

**RESOLUTION NO. 2279****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD  
APPROVING THE ANDALUCIA PHASE FOUR SUBDIVISION  
VESTING TENTATIVE SUBDIVISION MAP**

**WHEREAS**, Andalucia, Ltd. is the owner of property adjacent to the City of Soledad identified as Assessor's Parcel Number 22-301-07 and located north of Gabilan Drive and east of West Street; and,

**WHEREAS**, Andalucia, Ltd. has applied to the City of Soledad for a sphere-of-influence amendment, rezoning and zoning map amendment, annexation, and approval of a vesting tentative subdivision map to allow for the development of single-family residential, dual-family residential, and public land uses; and,

**WHEREAS**, the City Council of the City of Soledad has adopted a resolution for certification of the Andalucia Phase Four Subdivision Final Supplemental Environmental Impact Report (FSEIR) as adequate; and

**WHEREAS**, the FSEIR has been prepared in accordance with the requirements of and pursuant to the California Environmental Quality Act (CEQA); and,

**WHEREAS**, the City Council of the City of Soledad has adopted a resolution to approve the plan for services for the Andalucia Phase Four Subdivision; and,

**WHEREAS**, the City Council of the City of Soledad has adopted a resolution requesting the Monterey County Local Agency Formation Commission to initiate proceedings to amend the existing City of Soledad sphere-of-influence boundary to include the entire 54+/- acre project site within the City of Soledad sphere-of-influence urban service area; and,

**WHEREAS**, the City Council of the City of Soledad has adopted an ordinance rezoning the entire 54+/- acre project site to R-1, Single-Family Residential; and,

**WHEREAS**, the City Council of the City of Soledad has adopted a resolution requesting the Monterey County Local Agency Formation Commission to initiate proceedings to annex the entire 54+/- acre project site to the City of Soledad; and,

**WHEREAS**, the Planning Commission of the City of Soledad held a public hearing on the proposed project on August 18, 1993, and recommended that the City Council of the City of Soledad approve the vesting tentative subdivision map as conditioned, with certain modifications recommended by the Planning Commission of the City of Soledad; and,

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WHEREAS, the vesting tentative subdivision map included in "Exhibit A" attached hereto and incorporated herein by reference includes those project conditions as deemed necessary by the City Council of the City of Soledad included in "Exhibit B" attached hereto and incorporated herein by reference; and,

WHEREAS, this resolution is adopted subject to the vesting tentative map findings and CEQA certification and findings included in "Exhibits C and D" attached hereto and incorporated herein by reference.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Soledad as follows:

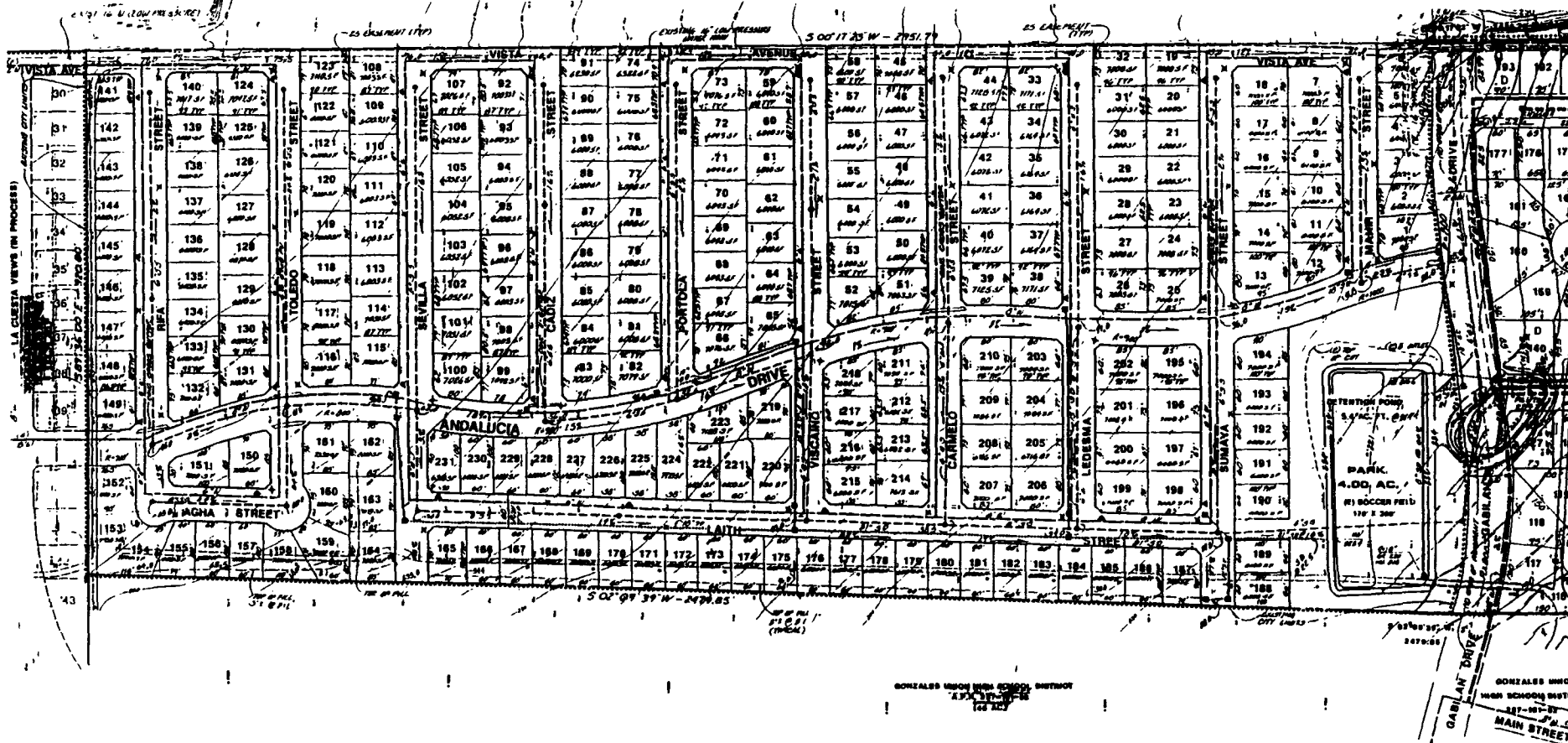
1. This resolution is hereby adopted by the City Council of the City of Soledad approving the Andalucia Phase Four Subdivision Vesting Tentative Subdivision Map subject to the vesting tentative subdivision map included in "Exhibit A" attached hereto and incorporated herein by reference, incorporating those conditions deemed necessary by the City Council in "Exhibit B" attached hereto and incorporated herein by reference, and subject to the findings included in "Exhibits C and D" attached hereto and incorporated herein by reference.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Soledad duly held on the 27th day of September, 1993, by the following vote:

