

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> January 10, 2007 Time: 9:15 a.m.	<b>Agenda Item No.:</b> 1
<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; 2) A Lot Line Adjustment in order to merge the southerly half of Lot 13 with Lot 14 of Block L; and 3) Variance to allow height determination from finished grade.	
<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> Negative Declaration, Mitigated Negative Declaration and Categorically Exempt per Section 15303 (a) and 15305 (a)	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Planning Commission consider the previously adopted Mitigated Negative Declaration and Negative Declaration, the Addendum to the Mitigated Negative Declaration and Negative Declaration; approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

### PROJECT OVERVIEW:

See discussion in **Exhibit B** of December 13, 2006 staff report.

### SUMMARY:

On December 13, 2006, the Planning Commission continued the public hearing on the Standard Pacific project. The Planning Commission received staff’s presentation and also received verbal and written comments from the public. The Planning Commission, on a vote of 10-0, adopted a “resolution of intent to approve the project”, subject to an additional condition of approval and several modifications to the recommended conditions of approval. The Planning Commission also requested clarification on the Historic Resources Review Board’s recommendation on the location of the privacy fences on those corner lots off of Nacional Avenue. The hearing was continued to January 10, 2007 in order to adopt a final resolution.

## **DISCUSSION ON PLANNING COMMISSION HEARING ON 12/13/2006:**

The Planning Commission adopted a “resolution of intent to approve the project” and continued the item to the January 10, 2007 Planning Commission Hearing for two reasons:

- 1) For staff to consult with the Historic Resources Review Board (HRRB) for specific reasoning of their recommendation regarding the fence location of the privacy fences, for those corner lots off of Nacional Avenue; and
- 2) In order to capture and make changes to the original staff report in relation to Findings and Conditions of Approval.

### HRRB Recommendation on Privacy Fence Location

The Planning Commission, at the December 13, 2006 hearing, asked staff to confirm why the HRRB made the above recommendation. Staff has corresponded with the Secretary to the HRRB and confirmed that the HRRB considered that the above lots had two front yards, since these are all corner lots.

Per *Policy 2 Fences, Walls, Site Features* of the Spreckels Design Guidelines, it states: “Traditional designs for fences and walls should be used to define, but not obscure, the street-front garden areas of residential buildings.” Under the same policy, Guideline S2.1 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 HRRB, rather than requiring a four-foot fence on the second “front yard” (i.e. the side yard of the corner lots) and not allowing enough privacy on those lots, compromised with Standard Pacific by allowing the six-foot high privacy fences to be located on the rear corner of each single family dwelling.

Staff is recommending that the Planning Commission accept the recommendation of the HRRB in regards to the privacy fencing location on the those corner lots off of Nacional Avenue and approve Condition No. 18 (PDSP012) which states:

“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.”

## **DISCUSSION ON VARIANCE TO ALLOW HEIGHT DETERMINATION FROM FINISHED GRADE:**

Following the Planning Commission Hearing of December 13, 2006, staff learned that the height of the proposed structures had been proposed by the applicant from finished grade as opposed to average natural grade. Monterey County Code 21.06.630 defines *Height of Structure* as follows:

“Height of structure means the vertical distance from the average level of the highest and lowest point of the natural grade of that portion of the building site covered by the structure, to the topmost point of the structure, but excluding certain features, as specified in Chapter 21.62 (Height and Setback Exceptions) of this Title.”

The site has been graded to elevate the building pads by approximately 2 feet in order to provide adequate drainage of the building sites. Spreckels Design Guidelines for *Residential Building Types Policy 1, Guidelines R1.8 and R2.7* requires that new roofs should match roof pitches and

materials of adjacent buildings and new porches to be typical or historical in scale and size to existing porches. To ensure compatibility with the existing structures, the design of the homes incorporate steep roof pitches, elevated foundations and porches to match the adjacent buildings in Spreckels. By incorporating the steep roof pitches, raised foundations and porches in Plans 4, 5 and 6 and steep roof pitches in all three elevations of the detached garages, the 35 foot height limitation for main structures and the 15 foot high limitation for non-habitable accessory structures is exceeded when measured from average natural grade. Therefore, staff is recommending the approval of a Variance to allow height determination from finished grade. Findings and evidence to support the variance have been incorporated as Findings 4, 5 and 6 in **Exhibit C**.

