

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> December 13, 2006 Time: 9:15 A.M.	<b>Agenda Item No.:</b> 4
<b>Project Description:</b> Combined Development Permit consisting of: 1) 73 Use Permits and Design Approvals to allow the development of 73 single family dwellings ranging in size between 1,298 square feet and 2,845 square feet and detached garages of approximately 441 square feet in a Historical Resources (HR) Review Zoning District. The project includes six floor plans and three different elevations for each floor plan for the single family dwellings and three elevation plans for the detached garages; and 2) A Lot Line Adjustment in order to merge the southerly half of Lot 13 with Lot 14 of Block L.	
<b>Project Location:</b> West side of Llano Avenue between Fifth Street to the North and Spreckels Boulevard to the South, Spreckels.	<b>APN(s):</b> 177-051-008-000 to 177-051-023-000; 177-054-014-000 to 177-054-026-000; 177-055-014-000 to 177-055-026-000 177-061-009-000; 177-061-011-000 to 177-061-026-000; and 177-064-010-000 to 177-064-025-000
<b>Planning File Number:</b> PLN060411	<b>Name:</b> Standard Pacific Corporation, Property Owner
<b>Plan Area:</b> Greater Salinas Area Plan	<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> : “HDR/5.1-HR-D” [High Density Residential with a maximum gross density of 5.1 units per acre, Historical Resources Zoning District and Design Control Overlays].	
<b>CEQA Action:</b> Categorically Exempt per Section 15303 (a)	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Planning Commission approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

### PROJECT OVERVIEW:

See attached discussion in **Exhibit B**.

### OTHER AGENCY INVOLVEMENT:

- ✓ Salinas Rural Fire Protection District
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Sheriff's Office
- ✓ Historic Resource Review Board

The above checked agencies and departments have reviewed this project. Conditions recommended by the Salinas Rural Fire Protection District, Public Works Department, Parks Department, Environmental Health Division, Water Resources Agency and the Historic Resource Review Board have been incorporated into the Condition Compliance Reporting Plan (**Exhibit D**).

The project was referred to the Spreckels Neighborhood Design Review Committee on July 19, 2006. The committee unanimously approved the project with a vote of 5-0, subject to conditions of approval.

Note: The decision on this project is appealable to the Board of Supervisors.

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November 30, 2006

cc: Planning Commission Members (10); County Counsel; Salinas Rural Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Sheriff's Office; Historic Resource Review Board; Spreckels Neighborhood Design Review Committee; Laura Lawrence, Planning & Building Services Manager; Nadia Amador, Planner; Carol Allen; Standard Pacific c/o Scott Hoffman, Applicant; File PLN060411.

Attachments:

Exhibit A	Project Data Sheet
Exhibit B	Discussion
Exhibit C	Recommended Findings and Evidence
Exhibit D	Recommended Conditions of Approval
Exhibit E	Site Plan, Floor Plan, Elevations, Color Renderings, Lighting, Fencing and Plant Design
Exhibit F	Applicant's Scope of Work Statement
Exhibit G	Spreckels Neighborhood Design Review Meeting Minutes dated July 19, 2006
Exhibit H	Historic Resources Review Board (HRRB) Minutes dated September 7, 2006 and October 5, 2006
Exhibit I	Planning Commission Resolution No. 04016 dated March 31, 2004 (Appeal by Association of Spreckels Residents)
Exhibit J	Board of Supervisors Resolution No. 04-223 dated June 8, 2004 (Appeal by Association of Spreckels Residents)
Exhibit K	Planning Commission Resolution No. 05001 dated January 12, 2005 (Grading Improvements and Adoption of Mitigated Negative Declaration)
Exhibit L	Planning Commission Resolution No. 05028 dated June 29, 2005 (General Plan and Area Plan Amendment, Rezoning and Adoption of Negative Declaration)
Exhibit M	Board of Supervisors Resolution No. 05-292 dated September 27, 2005 (General Plan and Area Plan Amendment, Rezoning and Adoption of Negative Declaration)
Exhibit N	Addendum Pursuant to CEQA, Article 11, Section 15164 for GP060232 (Grading Permit Revision)
Exhibit O	Tree Resources Analysis/Construction Impact Assessment prepared by James P. Allen & Associates, dated May 2006 and Monitoring Letter submitted December 1, 2006.

- Exhibit P      Official Map of Spreckels recorded January 8, 1907 (Volume 1,  
Page 71)
- Exhibit Q      Current Assessor's Parcel Map

This report was reviewed by Laura Lawrence, Planning and Building Services Manager.

## **EXHIBIT B DISCUSSION**

### **Project Description**

The present application is for a Combined Development Permit consisting of 73 Use Permits and Design Approvals to allow the development of 73 single family dwellings in a Historical Resources (HR) Review Zoning District. Each single family dwelling is to be constructed on its individual legal lot of record in the town of Spreckels. The proposed homes include six floor plans and three elevation plans for each floor plan consisting of the following:

Plan 1- 1,298 square feet	10 homes
Plan 2- 1,644 square feet	11 homes
Plan 3- 2,170 square feet	12 homes
Plan 4- 2,504 square feet	15 homes
Plan 5- 2,503 square feet	15 homes
Plan 6- 2,845 square feet	10 homes

The project also includes detached 2-car garages of approximately 441 square feet in three different elevations.

61 out of the 73 parcels will access the lots and their parking structures through the established alley ways, with the exception of 12 lots: Block K, Lot 20; Block L, Lot 1 and 20; Block M, Lot 1 and 20; Block N, Lot 1, 13, 14 , 15 and 20; and Block O, Lot 1 and 20. No tree removal is proposed.

### **Project Site**

The project site is located in the town of Spreckels, on the west side of Llano Avenue between Fifth Street to the North and Spreckels Boulevard to the south. The town of Spreckels is located four miles south of Salinas and 18 miles east of Monterey.

The project sites consists of a 16.1 acre site with roadways that have been dedicated to and accepted by the County as public thoroughfares and 73 legal lots of record. The site is immediately adjacent to the established residential neighborhood. The project site is flat as it had been used for row crop farming for decades. No vegetation exists within the 16.1 acre site, but three historical walnut trees front the site, along Spreckels Boulevard. These trees will not be removed as part of the proposed development.

### **Project History**

#### ***Grading Permit No. GP030078***

On May 1, 2003, the former property owner, Tanimura and Antle, applied for a grading permit (GP030078) to initiate site improvements for 73 lots of record. The improvements include: grading for driveway surfaces and building sites, drainage components, installation of sanitary sewer infrastructure including inlets, manholes and laterals and laying of asphalt and concrete road surfaces. The permit also included installation of sidewalks and road curbs. These improvements were to support the residential use of 73 lots of record for construction of single family dwellings. Following the submittal of this grading permit application, a dispute ensued regarding the legal status of the subject lots and the grading permit was held in “applied” status.