  
 \_\_\_\_\_  
 MAYOR PRO TEM OF THE CITY OF SOLEDAD

ATTEST:

  
 \_\_\_\_\_  
 CITY CLERK OF THE CITY OF SOLEDAD



Source: Bestor Engineers Inc.



A Land Use Planning and Design Firm

# Andaluçia Phase Four Subdivision

## Vesting Tentative Subdivision Map

Exhibit

A

## Exhibit B

### Vesting Tentative Subdivision Map Conditions

These conditions of approval collectively constitute the conditions applicable to the Andalucia Phase Four Subdivision Vesting Tentative Subdivision Map

#### **Standard Conditions**

- 1 All development on the project site shall conform to the approved vesting tentative subdivision map except as otherwise provided herein. Any significant deviation from the vesting tentative subdivision map (except to the extent required by these conditions of approval) shall be subject to approval by the Planning Commission. Any questions of intent or interpretation of the vesting tentative subdivision map or of the conditions of approval contained herein shall be resolved by the City Planning Director upon written request of the project proponent.
- 2 The project proponent agrees that the improvements shown on the vesting tentative subdivision map are conceptual only, and the final configuration of the improvements will be determined during review and approval of the final subdivision map(s), subdivision improvements plans, and supporting design studies and calculations by the City Staff.
- 3 The project proponent shall prepare a final subdivision map(s) which is in substantial conformance with the vesting tentative subdivision map (except to the extent required by these conditions of approval) and shows all required easements subject to the review and approval of City Staff prior to approval by the City Council. The vesting tentative subdivision map for the proposed project shall expire two years from the date of final approval by the Planning Commission unless an extension of time is granted by the Planning Commission pursuant to a written request prior to the expiration date. The project proponent shall also provide subdivision improvements plans showing all public and private improvements separate from the submittal of the final subdivision map(s)
- 4 The project proponent shall prepare subdivision improvements plans for all public and private improvements in conformance with city standards prior to approval of the final subdivision map(s) by the City Council for any portion or phase of the proposed project, subject to the review and approval of the City Staff. Any phasing of public and private improvements shall be approved by City Staff prior to approval of the first final subdivision map by the City Council. Public and private improvements necessary for the proposed project shall be completed and in place prior to the issuance of building permits for the proposed project.

