

**Before the Zoning Administrator in and for the  
County of Monterey, State of California**

In the matter of the application of:

**MAYR AND VILAFRANCA (PLN170509)**

**RESOLUTION NO. 18-004**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Finding the project is for a lot line adjustment and well construction (on one of the subject parcels), which qualifies as a Class 5 and Class 3, respectively, Categorical Exemption pursuant to Sections 15305(a) and 15303(d), respectively of the CEQA Guidelines, and there are not exceptions pursuant to Section 15300.2; and
- 2) Approving a Combined Development Permit consisting of 1) a Lot Line Adjustment between three legal lots of record with the following adjustments: from 1.007 acres (Parcel A) to 2.041 acres (Parcel 1); from 5.05 acres (Parcel B) to 4.108 acres (Parcel 2); and from 5.84 acres (Parcel C) to 5.75 acres (Parcel 3); and 2) an Administrative Permit for the construction of a new well proposed on existing Parcel C.

(PLN170509), Mayr and Villafranca, located 750 feet North of the intersection of Valle Pacifico Road and Joshua Drive, Salinas, North County Area Plan (APNs: 127-035-024-000, 127-035-025-000 & 127-035-026-000)

**The Mayr and Villafranca application (PLN170509) came on for public hearing before the Monterey County Zoning Administrator on January 25, 2018. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the RMA Chief of Planning finds and decides as follows:**

**FINDINGS AND EVIDENCE**

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.  
**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
  - the 2010 Monterey County General Plan;
  - North County Area Plan;
  - Monterey County Zoning Ordinance (Title 21);
  - Monterey County Subdivision Ordinance (Title 19);No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The three subject parcels are located approximately 750 feet north of the intersection of Valle Pacifico Road and Joshua Drive in unincorporated Salinas (Prunedale area) in the North County Area Plan. This project area was originally subdivided in 1977 creating four lots of record. The lots are legal lots of record pursuant to Volume 11, Parcel Maps, Page 185. The applicants currently own all four lots and the subject application, for a Combined Development Permit involves three of the four lots: Parcel A (1.007 acres); Parcel B (5.05 acres); and Parcel C (5.84 acres). The Combined Development Permit consists of the following entitlements:

1. Lot line adjustment between three legal lots of record of 1.007 acres (Parcel A); 5.05 acres (Parcel B) and 5.84 acres (Parcel C), resulting in the following: 2.041 acres (Parcel 1); 4.108 acres (Parcel 2) and 5.75 acres (Parcel 3); and
2. An Administrative Permit for the construction of a new well proposed on existing Parcel C.

This project area was purchased in 2017 by the Mayr's and Villafranca's with the intent to construct single family residences on each of the parcels and sell the developed properties. The subject application consists of adjusting the boundaries of three parcels (Parcels A, B and C) in order to make existing Parcel A larger and in doing so, produce a superior parcel configuration for development that would potentially minimize future tree removal. The subject application also consists of an Administrative Permit for the drilling of a new well on existing Parcel C to provide water to two of the four lots of record. There are two (2) existing wells on the property. One well located on the boundary line of existing Parcels B and C is operable with enough yield for two of the four parcels. The other well, located on existing Parcel C is a low producing well. The parcels are zoned Resource Conservation, B-8 Zoning District or RC/B-8, which allows for residential Lot Line Adjustments and for water system facilities, including wells. Therefore, the project is an allowed land use for this site.

- c) The project is consistent with Policy No. LU-1.16 of the 2010 Monterey County General Plan, which specifies that lot line adjustments between or among lots that do not conform to minimum parcel size standards may be allowed if the resultant lots are consistent with all other General Plan policies, zoning and building ordinances and the lot line adjustment would produce a superior parcel configuration and better achieve the goals, policies and objectives of the General Plan. The RC Zoning District requires a minimum lot size of 10 acres. The existing parcels are 1.007 acres (Parcel A); 5.05 acres (Parcel B); 5.84 acres (Parcel C) and currently do not meet the minimum lot size requirement. The proposed reconfiguration would result in the following parcel sizes: 2.041 acres (Parcel 1); 4.108 acres (Parcel 2); and 5.75 acres (Parcel 3). The parcels would not be able to be adjusted in a manner to meet minimum lot size requirements; nevertheless the resultant parcels would produce a superior parcel configuration and better achieves the goals, policies and objectives of the 2010 General Plan, in the

following manner: Enlarging existing Parcel A from 1.007 acres to 2.041 (Proposed Parcel 1) would allow for a less impactful residential development on flat terrain requiring minimal grading and oak tree removal and the proposed driveway corridor would be located on flatter terrain void of major vegetation. This situation better achieves the goals and policies of the 2010 General Plan which policies require avoiding slope development (GP Policy OS-3.5) to reduce impacts to water quality and biological resources and the removal of healthy, native oak and madrone trees to the minimum required for the development (GP Policy NC-3.4).