***Parcel Legality Status File No. PD040208***

On January 29, 2004 the Monterey County Planning and Building Inspection Department issued a Parcel Legality Status Determination (PD040208) affirming the legal status of the existing 73 subject lots. This finding was made after extensive research of the facts surrounding the adoption of the 1907 Spreckels Map and consultation with County Counsel. The County concluded that the 1907 Spreckels Map, filed with the Monterey County Recorder's Office as "Official Map of Spreckels, Volume 1, Page 71", complied with the Subdivision Map Act's predecessor statutes in effect in 1907. The Spreckels Map is attached as **Exhibit P**.

***Appeal of the County's Legal Lot Determination of the 73 Spreckels Lots by the Association of Spreckels Residents File No. PLN040121***

On March 31, 2004 the Planning Commission held a public hearing and denied Appellant's appeal requesting a reversal of the subject Parcel Legality Status Determination and denied Appellant's request for a fee waiver. (Planning Commission Resolution No. 04016, attached as **Exhibit I**).

On June 8, 2004 the Board of Supervisors held a public hearing and denied the Appeal in total, including the Appellant's request for fee waiver and Appellant's request to reverse the Planning Commission's March 31, 2004 decision. The Board of Supervisors affirmed the Planning Commission's determination that the 73 subject lots are legal lots are record. (Board of Supervisor Resolution No. 04-223, attached as **Exhibit J**).

***Grading Permit No. GP030078/ Mitigated Negative Declaration***

On January 12, 2005 the Planning Commission held a public hearing and approved GP030078 and adopted associated Mitigated Negative Declaration (Planning Commission Resolution No. 05001). The grading permit consisted of site improvements for 73 existing lots of record in the historic town of Spreckels. The project included 73 driveway surfaces and building sites (500 cubic yards of cut and 32,350 cubic yards of fill), installation of sanitary sewer infrastructure including inlets, manholes, and laterals and laying of asphalt and concrete road surfaces and installation of sidewalks and road curbs. The Mitigated Negative Declaration/Initial Study identified potentially significant impacts to utilities and service systems, public services, noise, land use planning, agricultural resources and transportation. Key mitigation measures included payment of traffic impact fees, construction of a two-way left turn lane along Spreckels Boulevard from Hatton Avenue to the new Nacional Avenue (according to the traffic analysis dated August 27, 2004), and the re-zoning and General Plan Amendment of the subject property in order to reflect the residential use of the lots. All of the conditions and mitigation measures, as described in Planning Commission Resolution No. 05001, attached as **Exhibit K**, have been satisfied.

***Amendment to General Plan and Greater Salinas Area Plan, Rezoning/Negative Declaration, File No. PLN050287***

On June 29, 2005, the Planning Commission held a public hearing and recommended approval to the Board of Supervisors for a General Plan and Area Plan Amendment and Rezoning for the 73 subject lots in Spreckels. The proposal consisted of designating the subject lots from "Prime Farmland" to "High Density Residential" in the Monterey County General Plan and the Greater Salinas Area Plan. Also the proposal consisted of re-zoning from "Farmland, 40 Acre Minimum" to "High Density Residential, 5.1 Units Per Acre, with a Historic Resources Overlay District." (Planning Commission Resolution No. 05028, attached as **Exhibit L**).

On September 27, 2005, the Board of Supervisors held a public hearing and approved the General Plan and Area Plan Amendment and Rezoning and adopted the associated Negative Declaration/Initial Study. (Board of Supervisors Resolution No. 05-292, attached as **Exhibit M**).

All of the conditions as described in Planning Commission Resolution No. 05028 and Board of Supervisors Resolution No. 05-292 have been satisfied.

***Grading Permit No. 060232/ Addendum Pursuant to CEQA, Article 11 Section 15164***

On August 9, 2006, the RMA- Planning Department received a grading permit application revision, filed under GP060232, by Standard Pacific Corporation. The revised grading permit (GP060232) consisted of 21,000 cubic yards of cut and 18,000 cubic yards of fill as opposed to the May 2003 grading permit application, file number GP030078, with the proposal of 500 cubic yards of cut and 32,350 cubic yards of fill. Since the scope of the previous grading permit (GP030078) had been analyzed through a Mitigated Negative Declaration/Initial Study and then approved by the Planning Commission on January 12, 2005 (Planning Commission Resolution No. 05001), staff analyzed the scope of the new revision by comparing the two grading proposals. Because the grading permit revision significantly changed the amounts of cut and fill, Staff needed to determine if subsequent environmental review would be required.

Under CEQA Section 15162, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information or substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the complete or Negative Declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Staff reviewed the California Environmental Quality Act (CEQA) Air Quality Guidelines and corresponded with the Monterey Bay Unified Air Pollution Control District regarding the revised grading proposal. Staff found that the revised grading proposal fell under the same threshold

criteria of the original grading estimate. In the Initial Study, the analysis focused on minimal to significant amounts of grading. The Initial Study concluded that the maximum daily *Particulate Matter* or PM<sub>10</sub> emissions, would fall below the Monterey Unified Air Pollution Control District's recommended significance threshold by 82 lbs/day, if disturbance was limited to less than 2.2 acres per day. The revised grading permit, employing the same limitations on disturbance, would not result in new significant environmental effects or a substantial increase in severity of previously identified significant effects.

CEQA Section 15164 (a) states that the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. Because the changes were minor technical changes, staff prepared an addendum to the adopted Mitigated Negative Declaration as required under CEQA Section 15164 (b). The addendum is attached as **Exhibit N**.

The Grading Permit, GP060232, was issued on September 13, 2006, after the review and approval of the Monterey County Water Agency, RMA-Public Works, Health Department, Grading/Plan Check Department, Salinas Rural Fire Protection District and the RMA-Planning Department.

## **Project Analysis**

### ***Zoning***

The 73 subject legal lots of record are zoned "HDR/5.1-HR-D" or "High Density Residential with a maximum gross density of 5.1 units per acre, Historic Resources Zoning District and Design Control Zoning District."

Per "HDR" Zoning District, Section 21.10.030.A of Title 21, the first single family dwelling per lot is an allowed use. Since the subject lots are also zoned "HR", development on these lots are also subject to the "HR" Zoning District, Chapter 21.54 of Title 21. Section 21.54.040, requires that any application, except those involving archaeological resources, be referred the Historic Resources Review Board (HRRB) for review and recommendation to the appropriate authority. Per Section 21.54.080.A. of the "HR" Zoning District, no alteration may be allowed on any area in an "HR" district without the approval of a Use Permit. "Alteration" in this case, is defined as "new structures or fences" per Section 21.54.030.A.4. The "appropriate authority" to consider this project is the Planning Commission, per Section 21.54.050.A.

