

MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 28, 2009	Agenda Item No.:
Project Description: Rezone portions southwest of the Davis Street right of way from HDR*/Z (High Density Residential) to the designation of HDR/18 (High Density Residential, 18 units per acre) and portions northeast of the Davis Street right of way from MDR/1-Z (Medium Density Residential) to the designation of HDR/18 (High Density Residential, 18 units per acre); and a Combined Development Permit and General Development Plan consisting of: 1) a Vesting Tentative Map to allow the merger and re-subdivision of eight developable parcels ranging in size from 0.115 to 1.531 acres, respectively: one parcel (approximately 3.391 acres) for a 59 unit apartment complex, six parcels (approximately 5,445 square feet each) for single family residences, one parcel to separate/subdivide an existing single family dwelling; a well lot (0.046 acre), and a remainder parcel (0.466 acres located within the Coastal Zone); and 2) a Use Permit to allow the construction of a 58 unit apartment complex with a 935 square foot managers unit and a 1,415 square foot Resident's Center on Parcel B and grading for site improvements (approximately 3,500 cubic yards of cut and 10,800 cubic yards of fill).	
Project Location: Northern corner of Axtell Street and Preston Street and areas north and west of Davis Street, Castroville	APNs: 030-041-001-000, 030-041-003-000, 030-041-004-000, 030-041-005-000, 030-041-008-000, 030-011-009-000 and 030-011-011-000
Planning File Number: PLN080039	Name: Donald and Barbara Chapin, Property Owner
Plan Area: Castroville Community Plan Area	Flagged and staked: No
Zoning Designation: : HDR*/Z ; MDR/*Z; and RC(CZ)	
CEQA Action: Consider Addendum to, and the Certified EIR for the Castroville Community Plan	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission approve the following actions:

- (1) Consider the Addendum to, and the Certified EIR for the Castroville Community Plan as;
- (2) Approve the Standard Subdivision Vesting Tentative Map based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**); and
- (3) Recommend to the Board of Supervisors to approve the rezone.

PROJECT OVERVIEW:

The subject properties consist of eight lots totaling approximately 4.814 acres. The properties are located at the northern corner of Axtell Street and Preston Street and areas north and west of Davis Street, Castroville. The proposed project includes the rezone of parcels to allow consistency with the zoning designations of the Castroville Community Plan as well as the consolidation of eight parcels and the re-subdivision to allow eight new lots (one lot with an existing residence), one well lot, and one remainder parcel. Infrastructure including interior driveways, sidewalks, a drainage system, and connections to the Castroville Community Services District's watermain and sewer system will serve the project or be incorporated in the project design and improvement plans. Retaining walls will be constructed along the perimeter of the northeastern property line and between Parcel B and the existing single family dwellings.

An Addendum to the certified Environmental Impact Report (EIR) for the Castroville Community Plan has been prepared for the proposed project. The EIR, as amended, reflects the independent judgment and analysis of the County and staff recommends that the Planning Commission consider the Addendum to, and the EIR.

Based on resource information contained in the Castroville Community Plan (CCP), the CCP EIR, application materials and site visits, staff finds that this project has no issues remaining.

The project is consistent with the CCP, the CCP Design Guidelines (Appendix A), the CCP Development Standards (Appendix B), and the Monterey County Zoning Ordinance (Title 21).

Standard Subdivision Review and Recommendation

On December 11, 2008, the proposed project was heard before the Monterey County Standard Subdivision Committee. A few conditions were revised during the meeting and members of the public attended and spoke on the project. The committees recommend that the Planning Commission approve the project with a vote of 5 to 0. For a more detailed discussion, please see Exhibit B of the staff report.

OTHER AGENCY INVOLVEMENT:

- ✓ North County Rural Fire Protection District
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Housing and Redevelopment Agency

The above agencies and departments have reviewed this project. Conditions recommended by North County Rural Fire Protection District, Public Works Department, Parks Department, Environmental Health Division, Water Resources Agency and the Housing and Redevelopment Agency have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was referred to the Castroville Advisory Committee (CAC) for review on November 20, 2008 and January 7, 2009. The CAC found that the project was in compliance with the CCP; however, a few members of the public had questions regarding impact to the schools and project review by the North County Recreation and Parks District (NCRPD). Potential impacts to the school district are addressed in Finding 4 Evidence (i). The Monterey County Parks Department has reviewed the project and condition 26 has been incorporated within Exhibit D, requiring the applicant collaborate with the NCRPD.

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

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cc: Subdivision Committee Members (7); County Counsel; North County Rural Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Housing and Redevelopment Agency; Jeff Main, Planning & Building Services Manager; Anna V Quenga, Assistant Planner; Carol Allen; Donald and Barbara Chapin, Applicant; Fenton and Keller, Agent; Paul Davis, Architect; File PLN080039.

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Overview
Exhibit C Recommended Findings and Evidence
Exhibit D Recommended Conditions of Approval
Exhibit E Consistency Analysis
Exhibit F Addendum to the Certified EIR
Exhibit G Certified EIR for the Castroville Community Plan (CD ROM)
Exhibit F Progress Report from LandSet Engineers dated January 5, 2009
Exhibit G Standard Subdivision Committee Resolution No. 0800039
Exhibit H Zoning Amendment Resolution
Exhibit J Site Plan, Floor Plan and Elevations

This report was reviewed by Jeff Main, RMA-Planning Department Manager

EXHIBIT A

Project Information for PLN080039

Project Title: CHAPIN DONALD D JR & BARBARA

Location: PRESTON ST & AXTELL ST CASTROVILL	Primary APN: 030-041-001-000-M
Applicable Plan: North County Area Plan	Coastal Zone: No
Permit Type: Combined Development Permit	Zoning: MDR/*Z. HDR/*Z & R
Environmental Status: ADDENDUM	Plan Designation: MEDIUM AND HIGH
Advisory Committee: N/A	Final Action Deadline (884): 4/19/2009

Project Site Data:

Lot Size: 4.814 AC	Coverage Allowed: 60%
Existing Structures (sf): N/A	Coverage Proposed: 41.5%
Proposed Structures (sf): N/A	Height Allowed: 35'
Total Sq. Ft.: 31,243	Height Proposed: 24'
	FAR Allowed: N/A
	FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: No	Erosion Hazard Zone: HIGH
Biological Report #: LIB080407	Soils Report #: LIB080405
Forest Management Rpt. #: N/A	
Archaeological Sensitivity Zone: HIGH	Geologic Hazard Zone: VI
Archaeological Report #: LIB080406	Geologic Report #: LIB080408
Fire Hazard Zone: URBAN/AG	Traffic Report #: LIB080451

Other Information:

Water Source: WATER SYSTEM	Sewage Disposal (method): SEWER
Water Dist/Co: CCSD	Sewer District Name: CCSD
Fire District: NORHT COUNTY FPD	Grading (cubic yds.): 14,300.0
Tree Removal: N/A	

EXHIBIT B DISCUSSION

Summary of the Monterey County Standard Subdivision hearing and Recommendation

The project was heard before the Standard Subdivision on December 11, 2008. The Public Works Department recommended that timing for two conditions be modified to “prior to the recordation of the final map” (Condition Nos. 27 and 31). The applicant requested that conditions 11 and 12 be removed since the grading work has already been begun and that condition 60 be removed as well because the applicant has already applied with FEMA for a Letter of Map Revision (LOMR). Two members of the public stated their concerns of the project during the public comment period.

On January 6, 2009, staff received a progress report from LandSet Engineers, Inc. on grading activities within the project site associated with GP020075 (Exhibit F). Subsites 2 and 5 were subexcavated in compliance with the recommendations of the Geological report. In addition, the engineered embankment fill placed on Subsite 5 was done in accordance with the surcharge time requirements. Therefore, condition 11 of the Standard Subdivision Resolution has been modified deleting specific excavation activity for Subsite 5; however, the condition remains (now condition 13) as grading for the project has not yet been completed. Condition 12 of the Standard Subdivision Resolution has been deleted since the fill work for subset 5 has already occurred in accordance with the Geologists recommendations.

Staff discussed the possible deletion of condition 60 (now condition 57) with Water Resources staff; which requires the applicant to submit a Conditional Letter of Map Revision to FEMA. Staff from the Water Resources Agency indicated that the condition should remain as the FEMA process will not be complete until grading has been completed and the final elevation can be verified to be out of the flood plain.

The two members of the public who spoke at the hearing raised concerns regarding: traffic, flood and pollution control, and the lack of police protection. The traffic concerns included issues regarding cars speeding on Axtell Street through Blevins Way and parking. Staff from the Public Works stated that traffic impact fees are required to be paid by the applicant. These fees will be used for traffic improvements within Castroville, such as stop signs if an intersection’s level of service warrants one. In regards to speeding, the Monterey County Sheriffs Department has authority over controlling speeds. The Sheriffs Department has reviewed the application and a recommended condition of approval has been incorporated. Floodplain and drainage issues have been addressed and can be found within Evidence (o) of Finding 3 and Evidence (g) and (h) of Finding 4.

The Monterey County Standard Subdivision Committee recommended that the Planning Commission approve the Chapin project along with the changes requested by the Public Works Department and the Errata submitted by Monterey County RMA-Planning Staff. The Resolution can be found within Exhibit G.

