**STANDARD SUBDIVISION COMMITTEE**
**COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02007

SUBDIVISION NO. PLN010249

AP # 261-071-018-000

**FINDINGS AND DECISION**

In the matter of the application of
## Fontes Lane Subdivision (PLN010249)

for a Standard Subdivision in accordance with Chapter 19.03, Title 19 (Subdivision) of the County of Monterey Code, to allow a vesting tentative map to subdivide a vacant 1.55-acre parcel into seven (7) residential lots; one of which would be designated as affordable. The proposed lots range in size from 6,000 to 10,633 square feet (average lot size 6,665 square feet). The project includes approximately 4,500 cubic yards of grading for the building pads and an access road located north of Fontes Lane west of Highway 101 in the Boronda area in the Greater Salinas area, came on regularly for hearing before the Standard Subdivision Committee on April 25, 2002.

Said Standard Subdivision Committee, having considered the application and the evidence presented relating thereto,

1. **FINDING:** The subject Fontes Lane Standard Subdivision Vesting Tentative Map (PLN010249) as described in Condition #1 and as conditioned, conforms to the plans, policies, requirements and standards of the Greater Salinas Area Plan, the Boronda Neighborhood Improvement Plan, the Monterey County Housing Element, Title 19 (Subdivision Ordinance) and Title 21 (Zoning Ordinance). The project site is located at 1084 Fontes Lane (Assessor's Parcel Number 261-071-018-000) in the Boronda area. The parcel is zoned Medium Density Residential, 4 units per acre, Agricultural, Urban Reserve (MDR/4-A-UR).

   **EVIDENCE:** The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:
   a) The Monterey County General Plan;
   b) The Greater Salinas Area Plan;
   c) The Boronda Neighborhood Improvement Plan;
   d) Title 19 (Monterey County Subdivision Ordinance);
   e) Title 21 (Monterey County Zoning Ordinance) High Density Residential Zoning District; and
   f) The Monterey County Housing Element.

   **EVIDENCE:** The Monterey County Planning and Building Inspection Department, the Water Resources Agency, the Public Works Department, the Environmental Health Division, the Parks Department, the Redevelopment Agency, the Salinas Rural Fire Protection District and the City of Salinas have reviewed the proposed development. There has been no indication from the preceding agencies that the site is not suitable for the proposed development and each agency has recommended conditions for improvements where appropriate. Necessary public facilities are available to the project site.

   **EVIDENCE:** The Archaeological Report prepared for the project dated August 10, 2001, concludes that the project will not impact cultural resources in the area.

   **EVIDENCE:** The Soils Engineering Investigation prepared for the project dated August 23, 2001, concludes that the project site is suitable for residential development.

**EVIDENCE:** The Biotic Report prepared for the project dated December 31, 2001, concludes that the project will not impact biological resources in the area.

**EVIDENCE:** The Traffic Report prepared for the project date August 28, 2001, concludes that the project will not impact traffic and circulation. The developer is required to pay a pro rata share for traffic improvement projects (Conditions 22 and 23).

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

2. **FINDING:** The project is consistent with the policies of the General Plan.

**EVIDENCE:** 12.1.2 (Archaeological Resources): All proposed development, including land divisions, within high sensitivity zones shall require an archaeological field inspection prior to project approval. Archaeological Consulting prepared a Preliminary Archaeological Reconnaissance report on August 10, 2001. The report concluded that the project area does not contain surface evidence of significant archaeological resources. In the unlikely event that any cultural resources are discovered, the project is conditioned to protect the resources.

**EVIDENCE:** 13.2.1 (Energy Resources): Intensive development shall be encouraged toward existing urban areas where energy for expanded transportation and provision of services can be minimized. The project would be located in the Boronda area which is considered as an urbanized area in Monterey County.

**EVIDENCE:** 13.2.2 (Energy Resources): Areas of urban concentration shall provide where possible, convenient access for employment, commercial and other activities. The Boronda area is in reasonable distance to employment, shopping, recreation and transportation corridors in the County's urban areas and is within a 30-mile radius of the County's major urban areas including Salinas (less than 5 miles), Monterey, Seaside, Marina, Pacific Grove, Del Rey Oaks and Carmel.