### ***Site Development Standards***

#### **HDR Zoning District**

The "HDR" district provides the site development standards for this project per Section 21.10.060.C. of Title 21. According to this section, the following are the required setbacks:

##### Main structure setbacks:

Minimum Setbacks- Front: 20 feet

Side: 5 feet

Rear: 10 feet

Maximum Height: 35 feet

##### Accessory Structures (Non-habitable) setbacks:

Minimum Setbacks- Front: 50 feet or behind the main structure, whichever is less

Side: 6 feet on the front one-half of property; 1 foot on rear one-half of property

Rear: 1 foot  
Maximum Height: 15 feet

Distances between structures:  
Accessory/Main Structure: 6 feet

Building Site Coverage, Maximum: 35% (Per the Zoning Map of Spreckels)

### **Height and Setback Exceptions, Chapter 21.62**

Provisions and exceptions to height and setback regulations throughout all zoning districts exist and become applicable to this project per Chapter 21.62, *Height and Setback Exceptions*. For this particular project, Section 21.62.040.J and Section 21.620.040.L of this Chapter apply:

#### Section 21.62.040.J- Corner lot adjacent to a Key Lot

This setback exception applies to corner lots adjacent to a key lot, where the required side setback on the street side for any structure within twenty-five feet of the side line of the key lot shall be equal to the front setback required on the key lot, and if more than twenty feet from such side line, the required side setback shall be fifty percent of the front yard required on the key lot. For this particular project, this exception applies to the following corner lots adjacent to key lots which under “HDR” standards, the normal front-yard setback is 20 feet. Per this exception a 10 foot setback from the edge or the road right-of-way suffices:

- Block K- Lot 1, holding a 16 foot setback from Nacional Avenue;
- Block L- Lot 1, holding a 15 foot setback from First Street;
- Block M- Lot 1, holding a 15 foot setback from Second Street;
- Block N- Lot 20, holding a 15 foot setback from Fourth Street;
- Block O- Lot 20, holding a 15 foot setback from Fifth Street.

#### Section 21.62.040. L- Detached accessory structures accessed from any alley

This setback exception requires that all accessory structures which have access from any alley shall not be located within six feet of the alley right-of-way. This applies to all of the 61 out of the 73 parcels that will have access to their parking structures through the established alleyways.

The 73 proposed single family dwellings and associated garages comply with the regulations of Section 21.10.060.C, Site Development Standards for the “HDR” district and Section 21.62, Height and Setback Exceptions. The main structures meet the setbacks pursuant to these chapters and their heights are not exceeding 35 feet. The detached garages (accessory non-habitable structures) meet the minimum setback requirements, are located at least six feet from the main structures and are their heights are not exceeding 15 feet. Furthermore, the 61 out of the 73 parcels that will have access to their parking structures through the established alleyways, meet the six foot setback from the alley right-of-way.

The 73 lots will not exceed the 35% lot coverage limitation established by the Zoning Map of Spreckels. For example, Plan 6 which is 2,845 square feet of total area (1<sup>st</sup> and 2<sup>nd</sup> story) and the largest of the 6 floor plans, measures at 1,570 square feet of lot coverage. Adding the 441 square foot detached garage to this equation would give the following result: 2,011 square feet of lot coverage. When this floor plan is placed on the smaller lots of this development, the 50x120 or 6,000 square foot lots, the 35% lot coverage is 2,100 square feet (6,000 square feet x 35%). Therefore, the largest house footprint with the detached garage on a 6,000 square foot lot is approximately 89 square feet under the allowed lot coverage limitation.



### ***Spreckels Neighborhood Design Review Committee***

The project was referred to the Spreckels Neighborhood Design Review Committee on July 19, 2006. The committee unanimously approved the project with a vote of 5-0, subject to the following recommendations of approval:

- 1) All chimneys must be new brick with no colors or textures.
- 2) Alleys should be thru alleys, at all costs. No abandoning of alleys.
- 3) Do everything possible to preserve the walnut trees aligning Spreckels Boulevard, as these are a huge part of Spreckels character.
- 4) If possible, windows must be double-hung and wood clad.
- 5) The planter strips should have lawn or landscape, not concrete.
- 6) Garage designs shall match the house construction.

The minutes are attached as **Exhibit G**.

### ***Historic Resources Review Board***

The project was reviewed by the Historic Resources Review Board (HRRB) several times. The project was reviewed as a “pre-application” on February 16 and March 22, 2006, in order for the applicant to gain understanding of the design guidelines that the HRRB would be requiring. After the project application and materials were submitted to County staff, the HRRB held meetings on August 3<sup>rd</sup>, September 7<sup>th</sup> and October 5<sup>th</sup>, 2006. At the last meeting in October, the members unanimously approved the project, subject to the following recommendations:

- 1) The color scheme and language of the CC&R’s shall be presented to Planning staff in order to determine compatibility with the Spreckels Design Guidelines, the General Plan and the zoning requirements.
- 2) The windows shall be single hung with the top sash of all windows divided with a grid on the interior and exterior (double sided mullions) and the bottom sash to remain without grids.
- 3) Retain and preserve all the walnut trees along Spreckels Boulevard.
- 4) Alleys shall be thru alleys.
- 5) The fence design shall be consistent with the Spreckels Design Guidelines, *Policy 2, Fences, Walls, and Site Features, Guideline S2.1*, which states, “New fences in front yards should not exceed four feet in height and should generally be constructed of wood slats in an open work pattern”. The developers original proposal of installing 4-foot high, picket, open-slat fencing on all Plan B elevations (approximately 30% of the of the total number of homes) is acceptable. The privacy fencing at 6’ feet in height is also acceptable with the following amendment:
  - The backyard/privacy six-foot fences on the following lots, shall be located on the respective corners of the single family dwelling:
    - a) Block K: Lot 1 and 20 (APNs 177-064-001 and 025)
    - b) Block L: Lot 1 and 20 (APNs 177-061-011 and 024)
    - c) Block M: Lot 1 and 20 (APNs 177-055-014 and 026)
    - d) Block N: Lot 1 and 20 (APNs 177-054-014 and 026)
    - e) Block O: Lot 1 and 20 (APNs 177-051-008 and 023)

Where fence placement creates a conflict with the window placement, the applicant shall be allowed to adjust accordingly to accommodate the change.

The minutes are attached as **Exhibit H**.

### ***Revised Project Description after HRRB Meeting***

Following the October HRRB meeting, the project description was revised in order to meet the recommendations of the Spreckels Neighborhood Design Review Committee and the Historic Resource Review Board in regards to the alleys and the historic walnut trees. The applicant withdrew the proposal to remove any historic walnut trees and withdrew the proposal to petition abandoning of the alleys.