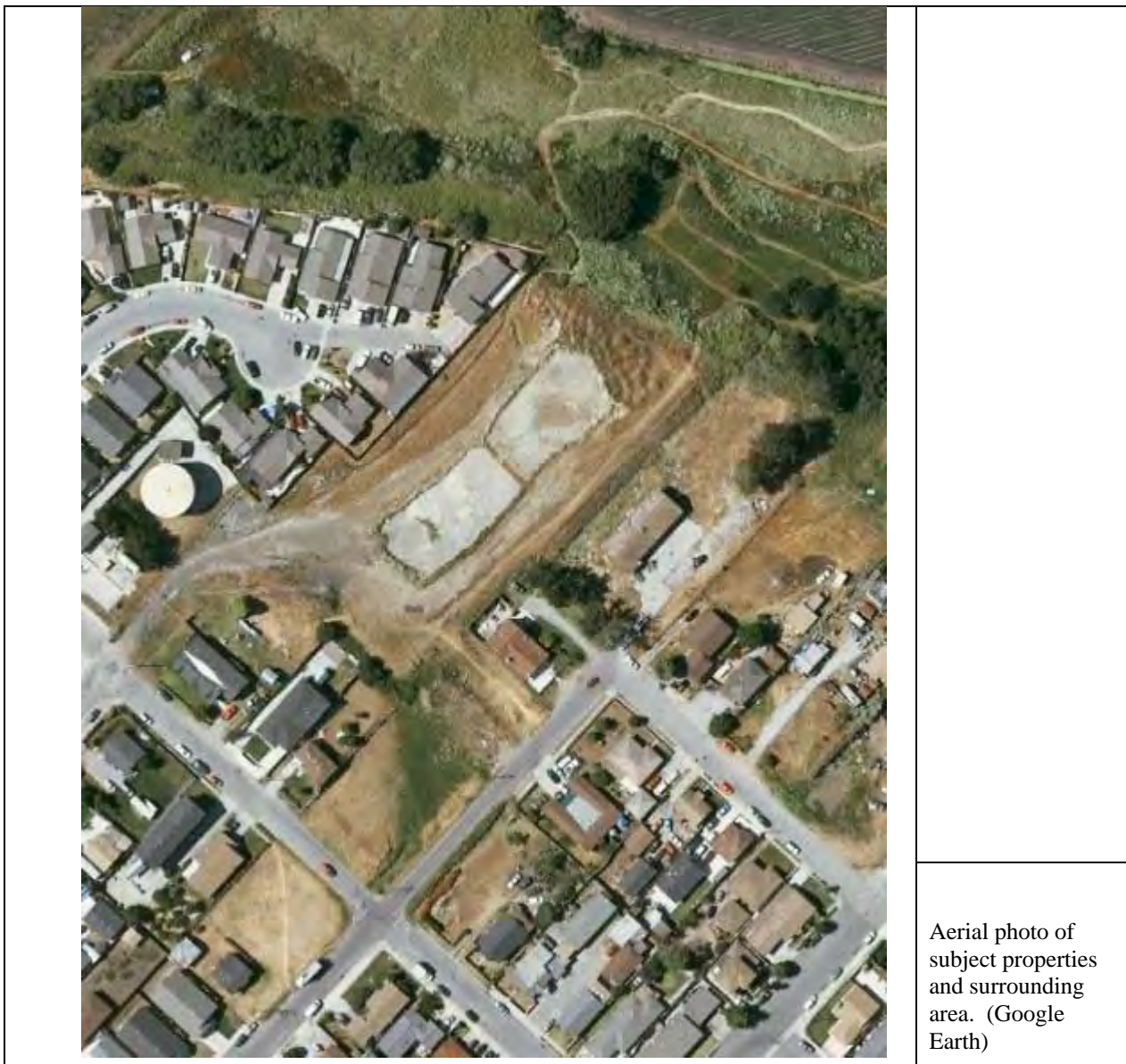
Project Site Information

The subject properties consist of seven lots of record (Assessor's Parcel Numbers 030-041-001-000, 030-041-003-000, 030-041-004-000, 030-041-005-000, 030-041-008-000, 030-011-009-000 and 030-011-011-000) plus one separate road parcel which are located on the northern corner of Axtell Street and Preston Street and areas north and west of Davis Street, Castroville, with a total area of approximately 4.814 acres. A request for road abandonment went before the Board of Supervisors on March 17, 1970, was considered and denied. It was found that the County had no

interest in the parcel; therefore, the lot can be consolidated without abandonment. Grading has occurred in the past (grading permit file No. GP020075) and documented fill has been placed on the property.

Vegetation is comprised of highly disturbed non-native invasive species including poison hemlock, wild radish, and curly dock. A segment of the northeastern portion of the subject property is located within the Coastal Boundary and is close to the Castroville Slough which is essentially an agricultural ditch. However, this area is highly disturbed and does not contain any environmentally sensitive habitat.

The properties to the northwest, south, and southeast contain single family homes and the area to the northeast is fallow agricultural land bordered by agricultural land which is currently in production. The surrounding land use designations are residential to the west and agricultural towards the east.



Project Information

The proposed project includes the rezone from High Density Residential (HDR*/Z) to the designation of High Density Residential, 18 units per acre (HDR/18) for southwest portions of the Davis Street right of way and the rezone from Medium Density Residential, 1 unit per acre (MDR/1-Z) to the designation High Density Residential, 18 units per acre (HDR/18) for northeast portions of the Davis Street right of way. The result of the rezone will allow the lots within the subdivision to be consistent with the zoning classification of the Castroville Community Plan (CCP).

The project also includes a Combined Development Permit and General Development Plan to allow a Vesting Tentative Map to allow the consolidation and re-subdivision of eight lots. The resulting subdivision consists of a new configuration of eight parcels which are for residential development; one parcel (Parcel B) for a 59 unit apartment complex, six parcels (approximately 0.125 acre each) for single family lots, and one parcel to separate an existing single family dwelling. The subdivision will also create one well lot (0.046 acre) and a remainder parcel (0.466 acre) located entirely within the Coastal Boundary.

The project does not include the construction of single family dwellings for the six of the proposed residential lots (Parcel's C, D, E, F, G and H); therefore, impacts caused by specific development on those lots were not analyzed. However, the proposed lot size is consistent with the Castroville Community Plan guidelines. The resulting Parcel A contains a single family dwelling and no other development is proposed. No development is proposed for the remainder parcel and it will be dedicated as visual open space (see Condition No. 10).

A Use Permit is required to allow the construction of a 58 unit apartment complex and an additional structure with a 1,415 square foot Resident's Center on the first floor and a 935 square foot manager's unit on the second floor. Grading for site improvement will require approximately 3,500 cubic yards of cut and 10,800 cubic yards of fill.

Castroville Community Plan

The Castroville Community Plan (CCP) was adopted by the Board of Supervisors on April 10, 2007 (Resolution No.s. 07-101, 07-102, and 07-103). The CCP includes land use designations, infrastructure improvements, public facilities, and an economic development strategy specific to the area within the Community Plan Boundary. Although the CCP has been adopted, the implementation of the Castroville Community Plan zoning classification has not. The RMA-Planning Department has been tasked to amend the Monterey County Zoning Code (Title 21) to include: the Castroville Community Plan zoning classifications, the Community Plan Design Guidelines (Appendix A of the CCP), and the Community Plan Development Standards (Appendix B of the CCP). It is expected that the amendment to Title 21 will be completed and adopted in the spring of 2009. Therefore, projects within the Community Plan boundaries and submitted before the Title 21 amendment will be required to be consistent with both the CCP as well as Title 21.

Consistency with the Castroville Community Plan Land Use

In order for the proposed development to be consistent with the CCP, rezoning of the properties within the development will be required. The applicant proposes to rezone a portion southwest of the Davis Street right of way (Assessor Parcel Numbers: 030-041-001-000, 030-041-003-000, 030-041-004-000, 030-041-005-000, and 030-041-008-000) from HDR*/Z to the designation of High Density Residential, 18 units per acre (HDR/18). With current zoning in place, the maximum density of the parcels range between 8.7 to 15 units per acre; therefore, the project as proposed will be inconsistent with the current zoning as the portions zoned HDR*/Z has a density of approximately 15.34 units per acre.

In addition, the applicant proposes to rezone portions northeast of the Davis Street right of way (Assessor's Parcel Numbers 030-011-009-000 and 030-011-011-000) from MDR/1-Z to the designation of High Density Residential, 18 units per acre (HDR/18). The current zoning allows for one unit per acre, which is inconsistent with the proposed project as the density within the portions zoned MDR/1-Z is 20 units per acre.

Combining the total amount of acreage and the total amount of units within the development, the resulting density is 17.4 units per acre. Therefore, it is proposed that the two existing zoning districts be combined and rezoned to HDR/18. The project then would be consistent with both Title 21 and the zoning classification within the CCP which is HDR-C and allows a maximum density of 20 dwelling units per acre. [See Figure 4, Proposed Land Uses, of the Castroville Community Plan and Finding No. 3, Evidence (t) and (u) of Exhibit C.]

Consistency with Policies of the Castroville Community Plan *

The project application was submitted following the adoption of the CCP. Policy 1.2 of the CCP requires that new development be consistent with the Community Plan Design Guidelines (Appendix A) and Development Standards (Appendix B). The project as proposed is consistent with CCP Policies pertaining to the project and project site; such as meeting urban infrastructure and service standards, contributing to the cost of infrastructure and service, flood control improvements that reduce the threat of flooding to the existing community and provide opportunities for new development in areas currently subject to flood hazards, and providing adequate park and recreational facilities that meet the needs of the community. (See Finding No. 3 of Exhibit C.)

The proposed multi-family unit apartment, contained within Parcel B, is consistent with the uses allowed within the HDR-C land use designation in the Community Plan and consistent with the 13,500 square foot minimum lot size. The proposed height is approximately 2-stories/26 feet, the front setback from Preston Street is 10 feet, the front setback from Axtell Street is 15 feet, the rear setback is 12 feet, the side setback is 10 feet, and the setback from sidewalk to community open space is 10 feet which is consistent with the Site Development Standards listed within the HDR-C zoning district. Parking regulations outlined within the Section 3.2.3.e of the CCP requires that two spaces be provided for every two and three bedroom unit and that one guest parking space be provided for every four residential units. Handicapped parking regulations are not outlined within the CCP. Thus, items contained within the Zoning Ordinance but not addressed within the CCP remain as requirements. Therefore, the project shall meet the handicapped parking regulations outlined in Section 21.58.050.G of the Monterey County Zoning Ordinance (Title 21) which requires that the project provide four handicapped spaces. The project proposes a total of 133 (five of which are handicapped), meeting the amount required. [For a breakdown of parking spaces, see the table found in Exhibit (x) of Finding 3]

The proposed single family lots (Parcel's C, D, E, F, G and H) are considered "small lot single family" and the proposed project meets the required minimum building site of 3,000 square feet, the minimum width of 30 feet, and the maximum density of 12 units per acre. There is no proposal for construction with this project; however, when construction begins, the developer will be required to meet the Design Guidelines and Development Standards within the Community Plan.

* A simplified table can be found within Exhibit E of the staff report.

Specific Project Analysis and Issues

During analysis of the subject property and proposed project, staff identified potential issues: unsuitable soil conditions and development within the floodplain of the Castroville Slough.

The applicant submitted a Geologic and Soil Engineering Report dated June 2002, prepared by LandSet Engineers, Inc. (Library No. LIB080408) as well as an Updated Seismic Design Criteria letter dated March 13, 2008 (Library No. L080405). Some areas within the project site were found to have unsuitable soil and will require overexcavation. Condition No. 13 has been included to guarantee that the applicant submit grading plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geology and Soils Engineering Report. In addition, accompanying the grading plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the recommendations described in Condition No. 13 to be reviewed by the RMA-Director of Planning for compliance. Furthermore, Condition No. 13 will ensure that all development occurs in accordance with both the report and updated design criteria. A section of the northeastern portion of the project site is within the 100 year floodplain for the Castroville slough. In order to bring the elevation above the base flood elevation (BFE), fill will have to be brought in (the total amount of fill for the project is 10,800 cubic yards). The reports recommend that fill material be slowly and deliberately placed over a period of not less than 18 months prior to achieving subgrade elevation. Once subgrade elevation has been obtained the embankment fill should be allowed to surcharge for a period of not less than six months prior to foundation construction to limit the potential of differential settlement. The applicant has submitted a progress report from LandSet Engineers, Inc. dated January 5, 2009. The report demonstrates that grading activities which have already occurred in this area have been done in compliance with timing for the surcharge requirements.

Policy No. 10.5 of the Castroville Community Plan requires the implementation of flood control improvements in order to reduce the threat of flooding to the existing community and provide opportunities for new development in areas currently subject to flood hazards. A portion of the northeast section is located within the 100 year floodplain of the Castroville Slough and the community accepted Base Flood Elevation (BFE) is 8 feet MSL (NGVD 1929). Based on mitigation measures identified within the EIR for the CCP, prior to the issuance of the grading permit, the applicant is required to submit a Condition Letter of Map Revision (CLOMR) application to the Federal Emergency Management Agency (FEMA) which shows how the applicant will raise the elevation of the site above the BFE and prior to the final inspection of the grading permit, the applicant is required to submit copies of the FEMA Letter of Map Revision (LOMR). The applicant has prepared a FEMA LOMR-F application that includes certification that the lowest lot elevation is 10.0 feet mean sea level (NGVD 1929). A community Acknowledgement Form was signed by the Monterey County Water Resources Agency staff on June 30, 2008.

In conclusion, the proposed project and the subject property has no unresolved issues regarding demolition of existing structures and its potential as a historic resource; potential parking issues; the potential for biological resources on the property; liquefaction, undocumented fill and organic material; and development within the floodplain of the Castroville Slough.

CEQA and Addendum to the Adopted EIR

During the review process of the Castroville Community Plan (CCP), an EIR was prepared to evaluate environmental impacts and the Final EIR was certified in November 2006. Environmental impacts caused by the implementation of the CCP were analyzed, therefore mitigations requiring conditions of approval that pertain to the Chapin project have been

incorporated; specifically for Air Quality, Hazards/Hazardous Materials, Hydrology/Water Quality, and Utilities. This EIR is considered a program-level EIR and pursuant to Section 15164 of the CEQA Guidelines, an Addendum was prepared in order to address project specific issues that were not previously examined in the program EIR. No additional potentially significant impacts were identified during analysis of the project and none of the findings listed under Section 15642 of the CEQA Guidelines can be made. Staff requests that the Planning Commission consider both the Addendum and the EIR. A digital copy of the EIR can be found at: <http://www.co.monterey.ca.us/housing/Redevelopment/Castroville/castrov.htm> and a hard copy can be reviewed at the front count of the RMA-Planning Department located at 168 W. Alisal Street, Second Floor, Salinas. Further discussions regarding specific impacts and conditions are found within the Finding No. 4 of Exhibit D and the Addendum (Exhibit F).

During the January 7th Castroville Advisory Committee meeting a member of the school district brought up concerns regarding the project creating an impact to the Castroville Schools. Members of the school district stated that the projection of students for the 2008-2009 school year were way under the actual population numbers. During the creation of the CCP and the EIR for the CCP, Redevelopment staff worked closely with the school district. The North Monterey County Unified School District (NMCUSD) is in the progress of preparing a Schools Master plan for the school district which includes a plan for anticipated increases in enrollment as a result of new development. The applicant will be required to pay school district fees prior to the issuance of the building permit. Section 65996(3)(h) of the California Government Code states that payment of the developer fees “is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property...”. Therefore, the project will have a less than significant impact on the school district.

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, guidelines, and standards of the Castroville Community Plan (CCP), North County Area Plan, North County Area Plan Inventory and Analysis, Monterey County Zoning Ordinance (Title 21), and the Monterey County Subdivision Ordinance (Title 19) which designates this area as appropriate for the proposed 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. Specific consistency findings for the Castroville Community Plan can be found within Findings and Evidence 3.

(b) The properties are located at the northern corner of the intersection of Axtell and Preston Streets; and areas north and west of Davis Street, Castroville (Assessors Parcel Numbers 030-041-001-000, 030-041-003-000, 030-041-004-000, 030-041-005-000, 030-041-008-000, 030-011-009-000 and 030-011-011-000), Castroville Community Plan area. The parcels are zoned High Density Residential or “HDR/*Z”, Medium Density Residential or “MDR/*Z”, and Resource Conservation (Coastal Zone) or “RC(CZ).

(c) The applicant proposes to rezone a portion southwest of the Davis Street right of way (Assessor Parcel Numbers: 030-041-001-000, 030-041-003-000, 030-041-004-000, 030-041-005-000, and 030-041-008-000) from HDR*/Z to the designation of High Density Residential, 18 units per acre (HDR/18). With current zoning in place, the maximum density of the parcels range between 8.7 to 15 units per acre; therefore, the project as proposed will be inconsistent with the current zoning as the portions zoned HDR/*Z has a density of approximately 15.34 units per acre. [See Figure 4, Proposed Land Uses, of the Castroville Community Plan and Finding 3, Evidence (a) and (c).]

(d) The applicant proposes to rezone portions northeast of the Davis Street right of way (Assessor’s Parcel Numbers 030-011-009-000 and 030-011-011-000) from MDR/1-Z to the designation of High Density Residential, 18 units per acre (HDR/18). The current zoning allows for one unit per acre, which is inconsistent with the proposed project as the density within the portions zoned MDR/1-Z is 20 units per acre. [See Figure 4, Proposed Land Uses, of the Castroville Community Plan and Finding No. 3, Evidence (b) and (c).]

(e) The project planner conducted a site inspection on August 4, 2008 to verify that the project on the subject parcel conforms to the plans listed above.

(f) The project is consistent with the Design Guidelines and Development Standards of the CCP (see Finding No. 3).

(g) Pursuant to Policy No. 2.3 of the CCP, the project was referred to the Castroville Advisory Committee (CAC) for review on November 20, 2008

and January 7, 2009. [For further information see Finding No. 3, Evidence (g).]

- (h) The project was brought before the Monterey County Standard Subdivision Committee on December 11, 2008. The Committee recommended that the Planning Commission approve the project and recommend that the Board of Supervisors approve the rezone.
- (i) 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 PLN080039.

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, North County Rural Fire Protection District, Parks, Public Works, Environmental Health Division, Water Resources Agency and Housing and Redevelopment. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Recommended conditions have been incorporated.

- (b) Technical reports by outside archaeological, biological, geological and traffic consultants indicate that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:

1. *“Preliminary Cultural Resources Reconnaissance” (LIB080406) prepared by Archaeological Consulting, Salinas, CA, August 1, 2002.*
2. *“Biological Assessment” (LIB080407) prepared by Rana Creek Habitat Restoration, Carmel Valley, CA, September 5, 2002.*
3. *“Geologic and Soil Engineering Report” (LIB080408) prepared by LandSet Engineers, Salinas, CA, June 2002.*
4. *“Updated Seismic Design Criteria” (LIB080405) prepared by LandSet Engineers, Salinas, CA March 13, 2008*
5. *“Traffic Impact Fee Calculation” (LIB080039) prepared by Earth Systems Pacific, Hollister, CA May 31, 2007.*
6. *“Traffic Analysis” (LIB070315) prepared by Higgins Associates, Gilroy, CA June 15, 2007.*

- (c) Staff conducted a site inspection on August 4, 2008 to verify that the site is suitable for this use.

- (d) Materials in Project File PLN080039.

3. FINDING: COMPLIANCE WITH THE CASTROVILLE COMMUNITY PLAN (CCP) – The project application was submitted following the adoption of the CCP. Policy 1.2 of the CCP requires that new development be consistent with the Community Plan Design Guidelines and Development Standards. The project is in compliance with all the applicable policies of the CCP and meets the criteria within the Design Guidelines. (A simplified table is included as Exhibit E of the Planning Commission staff report dated January 28, 2009.)

EVIDENCE: (a) The applicant proposes to rezone a portion southwest of the Davis Street right of way (Assessor Parcel Numbers: 030-041-001-000, 030-041-003-000, 030-041-004-000, 030-041-005-000, and 030-041-008-000) from HDR*/Z to the designation of High Density Residential, 18 units per acre

(HDR/18). With current zoning in place, the maximum density of the parcels range between 8.7 to 15 units per acre; therefore, the project as proposed will be inconsistent with the current zoning as the portions zoned HDR/*Z has a density of approximately 15.34 units per acre.

- (b) The applicant proposes to rezone portions northeast of the Davis Street right of way (Assessor's Parcel Numbers 030-011-009-000 and 030-011-011-000) from MDR/1-Z to the designation of High Density Residential, 18 units per acre (HDR/18). The current zoning allows for one unit per acre, which is inconsistent with the proposed project as the density within the portions zoned MDR/1-Z is 20 units per acre.
- (c) Combining the total amount of acreage and the total amount of units within the development, the resulting density is 17.4 units per acre. Therefore, it is proposed that the two existing zoning districts be combined and rezoned to HDR/18. The project then would be consistent with both Title 21 and the zoning classification within the CCP which is HDR-C and allows a maximum density of 20 dwelling units per acre.
- (d) Policy No. 1.3 requires design features in new development projects such as banners, entrance signs, and advertising shall be created to incorporate themes that reflect the community's agricultural and cultural history. The proposed location and design of all entry signs have not been submitted by the applicant; however, the project is conditioned to require the applicant to submit a sign plan to the RMA-Planning Department for review for consistency with the CCP guidelines and approval prior to the issuance of any building permits. (See Condition No. 17.)
- (e) Policy No. 1.5 requires development to incorporate the Design Guidelines and Development Standards to ensure that the scale and design enhances the safe, attractive small town character desired. The proposed project orients mostly to the interior with efficient use of parking layouts with landscaped buffers between the parking and apartments. The apartments along the street have entrances facing the street with walks from the sidewalks, the interior of the projects that connect apartments with each other, the Resident's Center and recreation spaces for healthy and safe interaction.
- (f) Policy No. 2.2 requires that new development, including infill development, be reviewed with the appropriate Community Plan architectural Design Guidelines (Appendix A) and Development Standards (Appendix B) to ensure quality of design and compatibility. The proposed project is similar to the existing scale of houses and apartments within the neighborhood. Both horizontal siding and plaster are used to break up the building massing and detail is simple and consistent with project's architectural style.
- (g) Policy No. 2.3 requires that the Castroville Citizen's Advisory Committee (CAC) monitor and comment on development proposals within the vicinity of the community of Castroville which may have the potential to affect the community as well as ensure that new development does not negatively impact the community. The project was heard before the CAC on November 20, 2008 and January 7, 2009. The CAC found that the project was in compliance with the CCP; however, a few members of the public had questions regarding impact to the schools and project review by the North County Recreation and Parks District (NCRPD). Potential impacts to the school district are addressed in Finding 4 Evidence (i). The Monterey County Parks Department has reviewed the project and

condition 26 has been incorporated within Exhibit D, requiring the applicant collaborate with the NRCPD.

- (h) Policy No. 4.1 encourages a range of housing types in a mixed income format that meets the needs of Castroville's workforce and allows residents to stay within the community as their lifestyles and incomes change over the years. The proposed apartment complex will provide a total of 59 units which consists of: one managers unit, five moderate income units, three low income units, three very low income units, four handicap accessible units; with the remaining units available as market rate. Six single family lots will be created through the subdivision. Although construction for the dwelling units is not included within this proposal, the lots will be zoned MDR-C, which allows for a range of housing types.
- (i) Policy 5.1 requires that new private development work with local and regional organizations to enhance the sloughs in the vicinity of Castroville as part of the ongoing regional slough enhancement efforts to improve habitat, provide open space, and create attractive amenities for the entire community. The Castroville Slough, located northeast of the project site, is essentially a drainage ditch for agricultural land runoff. This portion is not included within Appendix G of the Community Plan, Slough Enhancement Sections, and the applicant does not propose any development within this area. However, the northeastern portion of the subject property (located within the Coastal Zone and adjacent to the slough) will be created as a remainder parcel, does not include any development, and will be dedicated as visual open space. Condition No. 10 has been added to dedicate the remainder parcel within a conservation easement as visual openspace.
- (j) Policy 5.2 encourages compatible infill development and compact new development within the Community Plan area as well as the efficient use of land resources. The proposed development is located within an infill site surrounded by existing residential developments towards the north, east, and south; and agricultural land located towards the west. The proposed development is compatible with the surrounding uses.
- (k) Policy No. 10.1 requires development meet urban infrastructure and service standards. A can and will serve letter from the Castroville Community Services District was provided by the applicant and water service connections will be made available for both the 58 unit multi-family apartments complex with a manager's unit and residents center and the seven single family lots. A can and will serve letter from the Castroville Community Services District was provide by the applicant which also verifies the sewer service connections will be made available for both the 58 unit multi-family apartments complex with a manager's unit and residents center and the seven single family lots.
- (l) Policy No. 10.2 requires development contribute to the cost of infrastructure and service. The project is required to pay district connection fees for water and sewer service as well as pay a fair share cost for local and regional transportation improvement (see Condition Nos. 34, 35, and 59).
- (m) Policy No. 10.3 requires that new development work closely with the affected school district to ensure that impact on schools serving the Castroville community by providing required school facilities and contributing to the cost of maintaining quality service. As part of the building permit process, the applicant will be required to pay school

district developer fees to the North Monterey County Unified School District.

- (n) Policy No. 10.4 requires new development to work with all service providers to ensure adequate levels of service are provided to the community and meet the needs of Castroville residents and businesses. There has been no indication from service providers that the project will impact services; therefore, it is assumed that adequate levels of service exist.
- (o) Policy No. 10.5 requires the implementation of flood control improvements in order to reduce the threat of flooding to the existing community and provide opportunities for new development in areas currently subject to flood hazards. A portion of the northeast section is located within the 100 year floodplain of the Castroville Slough and the community accepted Base Flood Elevation (BFE) is 8 feet MSL (NGVD 1929). Based off of mitigation measures identified within the EIR for the CCP, prior to the issuance of the grading permit, the applicant is required to submit a Condition Letter of Map Revision (CLOMR) application to the Federal Emergency Management Agency (FEMA) which shows how the applicant will raise the elevation of the site above the BFE and prior to the final inspection of the grading permit, the applicant is required to submit copies of the FEMA Letter of Map Revision (LOMR). The applicant has prepared a FEMA LOMR-F application that includes certification that the lowest lot elevation is 10.0 feet mean sea level (NGVD 1929). A community Acknowledgement Form was signed by the Monterey County Water Resources Agency staff on June 30, 2008. However, the FEMA process will not be satisfied until the grading activities have been completed. Therefore, condition 57 is required.
- (p) Policy No. 10.6 requires that development provide adequate park and recreational facilities which meet the needs of the community. The project was reviewed by the Monterey County Parks Department and as a condition of approval (see Condition No. 26), the applicant will provide on-site recreation areas by dedicating land and recreation improvements for park and recreation purposes as well as a possible contribution to other local neighborhood or community parks and recreational facilities within the North County Recreation District located in Castroville.
- (q) Site Design – Compatibility and Good Neighbor Considerations. Proposed structures shall meet the minimum front yard setback specified in the Development Standards section and should be compatible with front yard setbacks of adjacent properties. The privacy of adjacent properties should not be obstructed with the design and placement of proposed building height and second-floor windows, balconies, and decks that should not have a direct view of those properties. The proposed front yard setback along Preston Street is 10 feet from the road right of way to the nearest point of the structure; which is the minimum allowed. The proposed front setback along Axtell Street is 15 feet and is consistent with the existing development along Axtell. Most units are placed for minimal affect on the adjacent residential windows of the existing single family dwellings and proposed new units and are facing toward streets, parking or open space. Retaining walls are proposed to be placed between the new construction and the existing single family dwellings.
- (r) Architectural Elements – Building Mass, Front Porches, Roof Lines, Angles, Projections, and Architectural Details. The proposed height for

the new buildings is approximately 26 feet (2-stories) which is similar in scale and massing to surrounding houses and apartments. One-story roof projections are located at the entry of townhouses and at each pedestrian unit off Axtell and Preston Streets. Roof forms are compatible with adjacent structures and contain interesting gables to break up roof elements. Architectural details including porch columns, decorative door and window designs, roof overhangs with decorative brackets and rafter tails, exterior molding, porch and balcony railings, exterior siding and lighting fixtures should be consistent with the project's architectural style. Detail is simple and consistent with project's architectural style. Both horizontal siding and plaster are used to break up the building massing.

- (s) Lighting – Exterior lighting will be positioned at entries and be down light with no direct light extending into neighboring properties. Parking is interior to project and lighting will be the minimum as required for safety and be down light with cut off to reduce glare. A lighting condition has been included to ensure that lighting within the apartment complex will be in compliance with the guidelines. (See Condition No. 16)
- (t) Landscaping – Design, Permeable Surfaces, Placement of Mechanical Equipment and Trash Enclosures, Building Surfaces, Fences, and Walls. Landscaping will be compatible with the structures with visual openness. Maintained, permeable surfaces will be maximized and drought tolerant plants utilized. Trash enclosure will be screened and out of public view. A landscaping condition has been included to ensure that landscaping within the apartment complex will be in compliance with the guidelines. (See Condition No. 15)
- (u) MDR-C Land Use Designation – The six new single family lots are intended for detached single family dwellings; however, there is no proposal for construction with this project. When construction begins, the developer will be required to meet the design guidelines and standards within the Community Plan.
- (v) MDR-C Site Development Standards – Under the CCP, the proposed MDR-C lots are considered “small lot single family”. The proposed project meets the minimum 3,000 square foot building site, the minimum width of 30 feet, and the maximum density of 12 units per acre.
- (w) HDR-C Land Use Designation - The proposed multi-family unit apartment is consistent with the uses allowed within the HDR-C land use designation.
- (x) HDR-C Site Development Standards – The proposed lot size for Parcel B, which contains the 59 unit apartment complex, is 147,695 square feet and the project proposes a density of 17.4 units per acre which is consistent with the 13,500 minimum lot size and maximum 20 units per acre limit of the HDR-C zoning district. The proposed height is approximately 2-stories/26 feet, the front setback from Preston Street is 10 feet, the front setback from Axtell Street is 15, the rear setback is 12 feet, the side setback is 10 feet, and the setback from sidewalk to community open space is 10 feet. The proposed development is consistent with the Site Development Standards listed within the HDR-C zoning district.
- (y) Parking regulations outlined within the Section 3.2.3.e of the CCP requires that two spaces be provided for every two and three bedroom unit and that one guest parking space be provided for every four residential units. Handicapped parking regulations are not outlined within the CCP. Thus, items contained within the Zoning Ordinance but not addressed within the CCP remain as requirements. Therefore, the project shall meet the

handicapped parking regulations outlined in Section 21.58.050.G of the Monterey County Zoning Ordinance (Title 21) which requires that at least four handicapped spaces are provided for every 121-160 spaces. The project proposes to provide a total of 133 spaces, meeting the amount required. For a breakdown of parking spaces, see the table below:

	Required	Provided
32 two bedroom units	64	64
26 three bedroom units	52	52
Manager unit	2	2
Guest parking	15	15
Handicapped Parking (Included in the total.)	4	5

Condition No. 28 has been included by the Public Works Department to ensure that the applicant comply with the parking regulations. The applicant has indicated that they will voluntarily required occupants to place a parking permit within their vehicle.

4. FINDING: CEQA – The project, as conditioned, will not have significant environmental impacts. On the basis of the whole record before the Planning Commission, there is no substantial evidence that the proposed project as designed and conditioned will have a significant effect on the environment. An Addendum to the certified Environmental Impact Report EIR (SCH# 2005061132) for the Castroville Community Plan for the proposed project has been prepared. The EIR, as amended, reflects the independent judgment and analysis of the County. None of the findings listed within Section 15162 requiring a subsequent EIR can be made.

EVIDENCE: (a) During the review process of the Castroville Community Plan (CCP), an EIR was prepared to evaluate environmental impacts and the Final EIR was certified in November 2006. Environmental impacts caused by the implementation of the CCP were analyzed, and mitigation measures that pertain to the Chapin project have been incorporated as conditions of approval; specifically for Aesthetics, Air Quality, Hazards/Hazardous Materials, Hydrology/Water Quality, and Utilities. Pursuant to Section 15164 of the CEQA Guidelines, an Addendum was prepared in order to address project specific issues that were not previously examined in the EIR. Further discussions regarding specific impacts and conditions are found within the Addendum (Exhibit F of the Subdivision Committee staff report dated December 11, 2008).

(b) Air Quality – The EIR analyzed potential air quality impacts caused by construction activities associated with the implementation of the CCP. It was found that construction activities would generate temporary emissions of criteria pollutants that could exceed Monterey Bay Unified Air Pollution Control District’s significance thresholds and create a potentially significant impact on air quality. In order to mitigate the potentially significant impact to less than significant, mitigation measures No. 3.3-1a, 3.3-1b, and 3.32 were identified. These mitigations have been incorporated as conditions of approval (Condition Nos. 52, 53, and 54) and will require the applicant to implement best-available control measures (BACM) to reduce emissions of toxic air contaminants and

reduce criteria air pollutants of ROG, NO_x, CO and PM₁₀ as recommended by the Monterey Bay Unified Air Pollution Control District and in accordance with Policy 20.25.5 of the Monterey County General Plan. Therefore, temporary construction related impacts cause by the proposed project will be less than significant.

- (c) Biology – Mitigation measure No. 3.4-1 of the EIR for the CCP requires that a qualified biologist conduct a biological assessment of the area proposed for development in order to identify potential impacts to special status plant species, steelhead trout, migratory bird species, California red legged frog and/or California Tiger Salamander, Least Bell's Vireo, or burrowing owl habitat. A Biological report, dated September 5, 2002 prepared by Rana Creek Habitat Restoration (Library No. LIB080407) was submitted by the applicant. The report concludes that the project area contains little or no habitat value and is dominated by non-native plants. No rare, threatened, or endangered species were found on the property. Therefore, no mitigations for biological resources are required.
- (d) Archaeology – Mitigation Measure No. 3.5-1a of the EIR requires that a certified archaeologist perform an archaeological evaluation in accordance with the Monterey County General Plan Policy 12.1.3. According to the Monterey County Resource Maps, the parcel is located within an area of “high” archeological sensitivity. If no resources are identified, no further action would be required. Therefore, an archaeological report, dated August 1, 2002 prepared by Archaeological Consulting (Library No. LIB080406) did not reveal any of the indicators normally found on a prehistoric site in this region. The archaeologist concludes that based upon field and background research, the project parcel contains no surface evidence of significant archaeological resources and the project should not be delayed for archaeological reasons.
- (e) Geology – Mitigation measure No. 3.6-1 requires that a registered geologist prepare a preliminary seismic and geologic hazard report. Implementation of this mitigation will reduce impacts by requiring site-specific geotechnical reports, Monterey County approval of final engineering and improvement plans, and adherence to the California Building Code. The applicant submitted a Geologic and Soil Engineering Report dated June 2002, prepared by LandSet Engineers, Inc. (Library No. LIB080408) as well as an Updated Seismic Design Criteria letter dated March 13, 2008 (Library No. L080405). Some areas within the project site were found to have unsuitable soil and will required overexcavation. Condition No. 13 has been included to guarantee that the applicant submit grading plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geology and Soils Engineering Report. In addition, accompanying the grading plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the recommendations described in Condition No. 13 to be reviewed by the RMA-Director of Planning for compliance. Furthermore, Condition No. 13 will ensure that all development occurs in accordance with both the report and updated design criteria. A section of the northeastern portion of the project site is within the 100 year floodplain for the Castroville slough. In order to bring the elevation above the base flood elevation (BFE), fill will have to brought in (the total amount of fill for the project is 10,800 cubic yards). The reports

recommends that fill material be slowly and deliberately placed over period of not less than 18 months prior to achieving subgrade elevation. Once subgrade elevation has been obtained the embankment fill should be allowed to surcharge for a period of not less than six months prior to foundation construction to limit the potential of differential settlement. The applicant has submitted a progress report from LandSet Engineers, Inc. dated January 5, 2009. The report demonstrates that grading activities which have already occurred in this area have been done in compliance with timing for the surcharge requirements. However, the condition remains as to ensure that certification occurs at the completion of all grading activity.