## **CHANGES TO CONDITIONS OF APPROVAL AND FINDINGS**

Per the Planning Commission's direction at the December 13, 2006 hearing, the following are the changes made to the Conditions of Approval. Also, staff has incorporated additional Conditions of Approval that relate to the Variance and incorporation of the project into the Spreckels Community Services District (CSD). Please note that the condition number is consistent with the December 13, 2006 staff report, unless otherwise noted as "New Condition":

- **Condition #1:** This condition has been revised to include Variance proposal.
- **Condition #2:** This condition has been revised to include the total number of Conditions of Approval and the timing of the condition has been revised by deleting the "prior to issuance of grading permits", since associated Grading Permit No.GP060232 has been approved and issued.
- **Condition #6, 7, 8, 25, 32 and 33:** The timing of these conditions has been revised. The original wording of these conditions involved "issuance of grading permits", which is obsolete since the associated Grading Permit No.GP060232 has been approved and issued.
- **Condition #11:** This condition, in the December 13, 2006 staff report, has been deleted. This condition applies to tract maps on tract parcels that are situated in sloping lots. This proposed development is situated in flat terrain.
- **Condition #11:** This condition has been revised to exclude holidays from the hours of operation.
- **New Condition #19:** Condition 19 allows flexibility of plan and elevation changes on subject lots.
- **Condition #26:** The wording and timing of this condition has been revised in order to make more applicable to the subject project. The original wording of the condition stated: "Applicant shall bond and construct all infrastructure improvements in accordance with approved subdivision improvement plans." Since the applicant has already bonded the improvements through previously approved Grading Permit No. GP060232, the wording "and construct" has been deleted. The original timing of this condition has been revised from "prior to issuance of grading permits" to "prior to occupancy" since the associated Grading Permit No.GP060232 has been approved and issued.
- **Condition #27:** The timing of this condition has been revised. The original timing of this condition has been revised from "prior to issuance of grading permits" to "prior to occupancy" since the associated Grading Permit No.GP060232 has been approved and issued.
- **New Condition #28:** Condition 28 is for subdivision improvement/phasing plan.
- **Condition #29:** This condition, in the December 13, 2006 staff report, has been deleted.
- **Condition #34:** The wording of this condition has been revised (Well Information) based upon the information the WRA received regarding the *Spreckels Subdivision Due*

*Diligence Report* prepared by Schaaf & Wheeler dated 5/16/2006.

- **New Condition #35:** Condition 35 ensures that prior to issuance of any building permits, the applicant provides evidence that the Local Agency Formation Commission (LAFCO) has annexed into the Spreckels Community Services District. The Spreckels CSD is responsible for storm drains, sidewalks, alleys, park strips, lighting and garbage services.
- **New Condition #36:** Condition 36 requires that prior to issuance of any building permits, the applicant shall reduce the pitch of Garage Plan “A” in order to meet the maximum height allowed of 15 feet. Staff found that the currently, Garage Plan “A” is over height limit by 1 foot, 6 inches.
- **New Conditions 37, 38, and 39:** These conditions have been incorporated by the Environmental Health Division following information contained in the *Spreckels Subdivision Due Diligence Report* prepared by Schaaf & Wheeler dated 5/16/2006, which informs of a potential new off-site well to serve this project.

Staff made changes to Finding 10 (CEQA Finding) on the staff report to correspond with the recommendation of approval. Staff verbally stated this change at the December 13, 2006 Planning Commission Hearing. In addition, new evidence has been included under this finding, which relate to CEQA exemptions for single family dwellings and lot line adjustments. As referenced earlier, findings and evidence to support the variance have been incorporated as Findings 4, 5 and 6. The changes are included in **Exhibit C**.

