

**Garden's Gate**  
**Major Subdivision Tentative Map**  
**Consistency Analysis – Division of Lands Regulations**  
**May 10, 2007**

The following is an evaluation of the proposed Garden's Gate Major Subdivision tentative map's consistency with Mendocino County's subdivision requirements (Article VI, General Regulations and Provisions, Division of Land Regulation).

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APPLICABILITY. All divisions of land, and the lots and parcels resulting there from, shall be subject to the provisions of this Article.

**Sec. 17-51 General Plan.**

*(A) In all respects the division of land shall be considered in relation to the General Plan of the County, specific plans of the County, and preliminary plans and policies being considered by the County, or other legally constituted Governmental body. If the limits of the land acquisition have been determined for any project being considered by the County or other legally constituted governmental body, the subdivider shall be required to either dedicate or reserve such lands as are required.*

The project is subject to the policies of the Mendocino County General Plan and the Inland Zoning Ordinance. The policies of the tentatively adopted Ukiah Valley Area Plan (June 10, 2003) will also apply if the EIR public hearing process for the plan is completed and the plan is approved by the Board of Supervisors. Finally, the site lies within the Ukiah Municipal Airport Master Plan planning area and is therefore subject to review by the Mendocino County Airport Land Use Commission.

The subdivision would create single-family residential lots, including 36 lots for affordable housing, consistent with the allowed uses in the within the SR (Suburban Residential) General Plan land use designation and zoning district. The General Plan Housing Element designated the vineyard portion of the site (approximately 28 acres) for development of up to 572 housing units, which equates to a gross or average residential density of 19.2 units per acre. The project would develop this same area with 193 dwellings and two parks (totaling 2.3 acres) at a gross residential density of 6.4 dwelling units per acre. The resulting net density in this area, excluding the parks and assuming 20 percent would be developed with roads and sidewalks, would equal 8.9 dwelling units per acre. In this case, however, the density is achieved by reducing the size of the Garden Court and the Townhouse lots to less than 6,000 square feet and not by construction of multiple family dwellings, as assumed in the General Plan. As a result, the proposed lots do not comply with the general plan residential density standard (i.e., one single family residential per lot not less than 6,000 square feet) and the zoning size, depth and width standards building sites, and will result in building sites that do not comply with the zoning setback requirements. Consequently, this project includes a request for a density bonus as allowed by state law which, if granted, does not require a general plan amendment and a zoning text amendment, to approve the project with the proposed small

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subdivision lots. The submitted density bonus request fully describes the state's law and the proposed affordable housing.

<b>Residential Density by Zoning District</b>						
Zoning District	Land Use	Gross Lot Area			Gross Density	
		Lots	Sq Ft	AC	Dwelling	DU/AC
SR:AZ(B2)	None	0	27,578	0.63	0	0.0
SR:AZ(C)	Residential	108	633,063	14.53	108	7.4
	Park *	2	100,831	2.31		
SR:AZ(D)	Residential	85	599,709	13.77	85	6.2
SR:AZ(D):FP	Residential	4	49,156	1.13	4	3.5
<b>SR Subtotal</b>		<b>199</b>	<b>1,410,337</b>	<b>32.38</b>	<b>197</b>	<b>6.1</b>
RR5:L-5:AZ(D)	Designated Remainder	1	580,556	13.33	1	0.1
RR5:L-5:AZ(D):FP	None	0	17,638	0.40	0	0.0
<b>RR5:L-5 Subtotal</b>		<b>1</b>	<b>598,194</b>	<b>13.73</b>	<b>1</b>	<b>0.1</b>
<b>Total</b>		<b>200</b>	<b>2,008,531</b>	<b>46.11</b>	<b>198</b>	

\* The small area of the parks that extend into the SR:AZ(D) and SR:AZ(B2) zoning districts are added to the SR:AZ(C) zoning district area.

The Ukiah Airport Land Use Compatibility Map shows that the project is located within the Airport's common traffic pattern zone (Zone C), but outside the southern runway approach and departure zone. Also, the southern runway flight pattern directs aircraft to the east over agricultural lands and away from the hills to the west. There are no restrictions on otherwise allowed residential uses on the project site.