- 5 All engineering design, including, but not limited to storm drainage and appurtenances, sanitary sewers and appurtenances, streets including but not limited to geometrics, sight distances, lighting and soundwalls, water systems and appurtenances, signing and striping, landscaping and appurtenances, shall be supported by applicable engineering studies and calculations and any changes to the vesting tentative subdivision map due to the findings and subsequent review of these studies and calculations shall be incorporated into the final subdivision map(s) and subdivision improvements plans subject to the review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council.
- 6 The project proponent shall enter into a subdivision agreement with the City of Soledad, including appropriate security prior to the approval of the final subdivision map(s) by the City Council. The subdivision agreement shall be approved by the City Council and executed by the City Manager.
- 7 The approval of the vesting tentative subdivision map is conditioned upon approval of the required sphere-of-influence amendment and annexation of the subject property to the City of Soledad by the Monterey County Local Agency Formation Commission. Said approval shall be obtained prior to approval of the final subdivision map(s) by the City Council.
- 8 The project proponent shall obtain any necessary approvals or permits from any other governmental agency with jurisdiction over the proposed project. Any dispute regarding conditions of approval to be implemented shall be resolved by the City Planning Director upon written request of the project proponent.
- 9 The project proponent shall obtain an encroachment permit from the City of Soledad for all work within the City of Soledad right-of-ways.
- 10 The conditions of approval contained herein shall be perpetual and it is the intention of the City of Soledad that the conditions of approval run with the land and to bind the landowner, successors and assigns in interest of the subject property, to all of the conditions of approval. Any questions of intent or interpretation of the vesting tentative subdivision map or conditions of approval contained herein shall be decided resolved by the City Planning Director upon written request of the project proponent. In accordance with city ordinances, the decision of the City Planning Director may be appealed by the project proponent to the Planning Commission.
- 11 The mitigation measures contained in the Andalucia Subdivision Final Environmental Impact Report prepared in January 1980 and the Andalucia Phase Three Final Supplemental Environmental Impact Report prepared in June 1990 shall be incorporated in this approval except to the extent that they are inconsistent with the current conditions of approval.
- 12 The project proponent shall submit a written statement of intent to accept and fulfill all conditions of approval as approved by the City Council ~~Planning Commission~~ within a period of thirty (30) days after City

Council action to approve the proposed project. This statement shall be binding on the landowner, successors and assigns in interest of the subject property and shall be submitted to the City Clerk. The Planning Commission's and City Council's action to approve the proposed project shall be null and void unless this statement of intent is filed with the City Clerk within the specified time period.

- 13 The project proponent shall be responsible for carrying out all duties set forth in the mitigation monitoring program adopted for the proposed project pursuant to the review and approval of those agencies and officials designated in the mitigation monitoring program.
14. The project proponent shall be required to reimburse the City of Soledad for all engineering, inspection, legal, and administrative expenses, incurred or to be incurred by the City of Soledad in connection with the proposed project, including expenses incurred through the use of outside consultants where necessary. Within thirty (30) days after approval of the vesting tentative subdivision map by the City Council Planning Commission, the project proponent shall deposit with the City of Soledad the sum of \$5,000 to be used and applied in the reimbursement of said expenses. At the time of submission of the final subdivision map(s) and subdivision improvement plans for the proposed project, the project proponent shall deposit funds sufficient to raise said account to the total sum of \$25,000. The City shall account to project proponent for all expenses for which reimbursement is claimed, providing copies of all back-up materials in a timely manner, and shall return any portion of said deposit in excess of the actual amount of expenses of said deposit in excess of the actual amount of expenses incurred. If, in the judgement of the City Staff it appears that the amount deposited shall not be sufficient to cover all expenses, the project proponent shall, within fifteen (15) days after written request from the City Staff, make an additional deposit of funds in an amount determined by the City Staff to be sufficient to make up the deficiency. Any funds left in the project proponent's account for the processing of the environmental document and related documents may be credited to the aforementioned account. The need for the maintenance of this account shall cease upon acceptance of the subdivision improvements.
- 15 Unless otherwise specified herein, the project proponent shall be responsible and agrees to pay all land costs and related legal fees should it be necessary for the City of Soledad to use its condemnation powers to obtain land that is under separate ownership or leasehold in order to implement the conditions of approval contained herein.
- 16 The project proponent shall submit a subdivision guarantee disclosing any and all easements, deed restrictions, dedications, and changes in ownership in a form acceptable to the City Staff. The subdivision guarantee shall be submitted prior to approval of the final subdivision map(s) by the City Council.