**OTHER AGENCY INVOLVEMENT:**

Please see the December 13, 2006 staff report (**Exhibit B**).

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

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Nadia Amador, Assistant Planner  
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December 27, 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 C      Revised Findings and Evidence  
                  Exhibit D      Revised Recommended Conditions of Approval

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

## **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 assures 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: VARIANCE – (Special Circumstances)** – Because of special circumstances applicable to the subject property, including the size, shape, topography, location of the lot, or the surrounding area, the strict application of Section 21.06.630 of the Monterey County Code is found to deprive the subject property of privileges enjoyed by other property owners in the vicinity under an identical zoning classification.

**EVIDENCE:** (a) Monterey County Code 21.06.630 defines the height of a structure to mean the vertical distance from the average level of the highest and lowest point of the natural grade of that portion of the building site covered by the structure, to the topmost point of the structure, but excluding certain features, as specified in Chapter 21.62 (Height and Setback Exceptions) of this Title. The project site has been graded to elevate the building pads to provide adequate drainage of the building sites away from existing development to the drainage facilities.

(b) The development is within a Historic Resources Review Zoning District. All development on the property is required to comply with Spreckels Design Guidelines (February 1999). The Spreckels Design Guidelines for Residential Building Types Policy 1 requires that designs for new buildings should maintain the design integrity and distinguishing features of the existing historic district and of existing historic buildings. Guideline R1.8 requires that new roofs should match roof pitches and materials of adjacent buildings. Guideline R2.7 requires that new porches are typical or historical in scale and size to existing porches. Entrances and porches are a primary focus of the historical buildings in Spreckels and give historic buildings their character. In order to comply with these design guidelines, the design of the homes has incorporated steep roof pitches, elevated foundations and porches to match the adjacent buildings in Spreckels. By incorporating the steep roof pitches, raised foundations and porches in Plans 4, 5 and 6 and steep roof pitches in all three elevations of the detached garages, the 35 foot height limitation for main structures and the 15 foot high limitations for non-habitable accessory structures is exceeded when measured from average natural grade.

(c) See Evidence in Finding 5.

(d) Materials in Project File PLN060411.

**5. FINDING: VARIANCE (Special Privileges)** – The variance to determine height from finished grade does not constitute a grant of privileges inconsistent with the limitations upon other property owners in the vicinity and zone in which such property is situated.

**EVIDENCE:** (a) To ensure that the construction of the proposed 73 units to be constructed on lots created by the original Map of Spreckels (1907) does not adversely affect the existing town, extensive grading was required to provide adequate slopes for infrastructure, including drainage. This required extensive fill on the project site. The fill operations caused the natural grade to be quite a bit below the finished house pads.

(b) No other variances to determine height from finished grade or to exceed height limitations within the town of Spreckels have been requested, granted or denied within the last 11 years. However, the

design of this project is based on keeping with the historic designs found in the town of Spreckels, a county-designated historic district. To ensure design compatibility, the project's uses were designed with raised foundations (30 inches) and steep roof pitches, typically 12:12. Along with a philosophy of ensuring compatibility with the town's architecture, many of the proposed units are two-story design. This combination of factors creates a tall house profile.

- (c) Monterey County Code Section 21.54.080.C states that existing designated structures in an "HR" combining overlay district are "not subject to the height and setback provisions of the district..." Existing structures within the town of Spreckels, in the same zoning district, are not subject to height limitations.
- (d) Materials in Project File PLN060411.
- (e) Monterey County Code Sections 21.06.630 (Definitions – Height of Structure), 21.08.020 (Combining Regulations), 21.08.060 (Sectional District Maps), Chapter 21.08 (Establishment and Designation of Zoning Districts), Chapter 21.10 (Regulations for "HDR" Districts), Chapter 21.54 (Regulations for "HR" Districts), and Section 21.64.270 (Regulations for Historic Resources).
- (f) Spreckels Design Guidelines, Monterey County Planning and Building Inspection Department, February 1999.
- (g) Greater Salinas Area Plan Policy 27.1.5 (GS).
- (h) Volume 1 of Maps of Cities and Towns, Page 71 Blocks A through O.
- (i) See Evidence in Finding 4.