*(B) The subdivider shall file a petition for reclassification of the zoning within the area of a parcel division or subdivision to conform to the proposed land use, lot sizes and dimensions. Said petition shall be filed upon approval of the tentative map and prior to submission of the final map or parcel map.*

The submitted major subdivision application is accompanied by a density bonus, as allowed by the State's Density Bonus Law. This law allows the County to approve the subdivision with reduced lot size, depth and width as well as reduced setbacks, without a general plan amendment or rezoning, when the reduced standard is necessary in order to provide affordable housing and will not create an adverse off-site impact..

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**Sec. 17-52 Lot and Block Design and Configuration.**

*(A) The size and shape of lots shall be in conformance to any zoning, land use regulation, or ordinance effective in the area, provided however, that where this Chapter imposes more restrictive standards the requirements of this Chapter shall prevail.*

As stated above, the project includes a density bonus with reduced development standard, as allowed by state law, including the following exceptions to applicable lot standards contained in this chapter.

- Section 17-52 (B) minimum lot area, width and depth.
- Section 17-52 (F) maximum 3:1 lot depth to width ratio.
- Section 17-52 (J) double lot frontage
- Section 17-52 (L) flag lot access strip

*(B) Where a water supply and distribution system and sanitary sewer system are provided, the lot area shall be not less than 6,000 square feet and the lot width shall be not less than sixty (60) feet in width on the building line or less than eighty (80) feet in depth, provided that corner lots shall be not less than seventy (70) feet in width on the building line.*

While most of Vineyard lots comply with the lot area, width and depth standard. None of the Garden Court or Townhouse lots fully complies with these standards. They are designed as small lots with shared access driveways and, in the case of the Garden Court lots, with shared front yards (i.e., common greens).

*(C) Where a water supply and distribution system is provided, the lot area shall be not less than twelve thousand (12,000) square feet; and a lot width shall be not less than eighty (80) feet, except for residential lots on curved or Cul-de-Sac streets, which shall have a minimum width at the building line of eighty (80) feet.*

NA

*(D) When neither a water supply and distribution system nor a sanitary sewer system is provided, the lot area shall be not less than forty thousand (40,000) square feet; and a lot width shall be not less than one hundred (100) feet except for residential lots one curved or cul-de-sac streets, which shall have a minimum width at the building line of one hundred (100) feet.*

NA

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*(E) When approved by the Planning Commission, lots or parcels to be used exclusively for, but not limited to, well sites, sewage lift stations, drainage devices, sump pumps, parking lots, and other similar installations and appurtenances, need not meet the minimum lot area, depth-width ratios, or frontage requirements. Such lots or parcels shall be designated on the final map or parcel map for the purpose thereof and be shown as "Not a Building Site".*

This requirement shall be fulfilled with the recordation of the final map.

*(F) No lot shall have a depth of greater than three (3) times the average width of the lot; provided, however that the Planning Commission may approve greater width-depth ratios when necessitated by topography or other physical conditions, or where property is to be used for commercial or industrial purposes.*

All of the Hillside and Vineyard lots comply with this standard. Some of the Garden Court and Townhouse lots do not because they are designed with relatively narrow widths (i.e., 30-35 feet) to establish smaller lots configured around shared driveways that can be developed with affordable housing units at the density allowed by the State Density Bonus.

*(G) The side lines of all lots, so far as possible, shall be at right angles to the center line of the street, or radial, or approximately radial to curved streets.*

All of the side lot lines comply with this standard.

*(H) No lot shall be divided by a City or County boundary line.*

NA

*(I) Building setback lines shall be indicated on the final map or parcel map as required by the County Zoning Code or other appropriate restriction.*

The setback lines are shown on the submitted subdivision plans.

