., September 2003.

The note shall be located in a conspicuous location, subject to the approval of the County Surveyor.
(Planning and Building Inspection)

7. **PARKS AND RECREATION.** Prior to the filing of the Final Map, the applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance (Title 19, Monterey County Code). **(Parks Department)**
8. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. **(Fire District)**
9. **WATER SYSTEM PERMITS.** The applicant shall obtain a new or amended water system permit from the Division of Environmental Health and Monterey Peninsula Water Management District prior to filing the final map. **(Environmental Health)**
10. **WATER SYSTEM INSTALLATION.** The developer shall install or bond the water system improvements to and within the subdivision and any appurtenances needed prior to filing the final map. **(Environmental Health)**
11. **SEPTIC SYSTEM.** Submit an updated map indicating proposed septic envelopes for each of the parcels to the Division of Environmental Health for review and approval prior to filing the final subdivision map. Once approved the septic envelopes shall appear as part of the final subdivision map. **(Environmental Health)**
12. **SEPTIC SYSTEM.** Prior to filing the final subdivision map for lots 13, 17, 23, 24, and 26, submit a detailed disposal system design to the Director of Environmental Health for review and approval meeting the regulations found in Chapter 15.20 of the Monterey County Code, and Prohibitions of the Basin Plan, RWQCB. A dual system with a diversion valve is required for lots 13, 23, 24 and 26. **(Environmental Health)**
13. **SEPTIC SYSTEM.** The applicant shall record a deed notification with the Monterey County Recorder for the parcels prior to filing the Final Map indicating that: "An approved septic system design is on file at the Division of Environmental Health, File Number PLN 010001 and any future development or expansions on this property shall be in compliance with the design and Chapter 15.20 of the Monterey County Code unless otherwise approved by the Director of Environmental Health. **(Environmental Health)**
14. **EASEMENTS.** File subdivision map delineating all existing and required easements or rights-of-way and monument new lines. **(Public Works)**

15. EASEMENTS. Provide for all existing and required easements or rights-of-way. **(Public Works)**
16. COUNTY SURVEYOR'S CHECKLIST. Thirty days prior to expiration date of the tentative map, Step A (9 items) of the County Surveyor's Check Off List for Parcel Map processing shall be completed. **(Public Works)**
17. SLOPE STABILITY ANALYSIS. Slope stability shall be reviewed by a registered geotechnical engineer at each building site that has been identified as underlain by a former landslide, as noted in the "*Geological and Geotechnical Investigation-The Potrero Area Subdivision of the Santa Lucia Preserve-Monterey County, California*", by Cleary Consultants, Los Altos, CA., Aug. 2000. (Page 10 states that approximately 20 of the 26 new parcels in the Potrero Area Subdivision are located on five old landslides). Any specific recommendations regarding slope stability shall be included in the grading and drainage plans for each lot, particularly as the engineering recommendation may relate to the county-required subsurface dispersal of impervious surface stormwater runoff. **(Water Resources Agency)**

Prior to Issuance of Grading and Building Permits or Recordation of the Final Map, whichever occurs first

18. Improvement Plans shall be submitted that show the following: 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. **(Fire District)**
19. Improvement Plans shall be submitted that show the following: the grade for all roads, streets, private lanes and driveways shall not exceed 15 percent except as approved by the Fire Chief. **(Fire District)**
20. Improvement Plans shall be submitted that show the following: no roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. **(Fire District)**
21. Improvement Plans shall be submitted that show the following: fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. **(Fire District)**
22. NOTICE – PERMIT APPROVAL The applicant shall record a notice that states: "A permit (Resolution _____) was approved by the Planning Commission on ____ for Assessor's Parcel Numbers 239-102-001-000; 239-102-002-000; 239-102-003-000; and 239-101-032-000. The permit was granted subject to [xx] 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." Alternatively, this note shall be included on a separate sheet of the parcel map, or by separate document that shall indicate its relationship to the parcel map, recorded simultaneously with the parcel map. Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits, recording of the parcel map, or commencement of the use. **(Planning and Building Inspection)**

23. WATER SYSTEM DESIGN. Design the water system improvements to meet the standards as found in Chapter 15.04 of the Monterey County Code, Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to the Director of Environmental Health for review and approval prior to installing (or bonding) the improvements. **(Environmental Health)**
24. WATER SYSTEM DESIGN. 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 or bonding of water system improvements. **(Environmental Health)**
25. DETENTION POND(S). Stormwater detention/sediment retention pond(s) shall be constructed wherever possible at locations recommended by Thompson-Hysell Engineers, to mitigate stormwater flows and sediment discharge into Potrero Creek and toward off-site properties at the lower end of the watershed. Ponds shall be constructed in accordance with plans by a registered civil engineer and the recommendations in the Thompson-Hysell Engineers "*Preliminary Drainage and Erosion Control Report, Potrero Canyon Area, June 2000.*" **(Water Resources Agency)**

PASSED AND ADOPTED this 26th day of May, 2004, by the following vote:

AYES: Errea, Parsons, Hawkins, Padilla, Wilmot, Diehl, Salazar, Rochester, Sanchez
NOES: Vandever
ABSENT: None

Original Signed By:

JEFF MAIN, SECRETARY

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON