

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

RESOLUTION NO. 05058

AP # 261-101-028-000

FINDINGS AND DECISION

In the matter of the application of

Al Sammut Boronda Manor Subdivision (PLN040571)

for a Standard Subdivision in accordance with Chapter 19.03, Title 19 (Subdivision) of the County of Monterey Code, to allow a Standard Subdivision Tentative Map to divide a 1.521 acre parcel into 6 lots ranging in size between 10,000 sq. ft. to 11,310 sq. ft., came on regularly for hearing before the Planning Commission on October 26, 2005.

1. FINDING: The proposed project consists of a standard subdivision Tentative Map to subdivide a 1.521 acre parcels into six parcels for the development of six single family dwellings (PLN0040571). The project, as conditioned, conforms with the plans, policies, requirements and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, the Greater Salinas Area Plan, the Boronda Neighborhood Improvement Plan, and the Monterey County Zoning Ordinance (Title 21) which designates this area as appropriate for affordable housing residential development. The subject site is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 21 and any zoning violation abatement costs have been paid.

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

- a. Monterey County General Plan
- b. Greater Salinas Area Plan
- c. Boronda Neighborhood Improvement Plan
- d. Monterey County Subdivision Ordinance (Title 19)
- e. Monterey County Zoning Ordinance (Title 21)

EVIDENCE: The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, the Salinas Rural Fire Protection District, the Monterey County Sheriff's Department, the Housing and Redevelopment Agency and the City of Salinas. There has been no indication from these agencies that the site is not suitable for the proposed development. The Initial Study demonstrates that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed development. Each agency has recommended conditions for subdivision improvements. The conditions are attached hereto as Exhibit D.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in project file PLN040571.

2. FINDING: The project will not have a significant adverse impact on the environment. An Initial Study was prepared for the project and it was determined that the project would have no significant impacts. The negative declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and during the public review process. The Monterey County Planning and Building Inspection Department,

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

EVIDENCE: County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, as adopted by the County of Monterey County. The Initial Study provided substantial evidence that the project would not have significant environmental impacts. A Negative Declaration was filed with the County Clerk on July 25, 2005, and noticed for public review. The public review period ended August 25, 2005. No comments were received on the Initial Study. 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 were incorporated into conditions of the project as listed in Exhibit D of this staff report. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

- a. Project Application/Plans and Technical Report within project file PLN040571 consisting of the Geological Report
- b. General Plan, Greater Salinas Area Plan, Boronda Neighborhood Improvement Plan, Zoning Code (Title 21)
- c. Subdivision Map Act and Monterey County Subdivision Ordinance (Title 19)
- 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 no potentially significant impacts; The Initial Study is on file in the office of Planning and Building Inspection in project file (PLN040571). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval (Exhibit D).

3. FINDING: For Purposes of the Fish and Game Code, the project will have no potential for adverse impact on fish and wildlife resources upon which the wildlife depends.

EVIDENCE: Staff analysis contained in the Initial Study and the record as a whole indicate the project will not result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein has no impact.

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

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

EVIDENCE: *The applicant will be required to comply with the Inclusionary Housing Ordinance as condition #33 of approval.*

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

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

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

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

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

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

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

EVIDENCE: The application, plans, and support materials, including the technical reports submitted for the adjoining project (Boronda Oaks Subdivision PLN020136) project. The reports are:

- a. Traffic Analysis Memorandum, JKM Transportation Consultants January 26, 2005
- b. Storm Drainage Report, Sandis, Humber Jones (July 2, 2002)
- c. Environmental Site Assessment Phase I, Environmental Investigation Services (February 7, 2001 & March 14, 2001)
- d. Environmental Site Assessment Phase II, Environmental Investigation Services (March 30, 2001)
- e. Noise Study, Bollard and Brennan, Inc. (November 4, 2002)
- f. Native American Resources Report, Archaeological Consulting (April 4, 2002)
- g. Hydrological Report, Mactec Engineering and Consulting, Inc. (January 9, 2003)
- h. Geotechnical Investigation, Soil Surveys, Inc. (February 8, 2001 & April 3, 2001)
- i. Geological Report, CapRock (November 13, 2002)
- j. Cultural Resources Study, Archaeological Consulting (December 21, 2001)
- k. Biotic Resources Report, H.T. Harvey & Associates, (June 26, 2002)

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

EVIDENCE: Evidence for Findings 1, and 2.

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

general welfare of the County.

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

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

EVIDENCE: Application materials in project file PLN040571, Initial Study, and Negative Declaration contained in the project file.

DECISION

THEREFORE, it is the decision of the Planning Commission of the County of Monterey that the Negative Declaration be adopted and said application for a Standard Subdivision Tentative Map be granted as shown on the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 26th day of October, 2005 by the following vote:

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


DALE ELLIS, SECRETARY

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON DEC 06 2005

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE DEC 16 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 Marina.

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

Monterey County Planning and Building Inspection Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: BORONDA MANOR SUBDIVISION <i>File No:</i> pln040571 <i>APNs:</i> 261-101-028-000 <i>Approval by:</i> <u>Planning Commission</u> <i>Date:</i> <u>October 26, 2005</u>
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. No.</i>	<i>MIT. No.</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
Planning and Building Inspection Department Conditions						
1		PBD029 - SPECIFIC USES ONLY This Tentative Map Approval permit (PLN040571) allows subdivision of a 1.521 acre parcel into six lots ranging in size from 10,000 to 11,310 square feet. The property is located at 37 Brooks Road (Assessor's Parcel Number 261-101-028-000), Boronda area. This permit was approved in	Adhere to conditions and uses specified in the map approval.	Owner/subdivider	Ongoing unless otherwise stated	

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		accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the filing of the Final Map for Boronda Manor allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)				

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2		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 040571) was approved by the Planning Commission for Assessor's Parcel Number 261-101-028-000 on October 26, 2005. The permit was granted subject to 41 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)	Proof of recordation of this notice shall be furnished to PBI.	Owner/subdivider	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	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist	Owner/subdivider / Archaeologist	Ongoing	

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		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)	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 mitigation measures required for the discovery.			
4		PBD012 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code	Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map,	Owner/subdivider	Prior to the record-ation of the tentative map, the start of the use or the issuance of build-ing and grading permits.	

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		of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) calendar days of project approval – prior to filing of the Notice of Determination. This fee shall be paid on or before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid. (Planning and Building Inspection)	the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first.			
5		PBD016 - 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	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI.	Owner/subdivider	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, which-ever	

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		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			occurs first and as applicable	

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		Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (Planning and Building Inspection)				
6		PBD024 - NOTE ON MAP-STUDIES A note shall be placed on the final map or a separate sheet to be recorded with the final map stating that: "A Geotechnical report dated October 27, 2002, County Library Number 050647, has been prepared	Final recorded map with notes shall be submitted to PBI and Public Works for review and approval.	Owner/subdivider	Prior to Recordation of Final Map	

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		on this property by Richard E. Dante of H.D. Peters, and is on file in the Monterey County Planning and Building Inspection Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (Planning and Building Inspection)				
7		PBD042 – GRADING PERMITS REQUIRED A grading permit is required in conjunction with subdivision improvement plans for subdivision pad leveling and in addition for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less	If applicable, apply and receive the appropriate grading permit from Monterey County Planning and Building Inspection.	Engineer/ Owner/subdivider	Prior to Issuance of Grading or Building Permits	

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		than 100 cubic yards of earthwork.. (Planning and Building Inspection)				
8		PBD032(B) – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection.	Submit evidence of tree protection to PBI for review and approval.	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits	

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		(Planning and Building Inspection)				
9		PBD034 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (Planning and Building Inspection; Public Works)	None	Applicant/ Owner	Ongoing	
10		PBI Non-Standard Applicant /Subdivider shall secure all required demolition permits prior to removing structures shown on Subdivision Improvement Plans as “To be Removed”	Apply for and receive demolition permit(s) as required prior to removing and existing structures from the subdivided area. Contractor shall apply at the Permit Center in the County Government Center 2 nd floor 168 W. Alisal Street Salinas	Owner/Subdivider or Subdivider’s designated /authorized contractor	Prior to demolition of any existing structures	

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Health Department- Division of Environmental Health						
11		EH5 - INSTALL/BOND WATER SYSTEM IMPROVEMENTS 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. (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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12		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 _____ for review and approval. Submit evidence to the Director of Environmental Health that the proposed water system improvements have been approved by _____ prior to installing or bonding the improvements	CA Licensed Engineer /Owner/ Applicant	Prior to filing final map	
Salinas Rural Fire District Conditions						
13		FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/subdivider	Prior to issuance of grading and/or building permit.	

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		not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet,	Applicant shall schedule fire dept. clearance inspection	Owner/subdivider	Prior to final building inspection.	

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		<p>turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. : Salinas Rural Fire District.</p>				

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14		FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/subdivider	Prior to issuance of building permit.	
			Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/subdivider	Prior to issuance of building permit.	

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		along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance Salinas Rural Fire District.				
15		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner/subdivider	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Owner/subdivider	Prior to framing inspection	

<i>Permit Cond. No.</i>	<i>MIT. No.</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verificati on of Complian ce (name/dat e)</i>
		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. Salinas Rural Fire District.	Applicant shall schedule fire dept. final sprinkler inspection	Owner/subdivider	Prior to final building inspection	

<i>Permit Cond. No.</i>	<i>MIT. No.</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verificati on of Complian ce (name/dat e)</i>
16		<p>FIRE026 - ROOF CONSTRUCTION (STANDARD)</p> <p>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. Salinas Rural Fire District.</p>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner/subdivider	Prior to issuance of building permit.	
17		<p>FIRE030 – NON-STANDARD CONDITION – SUBDIVISION IMPROVEMENTS</p> <p>The subdivision improvements for this project shall be incorporated into the existing improvements of the Boronda Oaks subdivision. Such improvements include but are not limited to water for fire protection, roadway access, addresses for buildings. (Salinas Rural Fire District.)</p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/subdivider	Prior to issuance of grading and/or building permit.	

Monterey County Public Works Department Conditions

19		PW0015 – UTILITY’S COMMENTS Submit the approved tentative map to impacted utility companies. Subdivider shall submit utility company recommendations, if any, to the Department of Public Works for all required easements. (Public Works)	Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW	Owner/subdivider	Prior to Recordation of Map	
20		NON-STANDARD CONDITION-STORM DRAIN FEE Prior to recordation of the final amp, applicant shall contribute \$57,962 (\$38,108 per acre X 1.521 acres) to County as a pro-rata fair share of local drainage and street improvements listed in the Boronda Redevelopment Area Storm Drain Master Plan Phase I. (Public Works)	Make payment of storm drainage fee to County of Monterey	Owner/subdivider	Prior to Recordation of Map	
21		NON-STANDARD CONDITION-CITY OF SALINAS TRAFFIC MITIGATION FEE Prior to recordation of the final map, applicant shall pay the City of Salinas the project’s pro-rata cost for improvements listed in the City’s Traffic Fee Ordinance. (Public Works)	Make payment of traffic project’s pro-rata cost to the City of Salinas pursuant to City of Salinas Traffic fee Ordinance	Owner/subdivider	Prior to recordation of the Final Map	

22		NON-STANDARD CONDITION-PRUNEDALE IMPROVEMENT PROJECT Prior to recordation of the final map, applicant shall contribute \$17,673 to the County as the project's pro-rata share of the cost of the Prunedale Improvement Project. (Public Works)	Contribute \$17,673 to the County as the project's pro-rata share of the cost of the Prunedale Improvement Project	Owner/subdivider	Prior to recordation of the Final Map	
23		NON-STANDARD CONDITION-TAMC FEES Applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. (Public Works)	Pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study.	Owner/subdivider	Prior to recordation of the Final Map	
24		NON-STANDARD CONDITION-ROAD MAINTENANCE Provide Evidence of annexation to the existing homeowners association for the Boronda Oaks Subdivision for the purposes of road and drainage infrastructure maintenance. (Public Works)	Provide documents of acceptance of these 6 lots into the existing homeowners association for the Boronda Oaks Subdivision for the purposes of road and drainage infrastructure maintenance.	Owner/subdivider	Prior to recordation of the Final Map	
25		NON-STANDARD CONDITION-CARBONERO STREET That the construction of Carbonero street be completed in accordance with the typical section shown on the tentative map for the Boronda	Complete any construction of Carbonero street as shown on Improvement Plans, or bond such construction.	Owner/subdivider	Prior to recordation of the Final Map	

		Oaks Subdivision. (Public Works)				
26		SEWER CONNECTION Obtain a sewer connection permit from the Department of Public Works and pay all applicable fees. (Public Works)		Owner/subdivider	Prior to recordation of the Final Map	
27		PW0012 – PLAN SUBMITTAL (SEWER) Submit plans to the Department of Public Works for approval and construct all necessary sewer improvements. (Public Works)	Submit plans to the Department of Public Works for approval. Bond any improvements not constructed by time of filing of Final Map	Owner/subdivider	Prior to recordation of the Final Map	
28		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 or other agency with legal authorization to collect fees sufficient to support the services is formed to assume responsibility for the services.	Subdivider shall be responsible to maintain improvements until maintenance is assumed by another entity.	Owner/subdivider	Ongoing	

Monterey County Water Resources Agency Conditions

29	<p>WR36 - HOMEOWNERS ASSOCIATION CC&R'S A homeowner's association shall be formed for the maintenance of roads, drainage facilities, and open spaces. The Director of Public Works, the Director of Planning and Building Inspection, and the County Water Resources Agency shall approve documents for formation of association. The covenants, conditions and restrictions (CC&R's) shall include provisions for a yearly report by a registered civil engineer and the monitoring of impacts of drainage and maintenance of drainage facilities. Report shall be approved by the County Water Resources Agency. (Water Resources Agency)</p>	<p>Submit the CC&R's to the Water Resources Agency for review and approval.</p>	<p>Owner/subdivider</p>	<p>Prior to filing of final map</p>	
30	<p>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</p>	<p>Submit a recorded notice to the Water Resources Agency for review and approval.</p> <p>(A copy of the County's standard notice can be obtained at the Water Resources Agency.)</p>	<p>Owner/subdivider</p>	<p>Recordation of the notice shall occur concurrently with the final</p>	

		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)			map	
31		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 notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency)	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	Recordation of the notice shall occur concurrently with the final map	
32		WR44 - WATER USE INFORMATION The applicant shall provide the Water Resources Agency a copy of the Water Use & Nitrate Impact Questionnaire (WUNIQ) 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	
33		WR46 - C.C.&R. WATER CONSERVATION PROVISIONS The applicant shall provide the Water Resources Agency with a	Submit the CC&R’s to the Water Resources Agency for review and approval.	Owner/Applicant	Prior to filing the final map	

		<p>copy of the subdivision Covenants, Conditions and Restrictions containing the following provisions from Monterey County Ordinance No. 3932: "All new construction incorporate the use of low water use plumbing fixtures including, where applicable, hot water recirculation systems; the front yards of all homes shall be landscaped at the time of construction; low water use or drought tolerant plants shall be used together with water efficient irrigation systems; leak repair is the property owner's responsibility; vehicle and building washing shall use hoses equipped with shutoff nozzles; no potable water to be used for sidewalk washing; no water spillage into streets, curbs, and gutters; no emptying or refilling of swimming pools except for structural repairs or if required for public health regulations; no fountains unless water is recycled within the fountain." (Water Resources Agency)</p>				
34		<p>DRAINAGE PLAN (NON-STANDARD WORDING) The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or</p>	<p>Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to filing the final map</p>	<p>WRA</p>

		architect addressing on-site and off-site impacts. Impervious surface stormwater runoff shall be directed to the existing stormwater drainage system for the Boronda Oaks Subdivision. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)				
35		DRAINAGE NOTE (NON-STANDARD WORDING) A note shall be recorded on the final map stating that any future development on these parcels will require impervious surface stormwater runoff to be directed to the existing drainage for the subdivision. The applicant shall provide the Water Resources Agency a copy of the map to be recorded. (Water Resources Agency)	Submit a copy of the final map to be recorded, with appropriate note, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to recordation of the final map	WRA
36		DRAINAGE & FLOOD CONTROL SYSTEMS AGREEMENT OR SIMILAR AGREEMENT (NON-STANDARD WORDING) If the homeowners' association after notice and hearing fails to properly maintain, repair or operate the drainage and flood control facilities in the project, Monterey County Water Resources Agency shall be	Submit the signed and notarized original Agreement to the Water Resources Agency for review and approval prior to recordation. (A copy of the County's standard agreement can be obtained at the Water Resources Agency.)	Owner/ Applicant	The agreement shall be recorded concurrently with the final map	WRA

		granted the right by the property owners to enter any and all portions of the property to perform repairs, maintenance or improvements necessary to properly operate the drainage and flood control facilities in the project. The County Water Resources Agency shall have the right to collect the cost for said repairs, maintenance or improvements from the property owners upon their property tax bills. A hearing shall be provided by the Board of Supervisors as to the appropriateness of the cost. Prior to filing the final map, a copy of a signed and notarized <i>Drainage and Flood Control Systems Agreement or similar acceptable agreement</i> shall be provided to the Water Resources Agency for approval. (Water Resources Agency)				
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Monterey County Parks Department Condition

37		PKS002 – Recreation requirements/fees 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	Pay fee to the Monterey County Parks Department upon determination of calculated fee.	Subdivider	Prior to recordation of Final Map	
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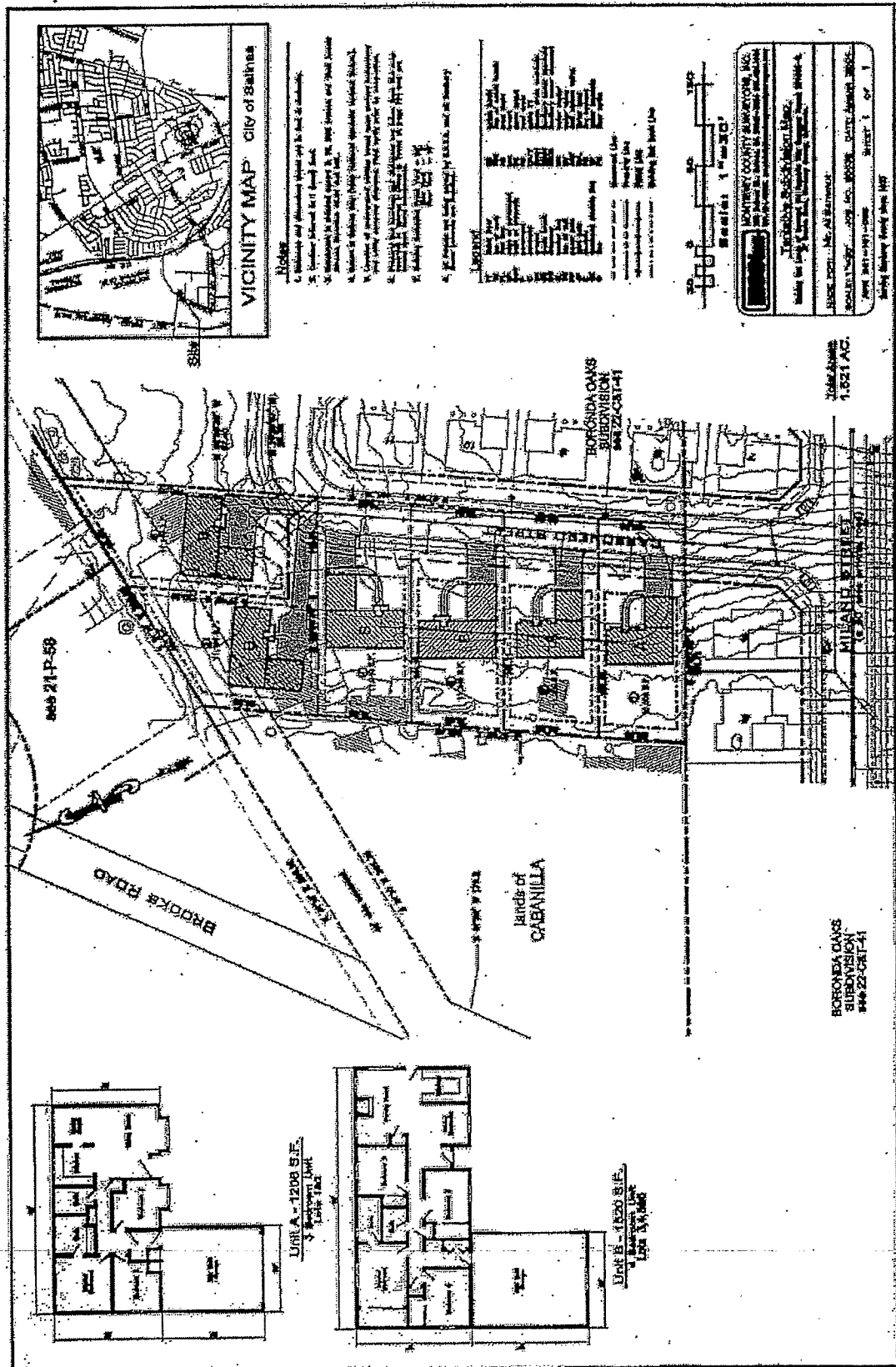
		fee in accordance with provisions contained in Section 19.12.010(G). (Parks Department)				
Monterey County Housing and Redevelopment Agency Condition						
38		OFFICE OF HOUSING AND REDEVELOPMENT Pursuant to County Inclusionary Housing Ordinance, #04185 contribute one Inclusionary Housing Unit. Prior to the recordation of the Final Map the project applicant shall execute an Inclusionary Housing Agreement with the County, in a form acceptable to the County, that specifies at least one Inclusionary Housing Unit shall be provided on the project site at a moderate-income level. The Agreement shall address, but not be limited to, the type and size of the unit, the location of the unit, pricing, selection of buyers and/or tenants, and the phasing of the inclusionary unit construction related to the release of building permits for the market rate units. (Monterey County Housing and Redevelopment)	Execute an Inclusionary Housing Agreement with the County, in a form acceptable to the County that specifies at least one Inclusionary Housing Unit shall be provided on the project site at a moderate-income level. The Agreement shall address, but not be limited to, the type and size of the unit, the location of the unit, pricing, selection of buyers and/or tenants, and the phasing of the inclusionary unit construction related to the release of building permits for the market rate units.	Owner/subdivider	The agreement shall be recorded concurrently with the final map	

