

CITY OF WATSONVILLE
CITY COUNCIL
6034

EXHIBIT B
Application No. PP2023-
APNs: 015-391-19 & 20
36 Airport Rd, Watsonville
Applicant: Bill Kempf
Hearing Date: October 22,

2024

TENTATIVE MAP CONDITIONS OF APPROVAL

These conditions of approval apply to the map titled "Preliminary Improvement Plans, Evan Circle, Tract 1518, Phase III," a subdivision of two parcels totaling 50,229 square feet and zoned RM-2 to allow a 13-lot single-family residential subdivision at 36 Airport Road, dated August 19, 2024. For the purpose of these conditions, the term "applicant" shall also mean the developer, subdivider, owner or any successor(s) in interest to the terms of this approval.

Standard Conditions:

1. Per Section 66452.6(a) of the State Subdivision Map Act, the Tentative Map is conditionally approved for twenty-four months. The map shall be null and void if not recorded within twenty-four months from the effective date of the approval thereof. Time extensions may be granted provided the applicant requests same at least thirty days in advance of the expiration of the approval by the City Council. This approval applies to the plans titled "Preliminary Improvement Plans, Evan Circle, Tract 1518, Phase III," and dated August 19, 2024. (CDD-P)
2. The Final Map shall be in substantial conformance with the approved Tentative Map unless modified by subsequent conditions of approval. After approval is granted, modifications to the Tentative Map or to conditions imposed may be considered in accordance with Chapter 13 (Subdivision Ordinance). (CDD-E and PW)
3. Approval is subject to the findings and supportive evidence in accordance with WMC §14-16.400 and WMC §13-04.09 of the Subdivision Ordinance with said Findings set forth in Exhibit "B" and made a part of this Tentative Map. (CDD-E)
4. The project shall be in compliance with all standards and/or conditions of all local, State, and Federal codes and ordinances, appropriate development standards, and current City policies as modified by the Administrative Use Permit. Any substantial deviation will be grounds for review by the City and may possibly result in revocation of the Tentative Map approval. (CDD-E, B)

Following revisions of the Improvement Plans shall be submitted before reviewing final map:

5. **Trash Receptacle Access.** Prior to building permit submittal, applicant shall modify the lot lines to provide three feet of clear access pathway between the trash enclosure storage areas and the street. Plans shall show three feet clear between the required parking spaces in the shared driveways between lots 1&2,

3&4, 5&6, 7&8, and 9&10 and Tentative Map shall reflect any changes in lot line location needed to accommodate clear access pathway. (CDD-P)

6. **Public Improvement Standards.** All public and private improvements shall comply with the most current version of the City of Watsonville Public Improvement Standards. Plans and design documents shall be signed and stamped by a California Licensed Architect or Engineer. Standards that are different than those of the City must be approved by the City. (CDD-E)
7. **Improvements Plan.** Improvement plans shall substantially conform to the tentative map. Provide all existing and proposed improvements and striping within the road right of way. Plans shall be designed in accordance with the City's Public Improvement Standards. Provide typical street sections. (CDD-E, CDD-P)
8. **Improvement Plan – Civil Plans.** Improvement plan submittal shall include civil plans prepared by a civil engineer licensed to practice in the state of California. Civil plans shall include grading, drainage, erosion control plans. (CDD-E)
9. **Homeowners Association (HOA) & the creation of Conditions, Covenants, and Restrictions (CC&Rs).** Applicant shall provide maintenance of facilities within common areas or the public right of way through the formation of a Homeowners Association (HOA) & the creation of Conditions, Covenants, and Restrictions (CC&Rs). A declaration of CC&Rs shall be recorded on the entire property concurrently with the Final Map. Said CC&Rs shall include provision for a homeowners association with the responsibility to maintain items that are specified therein. Only one homeowners association will be allowed for the entire development. (CDD-E, CDD-P)
10. **Covenants, Conditions, and Restrictions (CC&Rs).** The applicant shall prepare CC&Rs for review and approval by the Community Development Department. Such CC&Rs shall include all elements deemed necessary by the City Attorney. CC&Rs provision shall include the following specific restrictions:
 - a. No additions to or remodeling of a structure which extends beyond the original footprint.
 - b. Satisfactory provisions to create obligations and a method to amortize and pay for (together with lien rights) the maintenance and repair of exterior fences and walls, driveways and sidewalks, including street trees, and common areas.
11. **Public Rights-of-Way & Utility Easements.** Rights-of-way and public utility easements shall be offered for dedication to the City by certificate on the final map. Easements shall be for access, construction, maintenance and utilities. Applicant shall designate the portion of the flat path of travel behind the driveway ramp that is on private property as a public access easement. (CDD-E, CDD-P)
12. **Site Supervision.** Require posting of signs on the property that informs residents of the name and phone number of the person designated by the applicant to address noise complaints arising from project construction. This "disturbance coordinator" shall be required to investigate citizen complaints within 24 hours of receiving the complaint and contact the concerned party to explain how the problem has been addressed within 48 hours of the complaint. (CDD-E)