- 17 The project proponent shall provide evidence of commitment to serve from utilities including, but not limited to electric service, natural gas service, telephone service, cable television service, and postal service. Said evidence shall be reviewed and approved by City Staff prior to approval of the final subdivision map(s) by the City Council.
- 18 All new utilities on the project site and associated with the proposed project, including electrical, gas, telephone, and cable television shall be placed underground. This shall be indicated on the final subdivision map(s) and subdivision improvements plans and shall be reviewed and approved by City Staff prior to approval of the final subdivision map(s) by the City Council.
- 19 The project proponent shall allow access to the subject property at all times during construction to allow the inspection of the subject property by City Staff.
- 20 The City of Soledad is in the process of preparing a development impact fee study to determine the impact from proposed development in the City of Soledad. The intent of this study will be to determine the impact of proposed development on transportation, public services, and other areas of concern and is expected to result in the adoption of development impact fee ordinances or other funding instruments establishing traffic impact fees, public services impact fees, and impact fees for other areas of concern. Further, the completion of this study and the adoption of the impact fee ordinance is expected to be completed in the near future, prior to completion of the proposed project. Therefore, the project proponent shall be responsible for the payment of development impact fees or other compliance with other funding instruments not yet in existence, but adopted prior to the issuance of any building permits for the proposed project, in an amount commensurate with the impact of the proposed project. This amount of said fees shall be determined by City Staff.
- 21 All public street names shall be reviewed and approved by the City Planning Director prior to approval of the final subdivision map(s) by the City Council.
22. The project proponent shall prepare and submit a public street landscape plan to be included in the subdivision improvements plans and subject to the review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council.
- 23 Offers of dedication shall be completed and recorded prior to or simultaneous with recordation of the final subdivision map(s)
- 24 The following conditions shall be included in the final subdivision map(s) and subdivision improvement plans subject to review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council

- a. Monuments shall be set at all new property corners created and a registered civil engineer or licensed land surveyor shall indicate, by certificate on the final subdivision map, that corners have been set or shall be set by a date specific and that they will be sufficient to enable the survey to be retraced.
  - b. Driveways shall be designed to city standards.
  - c. All buildings, parts of buildings, or other obstructions (including trees or wires) over access driveways shall have no less than 12 feet of vertical clearance for finished driveway surface.
  - d. The project access and parking should be of sufficient width to allow access and turning of fire protection and emergency vehicles.
  - e. Street improvements along all public streets shall include curb, gutter, sidewalks, and street trees.
  - f. Every single-story building shall be located so that the farthest point from an access road capable of being used by fire apparatus shall not exceed 150 feet. This distance shall be measured around the perimeter of the building and shall take into consideration any natural or manmade barriers such as trees, shrubs, fences, etc.
  - g. Energy-efficient building design should include such features as orientation of structures to summer and winter sunlight, so as to efficiently absorb and/or reflect solar heat as needed. Structures shall be designed so as to allow for the installation of solar panels
- 25 The following items shall be included in the declaration of restrictions for the proposed project which shall be reviewed and approved by the City Staff prior to the approval of the final subdivision map(s) by the City Council
- a. Numbers should be visible for emergency situations and show dark on light or vice versa for easy readability. Numbers should also be visible in large print on curb faces.
  - b. Front doors of buildings shall have single or double cylinder deadbolts with one-inch throws. Viewers shall be placed in front doors and small secondary locks shall be placed on patio doors to prevent forcing of sliding glass doors.
  - c. All buildings shall be insulated according to State of California Energy Standards.
- 26 In the event that a prehistoric site has been buried by wind-borne sand, making it nearly impossible to identify by a surface examination, and it is encountered during grading or excavation activities, the following mitigation measures shall be implemented

The contractor work specifications shall include a provision stating that if suspected archaeological remains, such as midden, burial, or concentrations of river cobbles (burned or used) are discovered during grading or excavation activities, all work should be stopped within a 10-meter radius (35 feet) from the find. The City of Soledad should be called immediately (678-3963) The Regional Archaeological Research Center and a local Indian Advisor should evaluate any find, preserve and/or remove it before damaging construction proceeds, destroying a nonrenewable resource.

## **Environmental Review Conditions**

### **Geologic and Soils Conditions**

- 27 As a construction implementation step, a soils investigation shall be prepared by a registered geotechnical or soils engineer for the purpose of providing sound structural design for the proposed housing and public improvements. This investigation shall provide recommendations for the construction of roadways, utility lines, and structures on the project site and may include a dynamic ground-motion analysis and responsive structural design. The recommendations shall be incorporated into the final subdivision map(s) and subdivision improvement plans, and the investigation shall be submitted to the City Staff for review and approval prior to approval of the final subdivision map(s) by the City Council. (Mitigation Measure 1)
- 28 As a construction implementation step, the project proponent shall prepare an erosion control plan for review and approval by the City Staff prior to approval of the final subdivision map(s) by the City Council. The erosion control plan shall include the following information.
- a. Measures for controlling erosion during construction of the proposed project, including contractor specifications, detention basins to hold pre-development drainage volumes for a 10-year ~~100-year~~ storm event, reseeding of disturbed areas, and periodic watering during excessive winds.
  - b. Measures for controlling erosion after construction on the project site, including reseeding of disturbed areas. (Mitigation Measure 2)

