# CITY OF WATSONVILLE CITY COUNCIL

#### **EXHIBIT "A"**

**Application No: PP2018-11** 

**APNs:** 015-321-01 **Applicant:** Raoul Ortiz

Hearing Date: August 24, 2021

### **TENTATIVE MAP FINDINGS (WMC § 13-04.09(d))**

1. The proposed map is consistent with the General Plan or any applicable Specific Plan, the Zoning code, WMC Chapter 4 (Major Subdivisions) of Title 13, the Subdivision Map Act, and other applicable provisions of this code.

#### Supportive Evidence

The proposed residential development is located on parcel APN 015-321-01 presently designated Industrial on the General Plan Land Use Diagram and within the IP Zoning District. Residential units are not a permitted use; therefore, to allow residential development on the parcel, the project requires an amendment of the General Plan Land Use Diagram from Industrial to Residential High Density and an amendment of the Zoning Map from IP to RM-3 with a Planned Development Overlay.

The purpose of the Residential High Density designation is to provide living environments through multi-story apartment and condominium type housing at densities of between 14 and 36.99 dwelling units per acre. The project includes construction of 21 townhouse-style dwelling units. The proposed density of the project is 16.2 units per acre. Therefore, the project is consistent with the dwelling type and residential density standards permitted in the Residential High Density designation.

The project is consistent with the following General Plan goals, policies and implementation measures:

Land Use Element Goal 4.7: Land Use Suitability. Ensure that the orderly
development of land for the needs of the existing and projected population
within in the City limit and Sphere of Influence is based on the land's overall
suitability, including: the accessibility of existing and proposed public facilities,
services, and utilities, physical and financial constraints; and/or growth inducing
impacts.

The project site has been used as a rebar manufacturing site since 1993. The proposed project would be an infill project converting the site/land use to residential use. The site is within close proximity to existing utilities that can be extended to serve the project. The project would not induce population growth other than the residents that would directly inhabit the proposed residential units.

- Land Use Element Policy 4.B: Neighborhood Preservation. The City shall plan for the protection of existing neighborhood qualities and the provision of adequate neighborhood facilities in developing areas.
- Land Use Element Implementation Measure 4.B.2: New Neighborhood Facilities. The City shall utilize land use controls, such as, specific plan, LOS standards, and zoning development controls, to ensure balanced neighborhood development in a compact pattern, and to avoid premature extension of public facilities and services.
- Land Use Element Implementation Measure 4.A.2: Land Use Compatibility. The City shall monitor housing production to ensure compatibility with surrounding land uses.

Although the proposed project is located adjacent to light industrial uses to the west and south, and the airport to the north, it is also adjacent to the existing Colonial Manor manufactured home residential development to the east. The proposed project will be built to a similar density to the manufactured housing project. The proposed project is consistent with City of Watsonville *Livable Community Residential Design Guidelines* (2001).

The proposed project includes a General Plan Amendment and rezoning to change the land use designation and zoning of the project site to Residential High Density and RM-3, respectively. The rezoning would include adopting a PD Overlay District that would allow smaller lot sizes and more compact patterns of development. With approval of the proposed rezoning, the project would be consistent with applicable land use controls.

- Land Use Element Goal 4.4 Industrial Land Use Achieve economic diversification, living wage employment, the preservation of the agricultural economic base of the Pajaro Valley, and maintain a balance among jobs, housing, and other urban land uses.
- Land Use Element Policy 4.D: Industrial Land Use. The City shall promote modernization of existing industrial plants and the location of new industrial facilities on lands planned for industry in Watsonville 2005 General Plan.
- Land Use Element Implementation Measure 4.D.4: Industrial Reserve.
   The City shall maintain a reserve of industrial land sufficient to meet the long-term job creation goals and to enable the City to maximize economic opportunities consistent with the city's Comprehensive Economic Development Action Plan.

The 1.57-acre project represents approximately 0.3 percent of the 559.6 acres of land designated as Industrial in the General Plan, and the same percentage of the 550.8 acres zoned either Industrial Park (IP) or General Industrial (IG). The existing industrial operation is small and not a major employer in the City. The site also abuts the Residential Medium Density land use designation to the east. Therefore, changing the designation will represent a small, marginal adjustment to

the overall Land Use Plan with minimal changes to the City's industrial base and the ability to maintain a robust number of jobs in the City. The conversion of this small site does not compromise the reserve of industrial land in the city. There will still be a robust industrial base on the roughly 550 acres of industrial land remaining in the city.

- **Urban Design Element Goal 5.1: Visual Resources.** Preserve and enhance the built and natural visual resources within Watsonville.
- **Urban Design Element Goal 5.2: Community Appearance.** Blend new development and recognized values of community appearance and scenic qualities, and ensure that new development enhances, rather than detracts from its surroundings.
- Urban Design Element Goal 5.6: Urban Design. Achieve high standards of street, site and building design that are both efficient, and aesthetically pleasing.
- Urban Design Element Policy 5.B Design Consistency The City shall review new development proposals to encourage high standards of urban design and to ensure that elements of architectural design and site orientation do not degrade or conflict with the appearance of existing structures.
- Urban Design Element Implementation Measure 5.A.4: Development Standards – In addition to the Design Review Guidelines, the City shall use the adopted standards for multiple family residential developments to ensure that medium- and high-density development is designed so as to enhance rather than detract from the urban environment.
- Urban Design Element Implementation Measure 5.B.3: Enhancement –
  The City shall utilize the development standards, zoning ordinance regulations
  for each district, and the design review guidelines to ensure that new
  development is an asset to the existing neighborhood and community with
  regard to parking, landscaping, open space, and project design.

Residential development would be consistent with the City of Watsonville *Livable Community Residential Design Guidelines* (2001). Specifically, residential units have been designed with facades that are well composed, balanced, and appropriately articulated to reflect the scale and street orientation of Watsonville's traditional neighborhoods. The massing of wall and roof planes would be sufficiently broken up by the use of offsets in surfaces, changes in roof plane, variations in color, materials and trim. The streetscape plan would ensure that both the internal street system and the public frontage are aesthetically pleasing.

 Housing Element Goal 3.0: Housing Production — Provide housing opportunity for Watsonville's share of the regional housing need for all income groups.

- Housing Element Policy 3.1 Encourage the production of housing that
  meets the needs of all economic segments, including lower, moderate, and
  above moderate-income households, to achieve a balanced community.
- **Housing Element Policy 3.2** Provide high quality rental and ownership housing opportunities for current and future residents that are affordable to a diverse range of income levels.
- **Housing Element Policy 3.4** Continue to implement the Affordable Housing Ordinance, Density Bonus Ordinance, and other programs as a means of integrating affordable units within new residential development.
- Housing Element Policy 4.2. Implement and enforce residential design guidelines to ensure that the community's expectations are met with respect to the quality and style of housing projects.
- Housing Element Program 18: Design Review Process The City will continue to use the Livable Community Residential Design Guidelines in concert with the City's General Plan, Zoning and Subdivision Ordinance and other area plans. The City will continue to ensure that projects comply with the City's design review process and the Design Guidelines.