Monterey Bay Unified Air Pollution Control District Conditions

39		The applicant will include the specification that no more than two acres per day of grading activities shall be allowed in all construction specifications.	Statement shall be in any construction contract approved pursuant to approved Improvement Plans required to install utilities, hardscape (streets and sidewalks curbs and gutters), or grading of the project site for building pads and utility trenches	Owner/subdivider	Provide construction contract upon request to County P&BI, Public Works Department or Monterey Bay Unified Air Pollution Control District	
40		<p>The applicant and construction contractor shall implement the following Best Available Control Practices per MBUAPCD standards:</p> <ul style="list-style-type: none"> ▪ <i>Apply non-toxic tackifier, or other suitable cover (such as jute netting, erosion control fabric, mulch, etc.), to exposed areas immediately after cut-and-fill operations are complete.</i> ▪ <i>Trucks hauling dirt and debris must be covered.</i> ▪ <i>Post the project at two locations with a publicly visible sign during All unpaved construction areas shall be sprinkled with water (at least twice per day in dry weather</i> 	Follow MBUAPCD best management practices and indicate those applicable practices in construction contracts pursuant to this condition of subdivision approval. So indicate in Improvement Plans	Owner/subdivider, County planning staff and Staff of County Department of Public Works	Review Improvement Plans for proper language prior to recordation of the Final Map	

		<p>during grading activities.)</p> <ul style="list-style-type: none"> ▪ construction operations that specifies the telephone number and person to contact for complaints and/or injuries from dust generation and other air quality problems resulting from project construction. ▪ Immediately sweep up spilled dirt or debris onto paved surfaces. ▪ Cover on-site stockpiles of excavated materials. ▪ Vacuum (e.g. road sweeper/vacuum) construction-related soils on public roads whenever soils are visible. 				
41		<ul style="list-style-type: none"> ▪ Contact Mike Sheehan at Monterey Bay Unified Air Pollution Control District (MBUAPCD) regarding any demolition permits and the potential for encountering asbestos and any permitting required by the district. 	Submit copy (ies) of any demolition permits applied for with the County of Monterey to the MBUAPCD for review and conditioning. Submit copies of the MBUAPCD approval to the Permit Center staff for filing with the Demolition Permit(s)	Owner/subdivider, County Planning staff and Staff of County Department of Public Works, Staff of MBUAPCD	Review Improvement Plans for proper language prior to recordation of the Final Map	

Tentative Map



Vicinity Map