### ***Tree Resource Analysis/Construction Impact Assessment***

The applicant's original proposal included the removal of two historic walnut trees located along Spreckels Boulevard and within the development boundary. The applicant consulted with James P. Allen, a certified arborist to evaluate the existing conditions of the trees and assess any potential construction impacts the trees would suffer. The arborist evaluated the three trees that were in close proximity to the development boundary. He determined that two of the three trees required removal, based on their existing conditions and further declination due to construction impacts. The arborist stated that if the trees were retained, the trees "may have greater opportunities for preservation and protection by revising the planned construction. Revisions would include relocating all improvements including utility trenching and site stabilization grade alterations outside of Critical Root Zones defined on the attached map" (**Exhibit O**).

Following consultation with the Spreckels Neighborhood Review Committee and the HRRB regarding the tree removal, it was very clear that both committees did not agree to the removal of the subject trees. Both committees recommended that the trees be retained at all costs, as these were an integral part of the historic character of Spreckels. Furthermore, the HRRB cited the Spreckels Design Guidelines, Policy 1: *Planting and Paving Material, Guideline S1.1*, which reads:

"Preserve and maintain the historic landscape and existing mature tree plantings within the Historic District boundary. Historic trees shall be retained unless diseased, hazardous or located such that development of the property is unduly constrained. The Board of Supervisors approved Agreement No. 4506 on November 18, 1996, with Amstar, Inc (which is binding to Amstar heirs, successors, and assigns) to implement a tree replacement schedule and a plan to preserve, maintain and care for the existing grove of black walnut trees along both sides of Spreckels Boulevard. The Agreement states that "the grove of walnut trees located along sides of Spreckels Boulevard...is a historical and scenic resource and lends a dramatic entrance to the community of Spreckels."

Given the above information, Standard Pacific withdrew the tree removal proposal and since then has worked with the Certified Arborist to provide monitoring of the grading and improvement layout. The Certified Arborist has since submitted a letter addressing on-site monitoring to assure protection of the trees. Furthermore, a condition of approval requiring tree and root protection while construction, has been incorporated (Condition No. 7 in **Exhibit D**.)

### ***Parking Areas and Public Alleys as described in the Spreckels Design Guidelines***

According to the Spreckels Design Guidelines, Policy 3: *Parking and Service Areas*, the purpose of this section is to minimize the intrusion of parking which can disrupt the visual continuity of the streetscape and historic resources. Guideline S.3.1 reads, "Parking areas should be located behind buildings and accessible from public alleys whenever possible." For this development all garages are located behind the main structures.

The *Official Map of Spreckels* recorded in 1907 shows thru alleys from Nacional Avenue connecting to Llano Avenue. Since these 73 remaining lots were not developed in almost 100

years, over time, certain encroachments in behalf of property owners and alley abandonments have occurred on the project site. The direction of the Spreckels Neighborhood Design Review Committee and the HRRB was to have thru alley access. The applicant, in Staff's opinion, made the best attempt to carryout the recommendations of these committees, given the current site conditions.

There are five blocks of this map that will be developed: Block K, Block L, Block M, Block N, and Block O. Specific improvement information is as follows:

- Block K and L  
Blocks K and Block L, will be widened at the alleys and be made thru alleys, extending from Nacional Avenue to Llano Avenue. With the exception of the corner lots, the access to the garages will be via the alley. The total length of alley improvements is 540 feet for each block.
- Block M  
The alley for Block M will be widened, but will not be extended from Nacional Avenue to Llano Avenue. The improvements will begin at Nacional Avenue and terminate at the westerly corner of the Spreckels Community District tennis, handball and racquetball courts, leaving approximately 120 feet of unimproved alley extending to Llano Avenue. The reason for not moving forward with a thru alley is because this remaining 120 feet is currently used as access by the Spreckels Memorial District and the property owner of Block M, Lot 10. With the exception of the corner lots, the access to the garages will be via the alley. The total length of alley improvements is 420 feet.
- Block N  
The alley for Block N will be widened, but will not be extended from Nacional to Llano Avenue. The improvements will start at Nacional Avenue and terminate at the northerly corner of Lot 6 (Cranford property), because the County vacated portion of this alley in 1998 per Resolution No. 98-322. Standard Pacific Lots 13, 14 and 15 on this Block will be accessed by driveways connected to Fourth Street and not the from the alley, since building encroachment from Lot 6 have occurred on the rear alley portion of Lots 13, 14 and 15, making the widening of the alley very difficult. With the exception of the corner lots and Lots 13, 14 and 15, the access to garages will be via the alley. The total length of alley improvements is 270 feet.
- Block O  
The alley for Block O will be widened, but will not be extended from Nacional Avenue to Llano Avenue. The improvements will start at Nacional Avenue and terminate at the westerly corner of Lot 11, Block O. This alley will not be a thru alley because developed Lots 10 and 11 have fully encroached on this alley. With the exception of the corner lots on this block, the access to garages will be via the alley. The total length of alley improvements is 420 feet.

Given the above explanation of the proposed alley improvements, Staff recommends that the Planning Commission approve the alley proposal as presented and not require the improvement of thru alleys for Blocks M, N and O. The applicant originally proposed to formally petition the County for abandonment of sections of Alley M, N and O. After several meetings with the HRRB and staff, the applicant withdrew the proposal of petitioning for abandonment of portions of these alleys. Staff believes that since there will be no legal abandonment of these alleys, and

even if portions of the alleys will not be improved, the alleys will still remain existent and therefore, available for future improvement and use.

Staff found several developed parcels in Spreckels, which have their garages accessed through street driveways and not through alleys. These are only examples of lots on three streets with this situation:

- 39, 51, 81, 93, 97, 101, 105 and 109 Llano Avenue (8 houses)
- 33, 67, 71, 76, and 79 Fourth Street (5 houses)
- 52, 88, 108, 112, 116, 120, 121, 126 and 128 Railroad Avenue (9 houses)

Staff finds that the intent of the Spreckels Design Guidelines, Policy 3: *Parking and Service Areas* is achieved by this development to the best of its potential. All garages are located behind the main buildings and *wherever* possible, the access to the garages is via the alleys. Furthermore, the design layout of the garages and accessibility to these minimize the intrusion of parking which can disrupt the visual continuity of the streetscape and historic resources.

#### ***Lot Line Adjustment to Merge the Southerly Half of Lot 13 with Lot 14 of Block L***

In the project review stage of this development, Staff found that the southerly half portion of Lot 13 and 14 of Block L are two separate legal lots of record and concluded that the Official Map of Spreckels has a total of 74 lots between Block K, L, M, N and O, not 73 as previously thought. In 1969, the northerly one-half of Lot 13 and the easterly 7.5 feet of the northerly one-half of Lot 14 was deeded to the County of Monterey as a separate lot, through a quit claim deed. The lot was to be used for utility purposes. This quit claim deed left the southerly half of Lot 13 as an unbuildable separate parcel by itself. Standard Pacific considered Lot 13 and 14, one (1) “L-shaped” legal lot of record and thus placed the proposed single family dwelling on Lot 14 and the proposed detached garage on Lot 13. Staff’s solution to this problem is to process a Lot Line Adjustment permit in order to merge the southerly half of Lot 13 and all of Lot 14 of Block L, and therefore create a single lot of record. Because the effects of developing the lots have been analyzed by Staff, the Spreckels Neighborhood Design Committee and the HRRB, Staff is processing this Lot Line Adjustment/Merger concurrent though this application. A condition of approval has been placed for the recordation of a Certificate of Compliance describing the newly configured parcel (Condition No. 13 in **Exhibit D.**)

#### **CONCLUSION**

Based on the above discussion and staff review of the site conditions, staff believes that the necessary findings can be made for the granting of the Combined Development Permit and therefore recommends that the project be approved, subject to the recommended findings and evidence and recommended conditions of approval.

**EXHIBIT C**  
**RECOMMENDED FINDINGS AND EVIDENCE**

1. **FINDING:** **CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Greater Salinas Area Plan, Greater Salinas Area Plan Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.

**EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

(b) The properties are located on the West side of Llano Avenue between Fifth Street to the North and Spreckels Boulevard to the South in the town of Spreckels. (Assessor’s Parcel Numbers Block 177-051-008-000 to 177-051-023-000; 177-054-014-000 to 177-054-026-000; 177-055-014-000 to 177-055-026-000; 177-061-009-000; 177-061-011-000 to 177-061-026-000; 177-064-010-000 to 177-064-025-000), Greater Salinas Area Plan.

The parcels are zoned High Density Residential with a maximum gross density of 5.1 units per acre, Historical Resources Zoning District and Design Control Overlays “HDR/5.1-HR-D”. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.

(c) Historic Resource or “HR” zoning regulations, Section 21.54 of the Monterey County Zoning Ordinance.

(d) Design Control or “D” zoning overlay requires the design review of structures to assure the protection of the public viewshed, neighborhood character, and the visual integrity of certain developments without imposing undue restrictions on private property. The project development is consistent with the neighborhood.

(e) The setbacks proposed are consistent with the “HDR” regulations and with the Height and Setback Exceptions, Section 21.62.040.J, which exempts corner-lots adjacent to key-lots from maintaining two front yard setbacks and the flexibility of deviating from the standard “HDR” 20 foot front-yard setback requirement to 10 foot setback from the edge of the road right-of-way. Exception 21.62.040.J makes the following lots and their proposed setbacks conforming:

- Block K- Lot 1, holding a 16 foot setback from Nacional Avenue;
- Block L- Lot 1, holding a 15 foot setback from First Street;
- Block M- Lot 1, holding a 15 foot setback from Second Street;
- Block N- Lot 20, holding a 15 foot setback from Fourth Street;
- Block O- Lot 20, holding a 15 foot setback from Fifth Street.

- (f) The project was reviewed by the Spreckels Neighborhood Design Review Committee on July 19, 2006. The committee unanimously approved the project with a vote of 5-0.
- (g) The project was referred to the Historical Resources Review Board for review. The Board resolved to approve the project on October 5, 2006, with several recommendations which have been incorporated as conditions of approval (Exhibit D of the December 13, 2006 Staff Report).
- (h) The project is consistent with the Spreckels Design Guidelines.
- (i) The project planner conducted an on-site inspection on September 6, 2006 and October 23, 2006 to verify that the project conforms to the plans listed above.
- (j) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060411.

2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

**EVIDENCE:** (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Parks, Public Works, Environmental Health Division, Water Resources Agency, the Sheriff's Office and the HRRB. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- (b) The Historical Resources Review Board (HRRB) unanimously recommended approval of the project at the meeting on October 5, 2006.
- (c) County resources indicate that there are no physical or environmental constraints that would warrant that the site is not suitable for the use proposed use.
- (d) The project planner conducted an on-site inspection on September 6, 2006 and October 23, 2006 to verify that the site is suitable for the proposed use.
- (e) Materials in Project File PLN060411.

3. **FINDING: SUBDIVISION ORDINANCE (TITLE 19)- LOT LINE ADJUSTMENTS (CHAPTER 19.09)**- The lot line adjustment is between two (or more) existing adjacent parcels. A greater number of parcels than originally existed will not be created as a result of the lot line adjustment. The parcels resulting from the lot line adjustment conforms to County zoning and building ordinances.

**EVIDENCE:** (a) This Lot Line Adjustment is to merge the southerly half of Lot 13 with Lot 14 on Block L of the "Official Map of Spreckels, Volume 1, page 71". Per Section 19.09.005.B., lots may be consolidated (merge) through the lot line adjustment application process.

(b) This lot line adjustment (merger) will not create a greater number of parcels than originally exists. Two original lots are being consolidated into one resulting lot.

(c) The merger of the southerly half of Lot 13 with Lot 14 of Block L (Official Map of Spreckels, Volume 1, page 71) will bring the lots into conformance with to County zoning and building ordinances. Currently, Lot 13 does not meet minimum lot size standards as specified by the

“HDR” zoning ordinance. By merging with Lot 14, this will create a conforming parcel for the purpose of residential development.

4. **FINDING: HISTORIC RESOURCES - HISTORICAL DISTRICT-** The project, as conditioned, is consistent with the regulations for Historic Resources Zoning Districts, 21.54.060.E.2 of the Monterey County Zoning Ordinance (Title 21) conforms to the prescriptive standards and design guidelines for the district adopted by the Board of Supervisors, and does not adversely affect the character of the district.

- EVIDENCE:** (a) The proposed project meet the guidelines and intent of the Spreckels Design Guidelines, Monterey County Planning and Building Inspection Department dated February 1999.
- (b) According to the Spreckels Design Guidelines, Policy 3: *Parking and Service Areas*, the purpose of this section is to minimize the intrusion of parking which can disrupt the visual continuity of the streetscape and historic resources. The proposed project’s design layout of the garages and accessibility to these minimize the intrusion of parking which can disrupt the visual continuity of the streetscape and historic resources.
- (c) Guideline S.3.1 of the Spreckels Design Guidelines reads, “Parking areas should be located behind buildings and accessible from public alleys whenever possible.” The parking structures on this development are all located behind the main structures and access to the parking structures have been proposed from the public alleys *when possible*.
- (d) Because of off-site improvements on Blocks M, N and O, the alleys will not be extended to Llano Avenue. Staff finds that the intent of the Spreckels Design Guidelines, Policy 3: *Parking and Service Areas* is achieved by this development to the best of its potential.
- (e) Spreckels Neighborhood Design Review Committee discussion during the public meeting held on July 19, 2006.
- (f) Historical Resources Review Board discussion during the public meetings held on August 3<sup>rd</sup>, September 7<sup>th</sup> and October 5<sup>th</sup>, 2006.
- (g) The project planner conducted an on-site inspection on September 6, 2006 and October 23, 2006, to verify that the project conforms to regulations cited above.
- (h) Materials in Planning File No. PLN060411.

5. **FINDING: HISTORIC RESOURCES - CONSTRUCTION -** The project, as conditioned, is consistent with the regulations for Historic Resources Zoning Districts, 21.54.060.E.3 of the Monterey County Zoning Ordinance (Title 21), and will neither adversely affect nor be incompatible with the use and exterior of existing designated historical resources, improvements, buildings, natural features, and structures on such site.

- EVIDENCE:** (a) Historic Resource or “HR” zoning regulations, Section 21.54 of the Monterey County Zoning Ordinance (Title 21).
- (b) The project conforms to the Spreckels Design Guidelines, Monterey County Planning and Building Inspection Department dated February 1999.
- (c) Spreckels Neighborhood Design Review Committee discussion during the public meeting held on July 19, 2006.

- (d) Historical Resources Review Board discussion during the public meetings held on August 3<sup>rd</sup>, September 7<sup>th</sup> and October 5<sup>th</sup>, 2006.
- (e) The project planner conducted an on-site inspection on September 6, 2006 and October 23, 2006 to verify that the project on the subject parcel conforms to regulations cited above.
- (f) Materials in Planning File No. PLN060411.

**6. FINDING: HISTORIC RESOURCES - UNSAFE OR DANGEROUS CONDITION**

The project, as conditioned, is consistent with the regulations for Historic Resources Zoning Districts, 21.54.060.E.4 of the Monterey County Zoning Ordinance (Title 21). The action proposed is not necessary to correct an unsafe or dangerous condition on the property and has not be ordered to be corrected pursuant to Section 18.25.160 of Monterey County Building Standards Code.

- EVIDENCE:**
- (a) Staff reviewed RMA- Monterey County Planning Department and Building Services Department records and is not aware of any unsafe or dangerous conditions that would require the condition to be corrected.
  - (b) The project planner conducted an on-site inspection on September 6, 2006 and October 23, 2006 to verify that the project on the subject parcel conforms to regulations cited above.
  - (c) Materials in Planning File No. PLN060411.
  - (d) See Finding No. 9.

**7. FINDING: CEQA (Exempt): - The project is categorically exempt from environmental review.**

- EVIDENCE:**
- (a) California Environmental Quality Act (CEQA) Guidelines Section 15303(a), categorically exempts one single family residence in a residential zone. The proposal involves a Combined Development Permit consisting of 73 Use Permits and Design Approvals for the construction 73 single family dwellings, each on its own individual legal lots of record.
  - (b) No adverse environmental effects were identified during staff review of the development application during a site visit on September 6, 2006 and October 23, 2006.
  - (c) The proposed development is the end result of previous applications (see Project History on staff report dated December 13, 2006) on the project site, which included the following permits, land use applications and/or environmental review: Grading Permit No. GP030078 with associated Mitigated Negative Declaration; GP060232 with associated Addendum Pursuant to CEQA, Article 11 Section 15164; Parcel Legality Status File No. PD040208; Appeal of the County's Legal Lot Determination of the 73 Spreckels Lots by the Association of Spreckels Residents File No. PLN040121; Amendment to General Plan and Greater Salinas Area Plan, Rezoning with associated Negative Declaration, File No. PLN050287. The above-mentioned information lead to the improvements of the 73 lots of record. These prior grading and land use applications were evaluated pursuant to CEQA.
  - (d) See preceding and following findings and supporting evidence.

**8. FINDING: NO VIOLATIONS - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable**



provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

**EVIDENCE:** Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

**9. FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the 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 improvements in the neighborhood or to the general welfare of the County.

**EVIDENCE:** Preceding findings and supporting evidence.

**10. FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.

**EVIDENCE:** Section 21.80.040.D. of the Monterey County Zoning Ordinance (Title 21).

<b>EXHIBIT D</b> <b>Monterey County Resource Management Agency</b> <b>Planning Department</b> <b>Condition Compliance and/or Mitigation Monitoring</b> <b>Reporting Plan</b>	<b>Project Name: Standard Pacific Corporation</b>  <b>File No:</b> PLN060411 <b>APNs:</b> 177-051-008-000 to 177-051-023-000; 177-054-014-000 to 177-054-026-000; 177-055-014-000 to 177-055-026-000 177-061-009-000; 177-061-011-000 to 177-061-026-000; and 177-064-010-000 to 177-064-025-000.  <b>Approved by: Planning Commission</b> <b>Date: December 13, 2006</b>
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*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<b>PD001 - SPECIFIC USES ONLY</b> This Combined Development Permit (PLN060411) consists of : 1) 73 Use Permits and Design Approvals to allow the development of 73 single family dwellings ranging in size between 1,298 square feet and 2,845 square feet and detached garages of approximately 441 square feet in a Historical Resources (HR) Review Zoning District. The project includes six floor plans and three different elevations for each floor plan for the single family dwellings and three elevation plans for the detached garages; and 2) A Lot Line Adjustment in order to merge the southerly half of Lot 13 with Lot 14 of Block L. The properties are located on the west side of Llano Avenue between Fifth Street to the north and Spreckels Boulevard to the south, in the town of Spreckels (Assessor's Parcel Numbers 177-051-008-000 to 177-051-023-000;177-054-014-000 to 177-054-026-000;177-055-014-000 to 177-055-026-000; 177-061-	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		009-000; 177-061-011-000 to 177-061-026-000; and 177-064-010-000 to 177-064-025-000), Greater Salinas Area 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 the RMA - Planning Department. 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. <b>(RMA - Planning Department)</b>				
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Numbers 177-051-008-000 to 177-051-023-000; 177-054-014-000 to 177-054-026-000; 177-055-014-000 to 177-055-026-000; 177-061-009-000; 177-061-011-000 to 177-061-026-000; and 177-064-010-000 to 177-064-025-000 on December 13, 2006). The permit was granted subject to 35 conditions of approval which run with the land. A	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commen	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. <b>(RMA - Planning Department)</b>			ce-ment of use.	
3.		<b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(RMA - Planning Department)</b>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning 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 mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	
4.		<b>PD004 - INDEMNIFICATION AGREEMENT</b> The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.  Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA –	Owner/ Applicant	Upon demand of County Counsel or concurrent with the	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(RMA - Planning Department)</b></p>	<p>Planning Department.</p>		<p>issuance of building permits, use of the property, filing of the final map, which ever occurs first and as applicable.</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5.		<b>PD007 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. <b>(RMA – Planning Department and Building Services Department)</b>	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
6.		<b>PD010 - EROSION CONTROL PLAN AND SCHEDULE</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. <b>(RMA - Planning Department and RMA - Building Services Department)</b>	Evidence of compliance with the Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection.	
7.		<b>PD011 – TREE AND ROOT PROTECTION</b> 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)	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. <b>(RMA - Planning Department)</b>			and/or building permits	
			Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Construction	
				Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection
8.		<b>PD013 – LIGHTING - STREET LIGHTS</b> All street lights in the development shall be approved by the Director of the RMA - Planning Department. <b>(RMA-Planning Department)</b>	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of grading or building permits for street lights.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Ongoing	
9.		<b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b> All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b>	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Ongoing	
10.		<b>PD035 - UTILITIES - UNDERGROUND</b> All new utility and distribution lines shall be placed underground. <b>(RMA - Planning Department; Public Works)</b>	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
11.		<b>PD041 – HEIGHT VERIFICATION</b> The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to	1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection	Owner/ Applicant	Prior to the issuance of grading or	