**EVIDENCE:** 21.3.3 (Water Quality): No Land division or use permit for residential, commercial or industrial uses shall be approved without proof that an adequate waste disposal system can be developed. The County Sanitation District 392 (CSD 392)-Boronda and California Water Service Company will provide the necessary sanitary waste and water services for the subdivision respectfully.

**EVIDENCE:** 26.1.4.3 (General Land Use): A standard tentative subdivision map and/or vesting tentative map and/or Preliminary Project Review Subdivision map application for either a standard subdivision or minor subdivision shall not be approved until:

a) An applicant provides evidence of an assured, long term water supply in terms of sustained yield and quality for all lots which are to be created through subdivision. The water supply must meet both the water quality and quantity standards expressed in Title 22 of the California Administrative Code and Title 15.04 of the Monterey County Code subject to the review by the Director of Environmental Health; and

b) An applicant provides evidence that sewage disposal systems, both individual and package, for all lots which are proposed to be created through subdivision will not exceed nitrate and chemical loading levels in aquifers pursuant to the Regional Water Quality Control Basin Plan. If wastewater reclamation is proposed for a subdivision, the reclamation system must comply with the Basin Plan and the California Administrative Code subject to the review by the Director of Environmental Health.

California Water Service Company and the County Sanitation District 392 (CSD 392)-Boronda will provide the necessary water and sanitary waste disposal services for the subdivision respectfully. The subdivision application has been reviewed by the Water

Resources Agency and Division of Environmental Health. Each agency has recommended conditions that would ensure the project is in compliance with departmental and County requirements.

**EVIDENCE:** 27.1.3 (Residential): Residential development should be concentrated in growth areas. The Boronda area is an urbanized area and is designated as a Development Incentive Zone as stated in the Monterey County Housing Element. The 8-lot subdivision is proposed in the Boronda area, which includes two lots (25 percent), designated as affordable. The County encourages residential development in urbanized areas.

**EVIDENCE:** 27.2.1 (Residential): Residential areas shall be located with convenient access to employment, shopping, recreation and transportation. The proposed subdivision would be located in the City of Salinas sphere of influence where new residents of the subdivision would have adequate access to the city's urban amenities. The Boronda area is within reasonable distance to employment, shopping, recreation and transportation corridors and modes in the County's urban areas within a 30-mile radius Monterey, Seaside, Marina, Pacific Grove, Del Rey Oaks and Carmel.

**EVIDENCE:** 27.3.3 (Residential): Residential subdivisions shall be sited with sufficient distance from normal agricultural activities to prevent these activities from becoming hazardous or attractive nuisances to the residents of the subdivision. The proposed location of the subdivision is along Fontes Lane. The nearest agricultural activities to the subdivision is in a southeast direction at a distance of approximately 600 feet. There is existing residential development east, west and south of the project site.

3. **FINDING:** The subdivision is consistent with the Monterey County Housing Element.

**EVIDENCE:** The subject parcel is zoned Medium Density Residential, 4 units per acre, Agricultural, Urban Reserve (MDR/4-A-UR). The proposed 8 lots double the allowed density on the 1.46-acre parcel. The developer has designated 25 percent of the lots (2) for inclusionary housing development. In accordance with Section 2.2.1 of the Monterey County Housing Element, State law and the County's Inclusionary Housing Ordinance, the increase in density is permitted as a development incentive.

**EVIDENCE:** Section 2.2.1 of the Monterey County Housing Element and Chapter 4.3 Section 65915 of the California Planning and Zoning Law.