The project will create 21 units of new for-sale housing. The project is required to provide 15 percent (3 units) of the 21 units as affordable, in accordance with the City's Affordable Housing Ordinance, and will help the City meet the production goals of the Housing Element to provide housing for all income groups. The project is designed to be architecturally compatible with the existing development in the neighborhood. The site planning provides both private and common open space amenities for the benefit of the residents. The development will be consistent with the City of Watsonville *Livable Community Residential Design Guidelines* (2001). An existing residence on the property will be demolished as part of project development.

- Housing Element Goal 4.0: Removal of Government Constraints Where appropriate, mitigate unnecessary governmental constraints to the maintenance, improvement, and development of housing.
- Housing Element Program 17: Planned Development District The City will continue to use the PD designation to provide flexibility in developments and facilitate creative housing option as well as explore amendments to the Zoning and Subdivision Ordinances to encourage lot consolidation in districts with substandard lots, fee and development waivers for projects meeting redevelopment criteria and other incentives for developers and property owners in such districts. The City will consider other options to encourage lot consolidation, such as a smaller lot size for PD development.

The Planned Development (PD) process can be used to make modifications to subdivision and zoning district development standards for project sites that exceed one acre. The purpose of the PD process is to provide a technique to foster

development plans which serve public objectives more fully than development plans permitted under conventional zoning regulations. A PD Overlay District may provide for modifications on district regulations, such as to building setbacks, lot coverage, lot area and street standards.

The proposed project serves public objectives more fully than development plans permitted under conventional zoning regulations, in that proposed site layout, orientation and location of buildings, clustered development away from riparian areas, vehicular access, pedestrian circulation, parking, setbacks, common open space areas and communal amenities, and similar elements have been designed to create an attractive, livable project which addresses the housing needs of the City without having a negative effect on nearby neighborhoods and natural open spaces. Therefore, the proposed project and modifications to district regulations conform to the general purpose and intent of the RM-3 Zoning District with a PD Overlay.

2. The design or improvement of the proposed subdivision is consistent with the General Plan and any applicable Specific Plan.

#### Supportive Evidence

The proposed residential development component of the project is consistent with the dwelling type and residential density standards permitted in the General Plan for land designated as Residential High Density. The project design is also compatible with existing residential neighborhoods on adjacent properties. The Colonial Manor manufactured housing to the east of the site includes higher-density housing. The proposed project is near, but not adjacent to, the existing single-family neighborhood southeast of the project site. The properties west and south of the site are predominantly light industrial in one and two-story tilt-up concrete buildings. The airport is north of the project site. None of these uses creates a significant compatibility issue such as noise impacts. A condition of approval requires the preparation of an acoustical analysis prior to issuance of a building permit to confirm noise levels will not exceed specified thresholds in the General Plan.

3. The site is physically suitable for the proposed type of development.

#### **Supportive Evidence**

The project site is flat and existing utilities serve the site. No roads need to be extended to serve the property.

4. The site is physically suitable for the proposed density of development.

#### **Supportive Evidence**

The proposed project involves an amendment of the General Plan Land Use Diagram from Industrial to Residential High Density. The purpose of the Residential High Density designation is to provide housing at densities of between 14 and 36.99 dwelling units per acre. The proposed density of the project is 16.2 units per acre, which is within the permitted range for land designated Residential High Density.

5. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

#### Supportive Evidence

A Draft MND was prepared for the proposed project, which includes a biological resources report. Various biological-related impacts were found to be potentially significant but mitigable to less than significant levels. Identified measures that mitigate direct and/or indirect effects to wildlife and their habitat from implementation of the project have been included as conditions of approval.

6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

#### **Supportive Evidence**

The proposed project design is compatible with existing residential neighborhoods on adjacent properties. The Draft MND determined that the project would not generate any hazards or hazardous materials. Demolition of the existing structures could release hazardous substances but mitigation measures are proposed to reduce the potentially significant effects to less than significant levels. Therefore, the project will not cause public health problems.

7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

#### **Supportive Evidence**

A 10-foot drainage easement is located adjacent to the southerly property boundary. Proposed project development would not conflict with said easement.

8. The waste discharge from the proposed subdivision into a community sewer system will not result in or add to violations of existing requirements prescribed by the Regional Water Quality Control Board.

#### Supportive Evidence

The City provides wastewater service to the Watsonville, Pajaro, Freedom and Salsipuedes sanitary districts. The City maintains more than 170 miles of collection pipelines and numerous pump stations to ensure that wastewater flows without interruption to the Watsonville Wastewater Treatment Facility (WWTF), located at 401 Panabaker Lane. While WWTF has the capacity to treat 12.1 million gallons of effluent per day, the facility currently treats an average of 6.7 million gallons per day from residential, commercial and industrial sources.

Section 6.19 of the Draft MND prepared for the proposed project provides an assessment of potential impacts to all public services and utilities, including the City's sewer system. The proposed project is estimated to generate approximately 6,002 gallons of wastewater per day. The existing WWTF has adequate capacity

to serve the proposed project and, therefore, expansion or construction of a new treatment facility is not required.

9. If the land is subject to any of the development restrictions included in Section 66474.4(a) of the Subdivision Map Act (including, but not limited to, Williamson Act contracts, open-space easements, and conservation easements), then the findings required by Section 66474.4 must be made to approve or conditionally approve the tentative map.

## Supportive Evidence

The project site is used to manufacture reinforcing steel (rebar) and is not subject to any of the development restrictions included in GOV section 66474.4(a), including, but not limited to, Williamson Act contracts, open-space easements, and agricultural conservation easements.

10. If the Tentative Map is subject to the water supply requirements included in Section 66473.7 of the Subdivision Map Act, then the findings required by Section 66473.7 must be made to approve or conditionally approve the tentative map.

#### **Supportive Evidence**

As a full service City, all public services are in place to serve the proposed development. In addition, impact fees will be collected to pay the project's fair share on provided capital facilities, including the potable water treatment and distribution system. The impact fee is also used to retrofit water fixtures such as toilets and showerheads within the City. The water retrofit program results in a savings of 748 gallons of water per month.

Section 6.19 of the Draft MND prepared for the proposed project provides an assessment of potential impacts to all public services and utilities, including the City's water supply system. The City's groundwater wells are capable of providing for both current and projected water demands during normal and drought hydrologic conditions. The existing water supply system has sufficient capacity and infrastructure to provide water to the proposed residential development.