**6. FINDING: VARIANCE (Authorized Use)** – The Variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

**EVIDENCE:** The project for single family dwellings is an allowed use under the property's High Density Residential zoning designation.

**7. 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.

**8. 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.

**9. 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. 12.

**10. FINDING: CEQA (Exempt): - CEQA: -** Based on the whole of the record before the Monterey County Planning Commission, there are no changes to the project, as designed and conditioned, changes in circumstances, or new information that would result in new significant environmental effects or increase the severity of the effects

- EVIDENCE:**
- (a) 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.
  - (b) Mitigated Negative Declaration prepared for Grading Permit No. GP030078, circulated for public review from December 22, 2004 to January 11, 2005 and adopted by the Planning Commission on January 12, 2005
  - (c) Addendum to the Mitigated Negative Declaration, adopted by the Planning Commission on January 12, 2005, Pursuant to CEQA, Article 11 Section 15164 prepared for Grading Permit No. GP060232
  - (d) Parcel Legality Status File No. PD040208
  - (e) Negative Declaration prepared for Planning File No. PLN050287, circulated for public review from April 25, 2005 to May 25, 2005 and adopted by the Board of Supervisors on September 27, 2005.
  - (f) 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.
  - (g) California Environmental Quality Act (CEQA) Guidelines Section 15305(a), categorically exempts minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcels. The project includes a 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. 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.
  - (h) See preceding and following findings and supporting evidence.

**11. 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.

**12. 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.

13. **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 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: January 10, 2007</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; 2) A Lot Line Adjustment in order to merge the southerly half of Lot 13 with Lot 14 of Block L; and 3) Variance to allow height determination from finished grade. 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-	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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), 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></p>				
2.		<p><b>PDSP001 - NOTICE-PERMIT APPROVAL (NON-STANDARD CONDITION)</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</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of building permits or commencement of</p>	

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		January 10, 2007). The permit was granted subject to 39 conditions of approval which run with the land. A 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>			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	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,	Owner/ Applicant	Upon demand of County Counsel or concur-	

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		<p>its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(RMA - Planning Department)</b></p>	<p>shall be submitted to the RMA – Planning Department.</p>		<p>rent with the issuance of building permits, use of the property, filing of the final map, which ever occurs first and as applicable.</p>	

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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>PDSP002 - EROSION CONTROL PLAN AND SCHEDULE (NON-STANDARD CONDITION)</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 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 building inspection.	
7.		<b>PDSP003 – TREE AND ROOT PROTECTION (NON-STANDARD CONDITION)</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	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of building permits.	



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		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, 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.(RMA - Planning Department)	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>PDSP004 – LIGHTING - STREET LIGHTS (NON-STANDARD CONDITION)</b> All street lights in the development shall be approved by the Director of the RMA - Planning Department. (RMA-Planning Department)	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 building permits for street lights.	
			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	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	

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		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>			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>PDSP005- 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 and excluding holidays. <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	
12.		<b>PDSP006 – 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	Owner/ Applicant/ Surveyor	Prior to issuance of the building permits for APN(s) 177-061-025 and 177-061-	

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			guidelines as to form and content. The Applicant shall submit, to the RMA-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.		026-000 (Block L, Southerly half of Lot 13 & Lot 14).	
13.		<b>PDSP007-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	
14.		<b>PDSP008-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	

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15.		<p><b>PDSP009- 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	
16.		<p><b>PDSP010- 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>				
17.		<b>PDSP011- 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	
18.		<b>PDSP012- 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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19.		<b>PDSP013- PLAN AND ELEVATION LAYOUT FLEXIBILITY (NON-STANDARD CONDITION)</b> Applicant may change the currently designated plan layouts between two or more parcels, subject to the approval of the Director of Planning. <b>(RMA – Planning Department)</b>	Submit to RMA - Planning Department for review and approval any proposed housing type layout changes.	Owner/ Applicant	Ongoing	
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 building permits.	
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 building permits.	
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	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permits.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	

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		be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Salinas Rural Fire 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).	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permits.	