13. **Easements Required.** Applicant shall provide easements for all drainage that crosses property lines. (CDD-E)
14. **Improvement Agreement.** Applicant shall enter into an improvement agreement with the City to install public and offsite improvements, furnish securities, insurances and pay the cost of all engineering review and inspection. Said agreement shall be in a form acceptable to the City Attorney. Subdivider shall provide an itemized estimate of the cost of construction of all offsite and public improvements. The cost estimate shall be approved by the City and used to establish the amount of the Securities. (CDD-E)
15. **Easements - Encroachment.** No permanent improvements may be constructed over any existing easements without written authorization from the easement holder. (CDD-E)
16. **Erosion and Sediment Control Plan or Stormwater Pollution Prevention Plan.** The applicant shall submit an Erosion and Sediment Control Plan or Stormwater Pollution Prevention Plan prepared by a registered professional engineer or qualified stormwater pollution prevention plan developer as an integral part of the grading plan. The Plan shall be subject to review and approval of the City prior to the issuance of a grading permit. Erosion control plans shall provide Best Management Practices (BMPs) during construction to prevent sediment, debris and contaminants from draining offsite. BMP's shall comply with the City of Watsonville Erosion Control Standards and the Erosion and Sediment Control Field Manual by the California Regional Water Quality Control Board, San Francisco Region, latest edition. The Plan shall include all erosion control measures to be used during construction, including run-on control, sediment control, and pollution control measures for the entire site to prevent discharge of sediment and contaminants into the drainage system. All erosion control shall be installed prior to October 15 and be maintained in place until April 15. The applicant shall ensure that all contractors are aware of all erosion control standards and BMP's. (CDD-E)
17. **Post-Construction Stormwater Management Requirements.** The project is subject to the City's post-construction stormwater management requirements, pursuant to WMC Section 6-3.535. The applicant shall prepare a final stormwater control plan (SWCR) that demonstrates compliance with post-construction requirements to the satisfaction of the City Engineer, prior to issuance of a building permit. (CDD-E)
18. **Grading Plans.** Grading plans shall comply with the City grading ordinance.
19. **Soils Report.** Plans shall strictly adhere to the soils report. (CDD-E, CDD-B)
20. **On-Site Sewer & Storm Drain Systems.** The on-site sewer and storm drain systems shall be privately owned and maintained up to the point of tie-in to the existing City main. Applicant shall submit draft language for the project Conditions, Covenants and Restrictions stating that the Homeowner's Association shall be responsible for the operation, maintenance, repair and replacement of the on-site sewer and storm drain facilities, up to the point of tie-in to existing City mains for review and approval by CDD-P. (CDD-E, CDD-P)

21. **Americans with Disabilities Act.** Design all public improvements according to Americans with Disabilities Act accessibility requirements.
22. **Underground Utilities.** Install all utility lines and facilities for power and communications underground within or adjacent to the development. No overhead services to the property or overhead extensions of main lines shall be permitted. Service plans shall be approved by the respective utility company and the City prior to the recordation of the final map. (CDD-E, PW&U)
23. **Engineering Testing & Inspection Agreement.** Prior to permit issuance, applicant shall execute an Engineering Testing and Inspection Agreement and submit it to the City for approval. Applicant shall hire a testing firm to perform engineering testing and inspection, such as soils and concrete testing and inspection. The applicant may hire only those testing firms that are listed on the Special Inspection Agency Recognition List. The testing and inspection shall be done at the direction of the City Inspector. The firm shall report nonconforming items to the City Inspector and furnish daily, weekly and final reports as outlined in the agreement and directed by the City Inspector. (CDD-E, -B)
24. **Underground Service Alert.** Prior to excavation, contractor shall locate all existing underground utilities. Call Underground Service Alert (U.S.A.) at 1-800-642-2444 to have utilities located and marked in the field. (CDD-E)
25. **Damaged Public Facilities.** Existing public facilities damaged during the course of construction or in an existing state of disrepair shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City Engineer. (CDD-E)
26. **Inspection Notice.** Contractor shall provide a minimum of 48 hours notice in advance of any required inspection. Any temporary suspension of work or returning to work for any reason shall be cause for the developer or contractor to telephone the Public Works Inspector at 831-768-3100. (CDD-E)

Prior to recordation of the Final Map, the following requirements must be satisfied:

27. **Final Map.** Provide a Final Map prepared by or under the direction of a licensed land surveyor or registered civil engineer, prepared in accordance with the Subdivision Map Act. Submit four (4) copies of the final map, one 8-1/2" x 11" copy of the site plan, two copies of property boundary closure calculations and one copy of a recent title report. (CDD-E)

During construction, the following conditions shall be adhered to:

28. **Noise-Generating Equipment – Hours.** Noise-generating construction equipment, including truck traffic arriving and departing the site, shall not occur between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday. No building activity will be allowed on Sundays or holidays. (CDD-B, PW&U)
29. **Noise-Generating Equipment - Mitigation.** All construction equipment powered by internal combustion engines shall be properly muffled and maintained. All stationary noise generating construction equipment such as air compressors shall be located as far as practical from the existing residences. Such equipment shall be acoustically shielded where possible. The prudent selection of equipment

along with the use of proper mufflers should result in maximum construction-related noise generated by a particular piece of equipment of no more than 85 dBA when measured at a distance of 50 feet from the piece of equipment operating at its noisiest mode. (CDD-B, PW&U)

30. **Staking & Flagging.** Limits of grading shall be staked or flagged in the field. (CDD-B, P, PW&U)
31. **On/Off Site Permit.** Separate On/Off Site Permits are required for work in the public right- of-way. (CDD-P)
32. **Solid Waste Service Plan.** Solid waste generated during the construction shall be serviced by the City of Watsonville Solid Waste Division. Applicant shall submit a Solid Waste Service Plan on the City form. (PW&U)
33. **Storm Drain Systems/Hydraulics.** The Project applicant shall have prepared calculations demonstrating the hydraulic adequacy of new storm drains and open channels proposed for a development. The hydraulic study for storm drain systems shall evaluate the hydraulic capacity of proposed drains and existing receiving drains to limits downstream as required by the City staff. (PW&U)
34. **Storm Drain Systems/BMP Maintenance Agreement.** The project applicant shall execute an agreement in the standard form providing for the maintenance, monitoring, and reporting of those activities to the City of Watsonville storm drain systems best management practice measures. (PW&U)
35. **Utility Screening.** The locations of surface mounted utility facilities such as pedestals, transformers backflow devices and fire services shall be planned so that may be screened utilizing landscaping or other acceptable, visually pleasing means subject to the review and approval of the City of Watsonville. (PW&U)
36. **Dust Control.** To minimize dust/ grading impacts during construction the applicant shall:
 - a. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day to minimize dust.
 - b. Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.
 - c. Sweep the adjacent street frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
 - d. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off-site.
 - e. The City shall have the authority to stop all grading operations, if in opinion of city staff, inadequate dust control or excessive wind conditions contribute to fugitive dust emissions. (CDD-B, PW&U)
37. **Street Names & Address Assignment.** Applicant shall provide proposed street names and submit application for address assignments. (CDD-E)

38. **Onsite Superintendent.** Applicant shall have onsite at all times, a superintendent that shall act as the owner's representative and as a point of contact for the City's Public Works Inspector. The superintendent shall be authorized by the Owner to direct the work of all contractors doing work on public and private improvements. (PW&U)
39. **Letters from Design Professionals.** Prior to final City acceptance of the project, all design professionals who prepared improvement plans for the project (civil, geotechnical, electrical and structural engineers), shall provide letters attesting that they have periodically monitored the construction and have reviewed the completed work and that it was constructed in substantial conformance with their plans and recommendations. Where special inspections and testing were involved, the letters of compliance shall be accompanied by inspection logs, testing and analysis that support the engineer's conclusions. (CDD-B, PW&U)
40. **Hazardous Materials.** The subdivider shall be subject to compliance with all applicable regulations governing the disposal, use, storage, and transportation of hazardous materials including: local fire codes; the Hazardous Materials Transportation Act; the California Health and Safety Code; the Resource Conservation and Recovery Act of 1976; and the California Hazardous Waste Control Act. (PW&U)
41. **Construction Waste.** All solid waste generated inside Watsonville City limits must be hauled from the site of generation by the City of Watsonville Solid Waste Division as per Watsonville Municipal Code, Chapter 6-3, City Utilities. This includes all wastes generated at construction sites, excavation projects, land clearing, demolition, earthwork projects, remodels, grading and tenant improvement projects. (PW&U)
42. **Solid Waste Containers.** The applicant shall provide solid waste disposal containers on-site during all phases of construction. The accumulation of refuse and debris which may constitute an unsightly/unsafe public nuisance to surrounding properties is not permitted.

Prior to occupancy, the following conditions must be adhered to:

43. **Public and Private Improvements.** All public and private improvements necessary to serve each unit including water, sewer, storm drain, lighting, and landscaping and irrigation shall be constructed to the satisfaction of the Community Development and Public Works and Utilities Departments. (CDD-E, PW&U)
44. **As-Built Plans.** Submit electronic copies (preferably in pdf file format) of the approved as built plans for civil and landscape/irrigation and the Storm Water Control Plan & Sewer Operation & Maintenance Plan for city record keeping. (CDD-E)

Indemnity Provision

45. **Indemnity Provision.** If any legal challenge against the project approvals is submitted to the City or filed in a Court of law, applicant shall defend, indemnify, release and hold harmless the City, its agents, offices, attorneys, employees, boards and commissions from a claim, action or proceeding brought against any

of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the Applicant, third parties and/or the indemnities, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the indemnities.

Key to Department Responsibility

CDD-B - Community Development Department (Building)

CDD-P - Community Development Department (Planning)

CDD-E - Community Development Department (Engineering)

PW&U - Public Works and Utilities Department

CA - City Attorney