PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 05047

A. P. #030-032-005-000

FINDINGS AND DECISION

In the matter of the application of
Ralph and Elaine Perez (PLN040691)

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, consisting of a Standard Subdivision to divide a 1.38 acre parcel into 18 parcels to construct 17 new single family dwellings. The project includes a Planned Unit Development permit for the single family dwellings and approximately 1,400 cu. yds. of grading. The project is located at 11590 Union Street (Assessor's Parcel Number 030-032-005-000), at the corner of Union and Axtell streets, Castroville, in the North County Plan Area, came on regularly for hearing before the Planning Commission on September 14, 2005.

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

FINDINGS OF FACT

1. **FINDING:** The proposed Standard Subdivision (PLN040691) consists of a vesting tentative map to divide a 1.38 acre parcel into 18 parcels to construct 17 new single family dwellings. The project includes a Planned Unit Development Permit for the single family dwellings and approximately 1,400 cu. yds. of grading. The property is located at 11590 Union Street (Assessor's Parcel Number 030-032-005-000), at the corner of Union and Axtell Streets, Castroville, in the North County Plan. The project, as conditioned, conforms with the plans, policies, requirements and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, the North County Non-Coastal Area Plan, and the Monterey County Zoning Ordinance (Title 21) which designates this area as appropriate for development at a maximum density of 15 units/acre.

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. North County Non-Coastal Area Plan
c. Monterey County Subdivision Ordinance (Title 19)
d. 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, Housing & Redevelopment Agency,

the North County Fire Protection District. 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 PLN040691.

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. A Mitigated Negative Declaration was filed with the County Clerk on July 5, 2005, noticed for public review and circulated to the State Clearinghouse. The public review period ends August 4, 2005. The mitigated negative declaration reflects the independent judgment and analysis of the County.

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 Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on July 5, 2005 and noticed for public review. The public review period ended August 4, 2005. All comments received on the Initial Study were 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 in project file PLN040691; including Traffic, Archaeological, Geological, Hydrogeologic, Geotechnical and Biological studies
b. General Plan, North County Non-Coastal Area Plan, Zoning Code (Title 21)
c. Subdivision Map Act and Monterey County Subdivision Ordinance (Title 19)
d. 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 several potentially significant effects, but mitigation measures reduce the impacts to a less than significant level. The Initial Study is on file in the office of Planning and Building Inspection and is hereby

incorporated by reference in project file (PLN040691). 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 B).

EVIDENCE: A Condition Compliance and Mitigation Monitoring and Reporting Plan (Exhibit B) has been prepared in accordance with Monterey County regulations to ensure compliance during project implementation. Applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan" as a condition of project approval (Condition #4).

3. **FINDING:** For Purposes of the Fish and Game Code, the project may change 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 result in changes to the resources, as described in Title 14 Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein will affect changes to native and non-native plant life and soils.

EVIDENCE: Initial Study and Negative Declaration contained in the project file. Staff comments to Fish and Game input regarding the attendant initial study.

4. **FINDING:** The project characteristics support allowing a deviation from the affordability levels required by the County's Inclusionary Housing Ordinance (#04185) because it supplies much needed workforce housing on an infill site in the established community of Castroville. The project is within walking distance to schools, parks, shopping and other services, supplies modest size market rate housing that is affordable by design, and the economic viability of the project cannot support the normally required affordability levels.

EVIDENCE: Section 18.40.050(B)(2) of Ordinance #04185 allows the project approving body to approve an exemption or modification to the ordinance requirements based on unusual, unique or unforeseen circumstances. The applicant submitted an economic proforma for the project, which was independently reviewed and confirmed by the Housing and Redevelopment Office, that concluded that the project would not be economically viable with the normally required affordability levels.

EVIDENCE: On May 11, 2005, the Monterey County Housing Advisory Committee reviewed the project and voted to recommend that the requested affordability levels were appropriate given the specific characteristics of the project.

5. **FINDING:** The proposed project complies with the County's Inclusionary Housing Ordinance #04185.

EVIDENCE: The proposed project will supply three Inclusionary Units on the project site and pay an in-lieu fee for a fractional .4 unit.

6. **FINDING:** The recommended conditions regarding recreation requirements and

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underground utilities have been applied to ensure that the health, safety, and welfare is preserved and protected.

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)

7. **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 design and improvements are consistent with the County General Plan, the North County Non-Coastal Area Plan, and the Zoning Ordinance. 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 PLN040691. 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:

1. Higgins Associates; Traffic Impact Analysis for Union Square Homes, Castroville; August 2, 2004
2. Archaeological Consulting; PC3858; Preliminary Archaeological Reconnaissance; December 9, 1979
3. Project Specific Hydrogeologic Report; Pacific Mist March 2005 prepared for the Monterey County Health Department by Todd Engineers
4. Ed Mercurio Environmental Consulting Biological Survey APN 030-032-005 dated May 22, 1996, and H.T Harvey & Associates Ecological Consultants Biotic Assessment dated July 30, 2004
5. Geological Investigation; Jo Crosby & Associates dated March 28, 1986

6. Soil Engineering Report; Geologic Study; Earth Systems Consultants Northern California, April 1996
7. Geotechnical Investigation Report; Soil Surveys Inc. dated January 31, 2005

EVIDENCE: The on-site inspection of the parcel by the project planner(s) and maps and application materials contained in project file PLN040691.

EVIDENCE: Evidence for Findings 1 and 2.

8. **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, North County Fire Protection District, Sheriff's Department, Housing and Redevelopment Agency and Water Resources Agency. 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 Mitigated Negative Declaration includes mitigation measures that address potential impacts to cultural resources; geology/geotechnical, hydrology/water quality, noise and traffic. No other significant issues have been identified for the project.

EVIDENCE: Application materials in project file PLN040691, Initial Study with mitigation measures, and Mitigated Negative Declaration contained in the project file.

DECISION

THEREFORE, it is the decision of the Planning Commission of the County of Monterey that the Mitigated Negative Declaration and Program for Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

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PASSED AND ADOPTED this 14th day of September 2005, by the following vote:

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

Alana Knaster for Dale Ellis
DALE ELLIS, SECRETARY

A COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON NOV 30 2005

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE DEC 10 2005

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

   Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

   Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Monterey.

2. This permit expires two years after the above date of granting thereof unless construction or use if started within this period.

Monterey County Planning and Building Inspection Condition Compliance and/or Mitigation Monitoring Reporting Plan	**Project Name:** *Union Square* *File No*: PLN040691 *APNs:* 030-032-005-000 *Approval by:* _____ *Date:* _____

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

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
1		**PBD029 - SPECIFIC USES ONLY** This Standard Subdivision (PLN040691) consists of a vesting tentative map to divide a 1.38 acre parcel into 18 parcels to construct 17 new single family dwellings. The project includes a Planned Unit Development Permit for the single family dwellings and approximately 1,400 cu. yds. of grading. The property is located at 11590 Union Street (Assessor's Parcel Number 030-032-005-000), at the corner of Union and Axtell Streets, Castroville, in the North County Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning 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)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	

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2		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution TBD) was approved by the Planning Commission for Assessor's Parcel Number 030-032-005-000 on (TBD). The permit was granted subject to 54 conditions of approval and eight mitigation measures 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. (Planning and Building Inspection)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
3		PBD030 - STOP WORK - RESOURCES FOUND 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 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. (Planning and Building Inspection)	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 shall immediately visit the site to determine the extent of the resources and to develop proper mitig ation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	
4		MITIGATION MONITORING AGREEMENT 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)	Property Owner	Owner/ Applicant	Prior to recordatio n of the Final Map	

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5		EH3 - WATER SYSTEM IMPROVEMENTS (STATE PERMITTED SYSTEM) Design the water system improvements to meet the standards as found in Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. (Environmental Health)	Submit engineered plans for the water system improvements to the Castroville Water District for review and approval. Submit evidence to the Director of Environmental Health that the proposed water system improvements have been approved by the Castroville Water District prior to installing or bonding the improvements	CA Licensed Engineer /Owner/ Applicant	Prior to filing final map	
6		EH4 - FIRE FLOW STANDARDS 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)	Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency.	CA Licensed Engineer /Owner/ Applicant	Prior to installing or bonding water system improvem ents	
7		EH5 - INSTALL/BOND WATER SYSTEM IMPROVEMENTS The developer shall install or bond the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement. (Environmental Health)	The developer shall install the water system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the water system improvements and provide security guaranteeing the performance of the Agreement.	CA Licensed Engineer /Owner/ Applicant	Prior to filing Final Map.	

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8		EH25 - INSTALL/BOND SEWER SYSTEM IMPROVEMENTS The developer shall install the sewer system improvements to and within the subdivision and any appurtenances needed or shall enter into a Subdivision Improvement Agreement with the County to install the sewer system improvements and provide security guaranteeing the performance of the Agreement. (Environmental Health)	Submit evidence to the Division of Environmental Health that the sewer system improvement installation has been accepted by the regulating agency or that the developer has entered into a Subdivision Improvement Agreement and has provided security acceptable to the County.	Owner/ Applicant	Prior to filing the final parcel map.	
9		EH27 - SEWER SYSTEM IMPROVEMENTS Engineered plans for the sewage disposal system including all necessary redundancies shall be submitted to and approved by the appropriate sewer service district. (Environmental Health)	Submit written verification to the Division of Environmental Health that plans have been reviewed and approved.	Owner/ Applicant	Prior to filing the final/parce l map or issuance of a building permit.	
10		EH38 - SEPARATE RECYCLABLES All persons shall separate all recyclables from other solid waste generated at their premises and shall place such recyclables into a different approved container to facilitate segregation at a solid waste facility (MCC 10.41.020.B). (Environmental Health)	Submit a plan to the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to issuance of building permits/ Contin-uous condition	
11		PW0011 – SEWER (MRWPCA) Obtain sewer permits from the Monterey Regional Water Pollution Control Agency and Department of Public Works and pay all applicable fees. (Public Works)	Applicant shall obtain permits from Monterey Regional Water Pollution Control Agency, then obtain permit from Department of Public Works.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	

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12		PW0012 – PLAN SUBMITTAL (SEWER) Submit plans to the Department of Public Works for approval and construct all necessary sewer improvements. (Public Works)	Applicant shall submit improvement plan to Department of Public Works for approval. Sewer improvements to be constructed in compliance with approved plans.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
13		PW0014 – DRAINAGE IMPROVEMENT STUDY Provide an on-site/off-site drainage improvement study prepared by a registered Civil Engineer. Study to be approved by Public Works Department and the Water Resources Agency and shall be incorporated in the improvement plans. (Public Works)	Applicant's Engineer shall prepare drainage study and improvement plans for review and approval by DPW.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance or Recordation of Final Map	
14		PW0015 – UTILITY'S COMMENTS Submit the approved tentative map to impacted utility companies (Pacific Gas & Electric Company, Pacific Bell) Subdivider shall submit utility company recommendations, if any, to the Department of Public Works for all required easements. (Public Works)	Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW	Owner/ Applicant	Prior to Recordation of Map	
15		PW0016 – MAINTENANCE OF SUBDIVISIONS 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/elected Management Committee or other entity with legal authorization to collect fees sufficient to support the services is formed to assume responsibility for the services. (Public Works)	Subdivider shall be responsible to maintain improvements until maintenance is assumed by another entity.	Subdivider	Ongoing	
16		PW0020 – PRIVATE ROADS Designate all subdivision roads as private roads. (Public Works)	Subdivider's Surveyor shall designate private roads on final map.	Subdivider	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
17		PW0021 – ROAD NAMES Submit all proposed road names to the Department of Public Works for approval by County Communications. (Public Works)	Subdivider shall submit proposed road names to DPW. DPW will submit to County Communications for Approval.	Subdivider	Prior to Recordation of Final Map	
18		PW0023 – IMPROVEMENT PLANS Provide improvement plans for approval of the Department of Public Works and that the roads be constructed in accordance with the typical section shown on the tentative map. (Public Works)	Subdivider shall submit improvement plans prepared by his Engineer to DPW for approval. Improvements to be bonded or guaranteed by a security acceptable to the county prior to recordation of final map.	Subdivider	Prior to Recordation of Final Map	
19		PW0024 – STOP SIGN Install and maintain a stop sign on any intersection with Union Street. (Public Works)	Subdivider/Applicant shall install and maintain stop sign.	Subdivider/ Applicant	Ongoing	
20		PW0030 HOMEOWNERS ASSOCIATION/PROPERTY MANAGEMENT COMMITTEE Form a maintenance management entity with legal authority for road and drainage maintenance. Prepare an operation and maintenance plan for all facilities. Implement a fee program to fund operation and maintenance, and have appropriate documentation recorded against each parcel within the subdivision. (Public Works/Planning)	Subdivider shall submit documentation to DPW and WRA for formation of homeowners association or other entity to maintain roads and drainage improvements.	Subdivider	Prior to Recordation of Final Map	
21		PW0032 – AS BUILT PLANS A Registered Civil Engineer shall file as built plans (originals) in the Department of Public Works with a letter certifying improvements have been made in conformance to improvement plans and local ordinance. (Public Works)	Subdivider's Engineer shall submit as built plans and stamped notice of completion letter to DPW for review and approval.	Subdivider/Engineer	Prior to Release of Bonds	

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22		PW0036 – EXISTING EASEMENTS AND ROW Provide for all existing and required easements or rights of way. (Public Works)	Subdivider's Surveyor shall include all existing and required easements or rights of way on Parcel Map.	Subdivider/ Surveyor	Prior to Recordation of Final Map	
23		NON-STANDARD CONDITION - SEWER IMPROVEMENTS All sewer improvements must be completed or guaranteed with a security acceptable to the county and dedicated to the County of Monterey in accordance with the Standard Specifications for Use in Monterey County Sanitation Districts and CSA's', dated 1992. (Public Works)	Subdivider	Subdivider	Prior to Recordation of Final Map	
24		NON-STANDARD CONDITION - SEWER EASEMENTS Grant easements and improvements for access to sewer mains within the subdivision. (Public Works)	Subdivider shall designate on Final Map	Subdivider	Prior to Recordation of Final Map	
25		NON-STANDARD CONDITION - CAN AND WILL SERVE Obtain a Can and Will Serve Letter from County Service Area 14. It should be noted that sewer connections permits are issued on a first come, first serve basis. (Public Works)	Subdivider	Subdivider	Prior to Recordation of Final Map	
26		NON-STANDARD CONDITION - CASTROVILLE TRAFFIC MITIGATION FEES Applicant shall contribute $109,990 to the County as payment of the project's pro rata share of the cost of improvements to roadways in the Castroville area. (Public Works)	Subdivider	Subdivider	Prior to issuance of Building Permits	
27		INSTALLATION OF IMPROVEMENTS Obtain an encroachment permit from the Department of Public Works and construct vertical curb, gutter, sidewalk and paveout along the frontages of Union Street and Axtell Street and if required, dedicate right of way to provide for the improvements. (Public	Subdivider/Public Works Dept.	Subdivider	Prior to commencement of improvments	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		Works)				
28		FIRE010 -ROAD SIGNS All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum 4-inch letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. Responsible Land Use Department: North County Fire District.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on improvement plans.	Applicant or owner	Prior to filing of final map.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
29		FIRE015 - FIRE HYDRANTS/FIRE VALVES A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. Responsible Land Use Department: North County Fire District.				
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
30		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) 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. Responsible Land Use Department: North County Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
31		FIRE026 - ROOF CONSTRUCTION (STANDARD) 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. Responsible Land Use Department: North County Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
32		FIRE030 - NON STANDARD No on street parking on Union Circle will be allowed. Parking shall only be allowed in specified guest parking spaces. North County Fire District.	Subdivider	Subdivider	Ongoing	
33		FIRE031 - NON STANDARD The Street shall be named "Union Circe - A Private Street" North County Fire District.	Subdivider	Subdivider	Ongoing	
34		FIRE032 - NON STANDARD Union circle, throughout the subdivision , shall be posted and painted "NO PARKING"; signage, lettering and painting shall be approved by the North County Fire District. North County Fire District.	Subdivider	Subdivider	Ongoing	
35		FIRE033 - NON STANDARD Prior to the filing of the final parcel map, an electronic copy of the parcel map shall be submitted to the North County Fire District. The parcel map shall be drawn using auto CAD 14 or newer or an approved equal. The submitted map shall, at a minimum, contain the following entities: Property Lines, Parcel numbers, Roads, streets and driveways, fire hydrants, building envelopes. Approved media form	Subdivider	Subdivider	Ongoing	

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		shall be either CD or e-mail. Files shall be in either *.wg or *.dxf format only. Electronic mail will be accepted at AA@ncfpd.org (North County Fire District.				
36		RECREATION REQUIREMENT 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(G). (Parks Department)	Subdivider	Subdivider	Prior to issuance of final map	
37		**WR8 - COMPLETION CERTIFICATION** The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspect-ion	
38		WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS 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. (Water Resources Agency)	Submit a recorded notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Recordati on of the notice shall occur concur-rently with the final map	
39		WR42 - LANDSCAPING REQUIREMENTS 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	Submit the recorded notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Recorda-tion of the notice shall occur concur-rently	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		notice shall be provided to the Water Resources Agency for approval. Landscaping should be coordinated with the Watershed Institute at California State Monterey Bay, if possible, which is planning a restoration (Water Resources Agency& Planning)			with the final map	
40		WR44 - WATER USE INFORMATION The applicant shall provide the Water Resources Agency a copy of the Water Use & Nitrate Impact Questionnaire describing the pre-development and post-development water use on the property. (Water Resources Agency)	Submit the WUNIQ to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing the final map	
41		WR47 - WASTE MANAGEMENT PLAN The applicant shall provide the Water Resources Agency a Construction Site Waste Management Plan prepared by a registered civil engineer that addresses the proper disposal of building materials and other construction site wastes including, but not limited to, discarded building materials, concrete truck washout, chemicals, litter and sanitary wastes. The Site Waste Management Plan must also address spill prevention, control and clean up of materials such as petroleum products, fertilizers, solvents, pesticides, paints and cleaners. (Water Resources Agency)	Submit the plan to the Water Resources Agency for review and approval. If applicant applies for a Letter of Map Change (LOMC) timing can be extended to prior to issuance of any building permits. If the lots are removed from the floodplain this condition will no longer be applicable.	Owner/ Applicant	Prior to issuance of any grading or building permits	
42		NON-STANDADRD FLOODPLAIN RECORDATION Prior to filing the final map, the owner shall provide the Water Resources Agency a recorded Floodplain Notice for lots 8, 9, 10, 11, 15, and 16, stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions." If FEMA issues a Letter of Map Change officially removing the lots from the floodplain, this condition will not be applicable. (Water Resources Agency)	Submit a recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard agreement can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to filing the final map. If a LOMC applicatio n is submitted, the timing may be prior to issuance of any	WRA

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
					building permits.	
43		NON-STANDRARD STORMWATER DETENTION Prior to filing of the final map, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer addressing on-site and off-site impacts with supporting calculations and construction details. The plan shall include detention facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing the final map	WRA
44		NON-STANDARD ROAD AND DRAINAGE MAINTENANCE AGREEMENT Developer shall have the sole responsibility for the care, maintenance, and repair of road and drainage improvements installed as a condition of approval of 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. The agreement shall include provisions for a yearly report, as approved or modified by the Water Resources Agency, 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. Prior to filing the final map, a copy of a signed and notarized *Road and Drainage Maintenance Agreement*	Submit the signed and notarized original Agreement to the Water Resources Agency for review and approval prior to recordation. Submit an annual report to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing of final map	WRA

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		shall be provided to the Water Resources Agency for approval. The agreement shall be recorded concurrently with the final map. (Water Resources Agency)				
45		NON-STANDRARD ZONE A ELEVATION REQUIREMENTS (WR) The lowest floor and attendant utilities shall be constructed at least nine (9) feet above mean sea level (NGVD 1929). Prior to issuance of any grading or building permits for the single family dwellings, the applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the floodproofing and certification of the lowest floor elevation. (Water Resources Agency)	Submit a letter to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits for the single family dwellings	WRA
46		NON-STANDARD CONCRETE SLAB INSPECTION The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate for each structure, completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the minimum lowest floor elevation requirement. If FEMA issues a Letter of Map Change (LOMC) officially removing the lots from the floodplain, this condition will not be applicable. The applicant shall provide an acceptable LOMC prior to issuance of any building permits, or this condition will remain applicable. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate, based on building under construction, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to the foundatio n pre-pour inspection	WRA
47		ELEVATION CERTIFICATE The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate for each structure, based on finished construction, completed by	Submit a completed FEMA Elevation Certificate, based on finished construction, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to final inspection for the houses.	WRA

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		a registered civil engineer or licensed surveyor certifying the structure has been constructed in accordance with Chapter 16.16 of the Monterey County Code. If FEMA issues a Letter of Map Change officially removingteh lotsfrom the floodplain,this condition will not be applicable. (Water Resources Agency)				
48		NON-STANDARD SANITARY SYSTEM FLOODPROOFING CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer that the Sanitary system has been floodproofed in accordance with Chapter 16.16 of the Monterey County Code. If FEMA issues a Letter of Map Change officially removing the lots from the floodplain, this condition will not be applicable. (Water Resources Agency)	Submit a letter, prepared by a registered civil engineer, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to final inspection for any grading permits for the subdivisio n	WRA
49		NON-STANDARD WATER SYSTEM FLOODPROOFING CERTIFICATION Prior to final inspection for any grading permits for the subdivision, the applicant shall provide the Water Resources Agency certification from a registered civil engineer that the domestic water system has been floodproofed in accordance with Chapter 16.16 of the Monterey County Code. If FEMA issues a Letter of Map Change officially removing the lots from the floodplain, this condition will not be applicable. (Water Resources Agency)	Submit a letter, prepared by a registered civil engineer, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to final inspection for any grading permits for the subdivisio n	WRA
50		SHERIFF'S DEPARTMENT Prior to occupancy, the applicant should comply, when feasible, with the Monterey County Public Safety and Security Guidelines. (Sheriff's Dept.)			Prior to Occupanc e	

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51		INCLUSIONARY HOUSING Prior to the recordation of the Final Map the developer shall execute an Inclusionary Housing Agreement (Agreement), in a form acceptable to the County, that specifies that at least three (3) Inclusionary Housing Units shall be provided on the project site at a moderate-income level. The fractional .4 unit may be paid to the Housing and Redevelopment Office, or secured to the satisfaction of the Housing and Redevelopment Program Manager, as an in-lieu fee, prior to the recordation of the Final Map and based on the adopted fee schedule in place at the time that the application was deemed complete. The Agreement shall address, but not limited to, the type and size of the units, the location of the units, pricing, selection of buyers and/or tenants, and the phasing of the inclusionary units construction related to the release of building permits for the market rate units.	Subdivider units.	Subdivider	Prior to recordatio n of Final Map	
52		STREAMBED ALTERATION AGREEMENT Any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank, (which may include associated riparian resources) of a river or stream, or use material from a streambed, DFG may require a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code. SSA's are subject to CEQA review. The project does not propose to alter the Castroville Slough in close proximity to the project site; however, should that area be disturbed, a SAA will be required from Fish and Game	Subdivider is responsible for ensuring that contractors avoid disturbing the Slough.	Subdivider	Ongoing	

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53		COVENANTS, CONDITIONS & RESTRICTIONS (CC&R) CC&R's will be administered by a 3-member, elected Property Management Committee.	Subdivider	Subdivider	Ongoing	
54		LUAC RECOMMENDATION Pursuant to LUAC recommendations, parking on the site will be increased to include two-car garages per unit, and guest parking will increase from five to nine spaces.	Subdivider	Subdivider	Prior to Final Map	
	MM1	If, during the course of construction, cultural, historical, or paleontological resources are uncovered at the site (surface or subsurface) work shall be halted immediately within 50 meters (150 feet) of the find until it can be evaluated by a professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archeologist (i.e., an archeologist registered with the Society of Professional Archeologists) 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.	Subdivider	Subdivider	Ongoing	
	MM2	All development on the project site shall be in full compliance with recommendations contained in the January 31, 2005 geotechnical investigation report. Construction shall be performed in accordance with the latest edition of the uniform building code. Prior to final inspection, the applicant and/ or developer shall provide certification that all development has been in accordance with said report.	Subdivider	**Subdivider**	Ongoing	