- (f) Hazards – Potential hazards expected during project construction which include: exposure to small amounts of flammable materials, moving equipment, and noise. However, these potential impacts are considered less than significant because of safety measures incorporated into the project design and construction operations. Although there are no recorded hazardous materials sites located within the community of Castroville, implementation of the CCP may result in previously unknown hazardous materials being discovered during construction activities. As a result, the EIR identified mitigation measure No. 3.7.-1 which will reduce potential impacts from hazardous materials contamination to a less than significant level by requiring the assessment of soil through a site-specific Phase I environmental Site Assessment. This mitigation has been included as Condition 55.
- (g) Surface Water Hydrology, Water Runoff – The project has the potential to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Mitigations have been incorporated to reduce the potential to low by requiring the compliance with a NPDES General Permit, the submission of a SWPP and the installation of a storm drain facility. This will ensure that grading and construction activities occur in accordance with current state regulations and that urban runoff contaminants and sediment are minimized. (See Condition No. 56)
- (h) Surface Water Hydrology, Flood Hazard Area – The subject property is partially located within Zone A, 100-year Floodplain of the Castroville Slough, as shown on FEMA Flood Insurance map, 0600195-0055 F, dated August 5, 1986. The Base Floodplain Elevation (BFE) is 8 ft. MSL which represents the water surface elevation corresponding to a flood having a one percent probability of being equaled or exceeded in one given year. Based off of mitigation measure No. 3.9.4b identified within the EIR for the CCP, prior to the issuance of the grading permit, the applicant is required to submit a Condition Letter of Map Revision (CLOMR) application to the Federal Emergency Management Agency (FEMA) which shows how the applicant will raise the elevation of the site above the BFE and prior to the final inspection of the grading permit, the applicant is required to submit copies of the FEMA Letter of Map Revision (LOMR). The applicant has prepared a FEMA LOMR-F application that includes certification that the lowest lot elevation is 10.0 feet mean sea level (NGVD 1929). A community Acknowledgement Form was signed by the Monterey County Water Resources Agency staff on June 30, 2008. However, the FEMA process will not be satisfied until the grading activities completed. Therefore, condition 57 is required.

- (i) Public Services - During the creation of the CCP and the EIR for the CCP, Redevelopment staff worked closely with the school district. The North Monterey County Unified School District (NMCUSD) is in the progress of preparing a Schools Master plan for the school district which includes a plan for anticipated increases in enrollment as a result of new development. The applicant will be required to pay school district fees prior to the issuance of the building permit. Section 65996(3)(h) of the California Government Code states that payment of the developer fees “is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property...”. Therefore, the project will have a less than significant impact on the school district.
- (j) See preceding and following findings and supporting evidence.

5. FINDING: SUBDIVISION ORDINANCE (TITLE 19) SOURCE CAPACITY AND WATER QUALITY- The source capacity and water quality for the proposed lots created through the subdivision meet all the requirements of all applicable health and safety regulations contained in Section 19.05.040.L of Title 19.

EVIDENCE: Public health and safety impacts associated with the water use for the subdivision have been evaluated. A can and will serve letter was provided by the applicant from the Castroville Community Services District and the required new service connections will be made available. [See Finding 9, Evidence (b) and (d)]

6. FINDING: SUBDIVISION ORDINANCE (TITLE 19) – None of the findings found in Section 19.04.025.I of the Subdivision Ordinance can be made.

EVIDENCE: (a) Section 19.04.025.I requires that the subdivision be denied if any one of the findings can be made. Planning staff has analyzed the project against the findings for denial outlined in this section:

1. The proposed map is not consistent with the general plan, area plan, coastal land use plan, or specific plan.

The Project is consistent with the Castroville Community Plan (see Finding No. 3) in that the project area is designated for High Density Residential uses with a maximum density of 20 dwelling units per acre and Medium Density Residential uses with a maximum density of 12 dwelling units per acre. The proposed subdivision map will provide for residential development with lots that range in size from 5,435 square feet to 3.39 acres.

2. That the design or improvements of the proposed subdivision is not consistent the applicable general plan, area plan, coastal land use plan, master Plan or specific plan.

The design and improvements of the proposed Chapin Standard Subdivision have been reviewed by the RMA-Planning staff and as conditioned, will be consistent with the Castroville Community Plan.

3. That the site is not physically suitable for the type of development.

The site is physically suitable for residential development in that the property will be served by the Castroville Community Services District for water and sewer services for the proposed Standard Subdivision (see Finding No. 9). The project was reviewed by the applicable agencies and no unresolved issues remain (see Finding No. 2). Environmental analysis did not reveal potential impacts to biological resources, cultural resources, geology/soils,

hydrology/water quality, transportation/traffic, and utilities/service systems. All mitigations identified within the EIR for the CCP have been incorporated as conditions of approval (Exhibit D). Also see and Finding No. 4 for more information.

4. That the site is not physically suitable for the proposed density of development.

The site is physically suited for the proposed density of development. The Castroville Community Plan requires high density residential lots to have a density between 12 to 20 dwelling units per acre and medium density residential lots to have a density between 8 to 12 dwelling units per acre. The project as proposed is 17 dwelling units per acre in the high density areas and 8 dwelling units per acre in the medium density areas. See Findings 3 and 4.

5. That the design of the subdivision or type of improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

No fish, wildlife, or their habitat has been identified within the project area. See Finding No. 4 Evidence (c).

6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

The design of the subdivision or type of improvements is not likely to cause serious public health problems. The application has been referred to all appropriate land use department and o comments have been received indicating that the proposed project will cause health and safety issues. See Finding 9.

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The project will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision. An existing road parcel will be consolidated and re-subdivided in the subdivision; however, it has been found by the Board of Supervisors that the County has no interest in that right of way.

8. That the subdivision fails to meet any of the requirements or conditions imposed by the Subdivision Map Act or this Title (Title 19).

The proposed subdivision map meets the requirements and conditions of the California Subdivision Map Act and Monterey County Subdivision Ordinance (Title 19) in that the map has been prepared by the applicant according to the required form and contents of the Act and Ordinance and conditions of approval have been proposed by staff to assure compliance with codes.

As none of these findings requiring denial can be made for the Chapin Subdivision proposal, the project is supportable under the Monterey County Subdivision Ordinance.

- (b) The application, project plans, and related support materials submitted by project applicant to the Monterey County Resource Management Agency-Planning Department for the proposed development found in Project File PLN080039.

7. FINDING: INCLUSIONARY HOUSING REQUIREMENT – Subdivisions in Monterey County are subject to review by the Resource Management Agency – Housing and Redevelopment Office for conformance to the Inclusionary Housing Ordinance as codified in Chapter 18.40 of the Monterey County Code. The proposed project complies with the requirements of the County’s Inclusionary Housing Ordinance under the provisions of Section 18.040.010.

EVIDENCE: The Inclusionary Housing requirements for this project are based on the creation of 58 new rental units and five new single family lots (the three existing units are exempt. The applicant is required to provide 20% of the total number of lot/new units as Inclusionary. Therefore, the applicant is required to supply a contribution equal to 12.6 Inclusionary Units. The project proposes that 11 of the apartments are dedicated as Inclusionary housing (five moderate, three low, and three very low income units) and the remaining 1.6 units will be subtracted from the applicant’s Inclusionary Credits from previous projects [0.04 moderate credit from Chapin Village project (PC96043), 0.78 low credit and 0.78 very low credit from Rogge Commons (PLN030065)]. (See Condition No. 37.)

8. FINDING: 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.

EVIDENCE: Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County 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: (a) Preceding findings and supporting evidence.
(b) Water Service for the seven single family lots within the subdivision will be provided by the Castroville Community Services District. A “can and will serve” letter dated May 22, 2008 was submitted and is located in the project file.
(c) Sewer Service for the seven single family lots within the subdivision will be provided by the Castroville Community Services District. A “can and will serve” letter dated May 22, 2008 was submitted and is located in the project file.
(d) Water connections for the 58 unit multi-family apartment complex, the manager’s unit, and resident center within the subdivision will be provided by the Castroville Community Services District. A “can and will serve” letter dated April 7, 2008 was submitted and is located in the project file.
(e) Sewer connections for the 59 58 unit multi-family apartment complex, the manager’s unit, and resident center within the subdivision will be provided by the Castroville Community Services District. A “can and will serve” letter dated April 7, 2008 was submitted and is located in the project file.
(f) Solid waste will be collected by the Carmel Marina Corporation (Waste Management, Inc.).
(g) See preceding Findings and Evidence.

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

EVIDENCE: Section 19.16.020.C of the Monterey County Subdivision Ordinance (Title19).

