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ERRATA MEMORANDUM

Date: November 12, 2014

To: Monterey County Planning Commissioners

From: John H. Ford, RMA-Services Manager
David J. R. Mack, Associate Planner

Subject: Bollenbacher & Kelton (Ferrini Ranch) – PLN040758
Agenda Item No. 7

Staff would like to make the following revisions/corrections to the Conditions of Approval:

Exhibit B – CEQA Resolution

Certification Paragraph (page 12) is being amended as follows:

- a. Certify that the Final Environmental Impact Report for the Ferrini Ranch Subdivision (SCH2005091055); has been completed in compliance with CEQA, that the FEIR was presented to the ~~Planning Commission Board of Supervisors~~, the ~~Planning Commission Board of Supervisors~~ considered the information contained in the FEIR before recommending the project for approval, and that the FEIR reflects the independent judgment and analysis of the County.

There is incorrectly two Finding No. 7 contained in the resolution. The second (EIR-Statement of Overriding Considerations) should be renumbered to be Finding No. 8.

Exhibit C – Combined Development Permit Resolution

Decision Paragraph should be revised as follows:

1. Approve the Combined Development Permit consisting of: 1) a Standard Subdivision Vesting Tentative Map for the subdivision of approximately 870 acres into 185 lots including 168 market rate single family residential lots and 17 moderate income lots for Inclusionary Housing units; three Open Space parcels of approximately 700 acres (Parcels A, B, & C), and parcel for the future development of a visitor center (Parcel D); 2) Use Permit for the removal of 921 trees, and 3) Use Permit to allow development on slopes exceeding 30%, subject to the attached conditions and in substantial conformance with the Vesting Tentative Map; and

Additional evidence is being added to Finding 3 – Development on Slopes, which should read as follows:

- a) As required by 1982 General Plan policies 26.1.10(a) there is no alternative to development on slopes in excess of 30%, as access to areas of the property suitable for residential development require limited road improvements to cross areas of slopes in excess of 30%.

Additional evidence is being added to Finding 4 – Ridgeline Development, which should read as follows:

- b) Proposed lots 62 and 63 should have potential for ridgeline development; therefore they are not approved as shown on the Vesting Tentative Map Alternative 5. In addition, the rear portion of 42, if developed, could result in ridgeline development; therefore this lot is being reconfigured to have a scenic and conservation easement placed on the rear portion of the lot to preclude vertical development. Lots 30a, 30b, 49a, and 50 have potential to be ridgeline but can be developed without creating ridgeline development. A note is being added to the Final Map identifying that ridgeline development on these lots is not approved and alternative designs are required to preclude ridgeline development (Condition 14).

Additional evidence is being added to Finding 8 – Critical Viewshed, which should read as follows:

- b) Proposed lots 138, 138a, and 139 in the eastern portion of the project are located entirely within the mapped Critical Viewshed area. These lots are not approved as shown on the Vesting Tentative Map Alternative 5. These lots shall be relocated to a suitable area outside of the critical viewshed and required 100 foot setback from the critical viewshed or shall be eliminated prior to recordation of the final map (MM 3.1-1a).

Additional evidence is being added to Finding 13 – Inclusionary Housing, which should read as follows:

- b) The project site is not appropriate for the construction/development of very low- and low-income housing units. The proposed location is not located within a half-mile of required public services such as a full-service grocery store, pharmacy, medical clinic(s), transit and/or schools.

Additional evidence is being added to Finding 17 – Development on Slopes in Excess of 30%, which should read as follows:

- h) The Monterey County Zoning Ordinance (Title 21-Inland) requires that “no feasible alternative” exist to development on slopes in excess of 30% while the General Plan Policy 26.1.10 in the 1982 General Plan states that “no alternative” exist to development on slopes in excess of 30%. The proposed project complies with both the “no alternative” and “no feasible alternative” requirements, as access to the developable areas of the project site require limited roadway development on steeper slopes.

Conditions/Mitigations

Condition 14 has been modified as follows:

Lots 62 and 63, 49a, 50, and 30B would result in ridgeline development and are not approved as shown on the Vesting Tentative Map in Alternative 5 and need to be relocated or removed. A note shall be placed on the final map that Lots 49a, 50, 30a and

30B are not approved for Ridgeline Development and the home design must not result in Ridgeline Development. In addition a portion of Lot 42 if developed would result in Ridgeline development and this lot either needs to be reconfigured to preclude ridgeline development or have a scenic and conservation easement placed on the rear half to preclude vertical development. Relocated lots shall be placed in areas that are either proposed for existing lots by compressing lots or in areas where slopes are less than 30 percent, such as the area behind lot 40b and the area between lots 70 and 80, and not in areas which have sensitive biological resources.