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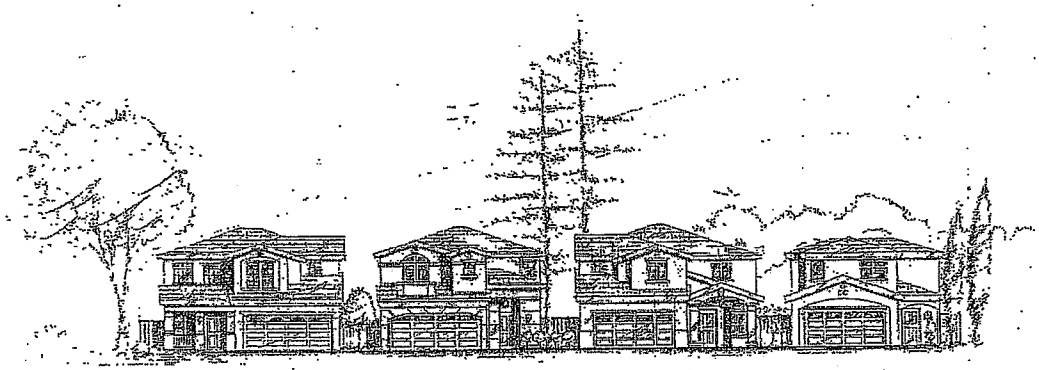
	MM3	An annual drainage report, as approved by the Water Resources Agency, shall be prepared by a registered civil engineer that includes an analysis of the subdivision drainage facilities and recommendations for any maintenance. The report shall be submitted to the Water Resources Agency for review and approval by September 1st, and any recommended maintenance activities shall be completed by October 15th of the same year.	Subdivider	**Subdivider**	Ongoing	
	MM4	*Reduction in Temporary Construction Noise* To reduce the effects of construction noise, construction contractors shall be required to limit high noise producing activities to the least noise sensitive times of day and week (e.g., 7:00 am to 6:00 pm, Monday through Friday). A County Planning and Building Inspection official will monitor construction activities.	Subdivider	**Subdivider**	Ongoing	
	MM5	The applicant shall contribute $7,333 per unit or a total of $109,990 towards traffic improvements in Castroville. Payment shall be made to the Monterey County Public Works Department.	Subdivider	**Subdivider**	Prior to Issuance of Building Permit	
		END of Conditions and Mitigation Measures				

A SUBDIVISION PROJECT FOR PACIFIC MIST INVESTORS LLC



PLAN 'A' PLAN 'B' PLAN 'C' PLAN 'D'

STREET SCAPE ELEVATION FOR 1ST CIRCLE

Project Description

[illegible]

[illegible]

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PROPOSED SUBDIVISION LOCATED @
11650 DIXON ST., CASTROVILLE

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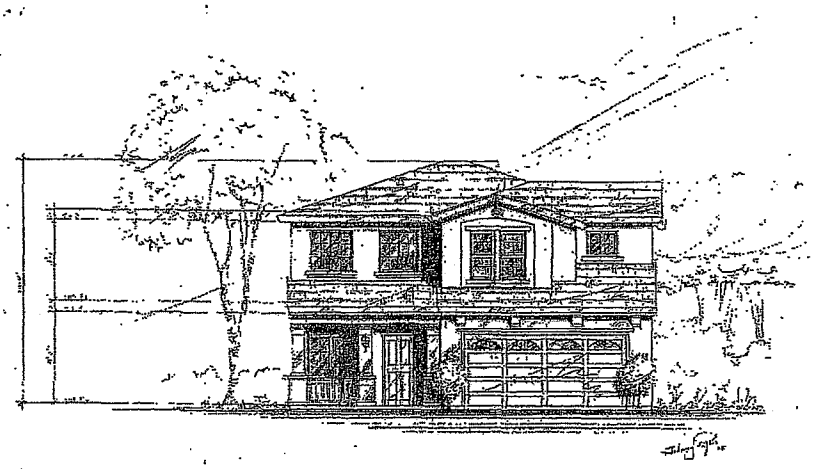