- d) Policy NC-3.8 and Policy NC-5.4 of the North County Area Plan Supplemental Policies, which is a part of the 2010 Monterey County General Plan, requires a discretionary permit for all new wells proposed in fractured rock or hard rock areas of the North County Planning Area (NC-3.8) or if the property is within the North County Area Plan, regardless if the property is in fractured or hard rock (NC-5.4), in order to address serious public health concerns regarding water quality and quantity and in order to provide for case by case review of potential water quality and overdraft concerns. The proposed project includes the proposal for a new well on existing Parcel C (Proposed Parcel “3”; APN 127-035-026-000) which sits on fractured and hard rock in the North County Area Plan, which requires an Administrative Permit entitlement (i.e. discretionary permit).
- e) The application for the lot line adjustment and well have been reviewed by applicable land use agencies, including the Environmental Health Bureau and was found to be consistent with Policies NC-3.8 and NC-5.4 and suitable for the use proposed. See Finding 2. Therefore, the project is an allowed use for this site.
- f) The project planner conducted site inspections on July 27, 2017 and on December 1, 2017 (at this latter date, project planner was accompanied by Roger Van Horn, REHS III with the Monterey County Environmental Health Bureau) to verify that the project on the subject parcel conforms to the plans listed above.
- g) When the proposed application was elevated to public hearing, it was referred to the North County Land Use Advisory Committee (LUAC) meeting on December 6, 2017. At this meeting, the LUAC did not have a quorum and the item was re-scheduled for the next available meeting on January 3, 2018. At the January 3<sup>rd</sup> meeting, the application was not heard again due to another lack of a quorum. Pursuant to LUAC Procedures, applications that are not reviewed due to lack of quorum shall be continued to the next regular scheduled meeting and there shall be no further continuance unless requested by the applicant. Applications that are not reviewed at that continuance shall be returned to the Planning Department without comment. In the case of the subject application, the applicants did not request a third continuance and therefore, the application was returned to the Planning Department without comment by the North County LUAC.
- h) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-

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, North County Fire Protection District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- b)   There are two existing wells on the properties. The first well is located on the boundary line of existing Parcels A and B and is estimated by the owner to pump water at eight (8) gallons per minute. This well will serve two of the four parcels (resultant Parcels 1 and 2). The second well is located on existing Parcel C. It is estimated by the owner to pump water at approximately three (3) gallons per minute. Environmental Health Bureau (EHB) records include permits for two wells that were constructed in 1981 and appear to corroborate with the existing onsite wells (EHB Well Permit No. W2837 and W2833). The Water Well Driller Reports on file for each well, indicate that the perforated section of their casings is in an alluvial formation. Water quality is unknown for both wells. EHB does not support development of the first-single family dwelling on an existing, vacant lot of record unless it has first obtained a water supply that meets water quality requirements and can produce three (3) gallons per minute per connection. Based on the owner's source capacity estimate, the well on existing Parcel C may not produce enough water to supply a single-family dwelling and would not produce enough water to supply a two (2) connection water system. The EHB has added condition EHSP01 – STATUS OF EXISTING WELL (Condition No. 7) to ensure that the proposed well will either replace the existing well on existing Parcel C or, upon redevelopment of the existing well, the proposed well will serve as a supplemental source of supply to provide water to a forthcoming water system that will serve resultant Parcels 3, Parcel 2 and/or existing Parcel D. Condition of approval EHSP04 – SOURCE CAPACITY TESTING (Condition No. 10), will require that prior to issuance of a construction permit that will utilize the proposed well, it shall first undergo testing in accordance with the EHB's Source Capacity Testing Requirements, which includes monitoring nearby wells within 1000' on the same or neighboring parcels for drawdown.
- c)   The site sits on fractured and hard rock and it is in MCWRA Zone 2C which means that there is a rebuttable presumption of long-term water supply.
- d)   The Water Resources Agency has, in accordance with Monterey County 2010 General Plan Policy PS-3.3, completed a domestic well impact assessment and found that the proposed well does not indicate potential for significant adverse impact to existing domestic / water system wells or in-stream flows.

- e) The proposed well will serve as either the sole source of supply for vacant existing Parcel 3 or serve as a secondary source of supply for a water system that will serve Parcel 3 and other vacant lots in the project. Establishing a local small water system to serve undeveloped parcels discourages proliferation of individual wells and is consistent with Monterey County Code, Section 15.04.006.
- f) This application has been referred to the Zoning Administrator because of public controversy. This application was originally scheduled for administrative approval on October 4, 2017, but subsequently pulled from this administrative approval agenda when the County received a letter from neighbors dated September 22, 2017 objecting to the project and requesting a public hearing to address the following concerns:
  - 1) Opposition letter requested that the County analyze the project with an Environmental Impact Report;
  - 2) Opposition letter requested that the County require a cultural resource review of the project;
  - 3) Opposition letter contends that the subject property has two (2) unpermitted wells; and
  - 4) Opposition letter contends that the existing access road for the subject lots is unsuitable for well drilling or construction equipment and any widening of the access road would require the destruction of mature oaks.

Response to Concern No. 1): The Administrative Permit for a new well is a requirement of the 2010 Monterey County General Plan, Supplemental Policy No. NC-3.8, which states that a discretionary permit is required for all new wells in fractured or hard rock areas in the North County Area Plan to provide for case by case review of potential water quality and overdraft conditions. The subject project has been analyzed in accordance to the 2010 Monterey County General Plan stated policies by the County departments, including the EHB and the Monterey County Water Resources Agency. The Water Resources Agency has, in accordance with Monterey County 2010 General Plan Policy PS-3.3, completed a domestic well impact assessment and found that the proposed well does not indicate potential for significant adverse impact to existing domestic / water system wells or in-stream flows. The impact on the aquifer will not change as the number of lots and allowed number of units is not changing. Therefore, the project, as proposed and subject to the recommended conditions, is suitable and an Environmental Impact Report is not required.

Response to Concern No. 2): The project lies in a Low Archaeological Sensitivity Zone as mapped on current County resource maps. Pursuant to MCC Chapter 21.66.050- *Standards for archaeological and tribal cultural resource protection*, in this zone, a Phase I Inventory of Archaeological Resources (aka an archaeological report) is required if there is specific information already known to exist which states that archaeological resources are present or if the development is within two hundred and fifty (250)

feet of a known archaeological or tribal cultural resource. In this case, there is no known information which states that archeological resources are present and the development is not within 250 feet of a known archaeological or tribal cultural resource according to the County's GIS database. Therefore, County staff did not require a Phase I Inventory of Archeological Resources. Nevertheless, planning's standard cultural resources condition PD003A (Condition No. 4) has been added to the project in the event that during the course of construction, cultural resources are uncovered at the site, in which case, the condition establishes specific actions for the protection of such resources.

Response to Concern No. 3): EHB has permit records for two wells and these are not unpermitted as stated in the opposition letter. The two wells were constructed in 1981 and appear to corroborate with the existing onsite wells (EHB Well Permit No. W2837 and W2833). Therefore, there is no merit to the opposition's contention of two (2) unpermitted wells on the subject property.

Response to Concern No. 4): Based on County staff's site visits, the existing access road is suitable and ample for construction equipment. The area of the proposed well location is for the most part clear of major vegetation. Condition of approval PD011-TREE AND ROOT PROTECTION (Condition No. 6) has been added to this project to ensure that trees located close to the development site (access road and proposed well location) shall be protected from inadvertent damage from construction equipment by fencing of the canopy of the driplines or critical root zones. Therefore, there is no merit to the opposition's contention.

- g) Staff conducted site inspections on July 27, 2017 and on December 1, 2017 (at this latter date, project planner was accompanied by Roger Van Horn, REHS III with the Monterey County Environmental Health Bureau) to verify that the site is suitable for this use.
- h) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN170509.

3. **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) The project was reviewed by the RMA-Planning, North County Fire Protection District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. The respective agencies 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.

- b) Staff conducted site inspections on July 27, 2017 and on December 1, 2017 (at this latter date, project planner was accompanied by Roger Van Horn, REHS III with the Monterey County Environmental Health Bureau) to verify that the site is suitable for this use.
- c) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN170509.
- d) See Finding 2, Evidence a-h.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA-Planning and RMA-Building Services records and is not aware of any violations existing on subject property.
  - b) Staff conducted site inspections on July 27, 2017 and on December 1, 2017 (at this latter date, project planner was accompanied by Roger Van Horn, REHS III with the Monterey County Environmental Health Bureau) to verify that the site has no violations.
  - c) There are no known violations on the subject parcel.
  - d) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN170509.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15305(a) categorically exempts minor lot line adjustments.
  - b) California Environmental Quality Act (CEQA) Guidelines Section 15303(d) categorically exempts water mains and other utilities serving future construction.
  - c) The subject application for a lot line adjustment is minor in nature not resulting in the creation of any new parcel.
  - d) No adverse environmental effects were identified during staff review of the development application during a site visit on July 27, 2017 and on December 1, 2017 (at this latter date, project planner was accompanied by Roger Van Horn, REHS III with the Monterey County Environmental Health Bureau).
  - e) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.
  - f) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File

6. **FINDING:** **LOT LINE ADJUSTMENT** – Section 66412 of the California Government Code (Subdivision Map Act) Title 19 (Subdivision Ordinance) of the Monterey County Code states that lot line adjustments may be granted based upon the following findings:
1. The lot line adjustment is between four (or fewer) existing adjoining parcels;
  2. A greater number of parcels than originally existed will not be created as a result of the lot line adjustment;
  3. The parcels resulting from the lot line adjustment conform to the County's general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.
- EVIDENCE:**
- a) The parcel is zoned Resource Conservation with a B-8 Zoning District or RC/B-8.
  - b) The proposed project is a Lot Line Adjustment between three legal lots of record consisting of 1.007 acres (Parcel A); 5.05 acres (Parcel B) and 5.84 acres (Parcel C), resulting in the following: 2.041 acres (Parcel 1); 4.108 acres (Parcel 2) and 5.75 acres (Parcel 3). The purpose of the lot line adjustment is to enlarge existing Parcel A from 1.007 acres to 2.041 (Proposed Parcel 1) for a more adequate residential development area on flat terrain requiring minimal grading and oak tree removal (2 or less trees) and the proposed driveway corridor would be located on flatter terrain void of major vegetation. This situation better achieves the goals and policies of the 2010 General Plan which policies require avoiding slope development (GP Policy OS-3.5) to reduce impacts to water quality and biological resources and minimizing the removal of healthy, native oak and madrone trees for the development (NC-3.4).
  - c) The lot line adjustment is between four (or fewer) existing adjoining parcels.
  - d) The lot line adjustment will not create a greater number of parcels than originally existed. Three (3) contiguous separate legal parcels of record will be adjusted and three (3) contiguous separate legal parcels of record will result from the adjustment. No new parcels will be created.
  - e) The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 21). Staff verified that the subject property is in compliance with all rules and regulations pertaining to the use of the property and that no violations exist on the property.
  - f) As an exclusion to the Subdivision Map Act, no map is recorded for a Lot Line Adjustment. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required per a standard condition of approval.
  - g) The project planner conducted site inspections on July 27, 2017 and on December 1, 2017 (at this latter date, project planner was accompanied by Roger Van Horn, REHS III with the Monterey County Environmental Health Bureau) to verify that the project would not conflict with zoning or building ordinances.
  - h) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the

proposed development are found in Project File PLN170509.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.  
**EVIDENCE:** Section 19.16.020.A of the Monterey County Zoning Ordinance.

**DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Find the project is for a lot line adjustment and well construction (on one of the subject parcels), which qualifies as a Class 5 and Class 3, respectively, Categorical Exemption pursuant to Sections 15305(a) and 15303(d), respectively of the CEQA Guidelines, and there are not exceptions pursuant to Section 15300.2; and
- B. Approve, a Combined Development Permit consisting of: 1) a Lot Line Adjustment between three legal lots with the following adjustments: from 1.007 acres (Parcel A) to 2.041 acres (Parcel 1); from 5.05 acres (Parcel B) to 4.108 acres (Parcel 2); and from 5.84 acres (Parcel C) to 5.75 acres (Parcel 3); and 2) an Administrative Permit for the construction of a new well proposed on existing Parcel C in general conformance with the attached sketch and subject to the conditions, both being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 25th day of January, 2018.



Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON

**JAN 30 2018**

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

**FEB 09 2018**

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

# Monterey County RMA Planning

## Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN170509

### 0. EHSP05 - LONG-TERM WATER SUPPLY DEED RESTRICTION (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** If it is determined the proposed well is constructed in hard rock / fractured rock, the applicant shall record a deed restriction which includes the statement: Well yields in fractured rock or non-alluvial aquifer systems have been shown to decline significantly over time due to their meager ability to store and transmit water. Therefore, with the intrinsic uncertainties regarding the long-term sustainability of an on-site well proposed to provide a source of domestic potable water for this and potentially other parcels, the present and any future owners of this property are hereby given notice that additional water sources may be required in the future.

**Compliance or Monitoring Action to be Performed:** Prior to recordation of Certificates of Compliance, the county shall make a determination as to the sub-surface materials the well is constructed in, and if it is determined to be a non-alluvial aquifer system, then the applicant shall provide a legal description for the parcel and a copy of the Grant Deed to the Environmental Health Bureau ("EHB"). The EHB will prepare the deed restriction form.

Concurrent with recordation of Certificates of Compliance, if the well is constructed in a non-alluvial aquifer system, the property owner shall sign and notarize the deed restriction form obtained from the EHB. Record the notarized deed restriction with the Monterey County Recorder. Proof of recordation shall be provided to the EHB.

If the applicant chooses not to pursue utilizing the well as a source for domestic use, and / or if the county determines the well is drilled in an alluvial aquifer system and not in hard rock / fractured rock, this condition shall not be applicable.

## 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Combined Development Permit (PLN170509) allows: 1) Lot Line Adjustment between three vacant legal lots of record with the following adjustments: from 1.007 acres (Parcel A) to 2.041 acres (Parcel 1); from 5.05 acres (Parcel B) to 4.108 acres (Parcel 2); and from 5.84 acres (Parcel C) to 5.75 acres (Parcel 3); and 2) Administrative Permit for the construction of a new well proposed on existing Parcel C. The properties are located 750 feet north of the intersection of Valle Pacifico and Joshua Drive, Salinas (Assessor's Parcel Numbers 127-035-024-000, 127-035-025-000 & 127-035-026-000), North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 RMA - Planning. 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)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Combined Development Permit (Resolution Number 18-004) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Numbers 127-035-024-000; 127-035-025-000; and 127-035-026-000 on January 25, 2018. The permit was granted subject to 11 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

### 3. PD006(A) - CONDITION COMPLIANCE FEE

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or Monitoring Action to be Performed:** Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

### 4. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register 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 recovery.  
(RMA - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

## 5. PD045 - COC (LOT LINE ADJUSTMENTS)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall request unconditional Certificates of Compliance for the newly configured parcels. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the Certificates of Compliance.

Prior to the expiration of the entitlement and after the Certificates are recorded, the Owner/Applicant shall file a request and pay the fees for separate assessments or combination assessments (for lot mergers) with the Assessor's Office.

## 6. PD011 - TREE AND ROOT PROTECTION

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of grading and/or building and/or well permits, the Owner/Applicant shall submit evidence of tree protection to RMA - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to RMA-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

## 7. (EHSP01)-Status of Existing Well (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The existing well on Parcel C (Assessor's Parcel Number 127-035-026-000) is currently out of service; therefore, it's water quality and source capacity is unknown. The applicant shall make a determination of whether the well will be destroyed under permit from the Environmental Health Bureau (EHB) or incorporated into a water system to supplement the proposed well.  
(Environmental Health)

**Compliance or Monitoring Action to be Performed:** Prior to recording the Certificates of Compliance for the associated lot line adjustment, the applicant shall complete one of the following options:

1. Apply for an obtain a well destruction permit from the Environmental Health Bureau (EHB) for the existing well located on Parcel C.
2. Conduct water quality analysis and source capacity testing in accordance with Monterey County EHB requirements. Determine if the well will be retained and incorporated into a local water system.
  - a. If the well will be retained, record an easement around the well that allows for a 50' zone of control on all sides, and water line easements to any and all other parcels or wells that will be associated with the water system. A deed restriction or other instrument shall be required to assure the designated easement(s) grant each parcel access to the water from the water system in perpetuity.
  - b. If the well will not be retained, apply for and obtain a well destruction permit from the EHB.

## 8. (EHSP02)-Well Construction Permit (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Obtain a water well construction permit from the Environmental Health Bureau pursuant to Monterey County Code Chapter 15.08, Water Wells.

**Compliance or Monitoring Action to be Performed:** Prior to drilling the well, a CA-licensed well drilling contractor shall obtain a water well construction permit from the Environmental Health Bureau on behalf of the property owner.

#### 9. (EHSP03)- New Well: Water Quality Testing (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** In order to demonstrate a potable supply, a new domestic well shall first undergo water quality testing. Sample collection shall be done after development of the well and shall include analysis of coliform bacteria, and primary inorganics and secondary compounds as listed in Tables 64431-A and 64449-A&B in Title 22 of the California Code of Regulations. Waivers for asbestos, MTBE, and thiobencarb may be available upon request. Sample collection shall be done by a person approved by Environmental Health Bureau (EHB) and shall be analyzed by a laboratory certified by the Environmental Laboratory Accreditation Program (ELAP). (Environmental Health)

**Compliance or Monitoring Action to be Performed:** Prior to recording the Certificates of Compliance, the applicant shall submit water quality analysis results to the EHB for review and acceptance.

If the applicant chooses not to pursue utilizing the well as a source for domestic use, this condition shall not be applicable. However, if the new well will not be used for domestic purposes, it shall be the only well on the parcel, i.e. the existing well on Parcel C shall be destroyed under permit from the EHB.

#### 10. (EHSP04)- New Well: Source Capacity Testing (Non-Standard)

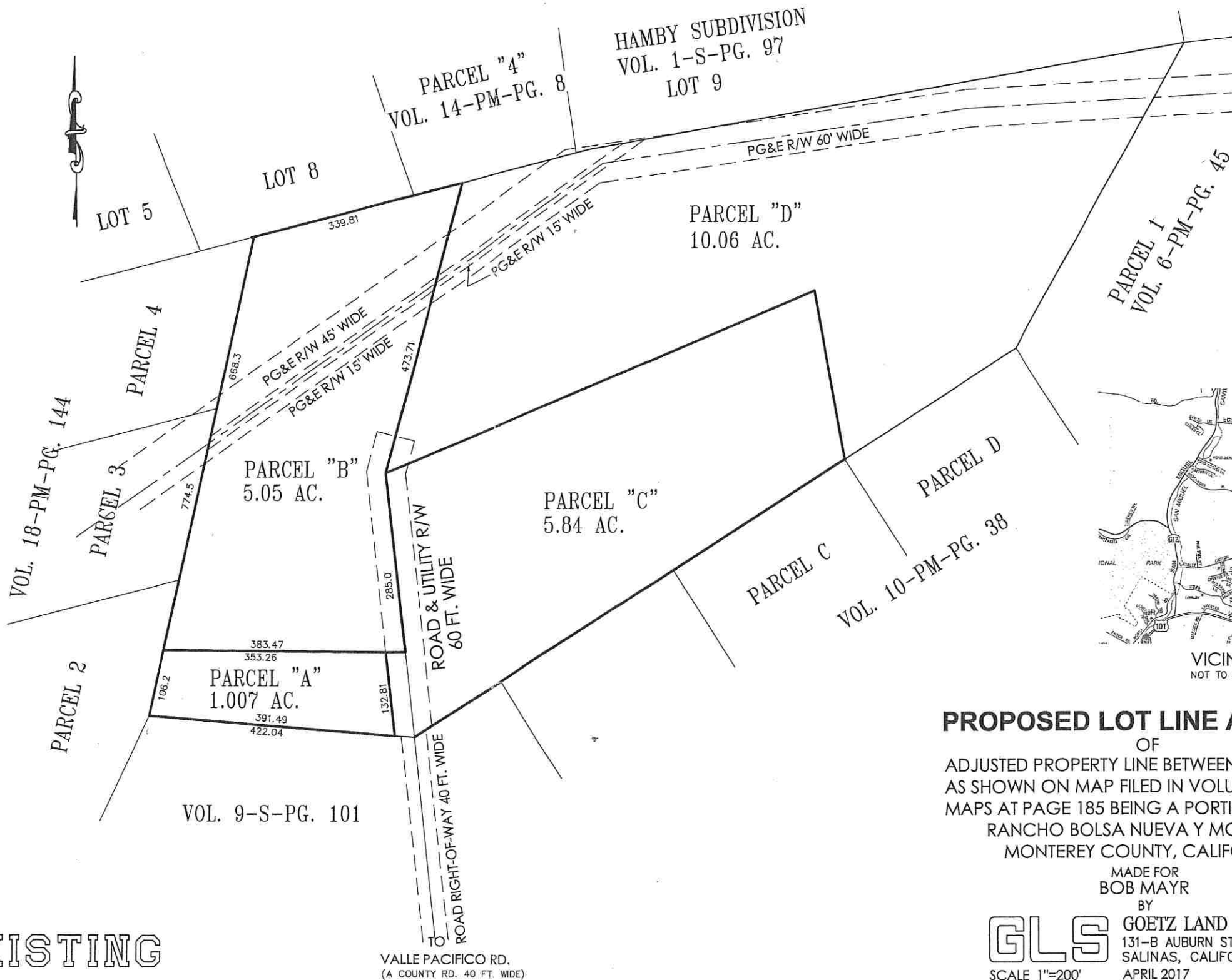
**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** In order to assess the adequacy of the proposed well to serve as a source for domestic use the applicant shall submit documentation to the satisfaction of the Environmental Health Bureau ("EHB") that the source capacity of the well has been tested in accordance with the EHB's Source Capacity Test Procedure, available from the EHB. (Environmental Health)

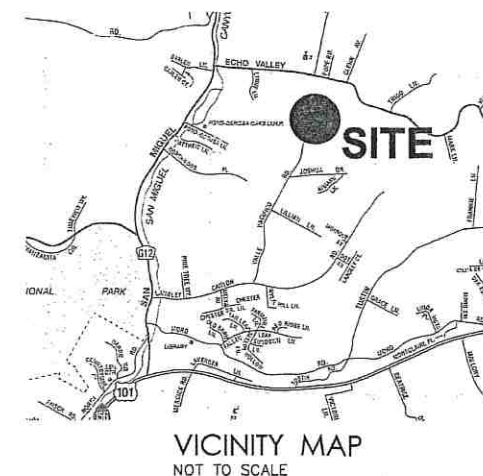
**Compliance or Monitoring Action to be Performed:** Prior to issuance of a construction permit, the applicant shall submit to the satisfaction of EHB documentation of the source capacity of the constructed well prepared.

If the applicant chooses not to pursue utilizing the well as a source for domestic use, this condition shall not be applicable. However, if the new well will not be used for domestic purposes, it shall be the only well on the parcel, i.e. the existing well on Parcel C shall be destroyed under permit from the EHB.

EXISTING



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## PROPOSED LOT LINE ADJUSTMENT

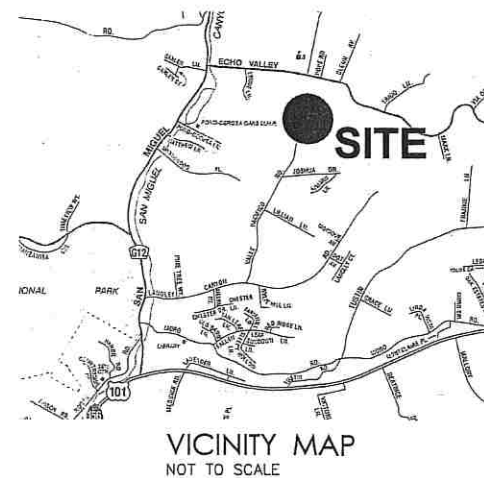
OF  
 ADJUSTED PROPERTY LINE BETWEEN PARCELS "A", "B" & "C"  
 AS SHOWN ON MAP FILED IN VOLUME 11 OF PARCEL  
 MAPS AT PAGE 185 BEING A PORTION OF  
 RANCHO BOLSA NUEVA Y MORO COJO  
 MONTEREY COUNTY, CALIFORNIA

MADE FOR  
 BOB MAYR  
 BY

GLS

GOETZ LAND SURVEYORS  
 131-B AUBURN STREET 262-7368  
 SALINAS, CALIFORNIA 93901  
 APRIL 2017 JOB NO. 17-02

SCALE 1"=200'



ADJUSTED PROPERTY LINE BETWEEN PARCELS "A","B"&"C"  
AS SHOWN ON MAP FILED IN VOLUME 11 OF PARCEL  
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