*(J) Lots having double frontage shall not be permitted, except as otherwise provided herein, except when necessitated by topography or other physical condition. In all cases access on one side shall be restricted by proper dedication or legal instrument.*

All of the Hillside lots comply with this standard. Three of the Vineyard Lots are double frontage since they are situated between a public street and Gobalet Lane (a private access road). Many of the Garden Court Townhouse lots are also double frontage lots because they are positioned between a subdivision street and a private alley (private shared driveway). The alleys are considered "streets" as defined by Section 17-31 of the

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Division of Land Ordinance because they provide primary vehicle access to the abutting lots.

*(K) All lots shall be suitable for the purpose for which they are intended.*

The configuration of the proposed lots and shared improvements are part of a master plan that is designed to create a livable residential community that offers a variety of housing types and an enhanced garden experience. The overall residential density is consistent with the General Plan.

*(L) Flag lots or parcels whose access to the abutting street is provided by a strip or segment which is a part of said lot or parcel may be approved by the Planning Commission when necessitated by topography or other special condition, provided however, that the main portion of the lot meets the provisions of this Chapter as to length, depth, area and design. In no case shall the access strip be less than twenty (20) feet in width nor greater than three hundred (300) feet in depth and improvements shall be constructed therein to provide an all weather driveway.*

In all cases, access corridors, including shared driveways, are at least 20-foot wide. While most of the Vineyard lots comply with the SR lot standards, the Townhouse lots do not. The proposed reduced lot configuration standards part of the requested density bonus and allowed by state law when the reduced standard is necessary in order to provide affordable housing and will not create an adverse off-site impact.

*(M) Lots within frontage on a street, unless otherwise provided for herein, shall not be permitted.*

NA

*(N) Deed restrictions or tract covenants shall be recorded with the final map or parcel map and shall include a provision that requires that no further division of land may be made unless the improvements, including, but not limited to streets, drainage facilities, and utilities are upgraded to conform to the proposed lot sizes, said regulations and standards being set forth in Articles VI and VII herein. To conform to the regulations and land improvement standards then in effect for the proposed lot sizes, said regulations and standards being set forth in Articles VI and VII herein.*

CC&Rs and Joint Maintenance Agreements will be recorded with the final map.

*(O) Any lot or parcel created by a division of land but not shown as a part thereof shall be of such size and shape as to conform to the provisions of this Chapter.*

NA

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*(P) No lot or parcel created by a division of land shall be excluded from the boundaries of the division of land for the purpose of avoiding dedication or improvement of any street, drainage, or flood control facility.*

NA

*(Q) Each lot or parcel on a turn around, cul-de-sac or curved street, where the side lines thereof are diverging from the front to the rear of such lot or parcel, shall have a width of not less than sixty (60) feet, or the width required by this Chapter or the Zoning Code, whichever is greater, measured along the building setback line established by the minimum required front yard for the main building and between the side lines of such lot or parcel.*

This provision applies to three lots (#7, 8, and 163) which take access from a 30-foot wide shared driveway that provides access to the rear property line. Otherwise, there are no lots within the subdivision subject to this requirement.

*(R) Each lot or parcel on a curved street, when the side lines thereof are converging from the front to the rear of such lot or parcel, shall have an average width of not less than sixty (60) feet or the width required by this Chapter or the Zoning Code, whichever is greater.*

See above response.

*(S)(1) Lots containing less than 2.5 acres shall be designed wherever possible to conform to existing easements unless said easements are relocated to conform with the proposed lot pattern. (As amended by Ord. No. 3527, adopted 1984)*

There are no existing easements over the portion of the project where lots less than 2.5 acres in size are proposed.

*(S)(2) When calculating the area of a lot or parcel of less than two (2) gross acres to determine compliance with this Chapter or the Zoning Code, all easements, except an easement created exclusively for the purpose of constructing and maintaining roadway slopes, shall be deducted. (As amended by Ord. No. 3527, adopted 1984)*

The net lot area listed by the tentative map lot table excludes all easements.