4. **FINDING:** The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment and a Negative Declaration has been prepared and adopted herein as is set forth in full as Exhibit "D". Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may cause a significant effect on the environment. Subsequent to the end of the public review period, the number of proposed lots has been reduced from nine to seven. The decrease in the number of lots reduces the scale of the subdivision to a lesser degree and is consistent with the previous findings in the Initial Study. The Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and in consideration of testimony and information received, and scientific and factual data presented as evidence during the public review process. Studies, data and reports prepared by staff from various County departments including Planning and Building Inspection, Public Works, Environmental Health and Water Resources Agency support the adoption of the Negative Declaration for the project. The custodian of the documents and materials that constitute the record of proceedings upon which the adoption of the Negative

Declaration is based is the Monterey County Planning and Building Inspection Department located at 2620 1st Avenue, Marina. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinion supported by facts, have been submitted that refute the conclusions reached by these studies, data and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data and reports.

**EVIDENCE:** County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA). The Initial Study provides substantial evidence that the project would not have significant environmental impacts. A Negative Declaration was filed with the County Clerk on January 14, 2002. All comments on the Initial Study have been received and considered as well as evidence in the record that includes studies, data and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data and reports; application materials, and expert testimony. Among the studies, data and reports analyzed as part of the environmental determination are the following:

Ed Mercurio, Biological Consulting, Biotic Report, December 31, 2001;
Archaeological Consultants, Preliminary Archaeological Reconnaissance Report, August 10, 2001;
Landset Engineers, Inc., Soils Engineering Investigation, August 23, 2001;
Higgins Associates, Traffic Report, August 28, 2001.

**EVIDENCE:** Initial Study, Negative Declaration and Conditions of Approval 2-64**.**

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

5. **FINDING:** That adequate sewage disposal and water supply facilities exist or are readily available to the site, as approved by the Director of Environmental Health.

**EVIDENCE:** Materials in file PLN010249.

6. **FINDING:** That the proposed subdivision will not adversely impact traffic conditions in the area.

**EVIDENCE:** The proposed project has been reviewed by the Monterey County Department of Public Works and there is no indication from that Department that the site is not suitable.

**EVIDENCE:** Traffic Analysis prepared by Higgins and Associates included in file PLN010249.

7. **FINDING:** The proposed subdivision is consistent with the Boronda Neighborhood Improvement Plan, the Greater Salinas Area Plan, which designates the property as "Medium Density Residential" and with the policies of the Monterey County General Plan.

**EVIDENCE:** Subdivisions are allowable uses consistent with the designation and the intent of the Greater Salinas and Boronda Neighborhood Improvement Plans.

**EVIDENCE:** The text and policies of the Greater Salinas Area Plan, the Boronda Neighborhood Improvement Plan and the Monterey County General Plan have been evaluated during the course of the review of this application. No conflict or inconsistencies with the text or the policies were found to exist. No testimony, either written or oral was received during the course of public hearing to indicate that there is any inconsistency with the Greater Salinas Area Plan, Boronda Neighborhood Improvement Plan or the Monterey County General Plan.

8. **FINDING:** The site is suitable for the use proposed.

**EVIDENCE:** There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Department and the Salinas Rural Fire Protection District. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

9. **FINDING:** The conditions of approval comply with the provisions of Title 19 Chapter 19.03.

**EVIDENCE:** The conditions are based on the recommendations of the Salinas Rural Fire Protection District, the Monterey County Water Resources Agency, Monterey County Environmental Health Department, Monterey County Department of Public Works and the Parks Department. The conditions incorporate the concerns and recommendations of these agencies. Additional conditions required for approval to assure that the proposed use and site amenities are compatible with other developments in the area.

10. **FINDING:** The site of the proposed development is physically suitable for the type of development proposed. The proposed project area has a slope of less than 10 percent. 4,500 cubic yards of grading is proposed.

**EVIDENCE:**
1) The on-site inspection of the parcel by the project planner.
2) Maps and application contained in file PLN010249.
3) Project is in a seismic hazard zone II as found in the resource maps of the Greater Salinas Plan Inventory and Analysis.

**EVIDENCE:** The property provides for adequate building sites as evidenced by the application materials submitted for the site. The site of the proposed subdivision is relatively level with no topographic constraints.

11. **FINDING:** The proposed improvements will not present an unsightly appearance, impair the desirability of residences in the same area limit the opportunity to obtain the optimum use and value of land improvements or impair the desirability of living conditions of the same or adjacent area.