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Chapin File No: PLN080039 Approved by: Planning Commission Date: January 28, 2009	APNs: 030-041-001-000, 030-041-003-000, 030-041-004-000, 030-041-005-000, 030-041-008-000, 030-011-009-000, and 030-011-011-000
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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.		PD001 - SPECIFIC USES ONLY This permit allows the rezone of portions southwest of the Davis Street right of way from HDR*/Z (High Density Residential) to the designation of HDR/18 (High Density Residential, 18 units per acre) and portions northeast of the Davis Street right of way from MDR/1-Z (Medium Density Residential) to the designation of HDR/18 (High Density Residential, 18 units per acre); and a Combined Development Permit consisting of: 1) a Vesting Tentative Map to allow the merger and re-subdivision of eight parcels ranging in size from 0.115 to 1.531 acres, respectively: one parcel (approximately 3.391 acres) for a 59 unit apartment complex, six parcels (approximately 5,445 square feet each) for single family lots, one parcel to separate/subdivide an existing single family dwelling; a well lot (0.046 acre), and a remainder parcel of approximately 0.466 acres; and 2) a Use Permit to allow the construction of a 58 unit apartment complex with a 935 square foot managers unit and a 1,415 square foot Resident's Center on Parcel B and grading (approximately 3,500 cubic yards of cut and 10,800	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>
		<p>cubic yards of fill). The properties are located at the northern corner of Axtell Street and Preston Street and areas north and west of Davis Street, Castroville (Assessor's Parcel Numbers 030-041-001-000, 030-041-003-000, 030-041-004-000, 030-041-005-000, 030-041-008-000, 030-011-009-000 and 030-011-011-000), Castroville Community Plan area. 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. (RMA - Planning Department)</p>				
2.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A rezone and Combined Development Permit (Resolution 080039) was approved by the Planning Commission for Assessor Parcel Number's 030-041-001-000, 030-041-</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 grading and building</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>
		003-000, 030-041-004-000, 030-041-005-000, 030-041-008-000, 030-011-009-000 and 030-011-011-000 on January 28, 2009. The rezone and Combined Development Permit was granted subject to 60 conditions of approval which run with the land. A copy of the rezone and Combined Development 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. (RMA - Planning Department)			permits or commencement of use.	
3.		PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of	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 – Planning Department.	Owner/ Applicant	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	

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		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. (RMA - Planning Department)				
4.		PD010 - EROSION CONTROL PLAN AND SCHEDULE 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	An 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. 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 Owner/ Applicant	Prior to the issuance of grading and building permits Ongoing	

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		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. (RMA - Planning Department and RMA - Building Services Department)	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	
5.		PD013 – LIGHTING - STREET LIGHTS 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 issuance of grading or building permits for street lights.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	
6.		PD015 - NOTE ON MAP-STUDIES A note shall be placed on the final map or a separate sheet to be recorded with the final map stating that: "A Biological report dated July 22, 2008, has been prepared on this property by Rana Creek Habitat Restoration, and is on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA – Planning Department)	Final recorded map with notes shall be submitted to the RMA - Planning Department and Public Works for review and approval.	Owner/ Applicant	Prior to recordation of final map	

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7.		<p>PD015 - NOTE ON MAP-STUDIES</p> <p>A note shall be placed on the final map or a separate sheet to be recorded with the final map stating that: "A Traffic Analysis dated April 24, 2008, has been prepared on this property by Higgins Associates, and is on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA – Planning Department)</p>	Final recorded map with notes shall be submitted to the RMA - Planning Department and Public Works for review and approval.	Owner/ Applicant	Prior to recordation of final map	
8.		<p>PD015 - NOTE ON MAP-STUDIES</p> <p>A note shall be placed on the final map or a separate sheet to be recorded with the final map stating that: "A Geological and Soil Engineering report dated June 2002 and Updated Seismic Design Criteria dated March 13, 2008 has been prepared on this property by LandSet Engineers, Inc., and is on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA – Planning Department)</p>	Final recorded map with notes shall be submitted to the RMA - Planning Department and Public Works for review and approval.	Owner/ Applicant	Prior to recordation of final map	

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9.		<p>PD015 - NOTE ON MAP-STUDIES</p> <p>A note shall be placed on the final map or a separate sheet to be recorded with the final map stating that: "A Preliminary Archaeological Reconnaissance dated August 1, 2002, has been prepared on this property by Archaeological Consulting, and is on file in the Monterey County RMA - Planning Department. The recommendations contained in said report shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA – Planning Department)</p>	Final recorded map with notes shall be submitted to the RMA - Planning Department and Public Works for review and approval.	Owner/ Applicant	Prior to recordation of final map	
10.		<p>PD022(A) – EASEMENT – OPEN SPACE AND CONSERVATION (NON-STANDARD)</p> <p>An open space and conservation easement shall be conveyed to the County over the entirety of the Remainder Parcel in perpetuity. An easement deed shall be submitted to, reviewed and approved by, the Director of the RMA - Planning Department prior to issuance of grading and building permits. (RMA – Planning Department)</p>	Submit the open space and conservation easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Certified Professional	Prior to issuance of grading and building permits	
			Record the deed and map showing the approved open space and conservation easement. Submit a copy of the recorded deed and map to the RMA – Planning Department.	Owner/ Applicant	Prior to final/parcel map, final inspection or commencement use	

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11.		<p>PD036 – UTILITIES – SUBDIVISION</p> <p>A note shall be placed on the final map or a separate sheet to be recorded with the final map indicating that "Underground utilities are required in this subdivision in accordance with Chapter 19.10.095, Title 19 of the Monterey County Code." Such facilities shall be installed or bonded prior to filing the final map. The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works. (RMA – Planning Department)</p>	Place note on map or a separate sheet and submit to the RMA - Planning Department for review and approval. Install or bond for the underground utility facilities.	Owner/ Applicant	Prior to the recordation of final map.	
12.		<p>PD034 – SUBDIVISION SITE PLAN APPROVAL</p> <p>The property owner shall prepare a site plan for the Chapin Subdivision to be approved by the Director of the RMA - Planning Department. The site plan shall: (1) define the building site; (2) establish maximum building dimensions; (3) identify natural vegetation that should be retained; (4) identify landscape screening as appropriate. A note shall be placed on the final map stating that a site plan has been prepared for this subdivision and that the property may be subject to building and/or use restrictions. (RMA – Planning Department)</p>	Submit site plan to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the recordation of final map.	
			Place note on the map.	Owner/ Applicant	Prior to the recordation of final map.	
13.		<p>PDSP01 - GEOTECHNICAL CERTIFICATION (NON-STANDARD)</p> <p>The applicant shall adhere to the recommendations contained in the Geology and Soils Engineering Report dated May 31, 2007 and the Updated Seismic Design Criteria dated March 13, 2008 prepared by LandSet Engineers, Inc. Specifically, the following shall occur:</p> <ul style="list-style-type: none"> The upper one foot of native soil should be overexcavated in Subsites 1, 3, & 4. 	The applicant shall submit grading plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geology and Soils Engineering Report. Accompanying the grading plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are	Owner/ Applicant/ Geotechnical Consultant	Prior to the issuance of grading permits	

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		Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department)	consistent with the recommendations described in Condition No. 13 to be reviewed by the RMA-Director of Planning for compliance.			
			Submit certification by the geotechnical consultant to the RMA - Planning Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
14.		PDSP03 – CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD) The applicant shall submit a Construction Management Plan (CMP) for review and approval to the Director of RMA-Public Works Department including the following: <ul style="list-style-type: none"> • The duration of the construction • hours of operation • an estimate of the number of truck trips that will be generated • truck routes (avoid left turns in non-signalized intersections.) • number of construction workers • parking areas for both equipment and workers • location of truck staging areas. (All staging areas and all refueling and maintenance of vehicles and other equipment shall occur at least 60 feet from any riparian habitat, pond, stream, creek or other water body to ensure that habitat contamination does not occur from such activities.) • Food and trash items associated with construction workers shall be enclosed in sealed containers and 	The applicant shall submit the CMP to the Director of the RMA-Planning Department and Public Works Department for review and approval.	Owner/ Applicant/ Contractor	Prior to the issuance of grading or building permits.	
			The project contractor shall submit monthly reports certifying compliance with this monitoring action for review and approval by the Director of the RMA-Planning Department. Should the contractor fail to submit compliance reports, the Director of the RMA-Planning Department may halt work until verification.	Owner/ Applicant/ Contractor	Ongoing until final	

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		<p>regularly removed from the project site to deter potential predators.</p> <p>Approved measures included in the CMP shall be implemented by the applicant during the entire construction/grading phase of the project. The project contractor shall submit monthly reports certifying compliance with this monitoring action for review and approval by the Director of the RMA-Planning Department. (RMA – Planning Department)</p>				
15.		<p>PDSP04 - LANDSCAPE PLAN AND MAINTENANCE FOR PARCEL B (NON-STANDARD)</p> <p>A note shall be placed on the final map stating “Parcel B shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be</p>	<p>Final recorded map with notes shall be submitted to RMA-Planning Department & Public Works for review and approval.</p>	Owner/ Applicant	Prior to recordation of final map.	
			<p>Submit landscape plans and contractor’s estimate to the RMA - Planning Department for review and approval. The landscape plans shall be in compliance with the Landscape Characteristics listed within the Design Guidelines (Appendix A) of the Castroville Community Plan.</p>	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	At least 60 days prior to final inspection or occupancy	

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		continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. This vegetation shall also be kept in healthy growing condition and be maintained by the owner of the apartment complex. (RMA – Planning Department)	All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. The vegetation shall be kept in healthy growing condition and shall be maintained by the owner of the apartment complex.	Owner/ Applicant	Ongoing	
16.		PDSP05 – LIGHTING – EXTERIOR LIGHTING PLAN FOR THE APARTMENT COMPLEX (NON-STANDARD) 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. (RMA – Planning Department)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. The lighting plan shall demonstrate compliance with the lighting guidelines within the Design Guidelines (Appendix A) of the Castroville Community Plan. Approved lighting plans shall be incorporated into final building plans. The lighting shall be installed and maintained in accordance with the approved plans.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of building permits. Prior to Occupancy / Ongoing	

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17.		<p>PDSP06 – SIGNAGE FOR APARTMENT COMPLEX</p> <p>The applicant shall comply with the sign regulations of the Monterey County Zoning Ordinance (Title 21) and the Design Guideline of the Castroville Community Plan (Appendix A). There shall be no flags, pennants, or other attention getting devices, other than approved signs, on the property. (RMA – Planning Department)</p>	<p>Submit an application for a sign permit to the RMA-Planning Department and the RMA-Building Services Department.</p> <p>No flags, pennants, or other attention getting devices, other than approved signs, on the property.</p>	Owner/ Applicant	Prior to use/ Ongoing	
18.		<p>PDSP07 - NOTE ON MAP-STUDIES FOR CONDITIONS (NON-STANDARD)</p> <p>The following conditions shall be placed on the final map or separate sheet to be recorded with the final map: 2, 11, 12, 13, 46,49, 50, 51, 53, 54,</p> <p>The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. (RMA – Planning Department)</p>	<p>Final recorded map with notes shall be submitted to the RMA - Planning Department and Public Works for review and approval.</p>	Subdivider / Owner/ Applicant	Prior to recordation of final map	
19.		<p>WR41 - NOTICE OF WATER CONSERVATION REQUIREMENTS</p> <p>A notice shall be recorded on the deed for each lot stating: “All new construction shall incorporate the use of low water use plumbing fixtures and drought tolerant landscaping, in accordance with County Water Resources Agency Ordinance No. 3932.” Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency)</p>	<p>Submit a recorded notice to the Water Resources Agency for review and approval.</p> <p>(A copy of the County’s standard notice can be obtained at the Water Resources Agency.)</p>	Owner/ Applicant	Recordation of the notice shall occur concurrently with the final map	

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20.		WR42 - LANDSCAPING REQUIREMENTS A notice shall be recorded on the deed for each lot stating: “The front yards of all homes shall be landscaped at the time of construction. Low water use or drought tolerant plants shall be used together with water efficient irrigation systems.” Prior to recordation of the final map, a copy the completed notice shall be provided to the Water Resources Agency for approval. (Water Resources Agency)	Submit the recorded notice to the Water Resources Agency for review and approval. (A copy of the County’s standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Recordation of the notice shall occur concurrently with the final map	
21.		WRSP01 - STORMWATER DETENTION (NON-STANDARD) A drainage plan shall be prepared by a registered civil engineer addressing on-site and off-site impacts, which includes routing stormwater runoff from the paved parking areas to an oil-grease/water separator and construction of stormwater detention facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing of final map.	
22.		WRSP03 – COMPLETION CERTIFICATION (NON-STANDARD) Prior to issuance of any building permits, the applicant shall provide the Water Resources agency certification from a registered civil engineer or licensed contractor that the stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant	Prior to final inspection of any residential building permits.	
23.		WRSP06 – ROAD AND DRAINAGE AGREEMENT (NON-STANDARD) Developer shall have the sole responsibility for the care,	Submit the signed and notarized original Agreement to the Water Resources Agency for review and	Owner/ Applicant	Concurrently with the final map	