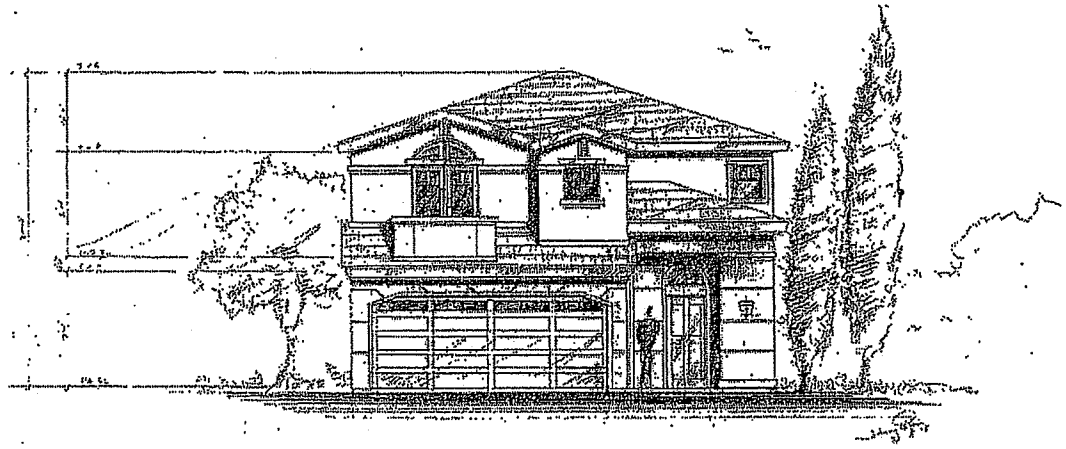
FRONT ELEVATION

REVISIONS	

d & B
dreno & associates
architects
planners
engineers

PROPOSED SUBDIVISION LOCATED @
12500 UNION ST., CASTROVILLE

DATE	
DRAWN	
SCALE	
JOB NO.	
SHEET	3



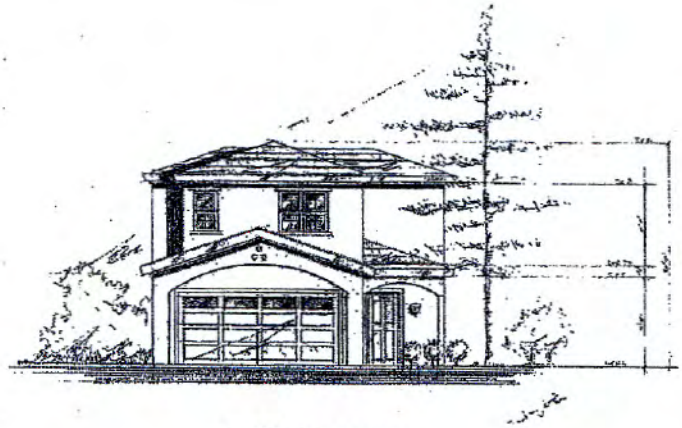
PLAN "B" ELEVATION

REVISIONS	

d & a
darosia & associates

PROPOSED SUBDIVISION LOCATION
13590 UNION ST., CASTROVILLE

5



PLAN 'C' FRONT ELEVATION.