<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. <b>(RMA – Planning Department and Building Services Department)</b>			building permits.	
			2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant/ Engineer	Prior to the final inspection.	
12.		<b>PDSP001- HOURS OF CONSTRUCTION ACTIVITY (NON-STANDARD CONDITION)</b> Hours of construction activity shall be limited to the hours of 8 a.m to 6 p.m. , Monday through Friday. <b>(RMA – Planning Department)</b>	Demonstrate compliance with the hours of operation to the Director of RMA – Planning Department.	Owner/ Applicant	Prior to use/ Ongoing	
13.		<b>PDSP002 – CERTIFICATES OF COMPLIANCE (LOT LINE ADJUSTMENT FOR MERGING OF THE SOUTHERLY HALF OF LOT 13 WITH LOT 14 ON BLOCK L) (NON-STANDARD CONDITION)</b> The applicant shall request an unconditional certificate of compliance and provide a Record of Survey Map for the newly configured parcel. <b>(RMA – Planning Department)</b>	The Surveyor shall prepare a legal description for the newly configured parcel and provide a Record of Survey Map. The legal descriptions shall be entitled “Exhibit A”. The Record of Survey Map shall be attached to the legal description as “Exhibit B” and shall be at the size of 8.5” x 11”. The legal description shall comply with the Monterey County Recorder’s guidelines as to form and content. The Applicant shall submit, to the RMA-	Owner/ Applicant/ Surveyor	Prior to issuance of the building permits for APN(s) 177-061-025 and 177-061-026-000 (Block	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
			Planning Department, the legal description and Record of Survey Map with a check, payable to the <i>Monterey County Recorder</i> , for the appropriate fees to record the certificate.		L, Southerly half of Lot 13 & Lot 14).	
14.		<b>PDSP003-COLOR SCHEME AND LANGUAGE OF CC&amp;R'S- HISTORIC RESOURCES REVIEW BOARD (HRRB) (NON-STANDARD CONDITION)</b> Prior to issuance of building permits, the applicant shall present the language of the CC&R's to the RMA-Director of the Planning Department, addressing that the color scheme for the proposed development, will be compatible with the Spreckels Design Guidelines, the General Plan and Title 21 Zoning Ordinance, as recommended by the HRRB. <b>(RMA – Planning Department)</b>	Submit to RMA - Planning Department for review and approval the language of the CC&R's addressing that the color scheme is compatible with the Spreckels Design Guidelines, the General Plan and Title 21, Zoning Ordinance.	Owner/ Applicant	Prior to Issuance of Building Permits/ Ongoing	
15.		<b>PDSP004-DOUBLE SIDED MULLION WINDOWS-HRRB (NON-STANDARD CONDITION)</b> Prior to issuance of building permits, the applicant shall present evidence that installation of the residential windows be as follows: Single hung and double-sided mullion windows with the upper half of the window be divided in grids and the bottom half of the window be without grids, as recommended by the HRRB. <b>(RMA – Planning Department)</b>	Submit to RMA - Planning Department for review and approval the windows based on the recommendation of the HRRB.	Owner/ Applicant	Prior to Issuance of Building Permits/ Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
16.		<p><b>PDSP005- SPRECKELS DESIGN GUIDELINES, POLICY 2, FENCES, WALLS, AND SITE FEATURES- HRRB (NON-STANDARD CONDITION)</b></p> <p>All fences, walls, and site features shall conform to the Spreckels Design Guidelines, as recommended by the HRRB. <b>(RMA – Planning Department)</b></p>	Adhere to the Spreckels Design Guidelines.	Owner/ Applicant	Ongoing	
17.		<p><b>PDSP006- SPRECKELS DESIGN GUIDELINES, POLICY 2, FENCES, WALLS, AND SITE FEATURES- FRONT YARD FENCING- HRRB (NON-STANDARD CONDITION)</b></p> <p>All front yard fencing shall conform to the Spreckels Design Guidelines, Policy 2 Fences, Walls, and Site Features, Guideline S2.1 which reads, “New fences in front yards should not exceed four feet in height and should generally be constructed of wood slats in an open work pattern”, as recommended by the HRRB. The placement of front yard fencing shall be placed on the following selected lots:</p> <ol style="list-style-type: none"> <li>1. Block K: Lot 2, 4, 14, 16, and 20 (respective APNs: 177-064-011;013;019; 021; and 025.)</li> <li>2. Block L: Lot 1, 2, 6, 16, and 18 (respective APNs: 177-061-011;012;016;020 and 022.)</li> <li>3. Block M: Lot 6, 16 (respective APNs: 177-055-019 and 022)</li> <li>4. Block N: Lot 2, 5, 13 and 19 (respective APNs: 177-054-015; 018; 019 and 025.)</li> <li>5. Block O: Lot 1, 4, 6, 8, 17 and 20 (respective APNs: 177-051-008; 011; 013; 015; 020 and 023.)</li> </ol> <p>Any change of selected lots may be approved, subject to</p>	Adhere to the Spreckels Design Guidelines and this specific condition. Prior to final inspection, installation of front yard fencing shall be in place as specified in this condition.	Owner/ Applicant	Prior to Final Inspection/ Ongoing	

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		the RMA-Director of Planning and the HRRB. <b>(RMA – Planning Department)</b>				
18.		<b>PDSP007- BACKYARD FENCING/PRIVACY FENCING FOR CORNER LOTS ON NACIONAL AVENUE-HRRB (NON-STANDARD CONDITION)</b> The backyard/privacy six-foot fences on the following lots, shall be located on the respective corners of the single family dwelling of that lot as recommended by the HRRB: Block K: Lot 1 and 20 (APNs 177-064-001 and 025) Block L: Lot 1 and 20 (APNs 177-061-011 and 024) Block M: Lot 1 and 20 (APNs 177-055-014 and 026) Block N: Lot 1 and 20 (APNs 177-054-014 and 026) Block O: Lot 1 and 20 (APNs 177-051-008 and 023) Where fence placement creates a conflict with the window placement, the applicant shall be allowed to adjust accordingly to accommodate the change. <b>(RMA – Planning Department)</b>	Submit to RMA - Planning Department site plans indicating conformity with this condition.	Owner/ Applicant	Prior to the issuance of building permits/ Ongoing	
19.		<b>PDSP008- PRESERVATION OF WALNUT TREES ALONG SPRECKELS BOULEVARD-HRRB (NON-STANDARD CONDITION)</b> Retain and preserve all walnut trees along Spreckels Boulevard as recommended by the HRRB. <b>(RMA – Planning Department)</b>	Adhere to condition.	Owner/ Applicant	Ongoing	

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20.		<b>EH6 - WATER SERVICE CAN/WILL SERVE</b> Provide to the Division of Environmental Health written certification, and any necessary certification from State agencies that Spreckels Water Company <u>can</u> and <u>will</u> supply sufficient water flow and pressure to comply with both Health and fire flow standards. <b>(Environmental Health)</b>	Submit written certification to the Division of Environmental Health for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of a building permit.	
21.		<b>EH24 - SEWER SERVICE CAN/WILL SERVE</b> Provide certification to the Division of Environmental Health that Cal-Am can and will provide sewer service for the proposed property/project. <b>(Environmental Health)</b>	Submit certification to Environmental Health for review and approval.	Owner/ Applicant	Prior to issuance of a building permit.	
22.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	

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		required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Salinas Rural Fire Protection District)</b>				
23.		<b>FIRE017 - DISPOSAL OF VEGETATION AND FUELS</b> Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit. <b>(Salinas Rural Fire Protection District)</b>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
24.		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. <b>(Salinas Rural Fire Protection District)</b>	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.	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection.	

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25.		<b>FIRE026 - ROOF CONSTRUCTION (STANDARD)</b> All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. <b>(Salinas Rural Fire Protection District)</b>	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
26.		<b>PWSP001-SUBDIVISION IMPROVEMENTS (NON-STANDARD CONDITION)</b> Applicant shall bond and construct all infrastructure improvements in accordance with the approved subdivision improvement plans. Engineering plans shall include left turn channelization on Spreckels Boulevard at the Nacional and Hatton Avenue intersections, including a two way left turn lane between the two intersections. <b>(RMA – Public Works)</b>	Subdivider shall submit improvement plans prepared by his Engineer to DPW for approval. Improvements to be bonded prior to the issuance of building or grading permits.	Subdivider	Prior to Building / Grading Permits Issuance.	
27.		<b>PWSP002- DEDICATION (NON-STANDARD CONDITION)</b> Applicant shall dedicate to County all required easements and/or rights-of-way. <b>(RMA – Public Works)</b>	Applicant’s surveyor shall prepare description of area to be dedicated. DPW can prepare deed.	Owner/ Applicant/ Surveyor	Prior to Building / Grading Permits Issuance.	
28.		<b>PWSP003- ENCROACHMENT PERMIT (NON-STANDARD CONDITION)</b> Any improvements in the public right-of-way shall require an encroachment permit. <b>(RMA – Public Works)</b>	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building / Grading Permit Issuance	

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29.		<b>PWSP004- TRAFFIC MITIGATION FEES (NON-STANDARD CONDITION)</b> Property owner shall pay \$88,249.70 to the County Public Works Department for fair share traffic impact fees for improvements to Highway 68. The property owner shall also pay \$84,340 as a pro-rata fair-share fee for the Reservation Road widening between Davis Road and the main East Garrison Entrance. To mitigate the potential cumulative impacts to City of Salinas roads, the property owner shall pay the City of Salinas Public Works Department a fair share sum for impacted city roadways as identified in the Higgins Associates, "Tanimura 73 Lot Residential Development Job 4-122" dated August 27, 2004. <b>(RMA – Public Works)</b>	Applicant shall pay to DPW required Traffic Mitigation Fee.	Owner/ Applicant	Prior to Issuance of Building Permits	
30.		<b>WR1 - DRAINAGE PLAN</b> The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. <b>(Water Resources Agency)</b>	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits.	
31.		<b>WR8 - COMPLETION CERTIFICATION</b> 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. <b>(Water Resources Agency)</b>	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 inspection.	



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32.		<p><b>WR47 - WASTE MANAGEMENT PLAN</b>  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. <b>(Water Resources Agency)</b></p>	Submit the plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits.	
33.		<p><b>WRSP001- DRAINAGE &amp; FLOOD CONTROL SYSTEMS AGREEMENT (NON-STANDARD CONDITION)</b>  If the homeowners' association, community services district, or other similar entity after notice and hearing fails to properly maintain, repair or operate the drainage and flood control facilities in the project, Monterey County Water Resources Agency shall be granted the right by the property owners to enter any and all portions of the property to perform repairs, maintenance or improvements necessary to properly operate the drainage and flood control facilities in the project. The County Water Resources Agency shall have the right to collect the cost for said repairs, maintenance or improvements from the property owners upon their property tax bills. A hearing shall be provided by the Board of Supervisors as to the appropriateness of the cost. Prior to the issuance of any grading permits, a copy of a signed and notarized <i>Drainage and Flood Control Systems Agreement</i> shall be provided to the</p>	<p>Submit the signed and notarized original Agreement to the Water Resources Agency for review and approval prior to recordation.</p> <p>(A copy of the County's standard agreement can be obtained at the Water Resources Agency.)</p>	Owner/ Applicant	The agreement shall be recorded prior to issuance of any grading permits.	

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		Water Resources Agency for approval. <b>(Water Resources Agency)</b>				
34.		<b>WRSP002- HOMEOWNERS ASSOCIATION CC&amp;R'S (NON-STANDARD CONDITION)</b> A homeowner's association, community services district, or other similar entity 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 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 submitted by August 15 and be approved by the County Water Resources Agency. <b>(Water Resources Agency)</b>	Submit the CC&R's to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading permits.	
35.		<b>WRSP003-WELL INFORMATION (NON-STANDARD CONDITION)</b> The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. <b>(Water Resources Agency)</b>	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to commencement of use.	