### **Agricultural Conditions**

- 29 The proposed project shall be revised to include a minimum 25-foot buffer zone contiguous with the eastern property line where it is adjacent to active agricultural uses The buffer shall be required only adjacent to the proposed residential lots, and will not be required adjacent to proposed roadways. This buffer zone shall conform to the existing public utilities easement along the eastern property line. This buffer zone shall contain a fully landscaped earth berm between three and five feet in height. All landscaping shall consist of native indigenous plant materials. A drainage

ditch shall be constructed on the easterly side of this fully landscaped earth berm on the adjacent property to ensure that drainage from the adjacent property does not enter the project site. The fully landscaped earth berm shall be included in the subdivision improvement plans and subject to the review and approval of the Architectural Review Committee and City Staff prior to the approval of the final subdivision map(s) by the City Council (Mitigation Measure 3)

- 30 The project proponent shall construct a six-foot-high masonry wall along the southern property line of the project site between the residential lots of the proposed project and Gabilan Drive. This masonry wall shall conform to the requirements set by the City Staff and be constructed with materials used on similar masonry walls in the vicinity of the project site. The masonry wall design and materials shall be included in the subdivision improvement plans and subject to the review and approval of the Architectural Review Committee and City Staff prior to the approval of the final subdivision map(s) by the City Council (Mitigation Measure 4)

Additionally, the project proponent shall provide landscaping and irrigation between the masonry wall and the sidewalk along the north side of Gabilan Drive. The landscaping and irrigation shall be included in the subdivision improvements plans and subject to the review and approval of the Architectural Review Committee and City Staff prior to the approval of the final subdivision map(s) by the City Council.

### **Hydrology Conditions**

- 31 The project proponent shall be responsible for the installation of a new storm drain line west along Gabilan Drive sized to carry the 10-year post-development flow from drainage areas A and B to an existing storm drain interceptor line near West Street which extends to the waste-water treatment facility. At the treatment facility, the storm drainage would be collected in a holding pond for percolation into the Salinas Valley groundwater basin. Prior to acceptance of this new storm drainage line, the project proponent shall design and fund construction of the storm drain line to West Street and shall replace any other storm drains which are deficient in capacity along the route to the percolation pond near the waste-water treatment facility. The design, construction plans, and construction shall be subject to the review and approval of the City Engineer.

As a construction implementation step prior to designing either of these facilities, the existing and proposed storm drainage systems shall be reanalyzed by the project proponent's engineer and calculations shall be submitted for review and approval by the City Staff. All storm drainage calculations and improvement plans shall be subject to the review and approval of the City Staff prior to the approval of the final subdivision map(s) by the City Council.

The City of Soledad and the project proponent or subsequent property owner shall execute a reimbursement agreement to ensure that the proj-

ect proponent is reimbursed for the cost of oversizing the storm drainage line for the proposed project to accommodate future adjacent development that will utilize this storm drainage line. This reimbursement agreement may be included and incorporated into any future subdivision agreements. The amount of reimbursement shall be determined through a cost difference. The method for reimbursement shall be included in the reimbursement agreement.

An alternative to the installation of a new storm drainage line would be to require that improvements be made to the existing storm drainage line that currently serves phases one, two, and three to reduce the capacity problems to a level of insignificance. Another alternative would be to modify the proposed detention pond to provide adequate storm water detention so as not to impact existing downstream storm drainage facilities. ~~Another alternative would be to require that a detention basin be provided on the project site separate from the proposed public park.~~ (Mitigation Measure 5)

32. Any storm drainage detention facilities shall also provide for sediment control facilities. These shall be included in the subdivision improvement plans and subject to the review and approval of the City Staff prior to the approval of the final subdivision map(s) by the City Council. (Mitigation Measure 6)
33. A declaration of restrictions shall be recorded with the final subdivision map(s), subject to review and approval by the City Attorney and City Planning Director prior to recordation. The declaration of restrictions shall state that specific water-conservation methods will be included in any future development. The specific water-conservation measures shall include the following:
- a. Ultra-low-flush toilets Ultra-low-flow toilets are defined as toilets that use a maximum of 1.5 or 1.6 gallons of water per flush.
  - b. Low-flow shower heads Low-flow shower heads are defined as shower heads that use a maximum of 2.5 gallons of water per minute.
  - c. Drought-tolerant landscaping (referred to as "xeriscape" landscaping) as defined by the Monterey County Water Resources Agency Water Conservation Ordinance and the California Association of Nurserymen. Water-efficient irrigation systems shall also be installed in accordance with the Monterey County Water Conservation Ordinance.
  - d. The project proponent shall provide, as a part of the sale and as a condition to the close of escrow, the front yard landscaping for all residential lots within the proposed project in compliance with state standards and subject to the review and approval of City Staff. (Mitigation Measure 7)

### Visual Conditions

- 34 The project proponent shall plant street and park trees along the southern property line of the proposed project within the public right-of-way of Gabilan Drive. The locations and types of trees shall be included in the subdivision improvement plans, subject to review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council. (Mitigation Measure 8)
- 35 The project proponent shall plant trees on both sides along the public right-of-way of all streets within the proposed project. The locations and types of trees shall be included in the subdivision improvement plans and subject to approval by the City Staff prior to approval of the final subdivision map(s) by the City Council. (Mitigation Measure 9)

### Traffic Conditions

- 36 The project proponent shall construct Gabilan Drive to its full width fronting the project site to intersect with West Street. The cost of developing the half street section fronting the Soledad Housing Authority property (Benito Street to West Street) shall be proportionally shared with the Soledad Housing Authority or subsequent property owners through a reimbursement agreement with the Soledad Housing Authority The cost of developing the half street section fronting the Gonzales Union High School District property (Benito Street to West Street) shall be proportionally shared with the Gonzales Union High School District or subsequent property owners through a reimbursement agreement with the Gonzales Union High School District. All other costs associated with this roadway improvement shall be the sole responsibility of the project proponent. This shall be included on the subdivision improvement plans, subject to the review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council (Mitigation Measure 10)

This will give vehicles easier access to Highway 101, thereby reducing project-related traffic impacts on Andalucia Drive and Main Street. There is adequate capacity on West Street to accommodate additional traffic from the proposed project and it provides a more direct access to Highway 101, which would enable traffic to bypass several intersections on Front Street that would otherwise experience increased congestion and a drop in level of service. ~~In addition, it would be acknowledged as partial mitigation to the Gonzales Union High School District and would further assist the development of the high school property.~~

- 37 Bicycle and pedestrian paths shall be implemented in conjunction with construction of Gabilan Drive in order that this more efficient means of transportation can be encouraged within the City of Soledad. These improvements shall be included in the subdivision improvement plans and subject to the review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council.

- 38 The project proponent shall change the name from Andalucia Drive to Prado Drive. Additionally, Andalucia Drive (Prado Drive) shall include a minimum 60-foot right-of-way with a minimum 48-foot curb-to-curb width and shall be fully constructed prior to the occupancy of any residential unit. This shall be included on the final subdivision map(s) and subdivision improvement plans, subject to the review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council. (Mitigation Measure 12)
- 39 The project proponent shall install appropriate traffic controls on the ~~northbound and southbound~~ Andalucia Drive (Prado Drive) southbound approach approaches to Gabilan Drive. Appropriate traffic controls do not include an electrical traffic signal. This shall be included on the subdivision improvement plans and subject to the review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council. (Mitigation Measure 13)
- 40 The project proponent shall install all street signs, traffic delineation devices, warning and regulatory signs, guard rails, barricades, and other similar devices where required by the City Staff. Signs shall be in conformance with city standards and the current State of California uniform sign chart. Installation of traffic delineation devices shall be subject to the review and modification prior to after construction. All of these improvements shall be installed to the satisfaction of the City Staff prior to acceptance of public improvements.
41. ~~Vista Street shall be extended between Toledo and Sevilla Streets and between Ledesma and Sumaya Streets.~~ No parking signs shall be posted along all streets abutting the eastern property line. This shall be included on the final subdivision map(s) and subdivision improvement plans and shall be reviewed and approved by City Staff prior to the approval of the final subdivision map(s) by the City Council.

#### Water Service Conditions

42. The project proponent shall pay the water service impact mitigation fees for the upper pressure zone to the City of Soledad. (Mitigation Measure 15)
- 43 All applicable pumping, piping, and controls for connection to the city water system are the responsibility of the project proponent. ~~In addition, the project proponent shall provide a stable source of water (e.g., one million gallon storage tank) for the project in accordance with city, county, and state standards.~~ This shall be included in the subdivision improvement plans and subject to the review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council. (Mitigation Measure 16)
- 44 The existing water lines located along the eastern property line shall be placed in separate parcels and conveyed or dedicated in fee to the City of

Soledad. This shall be included on the final subdivision map(s) and subdivision improvement plans and shall be reviewed and approved by City Staff prior to approval of the final subdivision map(s) by the City Council.

An alternative is that the existing water lines located along the eastern property line shall be placed in a no build easement in favor of the City of Soledad, with reservations for access and maintenance, and appropriate disclosures to prospective buyers of proposed residential lots which include portions of this no build easement. This shall be included on the final subdivision map(s) and subdivision improvement plans and shall be reviewed and approved by City Staff prior to approval of the final subdivision map(s) by the City Council.

#### **Sewer Service Conditions**

- 45 The project proponent shall be responsible for the installation of a new sewer line west along Gabilan Drive. This sewer line shall be large enough to carry sewage generated by the proposed project and future development to the east to an existing sewer interceptor line near West Street which extends to the waste-water treatment facility. Prior to acceptance of this new sewer line, the project proponent shall design and fund construction of the sewer line to West Street and shall replace any other sewer lines which are deficient in capacity along the route to the waste-water treatment facility. The design, construction plans, and construction shall be subject to the approval of the City Staff.

As a construction implementation step prior to designing either of these facilities, the existing and proposed sewer lines shall be reanalyzed by the project proponent's engineer and calculations shall be submitted for review and approval by the City Staff. All sewer calculations and improvement plans shall be subject to the review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council.

The City of Soledad and the project proponent or subsequent property owner shall execute a reimbursement agreement to ensure that the project proponent is reimbursed for the cost of oversizing the sewer line for the proposed project to accommodate future adjacent development that will utilize this sewer line. This reimbursement agreement may be included and incorporated into any future subdivision agreements. The amount of reimbursement shall be determined through ascertaining the cost difference. The method for reimbursement shall be included in the reimbursement agreement. (Mitigation Measure 17)

An alternative to the installation of a new sewer line would be to require that the project proponent provide conclusive evidence that there is sufficient sewer line capacity from the proposed project to the wastewater treatment plant by way of an alternate route through the existing developed portions of the City of Soledad. Such evidence shall be reviewed and approved by City Staff prior to the approval of the final subdivision map(s) by the City Council.

- 46 The project proponent shall pay applicable sewer connection fees and sewer impact fees to the City of Soledad.

### **Fire Service Conditions**

- 47 The project proponent shall be required to provide evidence to the satisfaction of the City Staff that sufficient residual fire-flow water pressure will be available to all of the proposed residential units within the project site. This shall be included in the subdivision improvement plans and subject to the review and approval of the City Staff prior to approval of the final subdivision map by the City Council. (Mitigation Measure 18)

Should minimum fire-flow pressure not be available, the project proponent shall record, in the declaration of restrictions for the proposed project, a list which includes each lot that will not meet the minimum residual fire-flow standards. A deed restriction for all lots on the approved list shall be included in the declaration of restrictions for the proposed project requiring that ceiling sprinklers be installed for fire safety purposes. The type, number, and location of sprinklers shall be approved by the City Staff. The project proponent shall provide proof to the City Staff that this deed restriction has been recorded with the declaration of restrictions for the proposed project prior to issuance of any building permits.

48. The project proponent shall be required to install a new temporary booster system or addition to the existing temporary booster system. This includes the provision of a portable emergency backup generator (220 kv) The temporary booster system shall include a pump and valve array system that will allow for additional storage facilities and shall be located on the city property adjacent to the existing water tank. The temporary booster system shall be provided by the project proponent to create additional pressure to correspond with the residual fire-flow requirement that is necessary for all residential units located in the upper pressure zone for the City of Soledad. This shall be included in the subdivision improvement plans and subject to the review and approval of the City Staff prior to approval of the final subdivision map(s) by the City Council.

The City of Soledad will design these improvements and the project proponent will be responsible for the construction of these improvements based on city design and specifications. The project proponent shall be responsible for funding the design and construction of these improvements through direct cost reimbursement. Terms of this reimbursement will be included in the subdivision agreement.

A reimbursement agreement between the City of Soledad and the project proponent shall be executed to reimburse the project proponent for the cost of installing a temporary booster system for the proposed project to accommodate future adjacent development that will utilize this system. This reimbursement agreement may be included and incorporated into any future subdivision agreements (Mitigation Measure 19)

~~49. All applicable pumping, piping, and controls for connection to the city water system are the responsibility of the project proponent. In addition, the project proponent shall provide a pump and valve array system that will allow for additional storage facilities and shall provide a stable source of water (storage tank) for the project in accordance with city, county, and state standards. This shall be included in the subdivision improvement plans and subject to the review and approval of the City Staff prior to approval of the final subdivision map by the City Council. The City of Soledad will design these improvements and the project proponent will be responsible for the construction of these improvements based on city design and specifications. The project proponent will be responsible for funding the design and construction of these improvements through direct cost reimbursement to be included in the subdivision agreement. (Mitigation Measure 20)~~

49 The type and location of all fire hydrants shall be reviewed and approved by City Staff prior to the approval of the final subdivision map(s) by the City Council. Such fire hydrants shall meet the following standards:

- a. The hydrant system should be on a loop system. Temporary exceptions to this standard may be allowed during construction phasing.
- b. If a hydrant is not within 500 feet of the farthest building under construction, on-site hydrants should be provided before construction of residential units begins.