d & a
clarence a. associates

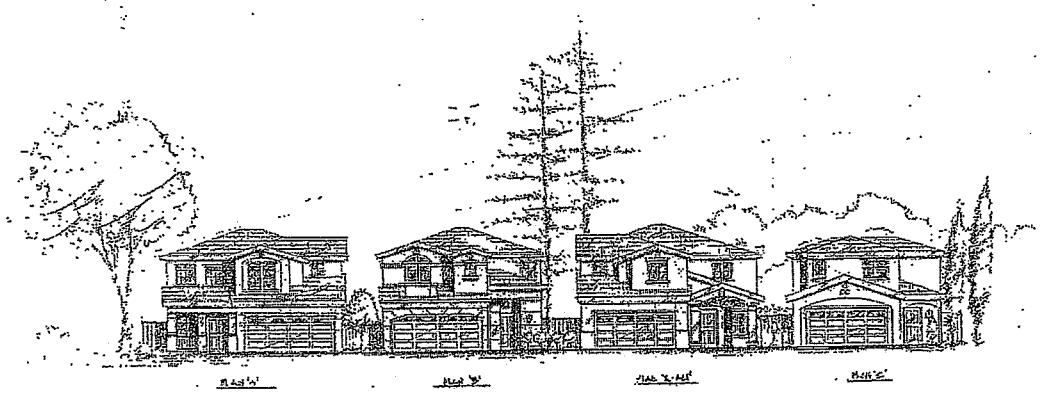
PROPOSED SUBDIVISION LOCATED @:
1890 UNIVERSITY - CASSIDY PLAN

7

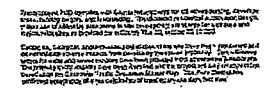
PROPOSED SUBDIVISION LOCATED @:
11500 UNION ST., CASTROVILLE

d a a
davidson associates

A SUBDIVISION PROJECT FOR PACIFIC MIST INVESTORS LLC

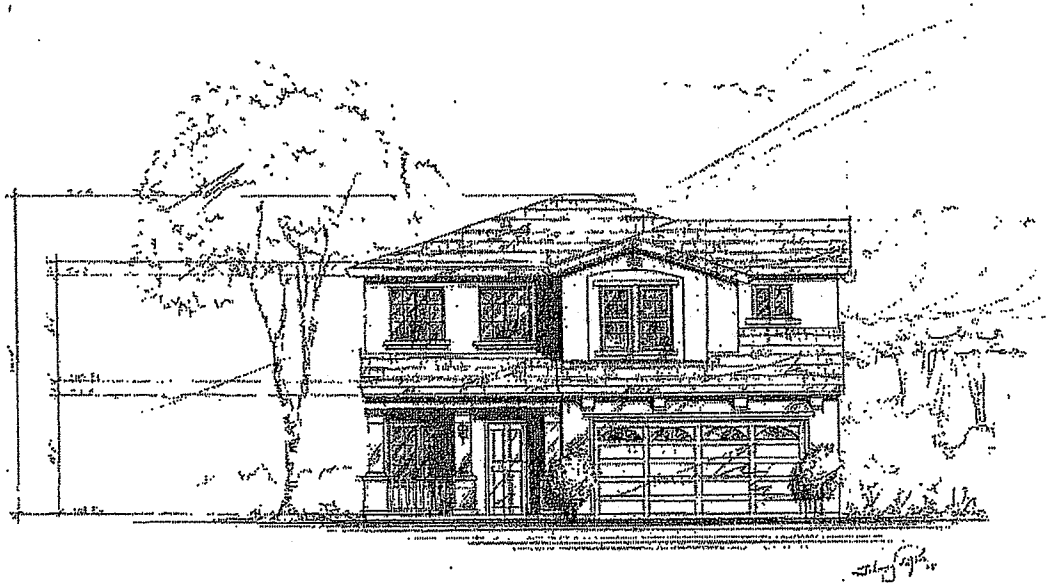


PROJECT DESCRIPTION



PROPOSED SUBDIVISION LOCATED @
11694 DIXON ST. - CASTROVILLE, CA

dayton & associates



PLAN & ELEVATION

REVISIONS	BY

d k a

darsen + associates

PROPOSED SUBDIVISION LOCATED @
11590 UNION ST., CASTROVILLE

DATE
DRAWN BY
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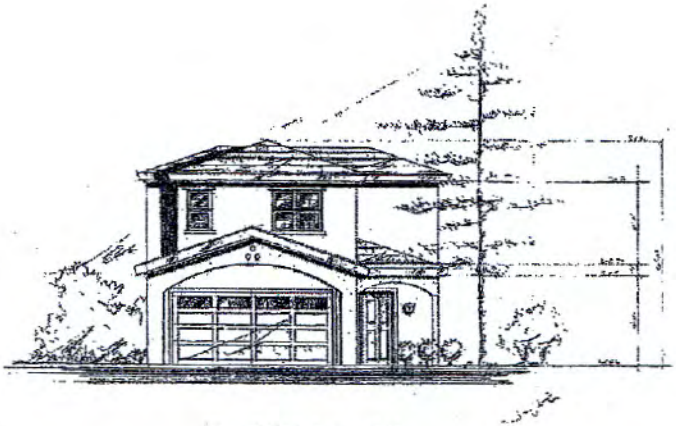
3
OF SHEETS

PROPOSED SUBDIVISION LOCATED @
13590 UNION ST., CASTROVILLE

d & a
darosa & associates



TYPICAL FRONT ELEVATION.

REVISION	BY

d & a

dirona + associates

PROPOSED SUBDIVISION LOCATED @:

1159a UNION ST., CASTROVILLE

DATE

DRAWN

CHECKED

SCALE

SHEET

7

VICINITY MAP

Project Data

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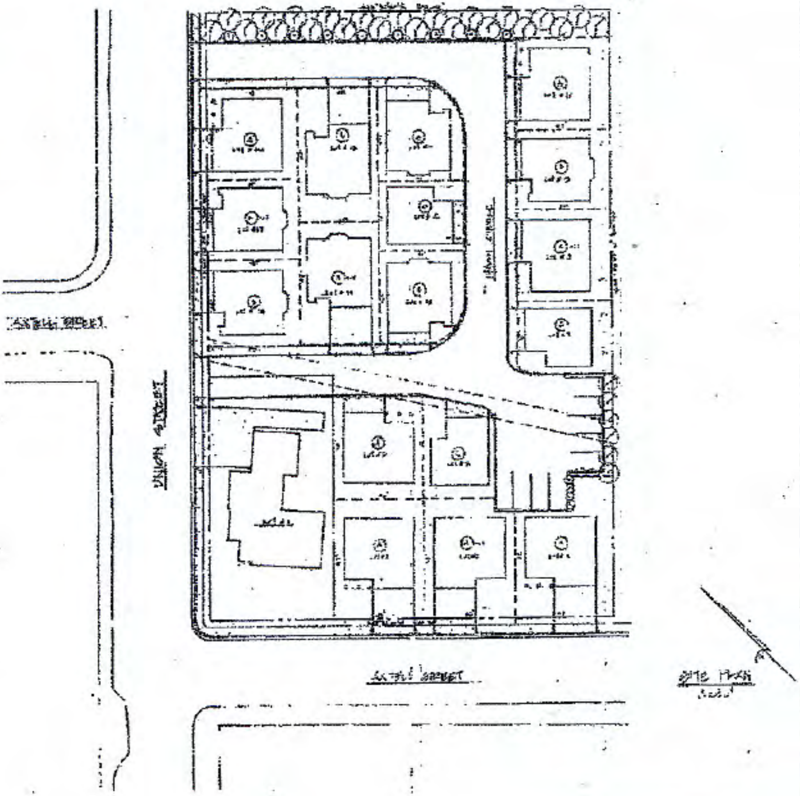

PROPOSED SUBDIVISION LOCATED at
11590 UNION ST., CASTROVILLE

1