*(T) Where a division of land proposes acreage tracts, the blocks shall be so divided as to provide for opening of necessary streets at locations that will permit the ultimate extension and opening of future streets to such intervals as will allow a subsequent division into blocks and lots of size to meet the requirements of law.*

Future road extensions are provided to accommodate development to the north and south.

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*(U) Blocks shall be no longer than thirteen hundred (1,300) feet in length except where the Planning Commission determines that the topographic conditions, surrounding layout, or other circumstance requires longer blocks. Long blocks shall be provided when contiguous to major streets for the purpose of reducing the number of intersections.*

The block located on the north subdivision boundary exceeds 1,300 feet in length.

*(V) The width of each block shall be of sufficient size to lay out two tiers of lots therein of a size required by this Chapter unless otherwise approved by Planning Commission.*

The width of the blocks with Garden Court and Townhouse lots comply with this standard. The long block on the north side of the subdivision is laid out with one tier of Vineyard lots to create a land use transition between the project and the larger residential lots to the north.

**Sec. 17-53 Lot Access.**

*(A) Every subdivision and parcel division shall connect to a City, County, or State Maintained street or highway. The connection shall be made by:*

*(1) The division of land lying adjacent to and contiguous with the maintained street in sufficient length and with such topographic features so as to accommodate the construction of all improvements required as a condition of tentative map approval in conformance with applicable standards prescribed by this Chapter, or*

*(2) The division of land being connected to the maintained street by a non-exclusive easement for street, utility, and appurtenant drainage facilities right of way. Said easement shall be unencumbered by any senior rights that might serve to restrict the proposed use of the easement to be offered for dedication and shall be of such width and location so as to accommodate the construction of all improvements required as a condition of tentative map approval in conformance with applicable standards prescribed by this Chapter.*

*(B) Streets shall conform, as to alignment and width, with the circulation element of the General Plan. Street improvements shall be made as required by the "Mendocino County Subdivision and Street Classification Chart" adopted by Resolution of the Board of Supervisors. The Planning Commission shall classify subdivisions and the streets therein or connecting thereto upon the recommendation of the Director of Planning and the Road Commissioner. Street design shall conform with such standards as may be adopted by Resolution of the Board of Supervisors. Said standards shall apply, but not be limited, to the following design criteria; Design speed, horizontal alignment, maximum and minimum allowable grade, stub roads, drainage requirements, and street intersections.*

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The following table shows that the proposed streets do not comply with the County's urban subdivision street improvement standard.

<b>Mendocino County</b>								
<b>Urban Subdivision and Street Improvement Requirements</b>								
<b>Proposed Street</b>	<b>Street Type</b>	<b>Row of Way (ft)</b>		<b>Base Width (ft)</b>		<b>Pavement Width (ft)</b>		<b>Other</b>
		<b>Req'd</b>	<b>Prop'd</b>	<b>Req'd</b>	<b>Prop'd</b>	<b>Req'd</b>	<b>Prop'd</b>	
2-Way Street	Collector	70	58-62	40	36-40	40	36-40	<i>Pavement Concrete, Concrete curb, and sidewalk.</i>
1-Way Street	Local	60	52	36	26	36	26	
Driveway Access Easements	Local (Private Road)	60	30	36	20	36	20	

The proposed reduced street improvements will allow the Garden's Gate project to develop at the density allowed by the State Density Bonus. The reduced street improvements will create a streetscape that will encourage residents to walk and bicycle to local destinations as well as encourage motorists to drive slowly. The proposed road width provides adequate access for emergency vehicles as well as provides ample on-street parking.

*(C) All streets shall, insofar as practicable be in alignment with existing adjacent streets by continuation of the centerlines thereof, or by adjustments by curves, and shall be in general conformity with plans made for the most advantageous development of the area in which the division of land lies. Where a division of land adjoins acreage, provision shall be made for adequate street access thereto.*

Future street extensions will accommodate potential development on adjacent vacant lands.

*(D) When a State Highway or a street classified as a major arterial in the circulation element of the General Plan passes through or is contiguous with a division of land, direct access to the lots or parcels from the public highway will not be permitted. Reserve strips, where required to control access over certain lot lines or over the ends of street stubs shall be dedicated to the County.*

The only entry to South State Street is by the main entrance road to the subdivision. No new lot entrance to this major arterial will be created.