Condition 75 has been modified as follows:

Prior to recordation of the final map, the Owner/Applicant shall obtain an encroachment permit from DPW Caltrans. Applicant is responsible to obtain all permits and environmental clearances.

Condition 78 / MM 3.1-1a has been modified as follows:

The project applicant shall reconfigure the lot and development pattern to relocate building site for residential lots outside of the critical viewshed areas and 100 foot scenic roadway setback. Alternative 5 lots 83, 83a, 84, 82a, 138, 138a, and 139 shall be relocated. Where berms are currently proposed for screening and view protection along State Route 68 Scenic Corridor, the Applicant shall provide sufficient detail in the Improvement Plans with the Final Map to allow verification by the County of berm appearance and effectiveness as a screen. Relocated lots shall be placed in areas that are either proposed for existing lots by compressing lots or in areas where slopes are less than 30 percent, such as the area behind lot 40b and the area between lots 70 and 80, and not in areas which have sensitive biological resources.

Condition 118 / MM 3.7-3a is being replaced with the following language:

In order to reduce pollutant loads, the proposed project shall comply with Monterey County grading, erosion control, and stormwater regulations. Prior to recordation of the final map, the following information shall be submitted to RMA-Environmental Services for review and approval.

- The applicant shall submit a grading plan prepared by a licensed professional engineer incorporating Monterey County Code Chapter 16.08 requirements and the Geotechnical Investigation Report recommendations. The grading plan shall be stamped by a licensed geotechnical engineer certifying compliance with the recommendations in the Geotechnical Investigation Report prepared by Soil Surveys, Inc.
- The applicant shall submit an erosion control plan, in conformance with Monterey County Code Chapter 16.12, identifying the proposed methods to control runoff and erosion including the location and details for all selected erosion control measures. The erosion control plan may be incorporated into other required plans provided it is clearly identified.
- The applicant shall submit a stormwater control plan with supporting calculations prepared by a licensed professional engineer. The plan shall address the Post-Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast Region.

- The applicant shall submit an operation and maintenance plan prepared by a registered professional engineer that includes, at a minimum, the following:
 - A site map identifying all structural Stormwater Control Measures requiring O&M practices to function as designed.
 - O&M procedures for each structural Stormwater Control Measure including, but not limited to, LID facilities, retention/detention basins, and proprietorship devices.
 - The O&M Plan shall include short- and long-term maintenance requirements, recommended frequency of maintenance, and estimated cost for maintenance.

The applicant shall submit a Waster Discharger Identification (WDID) number certifying the project is covered under the California Construction General Permit.

Compliance: Prior to recordation of the final map, the applicant shall submit a grading plan, erosion control plan, stormwater control plan, operation and maintenance plan, and WDID number to RMA-Environmental Services for review and approval.

Condition 119 / MM 3.7-3b is being replaced with the following language:

The applicant shall enter into a *Maintenance Agreement* (Agreement) with Monterey County and the Monterey County Water Resources Agency to identify the responsible party for ongoing maintenance of drainage and flood control facilities. The Agreement shall contain provisions for an annual report to be prepared by a registered professional engineer. The annual report shall be submitted to RMA-Environmental Services and the Water Resources Agency, for review and approval, no later than August 15th. All recommended maintenance shall be completed by October 15th of the same year. Certification shall be provided that all recommended maintenance has been completed before the start of the rainy season.

If the responsible party identified in the agreement, after notice and hearing, fails to properly maintain, repair or operate the drainage and flood control facilities in the project, Monterey County and the Monterey County Water Resources Agency shall be granted the right by the property owners to enter any and all portions of the project site to perform repairs, maintenance, and improvements. Monterey County and the Monterey County Water Resources Agency shall have the right to collect the cost of said repairs, maintenance, or improvements from the property owners on their property tax bills.

Compliance : Prior to filing the final map, the project applicant shall enter into an agreement with Monterey County and the Monterey County Water Resources Agency.

These revisions will allow the deletion of the MM 3.5-5a, MM 3.5-5b, and MM 3.5-5c, as they are redundant with the requirements in the above revisions.

Conditions 26, 27, 28, 30, 31, and 32 are also requested for deletion by RMA-Environmental Services as the requirements within them have been included in the revisions above.