



Monterey County

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Board Report

Legistar File Number: 14-1311

December 16, 2014

Introduced: 11/25/2014

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Approve the Parcel Map for the Villanueva subdivision to divide a 160 acre parcel into four 40 acre parcels;
- b. Accept the Conservation and Scenic Easement Deed for the following areas: slopes that exceed 25 percent; areas that could result in future ridgeline development at Lot 4; and areas with historical and archaeological resources; and the Subdivision Improvement Agreement;
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed for the following areas: slopes that exceed 25 percent; areas that could result in future ridgeline development at Lot 4; and areas with historical and archaeological resources; and the Subdivision Improvement Agreement; and
- d. Direct the Clerk of the Board to submit the Parcel Map, the Subdivision Improvement Agreement, the Conservation and Scenic Easement Deed; the Deed Restriction for Historical Resources; the Deed Restriction for biological and archaeological resources; the Floodplain Notice; and the Water Conservation and Landscape Notice to the County Recorder for recording, subject to the collection of the applicable recording fees.
(Parcel Map PLN060043/Saul Victor and Maria de Jesus Villanueva, 50403 Martinez Road, Lockwood, South County Area Plan)

PROJECT INFORMATION:

Planning File Number: PLN060043

Owner: Saul Victor and Maria Villanueva

Project Location: 50403 Martinez Road, Lockwood

APN: 423-041-018-000

Agent: Allen Searson, HD Peters Engineering

Plan Area: South County Area Plan

Flagged and Staked: No

CEQA Action: Statutorily Exempt per CEQA Guidelines Section 15268 (b) (3)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve the Parcel Map for the Villanueva subdivision to divide a 160 acre parcel into four 40 acre parcels;
- b. Accept the Conservation and Scenic Easement Deed for the following areas: slopes that exceed 25 percent; areas that could result in future ridgeline development at Lot 4; and areas with historical and archaeological resources; and the Subdivision Improvement Agreement;
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed for the following areas: slopes that exceed 25 percent; areas that could result in future ridgeline development at Lot 4; and areas with historical and archaeological resources; and the

- Subdivision Improvement Agreement; and
- d. Direct the Clerk of the Board to submit the Parcel Map, the Subdivision Improvement Agreement, the Conservation and Scenic Easement Deed for the following areas: over areas with slopes that exceed 25 percent; over areas that could result in future ridgeline development at Lot 4; and over areas with historical and archaeological resources; the Deed Restriction for Historical Resources that restricts future development and requires a phase 2 historic assessment on lots 1 and 3; the Deed Restriction for the following: San Joaquin kit fox protocol level survey; biological pre-construction survey; preconstruction ocular survey for the American badger, Monterey dusky-footed wood rat and burrowing owl; Best Management Practices to protect the natural habitat values; and preconstruction archaeological reconnaissance; the Floodplain Notice; and the Water Conservation and Landscape Notice to the County Recorder for recording, subject to the collection of the applicable recording fees.

SUMMARY:

The developer has submitted a Property Tax Clearance Certification in accordance with Government Code Section 66492 and a Parcel Map Guarantee in accordance with Government Code Section 66465 of the Subdivision Map Act and has met all the conditions of approval required for clearance prior to recording the Parcel Map. The Parcel Map is in substantial compliance with the approved Tentative Map.

DISCUSSION:

On February 9, 2012 the Minor Subdivision Committee approved a Minor Subdivision Tentative Map to allow the subdivision of a 160 acre parcel into four 40-acre parcels. The property is at 50403 Martinez Road, Lockwood (Assessor's Parcel Number 423-041-018-000), in South County Area Plan area.

Staff has verified that the applicant has met all project conditions of approval required prior to recording the Parcel Map. The Inclusionary Housing in lieu fee of \$13,770.00 and the Parks Recreation in lieu fee of \$391.50 has been paid. The Traffic Impact Fee (TAMC) will be collected when development is proposed on new parcels.

The developer also will, by today's action, enter into an agreement to construct improvements for the subdivision, in accordance with the County's Subdivision Ordinance, and to satisfy conditions of approval. The developer is required to improve the private roads in accordance with the requirements of the local fire jurisdiction, implement erosion control measures, and underground the utility facilities for the subdivision. For this project, the standard requirements of the subdivision improvement agreement have been modified to better reflect the amount of improvements required for the subdivision. Section 18 (d), "Professional liability insurance" has been modified from the County standard subdivision improvement agreement to not less than \$250,000 per claim and \$500,000 in the aggregate rather than the traditional amount of not less than \$1,000,000 per claim and \$3,000,000 in the aggregate, to cover liability for malpractice or errors or omissions made in the course of rendering professional services. Due to the extent and cost of improvement for this subdivision, RMA-Public Works recommends accepting these modified amounts of insurance as sufficient. The required subdivision improvement cost is \$54,050 including \$26,250 of underground electrical work performed by the utility company contractor. Therefore, staff recommends that the Board approve the Saul Victor and Maria D.

Villanueva Parcel Map for recording with the County Recorder.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project and have cleared their recommended conditions for recording of the Parcel Map:

- Environmental Health Bureau
- Economic Development Department
- Water Resources Agency
- Parks
- RMA-Public Works
- CAL-FIRE South County

FINANCING:

Funding for staff time associated with this project is included in the FY14-15 Adopted Budget for RMA-Planning.

Prepared by: Fernando Vargas, Permit Technician II ext. 5229 *FV*

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192 *Mike*

Carl Holm Acting Director, Resource Management Agency *CH*

This report was reviewed by Laura Lawrence, RMA Services Manager

cc: Front Counter Copy; Environmental Health Bureau; RMA-Public Works; Water Resources Agency, RMA-Planning Director Mike Novo; Laura Lawrence, RMA Services Manager; Saul Victor and Maria Villanueva, Owners; Allen Searson, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); Project File PLN060043.

The following attachments are on file with the Clerk of the Board:

- Attachment A Cover letter to the Clerk of the Board
- Attachment B Vicinity Map
- Attachment C Parcel Map
- Attachment D Subdivision Guarantee
- Attachment E Property Tax Clearance Certification
- Attachment F Subdivision Improvement Agreement
- Attachment G Conservation and Scenic Easement Deed (Conditions # 11, 16, and 18)
- Attachment H Deed Restriction for Historical Resources (Condition # 17)
- Attachment I Deed Restriction for Habitat and Archaeological Resources (Conditions # 12, 13, 14, 15, 19)
- Attachment J Floodplain Notice
- Attachment K Water Conservation and Landscape Notice