# CITY OF WATSONVILLE CITY COUNCIL

#### **EXHIBIT "B"**

**Application No: PP2018-11** 

APNs: 015-321-01 Applicant: Raoul Ortiz

Hearing Date: August 24, 2021

# TENTATIVE MAP CONDITIONS OF APPROVAL

These conditions of approval apply to the Tentative Map for the proposed Airport Boulevard Townhomes Development Project, a subdivision of a 1.57-acre site into 21 residential lots and one common area parcel, located at 547 Airport Boulevard. 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. **Conditional Approval Timeframe.** The Tentative Map is conditionally approved for **24 months**, in accordance with Section 13-4.10(a) of the Watsonville Municipal Code (WMC) and Section 66452.6 of the State Subdivision Map Act. The map shall be null and void if not recorded within 24 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 plans titled "Tentative Map, 547 Airport Boulevard Townhomes," and received by the Community Development Department on January 3, 2018, and revised on February 16, 2021. (CDD-P)
- 2. **Final Map.** 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 Title 13 (Subdivision Ordinance) of the Watsonville Municipal Code. (CDD-E, PW)
- 3. **Findings.** Approval is subject to the findings and supportive evidence in accordance with WMC Section 13-04.09(d) of the Subdivision Ordinance with said Findings set forth in Exhibit "A" and made a part of this Tentative Map. (CDD-E)
- 4. **Substantial Conformance.** 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 Special Use Permit with Design Review. Any substantial deviation will be grounds for review by the City and may possibly result in revocation of the Tentative Map approval. (CDD-P, -E, -B)
- 5. **Indemnity Agreement.** The applicant shall agree in writing to indemnify and defend the City in case of legal challenge arising out of the City approving the project. Said agreement shall be subject to approval of the City Attorney. (CAT)

# <u>Improvement Plans shall be submitted before reviewing Final Map and include the following:</u>

- 6. **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. Applicant 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, CAT)
- 7. **Improvement Standards.** All improvements in the public or private right-of-way 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)
- 8. **Improvement Plans.** Improvement plans shall substantially conform to the Tentative Map. Provide all existing and proposed improvements and striping within the road right-of-way, where appropriate. Plans shall be designed in accordance with the City's Public Improvement Standards. (CDD-E, -P)
- 9. **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, and erosion control plans. (CDD-E, PW)
- 10. CC&Rs. The applicant shall prepare Covenants, Conditions, and Restrictions (CC&Rs) for review and approval by the Community Development Department and City Attorney. A declaration of CC&Rs shall be recorded on the entire property concurrently with the Final Map. Said CC&Rs shall include provision for the establishment of a Homeowners Association (HOA) with the responsibility to maintain items that are specified therein. CC&Rs provision shall include the following specific elements:
  - a. Require the establishment of one HOA for the entire development area;
  - b. Require the maintenance and operations by the HOA of the common open space areas (including common recreational areas), private roads, curbs, gutters, sidewalks, walkways, street lighting, street trees, on-street guest parking, accessible parking, landscaping (including landscaping in the riparian/natural open space area), trails (including the extension of the public access trail within the riparian setback area), utility easements, exterior fences, retaining walls, and storm water management and detention facilities (including bioretention "raingarden" areas);
  - c. Provide a budget for maintaining facilities within common areas;

- d. Create obligations and a method to amortize and pay for (together with lien rights) the maintenance and repair of facilities within common areas;
- e. Prohibit additions to or remodeling of a structure which extends beyond the original footprint;
- f. Require that garage interiors not be converted to or used for any purpose which interferes with parking of the number of motor vehicles for which the garage was designed, and no temporary storage shall be allowed which would interfere with the parking of said vehicles; and
- g. Require that the HOA shall not dissolve or relinquish their maintenance obligations without review by the City Manager and approval by the City Council at a public hearing. (CDD-P, -E, CAT)
- 11. Maintenance of Detention Basins. Provide draft language for incorporation in the CC&Rs describing maintenance responsibility of and schedule for detention basins for review and comment by the Public Works and Utilities Department. Include language that the HOA shall implement said maintenance in accordance with 547 Airport Boulevard Townhomes Rain Garden Maintenance and Operations Plan. Plan shall be reviewed and approved by the Public Works Director or designee. (CDD-P, PW)
- 12. Addressing Potential Homeless Issues. Provide draft language for incorporation in the CC&Rs for how the HOA will address potential homeless encampments, including but not limited to the following:
  - a. Call police within 24 hours of complaint of illegal camping, fires, and/or alcohol use;
  - b. Cleanup or hire City to cleanup encampments or encampment trash in and around detention basins within 72 hours:
  - c. If City called to provide service there will be fee for service to be paid by the HOA:
  - d. If issue persists beyond 72 hours, City may move forward with cleanup and charge fee for service to be paid by the HOA; and
  - e. Report all suspicious activity within 24 hours.
- 13. CC&Rs and Liability. The issuance of this permit does not exempt the owner of the property for which this permit is issued from liabilities which may arise out of failure to comply with applicable CC&Rs. PLEASE BE ADVISED THAT THE PROPERTY OWNER PREPARE CC&R's FOR THE PROJECT AND PRIVATE LEGAL ACTION MAY BE BROUGHT AGAINST THE PROPERTY OWNER FOR FAILURE TO COMPLY WITH ALL APPLICABLE CC&Rs AND THAT THE CITY OF WATSONVILLE DOES NOT ENFORCE CC&Rs. (CAT)

- 14. **Public Access & 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. (CDD-E)
- 15. **Off-site Easements.** Applicant shall secure easements for any and all facilities, which are to be located off-site, on private property, including but not limited to drainage outfalls, guest parking stalls, and emergency access. (CDD-E, -P)
- 16. **Written Authorization.** No permanent improvements may be constructed over any existing easements without written authorization from the easement holder. (CDD-E)
- 17. 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. 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. The Plan shall include the following measures as applicable.
  - Throughout the construction process, ground disturbance shall be minimized, and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.
  - All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff using appropriate BMPs such as silt fences, diversion berms and check dams. Fill slopes shall be stabilized and covered when appropriate. All exposed surface areas shall be mulched and reseeded. All cut and fill slopes shall be protected with hay mulch and/or erosion control blankets, as appropriate.
  - All erosion control measures shall be installed according to the approved plans
    prior to the onset of the rainy season but no later than October 15th. Erosion
    control measures shall remain in place until the end of the rainy season but
    may not be removed before April 15th. The applicant shall be responsible for
    notifying construction contractors about erosion control requirement.
  - Example design standards for erosion and sediment control include, but are
    not limited to, the following: avoiding disturbance in especially erodible areas;
    minimizing disturbance on slopes exceeding 30 percent; using berms, swales,
    ditches, vegetative filter strips, and catchbasins to prevent the escape of
    sediment from the site; conducting development in increments; and planting
    bare soils to restore vegetative cover.

- The applicant will also develop an inspection program to evaluate if there is any significant on-site erosion as a result of the rainfall. If there were problem areas at the site, recommendations will be made to improve methods to manage onsite erosion. (CDD-E, PW)
- 18. **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 (PCR) 1-4 to the satisfaction of the City Engineer, prior to issuance of a building permit. (CDD-E)
- 19. **Grading Plans.** Grading plans shall comply with the City grading ordinance. (CDD-E)
- 20. **Soils Report.** Plans shall strictly adhere to the soils report. (CDD-E, -B)
- 21. **Street Light.** A new street light shall be installed in the public right-of-way near the northwest corner of the site. (CDD-E, PW)
- 22. **Street Trees**. Street trees shall be installed along Airport Boulevard, in accordance with the City's Urban Greening Plan (2012) and Public Works Standards S-804. Said trees shall be spaced 25' to 30' feet apart in front of the site and be placed in such a manner to avoid existing PG&E gas mains. (CDD-E, PW)
- 23. **ADA Path of Travel.** Design all site improvements according to Americans with Disabilities Act (ADA) requirements. The project shall provide accessible paths, curb ramps and/or crosswalks, as necessary, to interconnect the site, including the pedestrian paths to the row-style townhouse units. (CDD-B)
- 24. **Solid Waste Service Plan.** Solid waste generated during the construction of this project shall be serviced by the City of Watsonville Solid Waste Division. Applicant shall submit a Solid Waste Service Plan prior to approval of the final map and improvement plans so that City staff may determine what services will be required during construction. (CDD-E, PW)
- 25. **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)

- 26. **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)
- 27. **Utility Connection.** The project shall connect to City utilities. (CDD-E)
- 28. **Underground Utilities.** Utilities related to new construction shall be installed underground. New construction that abut a public street, place, or way that contain existing overhead utilities shall relocate such existing overhead utilities underground, except as may otherwise be exempted by WMC Chapter 7-16. (CDD-E)
- 29. **Power and Communications 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; aerial services are prohibited. Service plans shall be approved by the respective utility company and the City prior to the recordation of the final map. (CDD-E, PW)
- 30. **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 Zoning Administrator. (CDD-P)
- 31. **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)
- 32. **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:

- 33. **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)
- 34. **Recorded Overflight Notification.** The applicant shall provide a form of buyer awareness documentation recorded in the chain of title of the property stating that the property may be subject to annoyances and inconveniences associated with the flight of aircraft to, from, and around the Watsonville Municipal Airport.

The notification shall contain language dictated by state law with regard to airport proximity disclosure and shall adhere to a format similar to the following:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

The notification shall be evident to prospective purchasers of the property and shall appear on the property deed. (CDD-P)

### <u>During construction, the following conditions shall be adhered to:</u>

- 35. **On/Off Site Permit.** Separate On/Off Site Permits are required for work in the public right-of-way and on the project site. The applicant shall obtain an encroachment permit for all off-site work. (CDD-E)
- 36. **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)
- 37. Construction Noise Control Best Management Practices (MM NOISE-1). The applicant shall implement the following construction noise reduction techniques during construction activities:
  - a) Construction work hours shall be limited to the hours of 7 AM to 7 PM.
  - b) A sign on site shall identify the project by name and shall also provide a contact name and phone number for the job site and the project's representative for addressing noise concerns.
  - c) Heavy equipment engines shall be covered and exhaust pipes shall include a muffler in good working condition.
  - d) Stationary equipment such as compressors, generators, and welder machines shall be located as far away from surrounding residential land uses as possible. The project shall connect to existing electrical service at the site to avoid the use of stationary, diesel- or other alternatively-fueled power generators, if feasible.
  - e) Impact tools such as jack hammers shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. When use of pneumatic tools is unavoidable, it shall be ensured the tool will not exceed a decibel limit of 85 dBA at a distance of 50 feet. Pneumatic tools shall also include a noise suppression device on the compressed air exhaust.

- f) No radios or other amplified sound devices shall be audible beyond the property line of the construction site.
- g) Prior to the start of any construction activity, the Applicant or its contractor shall prepare a Construction Noise Complaint Plan that identifies the name and/or title and contact information (including phone number and email) of the Contractor and District-representatives responsible for addressing construction-noise related issues and details how the District and its construction contractor will receive, respond, and resolve to construction noise complaints. At a minimum, upon receipt of a noise complaint, the Applicant and/or Contractor representative identified in the Plan shall identify the noise source generating the complaint, determine the cause of the complaint, and take steps to resolve the complaint. (CDD-B, -E, PW)
- 38. **Grading Area.** Limits of grading shall be staked or flagged in the field. (CDD-B, E, PW)
- 39. **Nesting Bird Avoidance (MM BIO-1).** If construction, grading, or other project-related improvements are scheduled during the nesting season of protected raptors and migratory birds, a focused survey for active nests of such birds shall be conducted by a qualified biologist within seven (7) days prior to the beginning of project-related activities. The results of the survey shall be sent to the City of Watsonville prior to the start of project activities. The minimum survey radii surrounding the work area shall be the following: i) 250 feet for passerines; ii) 500 feet for other small raptors such as accipiters; iii) 1,000 feet for larger raptors such as buteos. Nesting seasons are typically defined as follows: i) March 15 to August 30 for smaller bird species such as passerines; ii) February 15 to August 30 for raptors.

The following measures shall be taken to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of construction-related vegetation removal and site disturbance:

- a) To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (generally prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.
- b) If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and preconstruction nesting survey for nesting bird species no more than seven (7) days prior to initiation of work. A qualified wildlife biologist is an individual who possesses, at a minimum, a bachelor's or advanced degree, from an accredited university, with a major in biology, zoology, wildlife biology, natural resources science, or a closely related scientific discipline, at least two years of field experience in the biology and natural history of local plant, fish, and wildlife resources present at the development site, and knowledge of state and federal laws regarding the protection of sensitive and endangered

species. The qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest in the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (i.e., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted within the project area and 250 feet of the construction limits for nesting non-raptors and 1,000 feet for nesting raptors, as feasible. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven (7) days, an additional nesting bird survey shall be performed.

- c) If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within the buffer zone established under BIO-2. Monitoring, by a qualified biologist, shall be required to ensure compliance with the relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented. Active nests found inside the limits of the buffer zones or nests within the vicinity of the project site showing signs of distress from Project activity, as determined by the qualified biologist, shall be monitored daily during the duration of the project for changes in breeding behavior. If changes in behavior are observed (e.g., distress, disruptions), the buffer shall be immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detected. The nest protection buffers may be reduced if the qualified biologist determines in compliance with CDFW permit requirements (if any) that construction activities would not be likely to adversely affect the nest. If buffers are reduced, twice weekly monitoring may need to be conducted to confirm that construction activity is not resulting in detectable adverse effects on nesting birds or their young. The qualified biologist may implement an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact, subject to compliance with CDFW permits (if any). Construction shall not commence within the prescribed buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use. A report of the findings will be prepared by a qualified biologist and submitted to the City prior to the initiation of construction-related activities that have the potential to disturb any active nests during the nesting season.
- d) City staff will not issue permits for ground disturbing activities until after the site has been surveyed by a qualified biologist to ensure that no active nest disturbance or destruction will occur as a result of the project. If necessary, nest protection buffers will be fenced off and active nest monitoring will be initiated prior to permit issuance. (CDD-B, -E, PW)

**Mitigation Monitoring BIO-1.** Prior to issuance of any grading permit(s), the City shall review and approve the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive species, which shall be noted on the final project plans. The project proponent shall not initiate any ground disturbing activity until applicant has submitted evidence to the City that Mitigation Measures BIO-1 and BIO-2, have been completed and are consistent with USFWS

and/or CDFW permit requirements (if agency involvement is required). In addition, prior to ground disturbing activities, the City shall be provided with a written summary of the results of surveys by a qualified biologist to ensure that no active bird nest disturbance or destruction of breeding bat roosts will occur as a result of the project. If necessary, nest protection buffers will be fenced off and active nest monitoring will be initiated prior to permit issuance. A qualified biologist will also provide worker-awareness training prior to any work within aquatic habitats or adjacent upland habitat where California red-legged frog have potential to occur. (CDD-B, -E, PW)

- 40. **Active Nest Buffer (MM BIO-2).** The applicant shall designate active nests as "Ecologically Sensitive Areas" (ESA) and protect the nest (while occupied) during project activities with the establishment of a fence barrier surrounding the nest site.
  - a) Buffer distances for bird nests should be site specific and an appropriate distance, as determined by the qualified biologist. The buffer distances should be specified to protect the bird's normal behavior to prevent nesting failure or abandonment.
  - b) The qualified biologist shall have authority to order the cessation of all nearby project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.
  - c) Typical protective buffers between each identified nest site and construction site are as follows: 1) 300 feet for hawks, owls and eagles; 2) 50 feet for passerines.
  - d) The qualified biologist shall monitor the behavior of the birds (e.g., adults and young, when present) at the nest site to ensure that they are not disturbed by project activities.
  - e) Nest monitoring shall continue during project work until the young have completely left the nest site; as determined by the qualified biologist.
  - f) No habitat removal or modification shall occur within the ESA-fenced nest zone until the young have fully fledged and will no longer be adversely affected by the project. (CDD-B, -E, PW)
- 41. Conduct Archaeological Sensitivity Training for Construction Personnel (MM CUL-1). The Applicant shall retain a qualified professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards to conduct an archaeological sensitivity training for construction personnel prior to commencement of excavation activities. The training session shall be carried out by a cultural resource professional with expertise in archaeology, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. The Applicant and/or qualified professional archaeologist shall propose a date for scheduling the training at the pre-construction meeting with City staff. The Applicant shall notify the City at least 48 hours before holding the training and keep a log of all attendees. The training session shall include a handout and shall focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event, the duties of archaeological

monitors, and the general steps a qualified professional archaeologist would follow in conducting a salvage investigation, if one is necessary. (CDD-B, -E, PW)

42. Cease Ground-Disturbing Activities and Implement Treatment Plan if Archaeological Resources Are Encountered (MM CUL-2). In the event archaeological resources are unearthed during ground-disturbing activities, all ground-disturbing activities within 50 feet of the find shall be halted so that the find can be evaluated. Ground moving activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. In the event that the newly discovered artifacts are determined to be prehistoric, Native American Tribes/Individuals shall be contacted and consulted, and Native American construction monitoring shall be initiated.

Because it is possible for a lead agency to determine that an artifact is considered significant to a local tribe (and thus be a significant resource under CEQA, even if it would not otherwise be considered significant under CEQA), all Native American artifacts (tribal finds) shall be considered as a significant Tribal Cultural Resource, pursuant to PRC 21074 until the lead agency has enough evidence to make a determination of significance. The City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis. If appropriate, the archaeologist may introduce archaeological monitoring on the site. An archaeological report will be written detailing all archaeological finds and submitted to the City and the Northwest Information Center. (CDD-B, -E, PW)

- 43. California Building Code (MM GEO-1). All construction activities shall meet the California Building Code regulations for seismic safety. Construction plans shall be subject to review and approval of the City prior to the issuance of a building permit. All work shall be subject to inspection by the City and must conform to all applicable code requirements and approved improvement plans prior to final inspection approval or the issuance of a certificate of occupancy. The Applicant shall be responsible for notifying construction contractors about California Building Code regulations for seismic safety. (CDD-B)
- 44. **Stormwater Pollution Control Plan (GEO-2).** The Applicant shall submit a Finalized Stormwater Pollution Control 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. 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. The Plan shall include the following measures as applicable:

- a) Throughout the construction process, ground disturbance shall be minimized, and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.
- b) All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff using appropriate BMPs such as silt fences, diversion berms and check dams. Fill slopes shall be stabilized and covered when appropriate. All exposed surface areas shall be mulched and reseeded. All cut and fill slopes shall be protected with hay mulch and/or erosion control blankets, as appropriate.
- c) All erosion control measures shall be installed according to the approved plans prior to the onset of the rainy season but no later than October 15th. Erosion control measures shall remain in place until the end of the rainy season but may not be removed before April 15th. The applicant shall be responsible for notifying construction contractors about erosion control requirement.
- d) Example design standards for erosion and sediment control include, but are not limited to, the following: avoiding disturbance in especially erodible areas; minimizing disturbance on slopes exceeding 30 percent; using berms, swales, ditches, vegetative filter strips, and catchbasins to prevent the escape of sediment from the site; conducting development in increments; and planting bare soils to restore vegetative cover.
- e) The applicant will also develop an inspection program to evaluate if there is any significant on-site erosion as a result of the rainfall. If there were problem areas at the site, recommendations will be made to improve methods to manage on-site erosion. (CDD-B, -E, PW)
- 45. Conduct Paleontological Sensitivity Training for Construction Personnel (MM GEO-3). The Applicant shall retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology and shall conduct a paleontological sensitivity training for construction personnel prior to commencement of excavation activities. The Applicant and/or qualified professional paleontologist shall propose a date for scheduling the training at the pre-construction meeting with City staff. The Applicant shall notify the City at least 48 hours before holding the training and keep a log of all attendees. The training will include a handout and will focus on how to identify paleontological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event, the duties of paleontological monitors, notification and other procedures to follow upon discovery of resources, and the general steps a qualified professional paleontologist would follow in conducting a salvage investigation if one is necessary. (CDD-B, -E, PW)
- 46. Cease Ground-Disturbing Activities and Implement Treatment Plan if Paleontological Resources Are Encountered (MM GEO-4). If paleontological resources and or unique geological features are unearthed during ground-disturbing

activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until appropriate paleontological treatment plan has been approved by the Applicant and the City. Work shall be allowed to continue outside of the buffer area. The Applicant and City shall coordinate with a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist's discretion and to reduce construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing. (CDD-B, -E, PW)

- 47. **Dust Control.** Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the City. All public streets and medians soiled or littered due to this construction activity are to be cleaned and swept on a daily basis during the workweek to the satisfaction of the City. 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-E, PW)
- 48. **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)

- 49. **Asbestos Containing Materials (MM HAZ-1).** Asbestos Containing Materials. Per recommendations in the Phase I Environmental Site Assessment (ESA) performed for the project site, prior to any redevelopment or demolition activities the Applicant shall: (1) survey the existing on-site structures for the presence of asbestos containing materials (to be conducted by an OSHA-certified inspector); and (2) if building elements containing any amount of asbestos are present, prepare a written Asbestos Abatement Plan describing activities and procedures for removal, handling, and disposal of these building elements using EPA- and/or OSHA-approved procedures, work practices, and engineering controls. (CDD-B)
- 50. **Lead-Based Paints (MM HAZ-2).** The Applicant shall test the existing on-site structures for lead-based paint. If present, the lead-based paint shall be removed and disposed of following lead abatement performance standards included in the U.S. Department of Housing and Urban Development Guidelines for Evaluation and Control of Lead-Based Paint program, in compliance with Title 8 California Code of Regulations (including Section 1532.1). (CDD-B)
- 51. **Solid 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)
- 52. **Solid Waste Disposal.** 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. (PW)
- 53. **Address Assignments.** Applicant shall submit an application for an address assignment for each new lot. (CDD-E).
- 54. Construction Period Traffic Control Plan (MM TRANS-1). The Applicant shall submit a Construction Period Traffic Control Plan to the City for review and approval. The plan shall include traffic safety guidelines compatible with Section 12 of the Caltrans Standard Specifications ("Construction Area Traffic Control Devices") to be followed during construction. The plan shall also specify provision of adequate signing and other precautions for public safety to be provided during project construction. In particular, the plan shall include a discussion of bicycle and pedestrian safety needs due to project construction and later, project operation. In addition, the plan shall address emergency vehicle access during construction. The applicant or their general contractor for the project shall notify the Public Works & Utilities Department and local emergency services (i.e., the Police and Fire Departments) prior to construction to inform them of the proposed construction schedule and that traffic delays may occur. Prior to approval of a grading permit, the City shall review and approve the project Construction Period Traffic Control Plan. During construction, the City shall periodically verify that traffic control plan provisions are being implemented. (PW)

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

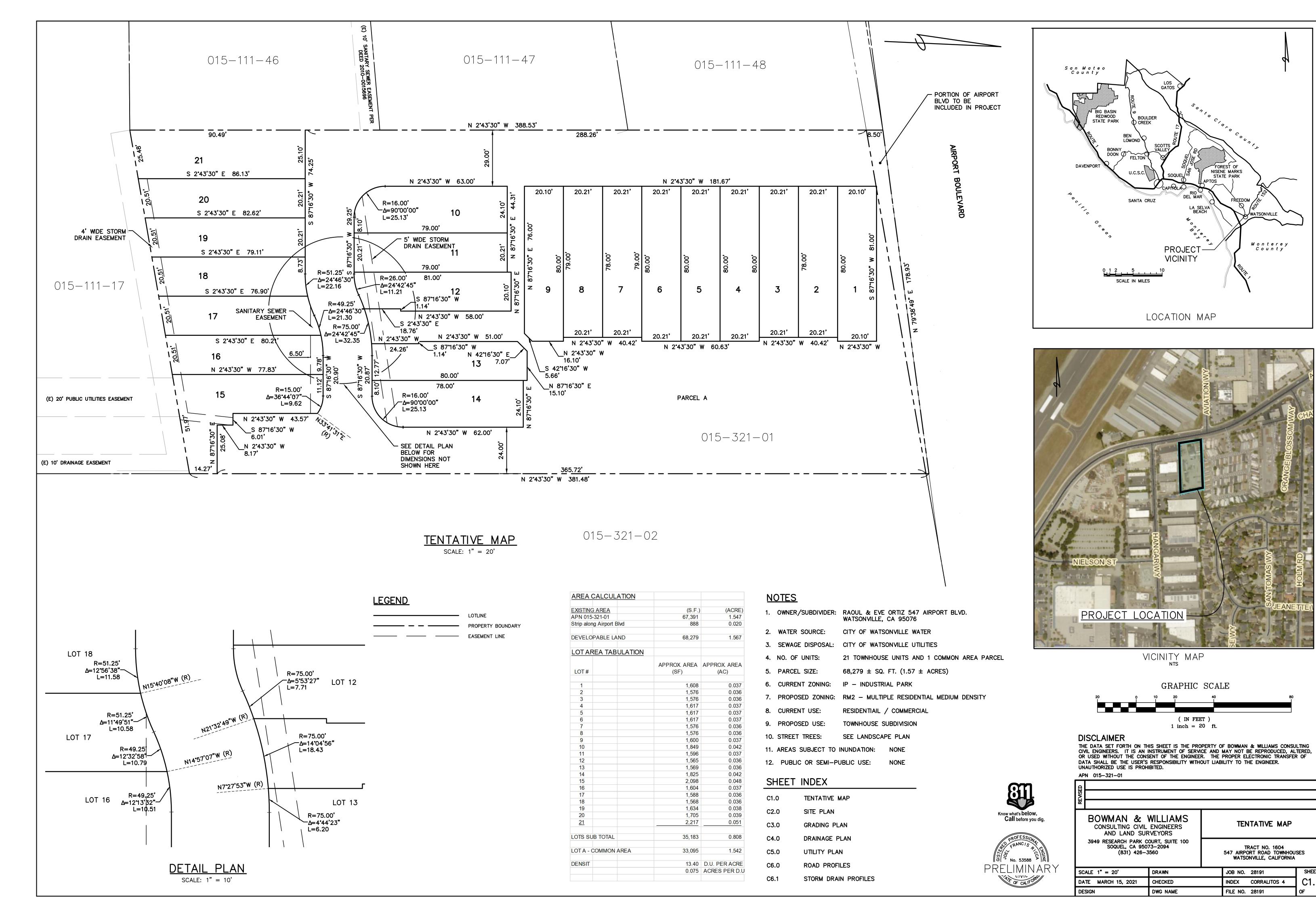
- 55. Letters from Design Professionals. Prior to final City acceptance of the project, all design professionals who prepared improvement plans for the project (civil, geotechnical, electrical and structural engineers), shall provide letters attesting that they have periodically monitored the construction 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, -E, PW)
- 56. **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)
- 57. **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)

### **Key to Department Responsibility**

CDD-B – Community Development Department (Building)
 CDD-P – Community Development Department (Planning)
 CDD-E – Community Development Department (Engineering)

PW – Public Works Department
WFD – Watsonville Fire Department
WPD – Watsonville Police Department