**EVIDENCE:** This is supported by site review conducted by staff on December 4, 2001, review of the plans and application materials submitted for the project and the compatibility of the project design with the surrounding area.

12. **FINDING:** None of the findings found in Section 19.03.025.F of the Subdivision Ordinance can be made.

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

**EVIDENCE:** The property provides for adequate building sites as evidenced by the application materials

submitted for the site.

**EVIDENCE:** The application, plans, and support materials, submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development. The report(s) conclude that the proposed development is suitable for the site, subject to recommendations for construction.

**EVIDENCE:** 1) The on-site inspection of the parcel by the project planner.

2) Maps and application contained in the project file.

13. **FINDING:** The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

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

14 **FINDING:** That in approving the tentative parcel map, the Subdivision Committee has balanced the housing needs of the County against the public service needs of its residents and available fiscal and environmental resources.

**EVIDENCE:** The project will introduce seven single-family dwellings, one of which would be affordable.

15 **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 21 and Title 19. Zoning violation abatement costs, if any, have been paid.

**EVIDENCE:** Section 21.84.040 of Title 21 (Zoning Ordinance-Non Coastal) and staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

16. **FINDING:** The project is appealable to the Board of Supervisors.

**EVIDENCE:** Section 19.16.020 of Title 19 (Subdivision Ordinance).

## DECISION

THEREFORE, it is the decision of the Standard Subdivision Committee to recommend adoption of the Negative Declaration and approval of the Fontes Lane Standard Subdivision to the Planning Commission, subject to the following conditions:

1. The Fontes Lane Standard Subdivision Vesting Tentative Map consists of: seven (7) residential lots; one (1) of which would be designated as affordable. The proposed lots range in size from 6,000 to 10,633 square feet (average lot size 6,665 square feet). The project includes approximately 4,500 cubic yards of grading for the building pads and an access road. The project site is located north of Fontes Lane at 1084 Fontes Lane (Assessor's Parcel Number 261-071-018-000) Boronda area, in the Greater Salinas area. The proposed project is consistent with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless, and until all of

the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. **(Planning and Building Inspection)**

**Prior to Filing of Final Map:**

2. The applicant shall record a notice, which states: "A permit (Resolution #_____) was approved by the Monterey County Planning Commission for Assessors Parcel Number 261-071-018-000 on _____, 2002. The permit was granted subject to _____ conditions of approval that run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building or grading permits. **(Planning and Building Inspection)**

3. Prior to the recordation of the Final Map, the requirements of the Inclusionary Housing Ordinance shall be complied with by recording an inclusionary housing agreement on one of the parcels within the subdivision requiring that an inclusionary housing unit (unit) be constructed and sold to a qualified low income household. The inclusionary housing agreement will restrict the unit to remain affordable to a qualified low-income household in accordance with the Inclusionary Housing Ordinance in affect at the time that the application was deemed complete. The unit must be constructed and ready for occupancy prior to the certificates of occupancy being issued for the market rate units within the subdivision. Prior to the issuance of a building permit for the inclusionary unit, the size and design of the inclusionary unit shall be reviewed by the Monterey County Housing and Redevelopment Office to ensure that it is compatible with the market rate units within the subdivision. Prior to the recordation of the final map, an Inclusionary Housing Agreement shall be executed between the developer and the County requiring that two lots be developed with inclusionary housing units affordable to moderate income households in conformance with the inclusionary housing procedures in effect at that time, including the timing of completion of the inclusionary units relative to the completion of the market rate units. The Final Map shall identify the lots that will be restricted for affordable units and the Inclusionary Housing Agreement shall be recorded concurrently with the recordation of the Final Map **(Redevelopment Agency)**

4. The site shall be landscaped, including land sculpturing and fencing, where appropriate, by the developer and that a plan for such improvements is approved by the Director of Planning and Building Inspection. Landscaping plans to be approved by the Director of Planning and Building Inspection prior to recordation of the final map or the issuance of building permits. The subdivider shall prepare landscaping plans that mitigate the cuts on the north down slope as it borders the project. The subdivider shall submit the plans to the Director of Planning and Building Inspection for approval. The subdivider shall bond the landscaping in the same manner as the subdivision improvements, at the time of recordation of the final map. **(Planning and Building Inspection Department)**