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		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 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.	
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 permits.	
26.		<b>PWSP001-SUBDIVISION IMPROVEMENTS (NON-STANDARD CONDITION)</b> Applicant shall bond all infrastructure improvements in accordance with the approved subdivision improvement plans, subject to the approval of the RMA-Public Works Department. 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 issuance of building permits.	



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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 occupancy.	
28.		<b>PWSP003 – SUBDIVISION IMPROVEMENTS/PHASING PLAN (NON-STANDARD CONDITION)</b> Applicant shall construct all improvements in accordance with the approved improvement plans and infrastructure improvement phasing plan subject to the approval of the Department of Public Works. <b>(RMA – Public Works)</b>	Applicant shall submit an infrastructure phasing plan for the approval of the Department of Public Works.	Owner/ Applicant	Prior to final building inspection.	
29.		<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.	
30.		<b>WRSP001 - 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 issuance of any building permits.	

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31.		<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.	
32.		<p><b>WRSP002- 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 building 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 building permits.	

<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>
		Water Resources Agency for approval. <b>(Water Resources Agency)</b>				
33.		<b>WRSP003- 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 building permits.	
34.		<b>WRSP004-WELL INFORMATION (NON-STANDARD CONDITION)</b> The applicant shall provide the Water Resources Agency information for any newly constructed well(s) 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.	

<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>
35.		<b>PDSP014-ANNEXATION REQUIRED (NON-STANDARD CONDITION)</b> The applicant shall provide evidence from the Local Agency Formation Commission (LAFCO) that the property has been annexed into the Spreckels Community Services District. (RMA-Planning Department and Public Works)	Submit evidence from LAFCO and the Spreckels CSD that the property has been annexed into the service area for Spreckels CSD to the RMA Director of Planning and Public Works for review and approval.	Owner/ Applicant	Prior to issuance of any building permits.	
36.		<b>PDSP015- ROOF PITCH ADJUSTMENT TO GARAGE PLAN “A” (NON-STANDARD CONDITION)</b> Prior to issuance of building permits for lots with a proposed Garage Plan “A”, the applicant shall reduce the pitch of the roof on these garages to meet the maximum allowed height of 15 feet. The garage elevations, as well as all structure elevations, shall be reflected on the building plans at the time of building permit submittal. (RMA-Planning Department)	Incorporate elevation plans onto the building plans at the time of building permit submittal.	Owner/ Applicant/	Prior to issuance of any building permits.	
37.		<b>EHSP001 - WATER SYSTEM IMPROVEMENTS (STATE PERMITTED SYSTEM) (NON-STANDARD CONDITION)</b> Design the water system improvements to meet the standards as found in Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. (Environmental Health)	Submit engineered plans for the water system improvements to the *Department of Health Services for review and approval. Submit evidence to the Director of Environmental Health that the proposed water system improvements have been approved by Department of Health Services prior final building inspections. (*The local office for Dept. of Health Services is located in Monterey at Ryan Ranch.)	CA Licensed Engineer /Owner/ Applicant	Prior to final building inspections.	

<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>
38.		<b>EHSP002 - FIRE FLOW STANDARDS (NON-STANDARD CONDITION)</b> Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. <b>(Environmental Health)</b>	Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency.	CA Licensed Engineer /Owner/ Applicant	Prior to final building inspections.	
39.		<b>EHSP003 - INSTALL/BOND WATER SYSTEM IMPROVEMENTS (NON-STANDARD CONDITION)</b> 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. <b>(Environmental Health)</b>	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 final building inspections.	