*(E) All streets shall be named and such names shall be subject to the approval of the Planning Commission. Duplication of existing names will not be allowed unless the street is an obvious extension of an existing street.*

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The street names are shown on the submitted plans for review by the Planning Commission. The approved names will be recorded with the final map.

*(F) Prior to the Final approval of the work, or the acceptance of the roads into the County Maintained System by Resolution of the Board of Supervisors, the Subdivider shall enter into an unconditional maintenance and repair agreement for said improvements. Said agreement shall be for a period not to exceed twenty-four (24) months. Said maintenance and repair agreement shall be secured by the necessary surety in the form and the amount as approved by the Board of Supervisors.*

This requirement will be fulfilled if the project is approved.

*(G) When an existing County road provides access to, passes through, or is contiguous with the proposed division of land, the Planning Commission may require improvements to be made to the County Road if such improvement is determined to be in the best public interest.*

The project will construct a roundabout at the main entrance to alleviate future traffic congestion on South State Street. This improvement will mitigate the future cumulative impact of area wide development at the intersection. This project will also create a new local street connection to Oak Knoll Drive, which will provide pedestrians and bicyclist a safer route to schools, parks and downtown Ukiah than South State Street.

*(H) The Planning Commission may require that a rough graded access be constructed to each lot or parcel within the division of land as a condition of the approval of a tentative map.*

Rough grading of the building sites will be completed at the time the subdivision improvements are constructed.

**Sec. 17-54 Private Roads.**

*(A) No private roads shall be permitted in any parcel subdivision or major subdivision except where the Planning Commission determines that a private street system will adequately serve the proposed subdivision, will not be a substantial detriment to the adjoining properties, and will not disrupt or prevent the establishment of an orderly street pattern within the area of Subdivision.*

The alleys will be shared driveways for garage access for the adjoining lots. Although these alleys are not part of the subdivision's public street network, they will be dedicated as fire lanes to prevent parking within the alley and thereby ensure unobstructed access for emergency vehicles and to garage parking spaces.

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*(1) Satisfactory provisions shall be made for a lot owner's association or other organization to assume responsibility for the maintenance of said private roads and ownership of the street right of ways. Said provisions for maintenance shall be subject to the approval of the Planning Commission.*

The alleys will be maintained by the Homeowners Association and paid for by the fees collected from the adjoining residents.

*(B) Private roads shall be improved to the following standards:*

*(1) When any lot within the subdivision contains a gross area of 2.5 acres or less, the private roads shall be improved to full County Standards as established by this Chapter.*

The alleys will be constructed as shared driveways and not as private roads. All of the streets located within the subdivision will be constructed and dedicated to the County as public streets.

*(2) When the minimum lot size within the Subdivision is greater than 2.5 acres, but less than 10.0 acres, the private roads shall be improved to full County Standards as established by this Chapter, however, the surfacing may be a double bituminous chip seal in lieu of asphalt concrete.*

NA

*(3) When the minimum lot size within the subdivision is 10.0 acres or greater, the private roads shall be improved to full County Standards as established by this Chapter; however, the surfacing may be omitted and the base rock may consist of locally available material spread to a minimum thickness of four (4) inches.*

NA

*(C) The Planning Commission may require such guarantees and may impose such conditions as it deems necessary to carry out the provisions of this Chapter pertaining to private roads.*

This will be a requirement of the tentative map.

*(D) Private roads and easements providing access to parcels within a parcel division shall be located and shown on the parcel map and improved as required by such standards as may be adopted by Resolution of the Board of Supervisors. (Ord. No. 4001 (part), adopted 1998)*

Private roads (alleys) and access easements over the common greens are shown on the proposed tentative map.