CAT – City Attorney



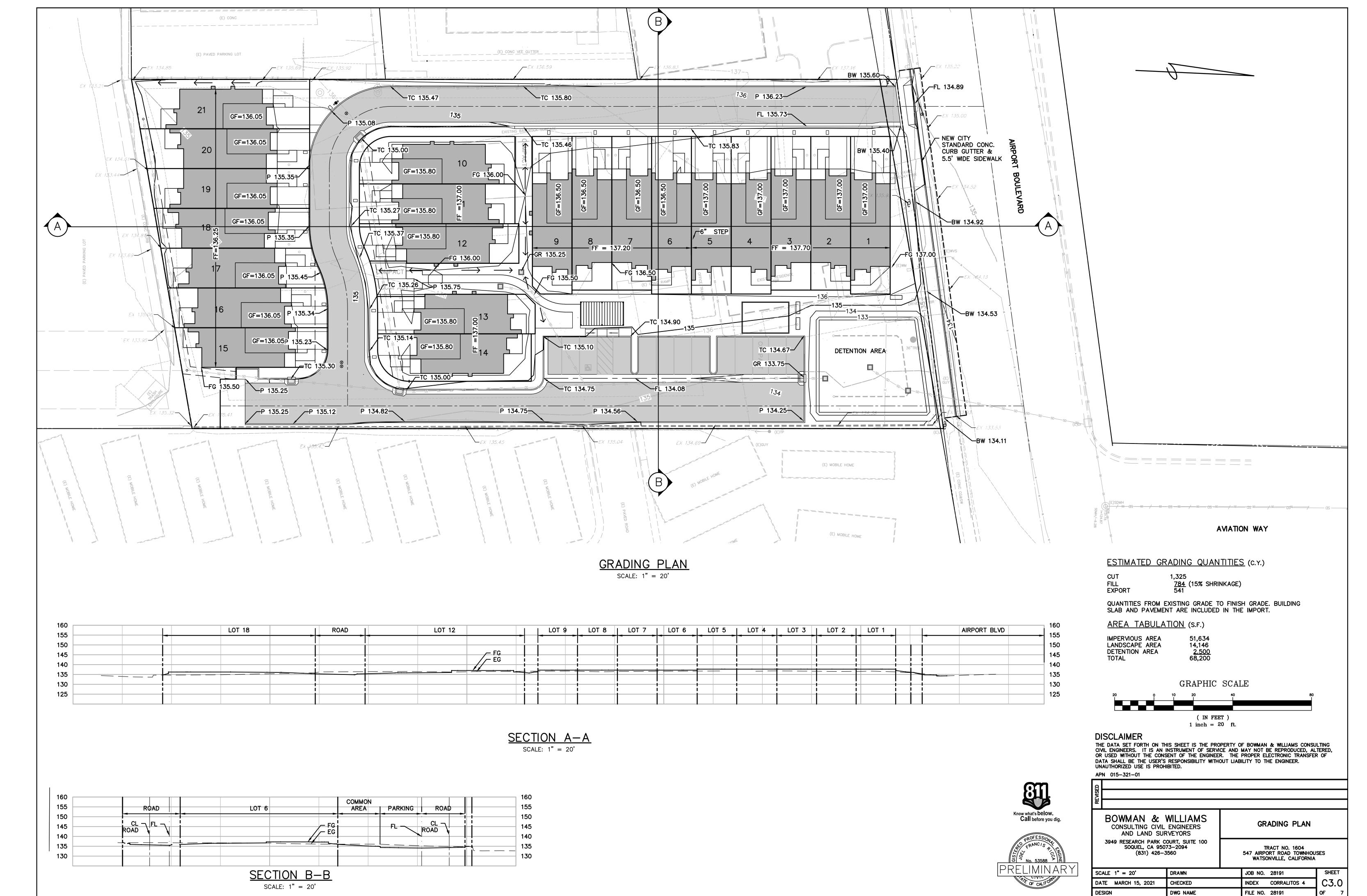
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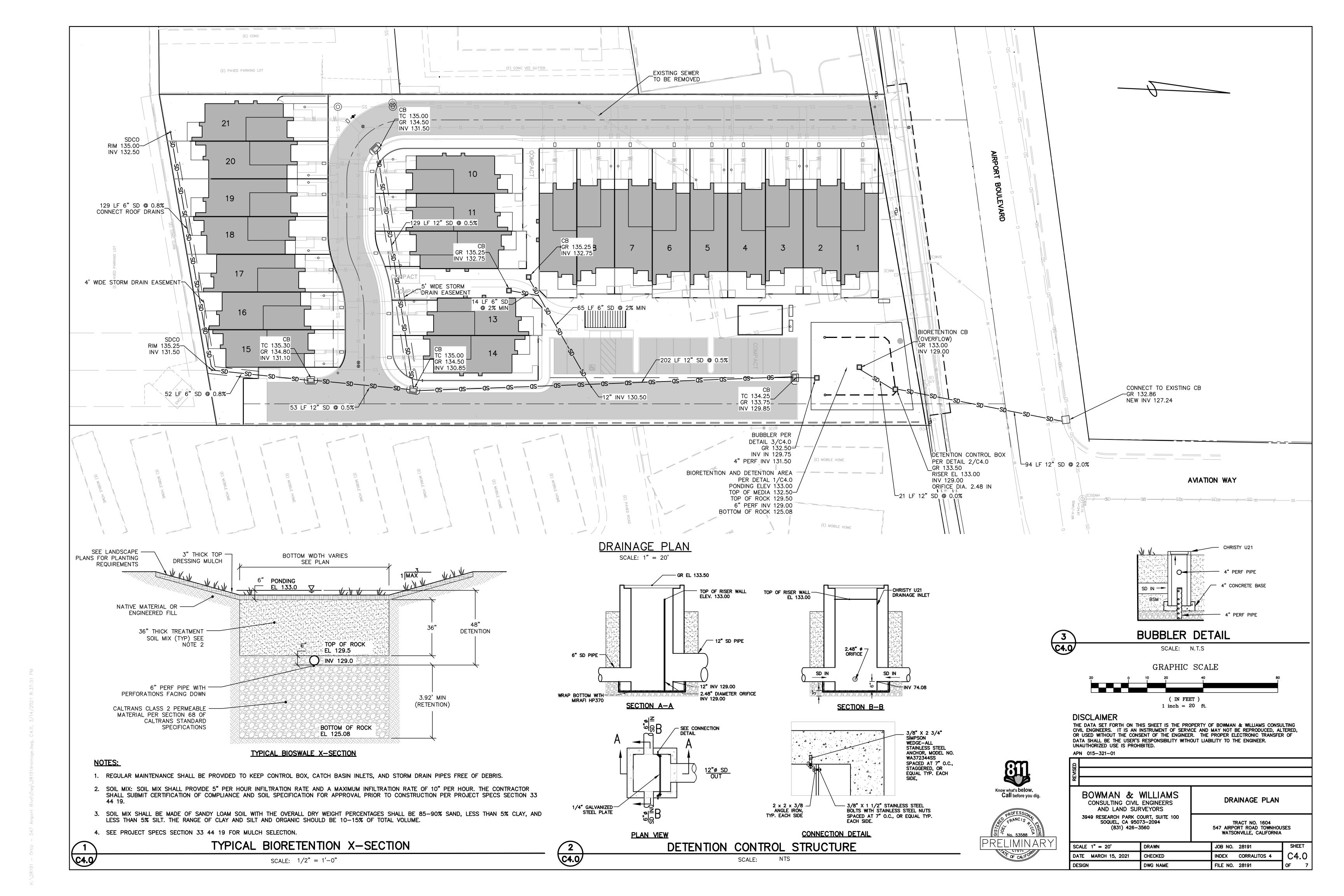
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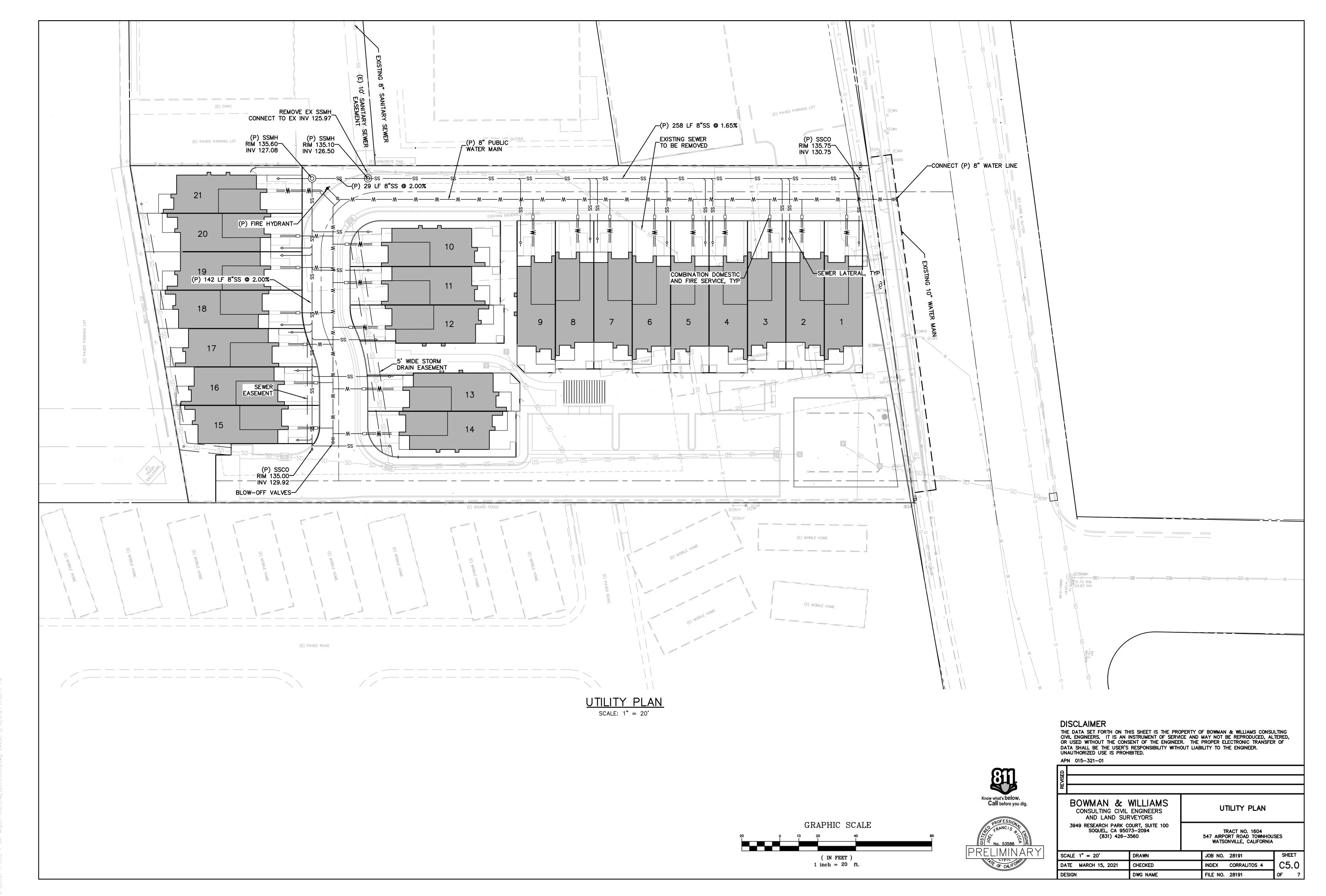
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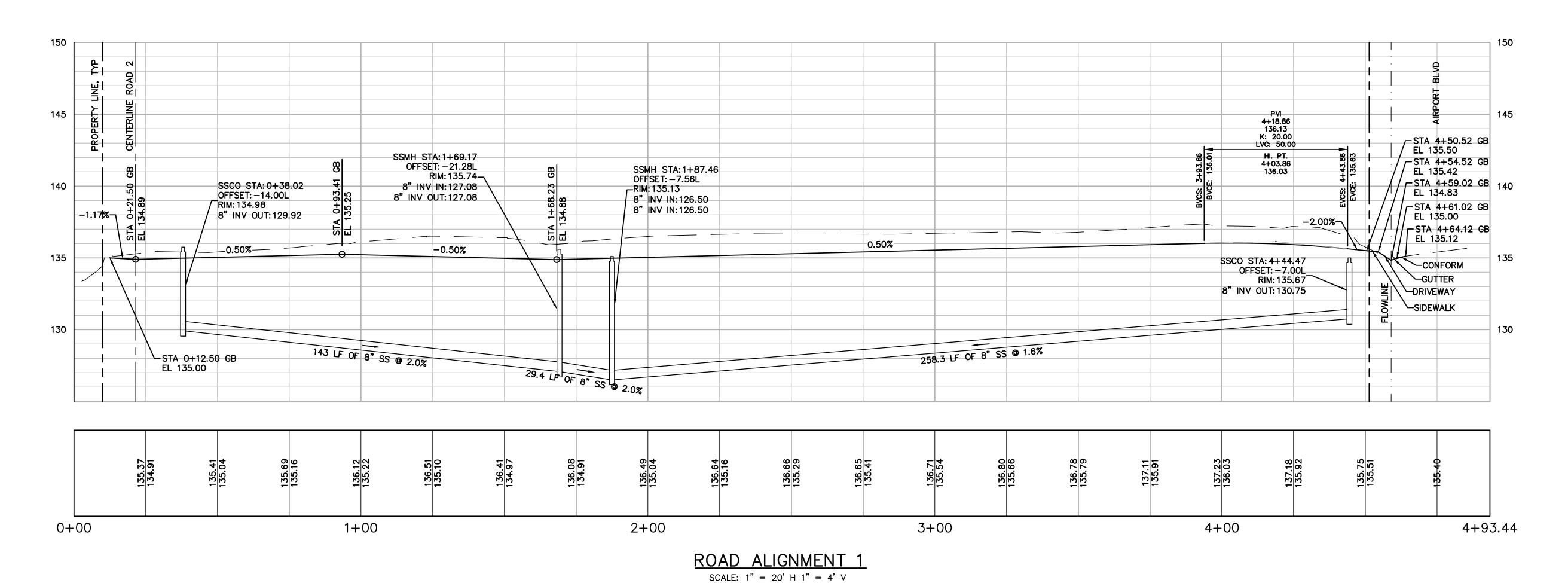
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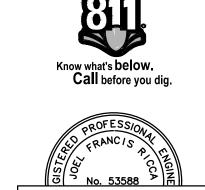




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ROAD ALIGNMENT 2

SCALE: 1" = 20' H 1" = 4' V



BOWMAN & WILLIAMS

CONSULTING CIVIL ENGINEERS

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APN 015-321-01

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547 AIRPORT ROAD TOWNHOUSES
WATSONVILLE, CALIFORNIA

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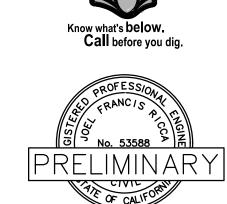
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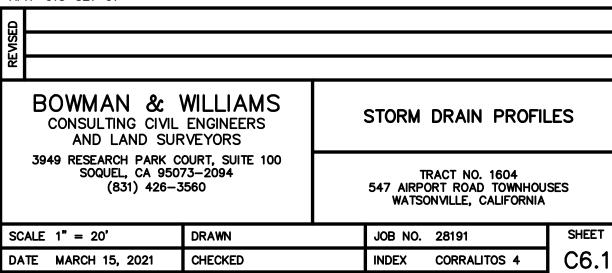




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