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		<p>maintenance, and repair of the road and drainage improvements installed as a condition of approval of the subdivision. Upon each conveyance of each lot in the subdivision, developer shall be jointly obligated with the succeeding owners to perform such obligation pro rated on the basis of the remaining number of lots still owned by the developer. Developer's obligation shall cease upon the conveyance of the last lot in the subdivision. The agreement shall contain provisions for an annual drainage report, to be prepared by a registered civil engineer, which includes the monitoring of drainage impacts and maintenance of drainage facilities. The report shall submitted to the Water Resources Agency for review and approval no later than April 15th of each year. Prior to filing the final map, a copy of a signed and notarized <i>Road and Drainage Agreement</i> shall be provided to the Water Resources Agency for approval. The agreement shall be recorded concurrently with the final map. (Water Resources Agency)</p>	<p>approval prior to recordation.</p> <p>Submit an annual report to the Water Resources Agency for review and approval.</p>			
24.		<p>EH37 – RECYCLABLES IN RENTAL HOUSING Submit a written plan on how recyclables will be collected and stored for each of the multifamily rental housing units. (Environmental Health)</p>	<p>Submit a plan to the Division of Environmental Health for review and approval.</p>	Owner/ Applicant	Prior to issuance of building permits.	
25.		<p>EH38 - SEPARATE RECYCLABLES All persons shall separate all recyclables from other solid waste generated at their premises and shall place such recyclables into a different approved container to facilitate segregation at a solid waste facility (MCC 10.41.020.B). (Environmental Health)</p>	<p>Submit a plan to the Division of Environmental Health for review and approval.</p>	Owner/ Applicant	Prior to issuance of building permits/ Continuous condition	

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26.		<p>PKSSP01 – RECREATION REQUIREMENTS/LAND DEDICATION (NON-STANDARD)</p> <p>The Applicant shall comply with Section 19.12.010 - Recreation Requirements, of the County Subdivision Ordinance, Title 19, Monterey County Code, by dedicating land and recreation improvements in accordance with the provisions contained in Section 19.12.010(D) for park and recreation purposes reasonably serving the residents of the subdivision. The applicant shall also provide the Parks Department with a recreation plan and cost estimate for the improvements to be made on the dedicated parcels(s), and if shown to reasonable serve the subdivision according to Section 19.12.010(F), a combination of both an on-site recreation plan and a fee toward the improvement of other local neighborhood or community parks and recreational facilities within the North County Recreation District located in Castroville. The contribution of a combined recreation plan and fees shall be computed based on any additional land that would have been required to be dedication on-site pursuant to Section 19.12.010.(G). (Parks Department)</p>	<p>The applicant shall submit a recreation plan to: Judy Burditt and/or Scott Harvey, c/o North County Recreation District, 11261 Crane Street, Castroville, CA 95012, for review of the proposed on-site recreation plan and possible contribution to other local neighborhood or community parks and recreational facilities within the North County Recreation District located in Castroville.</p> <p>The applicant shall submit a recreation plan and cost estimate for the improvements to be made on the dedicated parcels(s) to Parks Department for review and approval..</p>	Owner/ Applicant	Prior to the Recordation of the Final Map	

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27.		PW0003 – ENCROACHMENT (CURB, ETC) Obtain an encroachment permit from the Department of Public Works and construct curb, gutter, sidewalk and pave-out along the frontage of Preston and Axtell Streets. (Public Works)	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 recordation of the final map.	
28.		PW0007 – PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
29.		PW0008 - DEDICATION Dedicate to the County of Monterey, 30' from the centerline of Axtell Street for street and right-of-way purposes. (Public Works)	Applicant's surveyor shall prepare description of area to be dedicated. DPW can prepare deed.	Owner/ Applicant/ Surveyor	Prior to recordation of the final map.	
30.		PW0015 – UTILITY'S COMMENTS Submit the approved tentative map to impacted utility companies. Subdivider shall submit utility company recommendations, if any, to the Department of Public Works for all required easements. (Public Works)	Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW.	Owner/ Applicant	Prior to Recordation of Map	
31.		PW0023 – IMPROVEMENT PLANS Provide improvement plans for approval of the Department of Public Works and that the roads are constructed in accordance with the typical section shown on the tentative map. (Public Works)	Subdivider shall submit improvement plans prepared by his Engineer to DPW for approval. Improvements to be bonded prior to recordation of final map.	Subdivider	Prior to Recordation of Final Map	

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32.		PW0032 – AS BUILT PLANS A Registered Civil Engineer shall file as built plans (originals) in the Department of Public Works with a letter certifying improvements have been made in conformance to improvement plans and local ordinance. (Public Works)	Subdivider’s Engineer shall submit as built plans and stamped notice of completion letter to DPW for review and approval.	Subdivider/ Engineer	Prior to Release of Bonds	
33.		PW0036 – EXISTING EASEMENTS AND ROW Provide for all existing and required easements or rights of way. (Public Works)	Subdivider’s Surveyor shall include all existing and required easements or rights of way on Parcel Map.	Subdivider/ Surveyor	Prior to Recordation of Final Map	
34.		PWSP01 – CASTROVILLE COMMUNITY PLAN TRAFFIC MITIGATION FEES (NON-STANDARD) Prior to issuance of building permits the applicant shall contribute \$207,746 to the County as payment of the project’s pro rata share of the cost of improvements to future roadways improvements identified in the Castroville Community Plan. (Public Works)	Prior to the recordation of the final map the applicant shall submit proof of payment of the Castroville Traffic Mitigation Fee to the Director of Public Works for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	
35.		PWSP02- TAMC FEES (NON-STANDARD) Prior to issuance of building permits, the applicant shall pay a regional transportation improvement fee contribution (\$87,836) to the Transportation Agency for Monterey County (TAMC) identified in the TAMC nexus study. (Public Works)	Prior to the issuance of building permits the applicant shall submit proof of payment of the regional transportation improvement fee to the Director of Public Works for review and approval.	Owner/ Applicant	Prior to issuance of building permits	

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36.		<p>SHFFSP01 – COMPLIANCE WITH GENERAL GUIDELINES</p> <p>Prior to occupancy and as an ongoing condition, the applicant shall comply with all conditions listed with the Monterey County Sheriff’s General Public Safety and Security Guidelines. (Monterey County Sheriff’s Department)</p>	<p>The applicant shall contact the Community Services Representative assigned to the Castroville area. The general conditions within the guidelines require that the applicant work with the Sheriff’s Office to implement satisfactory public safety and security measures in the proposed development. All applicable notes shall be indicated on the building permit plans.</p> <p>The owners shall comply with all guidelines set forth within the Monterey County Sheriff’s General Public Safety and Security Guidelines.</p>	<p>Applicant or owner</p> <p>Owner</p>	<p>Prior to occupancy</p> <p>Ongoing</p>	

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37.		<p>RDV&HSSP01 – INCLUSIONARY HOUSING (NON-STANDARD)</p> <p>The project application is subject to the County’s Inclusionary Ordinance #04183 which requires that the project make a contribution equal to 12.6 Inclusionary Units, consistent with the provisions contained in Ordinance #04183 and with the adopted Inclusionary Housing Administrative Manual. Prior to the recordation of the Final Map and/or issuance and a use permit, which ever comes first, the applicant shall comply by execution an Inclusionary Housing Agreement with the County, in a form acceptable to the County, that specifies that at least eleven Inclusionary Rental Units shall be provided on the project site and that existing Inclusionary Credits held by the applicant may be used for the remaining 1.6 unit obligation. The Agreement shall address, but not limited to, the number of units and affordability levels, the type and size of the units, the location of the units, pricing, selection of tenants, and the phasing of the Inclusionary unit construction related to the release of the building permits for the market rate unit, and the use of Inclusionary Credits. (RMA-Redevelopment and Housing)</p>	The applicant shall execute an Inclusionary Housing Agreement with the County which specifies that at least eleven Inclusionary Rental Units will be provided on the project site and that existing Inclusionary Credits held by the applicant may be used for the remaining 1.6 unit obligation.	Owner/ Applicant	Prior to the recordation of the Final Map and/or issuance and a use permit, which ever comes first.	
38.		<p>FIRE001 - ROAD ACCESS</p> <p>Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical</p>	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

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		clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (North County Rural Fire District)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
39.		FIRE002 - ROADWAY ENGINEERING The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (North County Rural Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	

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40.		FIRE004 - DEAD-END ROADS (2) For parcels greater than 1 acre and not exceeding 5 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 1320 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (North County Rural Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
41.		FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (North County Rural Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	

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

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43.		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>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 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. (North County Rural Fire District)</p>	<p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	Applicant or owner	Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision.	
			<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of building permit.	

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44.		<p>FIRE015 - FIRE HYDRANTS/FIRE VALVES A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (North County Rural Fire District)</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to final building inspection	
			<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	
45.		<p>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	

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		firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (North County Rural Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
46.		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (North County Rural Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
			Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
47.		FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING) Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. (North County Rural Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
48.		FIRE026 - ROOF CONSTRUCTION (STANDARD) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof	Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	

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		surface within a one-year period, shall require a minimum of ICBO Class B roof construction. (North County Rural Fire District)	Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
			Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
49.		FIRE030 – SUBMITTAL OF COPY OF FINAL MAP (NON-STANDARD) Electronic Media Submittal-Prior to the filing of the final map, an electronic copy of the final map shall be submitted to the North County Fire District. The final map shall be drawn using auto CAD 14 or newer or an approved equal. The submitted map shall, at a minimum, contain the following entities: Property Lines Parcel Numbers Roads, streets and driveways Fire Hydrants Assessors parcel numbers Building envelopes Approved media form shall be either CD or e-mail. Files shall be in either *.dwg or *.dxf format only. Electronic mail will be accepted at AA@ncfpd.org . (North County Rural Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to recordation of the final map.	
50.		FIRE031 – DRIVEWAY AND ROADS (NON-STANDARD) Prior to the final inspection, all driveways and roadway shall be painted red with "No Parking". Signs shall also be posted indicating that no parking is allowed. The applicant shall work with the North County Fire	The applicant shall work with the North County Fire Department for specific requirements for driveway and roadway painting and installation of signs. Work must be completed prior to the final of the building permit for	Applicant or owner	Prior to final building inspection	

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		Department for specific requirements. (North County Rural Fire District)	the apartment complex.			
Conditions Required by the Castroville Community Plan EIR						
51.	MM# 3.1-3b	<p>CCP001 - CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION – AESTHETICS (NON-STANDARD)</p> <p>The County of Monterey shall require that the project applicant(s), for General Development Plans and other development approvals associated with the proposed Community Plan restrict the use of reflective materials to minimize daytime glare within the planning area.</p> <p>(RMA – Planning Department)</p>	The applicant shall provide color and material samples to the RMA-Planning Department for review and approval of RMA-Director of Planning.	Subdivider / Owner/ Applicant	Prior to approval of building permits.	
52.	MM# 3.3-1a	<p>CCP002 - CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION – AIR QUALITY (NON-STANDARD)</p> <p>The applicant shall implement best-available control measures (BACM) to reduce emissions of particulate matter, as recommended by the MBUAPCD and in accordance with Policy 20.2.5 of the Monterey County General Plan during construction activities. BACM typically recommended by the MBUAPCD include, but are to limited to, the following:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil and wind exposure; • Prohibit all grading activities during periods of high wind (over 15 mph); • Apply chemical soil stabilizers on inactive construction areas (disturbed lands within 	<p>The applicant shall provide proof of implementation of best-available control measures (BACM) reducing emissions of particulate matter during construction activities.</p> <p>Should measures not be met, or are not successful, the RMA-Director of Planning shall require work to be halted until required measures are in place to reduce emissions of particulate matter during construction activities.</p>	Subdivider / Owner/ Applicant	During construction activities associated with all discretionary approvals.	

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		<p>construction projects that are unused for at least four consecutive days);</p> <ul style="list-style-type: none"> • Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed areas; • Cover all trucks hauling soil, sand , and other loose materials or required all trucks to maintain at least 2 feet of freeboard; • Replant vegetation in disturbed areas as quickly as possible; • Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles, such as dirt, sand, etc; • Sweep daily, with water sweepers, if visible soil materials are carried onto adjacent public streets; • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; ad • Limit areas of active disturbance to no more than 2.2 acres per day for initial site preparation activities that involve extensive earth-moving activities (grubbing, excavation, rough grading), or 8.1 acres per day for activities that involve minimal earth Moving (e.g., finish grading) <p>(RMA – Planning Department)</p>				
53.	MM# 3.3-1b	<p>CCP003 - CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION – AIR QUALITY (NON-STANDARD)</p> <p>The applicant shall implement best-available control measures (BACM) to reduce emissions of toxic air</p>	The applicant shall provide proof of implementation of best-available control measures (BACM) reduce emissions of toxic air contaminants during construction activities.	Subdivider / Owner/ Applicant	During construction activities associated with all	

<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>contaminants, as recommended by the MBUAPCD and in accordance with Policy 20.2.5 of the <i>Monterey County General Plan</i> during construction activities. Examples of BACM typically recommended by the MBUAPCD include, but are not limited to, the following:</p> <p>Diesel equipment used onsite should be year 2003, or newer, equipped with emission control technology (e.g., diesel-oxidation catalyst), or use alternative fuels (e.g., biodiesel) that sufficiently reduces diesel-exhaust emissions at nearby receptors to within acceptable levels, as defined by the MBUAPCD. For equipment retrofitted to operate with diesel exhaust emissions control technology, the CERP shall include verification of installation or presence of these devices for review by the MBUAPCD. Additional controls may be required, such as restrictions on equipment use/location, construction phasing, and/or hours of construction, to be determined on a project-by-project basis. (RMA – Planning Department)</p>	<p>Should measures not be met, or are not successful, the RMA-Director of Planning shall require work to be halted until required measures are in place to reduce emissions of toxic air contaminants during construction activities.</p>		<p>discretionary approvals.</p>	

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54.	MM# 3.3-2	<p>CCP004 - CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION – AIR QUALITY (NON-STANDARD)</p> <p>The County of Monterey shall require that project applicant(s), for General Development Plan and other discretionary approvals associated with the proposed Community Plan, implement best-available control measures to reduce criteria air pollutants of ROG, NO_x, CO and PM₁₀ as recommended by the MBUAPCD and in accordance with Policy 20.2.5 of the <i>Monterey County General Plan (1982)</i>, during operations. Best available control measures typically recommended by the MBUAPCD include, but are not limited to, the following:</p> <p><u>Residential Uses</u></p> <ul style="list-style-type: none"> • Use gas-fired fireplaces; • Provide pedestrian sidewalks and bicycle paths that link to adjacent land uses and external networks; and • Incorporate energy-efficient appliance into residential uses. <p><u>All Uses</u></p> <ul style="list-style-type: none"> • Orient buildings to minimize heating and cooling needs; • Provide shade trees to reduce cooling needs; • Include energy-efficient lighting systems; • Include solar water heaters or centralized water heating systems; and <p>Increase insulation beyond Title 24 requirements to minimize heating and cooling needs. (RMA – Planning Department)</p>	<p>The applicant shall provide proof of implementation of best-available control measures (BACM) measures to reduce criteria air pollutants of ROG, NO_x, CO and PM₁₀ into final improvement plans subject to review and approval by the County of Monterey Planning and Building Inspection Department.</p> <p>Should measures not be met, or are not successful, the RMA-Director of Planning shall require work to be halted until required measures are in place to reduce measures to reduce criteria air pollutants of ROG, NO_x, CO and PM₁₀ into final improvement plans.</p>	Subdivider / Owner/ Applicant	During operations associated with all discretionary approvals.	

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55.	MM# 3.7-1	<p>CCP005 - CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION – HAZARDS (NON-STANDARD)</p> <p>The applicant shall contract with a qualified professional to conduct a site-specific Phase I Environmental Site Assessment (Phase I ESA) to assess whether soils have been contaminated by the storage of hazardous materials or use of pesticides. To the extent that soil contamination is detected during the initial assessment or during subsequent investigations, the project applicant(s) shall develop a remediation program to ensure that the hazardous materials contamination is remediated to the standards of the Monterey County Environmental Health Department; Regional Water Quality Control Board and DTSC prior to grading activities. (RMA – Planning Department)</p>	<p>The applicant shall contract with a qualified professional to conduct a site-specific Phase I Environmental Site Assessment (Phase I ESA). Based on findings of the Phase I ESA, a Phase II ESA and subsequent remediation program may be required to be submitted for review and approval by the Monterey County Environmental Health Department; Regional Water Quality Control Board and DTSC if hazardous materials are found.</p>	Subdivider / Owner/ Applicant	Prior to recording of the final map.	
			<p>If contamination is detected during the initial assessment or during subsequent assessments, remediation would be required to the standards of the Monterey County Environmental Health Department; Regional Water Quality Control Board and DTSC.</p>	Subdivider / Owner/ Applicant	Prior to issuance of a grading permit.	
56.	MM# 3.9-2	<p>CCP006 – HYDROLOGY AND WATER QUALITY (NON-STANDARD)</p> <p>In order to reduce impacts caused by stormwater runoff, the applicant shall obtain coverage under the NPDES General Permit, in accordance with current state regulations. The applicant shall provide the Water Resources Agency with a drainage plan prepared by a registered civil engineer addressing on-site and off-site</p>	<p>The applicant shall obtain coverage under the NPDES General Permit, in accordance with the current state regulations. The applicant shall submit proof of the permit to the RMA-Director of Planning.</p>	Subdivider / Owner/ Applicant	Prior to filing the final map.	

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		impacts. Concurrent with preparation of drainage plan and prior to issuance of grading permit, the project applicant(s) shall prepare a Stormwater Pollution Prevention Plan (SWPPP) that documents best management practices to ensure that urban runoff contaminants and sediment are minimized. The SWPPP shall document best management practices (filters, traps, bio-filtration swales, etc.) to ensure that urban runoff contaminants and sediment are minimized. The erosion and sediment control plan shall specify which erosion control measures necessary to control runoff shall be in place during the rainy season (November 1 through April 15) and which measures shall be in place year round. The SWPPP shall be consistent with CCWQCB standards. (RMA – Planning Department)	<p>Prior to filing of the final map, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer addressing on-site and off-site impact with supporting calculations and construction details. The plan shall include detention facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvement shall be constructed in accordance with plans approved by the Water Resources Agency.</p> <p>The applicant shall provide the Water Resources Agency certification from a registered civil engineer or license contractor that the stormwater detention/retention facilities have been constructed in accordance with approved plans.</p>	Subdivider / Owner/ Applicant	Prior to filing the final map.	
57.	MM# 3.9-4b	<p>CCP007 - CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION – HYDROLOGY AND WATER QUALITY (NON-STANDARD)</p> <p>The County of Monterey shall require that the project applicant(s), for General Development Plans and other discretionary approvals associated with the proposed Community Plan and within Special Flood Hazard Area,</p>	The applicant shall submit copies of FEMA Conditional Letter of Map Revision (CLOMR) application including all supporting documentation to Monterey County Water Resources Agency.	Subdivider / Owner/ Applicant	Prior to issuance of grading 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>
		submit two copies of the FEMA Conditional Letter of Map Revision (CLOMR) application including all supporting documentation to the Monterey County Water Resources Agency with discretionary permit applications or sooner. All flood studies, site plans, topography, and other elevation data should reference the datum on the effective FEMA Flood Insurance Rate Maps. Prior to final inspection of the project's grading permit the applicant shall submit two copies of the FEMA Letter of Map Revision (LOMR) application including all supporting documentation to the Monterey County Water Resources Agency. (RMA – Planning Department / Water Resources Agency)	Submit copies of FEMA Letter of Map Revision (LOMR) and supporting documentation to Monterey County Water Resources Agency.	Subdivider / Owner/ Applicant	Prior to final grading inspection.	
58.	MM# 3.15-1b	CCP008 - CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION – UTILITIES (NON-STANDARD) The applicant shall contract with a certified engineer to prepare wastewater system plans in accordance with CSA-14 guidelines. These plans shall confirm that the estimated amount of wastewater flow generated by proposed development does not exceed the projected 0.64 MGD of additional flow to the Castroville Regional Pump Station. (RMA – Planning Department)	The applicant shall contract with certified engineer to prepare wastewater system plans in accordance with CSA-14 guidelines. These plans shall be submitted to Castroville Water District for review and approval.	Subdivider / Owner/ Applicant	Prior to approval of site improvement plans.	

<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>
59.	MM# 3.15-1c	<p>CCP009 - CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION – UTILITIES (NON-STANDARD)</p> <p>The applicant shall pay connection fees to Monterey Regional Water Pollution Control Agency and Castroville Water District. The MRWPCA connection fees are based on type of use. The CWD fees are to be determined during the wastewater system master planning level analysis to be prepared by Castroville Water District. (RMA – Planning Department)</p>	The applicant shall pay connection fees to Monterey Regional Water Pollution Control Agency and Castroville Water District.	Subdivider / Owner/ Applicant	Prior to issuance of building permits.	
60.	MM# 3.15-2	<p>CCP010 - CASTROVILLE COMMUNITY PLAN REQUIRED CONDITION – UTILITIES (NON-STANDARD)</p> <p>The applicant shall contract with a certified engineer to determine the amount of water supply, and water treatment and distribution improvements required by proposed development to meet the requirements of Castroville Water District and North County Fire Protection District. (RMA – Planning Department)</p>	The applicant shall contract with a certified engineer to determine the amount of water supply, and water treatment and distribution improvements required by proposed development to meet the requirements of Castroville Water District and North County Fire Protection District.	Subdivider / Owner/ Applicant	Prior to approval of site improvement plans.	