50 The project proponent shall pay applicable public safety impact fees to the City of Soledad. (Mitigation Measure 21)

#### **Parks and Recreation Conditions**

51 The project proponent shall convey and dedicate in fee to the City of Soledad the proposed four acre park site as designated on the vesting tentative subdivision map. ~~The park site shall include the addition of lots 188 and 189 to the park site.~~ The conveyance and dedication in fee of the park site, and all costs associated therewith, shall be the responsibility of the project proponent. The conveyance and dedication in fee of the park site, as well as the park location, size, and configuration shall be reviewed and approved by City Staff prior to approval of the final subdivision map(s) by the City Council. (Mitigation Measure 22)

#### **School Conditions**

52 In accordance with state law, the project proponent shall pay the school impact fees that are in effect at the time of issuance of a building permit. School impact fees shall be paid prior to the issuance of any building permits. (Mitigation Measure 23)

## Exhibit C

### Vesting Tentative Subdivision Map Findings

The City Council of the City of Soledad finds as follows

- 1 **Finding:** The proposed project, as conditioned, is consistent with the Soledad General Plan and all applicable policies and programs contained therein, including without limitation the following:

**Land Use Element.** The general plan land use designation for the proposed project site is Residential Reserve and School Site. The proposed project includes a general plan amendment to change the existing land use designations from Residential Reserve and School Site to Low-Density Residential (0-8 Units Per Acre). The proposed project contains a maximum of 311 residential units on 54+/- acres for a gross density of 5.69 units per acre. Therefore, the proposed project is consistent with the proposed land use designation. Additionally, the proposed project was found to be consistent with all applicable policies of the land use element.

The proposed project will implement the intent of the general plan land use designation to provide additional housing opportunities for residents of the City of Soledad and the region at locations and densities identified in the general plan land use element.

**Circulation Element.** The proposed project includes the completion of Gabilan Drive from the eastern boundary of the project site to West Street. The completion of this arterial street is an important link in the circulation system in the vicinity of the project site. The proposed project also includes the construction of Andalucia Drive (Prado Drive) from Gabilan Drive to the La Cuesta Views Subdivision to provide a collector street through the proposed project and to provide secondary access to the La Cuesta Views Subdivision. Finally, the proposed project includes local streets to provide direct access to all residential lots. All arterial, collector, and local streets will be required to be constructed to city's standards. Therefore, the proposed project is consistent with the circulation element. The proposed project was found to be consistent with all applicable policies of the circulation element.

**Open Space Element.** The proposed project is proposing and will be required to convey or dedicate in fee a minimum of four acres for a public park site on the project site. Therefore, the proposed project is consistent with the open space element. The proposed project was found to be consistent with all applicable policies of the open space element.

**Housing Element, Conservation Element, Noise Element, Safety Element, and Scenic Highways Element.** These general plan elements

were reviewed and were found to contain no policies or programs directly applicable to the proposed project.

- 2 **Finding:** The proposed project will allow residential and public land uses on property adjacent to the existing city limits and surrounded on three sides by property within the existing city limits. The proposed project is considered an in-fill project which will provide additional housing opportunities to meet the existing and projected housing needs. The City of Soledad has planned to provide public services to this property and has completed substantial improvements to its water, sewer, and transportation systems to provide for this planned development.
- 3 **Finding:** The proposed project is compatible with the surrounding land uses. The surrounding land uses include single-family residential to the north and south and a proposed high school site to the west. Agricultural lands are located to the east and the proposed project, as conditioned, will be compatible with the existing agricultural lands. The proposed project includes an adequate on-site buffer zone to ensure that the proposed project is compatible with the existing agricultural lands.
- 4 **Finding:** The proposed project, as conditioned, will not be contrary to public health or public safety or public welfare. Mitigation measures addressing the proposed project's potential health and safety impacts are required as conditions of approval, including without limitation the following: adequate provision of public services including water service, sewer service, storm-drainage, fire protection services, and police protection services. Further, the City of Soledad has adopted a public facilities financing plan to provide adequate public facilities and to prevent the degradation of public facilities. The project proponent will be required to pay all applicable public facilities fees in conjunction with the proposed project. The City of Soledad Public Facilities Financing Plan prepared by Crawford Multari & Starr was adopted August 9, 1993.
- 5 **Finding:** The project site is physically suitable for the proposed project and the type of development proposed. The type of development proposed consists of residential and public land uses. The implementation of improvements will be consistent with the recommendations of the geologic and soils investigations for the project site, which evidence physical suitability for the type of development proposed.
- 6 **Finding:** The proposed project will not result in significant adverse environmental impacts with the exception of unavoidable significant adverse impacts concerning agricultural resources, ground-water resources, and schools. The City Council of the City of Soledad has found that the specific social, economic, environmental, and other benefits of the proposed project outweigh these unavoidable significant adverse environmental impacts. Therefore, the City Council of the City of Soledad has adopted a statement of overriding considerations pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15093.

## Exhibit D

### CEQA Certification and Findings

The CEQA Certification and Findings for this approval are set forth in Exhibit C of the Resolution Requesting the Monterey County Local Agency Formation Commission to Initiate Proceedings for a Sphere-of-Influence Amendment for the Andaluca Phase Four Subdivision and are incorporated herein by reference.