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**Sec. 17-55 Water Supply and Distribution Systems.**

*(A) When any part of any proposed subdivision lies within five hundred (500) feet of any municipal, special district, or county system providing domestic water, water mains and services shall be installed to serve each lot in said subdivision and connected to such system, if approved by the governing body of such system. If the system or any part thereof is to be installed within the street right of way, the system location, including valve boxes, meter boxes, and fire hydrants and the system construction specifications shall be subject to the approval of the County Engineer.*

The project site lies within the Willow County Water District. The District issued a will-serve letter for the project allowing up to 210 connections.

**Sec. 17-56 Sanitary Sewer Systems.**

*(A) When any part of any proposed subdivision lies within five hundred (500) feet of any municipal, special district, or county sewage disposal system providing sanitary sewer service and if a connection to said system is approved by the governing body of such system, sanitary sewer facilities including laterals shall be installed to serve each lot in said subdivision. If the system or any part thereof is to be installed within the street right of way, the system location and construction specifications shall be subject to the approval of the County Engineer.*

The project site lies within the Ukiah Valley Sanitation District. The District issued a will-serve letter for the project allowing up to 210 connections.

**Sec. 17-57 Drainage and Water Courses.**

*(A) The subdivider shall provide drainage systems within the division of land to carry storm run-off both tributary to and originating within the division of land as determined necessary by the County Engineer on the basis of information and recommendations provided by the Engineer for the subdivider. Said systems shall be located within drainage easements delineated on the final map or parcel map. Drainage easements shall be offered for dedication. The alignment of drainage easements shall conform to the meanderings of the natural water course or to the alignment approved for the drainage system. Width of drainage easements shall be that required to encompass the natural water course or drainage system in conformance with the minimum standards prescribed in Article VII of this Chapter.*

This requirement will be fulfilled at the time the final map is prepared for the subdivision. The preliminary location of the drainage easements are shown on the submitted tentative map and include a drainage easement over Cleland Mountain Creek.

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*(B) Drainage easements shall be provided for all natural water-courses.*

See previous response.

*(C) Where a division of land causes an increase in and the unnatural concentration of surface waters onto adjacent private and public property the subdivider shall obtain an easement for drainage purposes across such property sufficient in width and improved in a manner adequate to handle the runoff of such surface water to a satisfactory point of disposal. If the owner of such adjacent private property agrees to accept such increased run-off and unnatural concentration of surface water and such agreement has been recorded the easement referred to herein shall not be necessary.*

The proposed storm water drainage system is designed to retain the 155,000 cubic feet of runoff that the project will generate above the site's existing runoff rate during a 100-year storm. The submitted drainage plan describes the proposed drainage system.

**Sec. 17-58 Utilities.**

*(A) Electricity and communication services, and gas services where available, shall be installed as part of the improvements within all subdivisions wherein the minimum lot size is 2.5 acres or less. This requirement may be waived by the Planning Commission if it can be found to be in the public interest not to install the utilities as part of the subdivision improvements.*

All utilities will be installed with the subdivision improvements. No waiver is requested.

*(B) All utility distribution facilities (including but not limited to electric, communication and cable television lines) installed in and for the purpose of supplying service to any residential or commercial subdivision wherein the minimum lot size is 2.5 acres or less shall be placed underground, except as follows:*

Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.

All utility distribution facilities will be installed underground.

*(l) The subdivider is responsible for complying with the requirements of this paragraph, and shall make the necessary arrangements with the utility companies involved for the installation of said facilities.*

PG&E (electricity and gas) and SBC (telephone) have all issued will-serve letters that they can serve the project.

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*(2) The Planning Commission may waive the requirements of this paragraph if topographical, soil, or any other conditions make underground installation of said facilities unreasonable or impractical.*

No waiver is requested.

*(3) Industrial subdivision are excluded from the provisions of this paragraph.*

NA

*(C) All underground utilities, water lines, sanitary sewers, and storm drains installed in streets shall be constructed prior to the surfacing of such street. Connections to all underground utilities, water lines, and sanitary sewers shall be laid to such lengths as will obviate the necessity for disturbing the street improvements when service connections thereto are made.*

This will be a general condition of the improvement plan.