5. The property owner shall prepare a site plan for the subdivision to be approved by the Director of Planning and Building Inspection. The site plan should: (1) define the building site; (2) establish maximum building dimensions; (3) identify natural vegetation that should be retained; (4) identify landscape screening as appropriate. The approved site plans are to be recorded with the subdivision's CC&R's. A note shall be placed on the parcel 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. **(Planning and Building Inspection Department)**

6. All street lights in the development shall be approved by the Director of Planning and Building Inspection. **(Planning and Building Inspection Department)**

7. All new utility and distribution lines shall be placed underground. **(Planning and Building Inspection; Public Works)**

8. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Building Inspection. **(Planning and Building Inspection Department)**

9. A building envelope, that includes the area of the approved development, shall be established in accordance with the erosion control plan prepared for the project. Prior to the issuance of building permits, the envelope shall be approved by the Director of Planning and Building Inspection. **(Planning and Building Inspection Department)**

10. 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 (parcel or final) map. The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works. **(Planning and Building Inspection; Public Works)**

11. The applicant shall record a notice and place a note on the final map or a separate sheet to be recorded with the final map which states: "No grading, structures, roads (except as in accordance with the recorded subdivision map), animal grazing, vegetation removal (except in accordance with a County approved restoration plan), or other activities may take place outside of the building envelopes for the Fontes Lane Subdivision". **(Planning and Building Inspection Department)**

12. A note shall be placed on the final map which states: "All development on the parcels shall have a drainage and erosion control plan prepared by a registered civil engineer to address on-site and off-site impacts". **(Planning and Building Inspection Department)**

13. The subdivider shall submit three prints of the approved tentative map to each of the following utility companies: Pacific Gas & Electric Company and Pacific Bell. Utility companies shall submit their recommendations, if any, to the Director of Public Works for all required easements. **(Public Works)**

14. If required the subdivider shall pay for all maintenance and operation of private roads, fire hydrants and storm drainage from the time of installation until acceptance of the improvements for the subdivision by the Board of Supervisors as completed in accordance with the agreement and until a homeowners association or other agency with legal authorization to collect fees sufficient to support the services is formed to assume responsibility for the services. **(Public Works)**

15. That all natural drainage channels be designed on the final map by easements labeled “Natural Drainage Easements”. **(Public Works)**

16. That subdivider dedicates 30 feet from the centerline of Fontes Lane including a 1’ non-access strip along balance of frontage excepting for the 60’ opening. **(Public Works)**

17. That Jennifer Court be constructed in accordance with the typical section shown on the tentative map. **(Public Works)**

18. Install vertical curb, gutter, sidewalk and paveout along entire frontage of Fontes Lane. **(Public Works)**

19. Obtain a sewer connection permit from the Boronda County Sanitation District and pay all applicable fees. **(Public Works)**

20. Submit plans to the Boronda County Sanitation District for approval and construct all necessary sewer improvements. **(Public Works)**

21. Contribute $11,856 toward Boronda area traffic improvements. **(Public Works)**

22. Contribute $55,790 toward the Boronda Redevelopment Area Storm Drain Master Plan Phase 1. **(Public Works)**

23. A note shall be recorded on the final map stating that any future development on these parcels will require a drainage plan to be prepared by a registered civil engineer or architect**. (Water Resources Agency)**

24. Prior to the conveyance of any lots in the subdivision, developer shall have the sole responsibility for the care, maintenance, and repair of road and drainage improvements installed as a condition of approval of the subdivision. Upon each conveyance of each lot in the subdivision, developer shall be jointly obligated with the succeeding owners to perform such obligation pro rated on the basis of the remaining number of lots still owned by the developer. Developer's obligation shall cease upon the conveyance of the last lot in the subdivision. An agreement to this effect, running with the land, shall be recorded between developer and the County of Monterey prior to recordation of the tentative or parcel map. **(Water Resources Agency)**

25. A notice shall be recorded on the deed for each lot that 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 #3932, or as subsequently amended. **(Water Resources Agency)**

26. The applicant shall provide to the Water Resources Agency a water balance analysis describing the pre-development and post-development water use on the property. Any proposed increase in water use shall require the identification and implementation of mitigation measures, if feasible, by the applicant. **(Water Resources Agency)**

27. A homeowners association shall be formed for the maintenance of roads, drainage facilities, and open spaces. Documents for formation of association shall be approved by the Director of Public Works, the Director of Planning and Building Inspection, and the County Water Resources Agency, prior to filing of final map. C.C. & R.'s shall include provisions for a yearly report by a registered civil engineer, and the monitoring of impacts of drainage and maintenance of drainage facilities. Report shall be approved by the County Water Resources Agency. **(Water Resources Agency)**

28. If the homeowners association after notice and hearing fails to properly maintain, repair or operate the drainage and flood control facilities in the project, Monterey County Water Resources Agency shall be granted the right by the property owners to enter any and all portions of the property to perform repairs, maintenance or improvements necessary to properly operate the drainage and flood control facilities in the project. The County Water Resources Agency shall have the right to collect the cost for said repairs, maintenance or improvements from the property owners upon their property tax bills. A hearing shall be provided by the Board of Supervisors as to the appropriateness of the cost. An agreement to this effect shall be entered into concurrent with the filing of the final map of the first phase of the subdivision. **(Water Resources Agency)**

29. In accordance with Monterey County Water Resources Agency Water Conservation Ordinance No. 3932, or as subsequently amended, the C.C.&R.'s shall contain provisions that: all new construction incorporate the use of low water use plumbing fixtures including, where applicable, hot water recirculation systems; the front yards

of all homes shall be landscaped at the time of construction; low water use or drought tolerant plants shall be used together with water efficient irrigation systems; leak repair is the property owner's responsibility; vehicle and building washing shall use hoses equipped with shut off nozzles; no potable water to be used for sidewalk washing; no water spillage into streets, curbs, and gutters; no emptying or refilling of swimming pools except for structural repairs or if required for public health regulations; no fountains unless water is recycled within the fountain. **(Water Resources Agency)**

30. Design the water system improvements to meet the standards as found in chapter 15.04 Titles 17 and 22 California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. Submit evidence to the Director of Environmental Health that the proposed water system improvements have been approved by the California Water Service Company. **(Environmental Health)**

31. Design the water system improvements to meet the fire flow standards as required and approved by the local fire protection agency. Submit evidence to the Director of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency prior to installation or bonding of water systems improvements. **(Environmental Health)**

32. The developer shall install or bond the water system improvements to and within the subdivision and any appurtenances needed prior to filing the final map. The water improvements shall only be installed after the engineered designs have been approved by the California Water Service Company. **(Environmental Health)**

33. Submit engineered plans for the sewer system to CSD#392 (Boronda) for review and approval prior to installing the sewer system improvements. The sewer system improvements shall be installed to and within the subdivision prior to filing the final map. Provide evidence to the Director of Environmental Health that the proposed sewer system improvements have been approved by CSD#392 prior to filing the final map. **(Environmental Health)**

34. Prior to the filing of a parcel or final map or record of survey, the applicant shall obtain from the California Water Service Company current hydrant flow testing data and a letter from the California Water Service Company demonstrating the existing hydrants on Fontes Lane nearest the project can provide a minimum fire flow of 500 gallons per minute at a residual pressure of 20 psi under normal operating conditions for a duration of one hour. **(Salinas Rural Fire Protection District)**

**<u>Prior to issuance of Grading and/or Building Permits:</u>**

35. A drainage plan shall be prepared by a registered civil engineer or architect to address on-site and off-site impacts, and necessary improvements shall be constructed in accordance with approved plans. **(Water Resources Agency)**

36. Road, street and private signs required by this article shall be installed prior to final acceptance of road improvements by the County of Monterey. **(Salinas Rural Fire Protection District)**

37. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupant shall be separately identified by its own address. **(Salinas Rural Fire Protection District)**