**Sec. 17-59 Utility Easements.**

*(A) The minimum width of easements for public or private utilities, sanitary sewers, or water distribution systems shall be ten (10) feet.*

No proposed easement is less than 10 feet wide.

*(B) Easements for overhead utility lines shall be located at the rear of lots or parcels where practical and along the side of lots or parcel where necessary. Where practical the poles supporting such overhead lines shall not be installed within any street, alley, or easement designated exclusively for drainage purposes.*

Any overhead utility lines will be routed to comply with this standard and will be shown on the improvement plans.

*(C) Underground utility lines may be installed within street right of ways or along any lot line. When installed within street right of ways, their location and method of installation, insofar as it affects other improvements within the street right of way, shall be subject to the approval of the County Engineer.*

This will be a requirement of the final map.

*(D) All utility easements shall also be designated as drainage easements on the final map or parcel map.*

This will be a requirement of the final map.

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**Sec. 17-60 Street Lighting.**

*(A) When underground utilities are to be installed within a subdivision where the minimum lot size is less than 12,000 square feet, provisions shall be made at the time the utility improvements are made to accommodate street lighting in the future if street lighting is not provided with the subdivision improvements.*

Street lights will be installed with the subdivision improvements as per recommendations of the Light Impact Assessment Study (Lumenworks, November 3, 2005).

**Sec. 17-61 Alleys.**

*(A) When any lots or parcels are proposed for commercial or industrial usage, the subdivider may be required to dedicate and improve alleys at least twenty (20) feet wide at the rear of said lots or parcels with adequate ingress or egress for truck traffic.*

The 20-foot wide alleys will serve only residential lots and will be maintained as private driveways.

**Sec. 17-62 Walkways.**

*(A) The subdivider may be required to dedicate and improve walkways at least ten (10) feet wide across long blocks, along streets where cuts or fills may preclude otherwise normal pedestrian traffic along the side of said street, and to provide access to schools, parks or other public areas.*

The proposed sidewalks are 5-feet wide. They will be located next to an 8-foot wide landscape swale, within 11-13 foot wide streetscape area within the street right-of-way.

**Sec. 17-63 Hazardous Areas.**

*(A) Areas known to be dangerous by reason of geological conditions, unstable sub-surface conditions, groundwater or seepage conditions, flood hazard, periodic inundation, erosion by the ocean, or any other dangerous condition shall not be divided except under restrictions as to the use of all or any part thereof to insure the safety and well being of the public.*

With the exception of a 100-flood plain located at the north-west corner of the site, there are no known hazardous areas on the site. The hydrologic analysis prepared for the project established that the 100-flood is contained within the creek bank. That portion of Lot 197 within the creek is will be set aside in a drainage easement and will not be developed. The engineering design recommendations of the geotechnical report prepared for the project will be incorporated into the design of subdivision improvements and design of the individual buildings.

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**Sec. 17-64 Fire Protection Features.**

*(A) In areas where the qualified fire officer is of the opinion there will be a fire hazard to the acreage surrounding the division of land or to the lots or parcels within the division of land, adequate fire protection features, including but not limited to access roads, fire breaks, and accessibility to sufficient and available water, shall be provided within or without the division of land.*

All of the buildings and the streets will be constructed in conformance with current fire protection requirements. The secondary access road to Oak Knoll Road will provide another emergency vehicle access route to the existing neighborhood to the north as well as to the new subdivision.

**Sec. 17-65 Ocean and Lake Access— Express Dedication.**

*(A) In any proposed subdivision coming within the provisions of this Chapter, there shall be offered for dedication whatever public access is required for subdivision by Sections 66478.11 and 66478.12 of the Map Act. For such divisions, the Planning Director shall, prior to action by the Planning Commission on the tentative map, conduct an investigation and render to the Commission a report stating his opinion as to what should be reasonable access and the governmental entity or entities operating within the County to which the proposed offer of dedication is to be made. (Ord. No. 969, adopted 1972, as amended by Ord. No. 1433, adopted 1975)*

NA