38. Approved fire protection water supply systems shall be installed and made serviceable prior to the time of construction. **(Salinas Rural Fire Protection District)**

39. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan. **(Salinas Rural Fire Protection District)**

40. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet or further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. **(Salinas Rural Fire Protection District)**

41. The hydrant serving any building shall be not less than 50 feet or more than 1000 feet by road from the building it is to serve. **(Salinas Rural Fire Protection District)**

42. Hydrant or fire valve identification may be allowed as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings along State Highways and Freeways, May 1988. **(Salinas Rural Fire Protection District)**

43. A Grading Permit shall be required pursuant to the Monterey County Code relative to Grading, Chapter 16.08. **(Planning and Building Inspection Department)**

44. When construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8 inch stroke and contrasting with the background colors of the sign. **(Salinas Rural Fire Protection District)**

**<u>Prior to Final Inspection/Occupancy:</u>**

45. 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. **(Salinas Rural Fire Protection District)**

46. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. At the width of 20 feet, no parking shall be permitted on the street. If parking is to be permitted on the street, additional width of the street shall be provided pursuant to Monterey County Standards. **(Salinas Rural Fire Protection District)**

47. The roadway surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus. **(Salinas Rural Fire Protection District)**

48. The grade for all roads, streets, private lanes and driveways shall not exceed 15 percent. **(Salinas Rural Fire Protection District)**

49. Size of letters, numbers and symbols for street and road signs shall be a minimum of 4 inch letter height, ½ inch stroke, and shall be a color that clearly contrasts with the background color of the sign. All numerals shall be Arabic. **(Salinas Rural Fire Protection District)**

50. Street and road signs shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. **(Salinas Rural Fire Protection District)**

51. Height of street and road signs shall be uniform County wide, and meet the visibility and legibility standards of this chapter. **(Salinas Rural Fire Protection District)**

52. Remove flammable vegetation from within 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. **(Salinas Rural Fire Protection District)**

53. The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

    "The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection." **(Salinas Rural Fire Protection District)**

54. Attached garages shall be protected with fire sprinkler systems. **(Salinas Rural Fire Protection District)**

55. Roof construction shall be a Class A or Class B, with fire resistive materials, or as approved by the Reviewing Authority. This requirement shall apply to all new construction and existing roofs that are repaired or modified so as to affect 50 percent or more of the roof. **(Salinas Rural Fire Protection District)**

56. Newly constructed or approved public and private roads and streets shall be identified in accordance with provisions of Monterey County Ordinance No. 1241. All signs shall be mounted and oriented in a uniform manner. 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. **(Salinas Rural Fire Protection District)**

57. 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. **(Salinas Rural Fire Protection District)**

58. A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, shall be placed:

    1. At the intersection preceding the traffic access limitation, and
    2. No more than 100 feet before such traffic access limitation. **(Salinas Rural Fire Protection District)**

59. 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. This shall be the responsibility of the developer if the developer is also the builder. If not, a notice shall be recorded on the deed for each lot to inform future builders of this requirement. **(Water Resources Agency)**

**<u>Continuous permit conditions:</u>**

60. If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (150

feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. **(Planning and Building Inspection)**

61. Construction activity shall occur between 8am and 5pm. Any construction is prohibited on weekends and holidays. **(Planning and Building Inspection)**

62. The applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County Code. The Parks Department shall determine whether the County accepts land dedication or elects to require payment in lieu of or a combination of both land dedication and fee in accordance with Section 19.12.010 (H). **(Parks Department)**

63. The approved development shall incorporate the recommendations from the Soil Engineering Investigation prepared by Landset Engineers, Inc. dated August 23, 2001. **(Planning and Building Inspection Department)**

64. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. **(Planning and Building Inspection Department)**

**PASSED AND ADOPTED** this 25th day of April, 2002 by the following vote:

AYES: Brandau, McPharlin, Main, Beretti, Hori, Mulholland
NOES: None
ABSENT: None

Original Signed By:

JEFF MAIN, SECRETARY

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON: